

5.3.1.4 Effluent Limits/Technology-Based Effluent Limits/Non-Domestic Discharges/ Limitations for Primary Industries

Applicability:

This outlines information about “primary industries” and considerations related to their permit limits and conditions.

Content:

An industry is considered to be “primary” if it is listed at 40 CFR 122 Appendix A. The same listing is contained on the first page of Form D – Application for Discharge Permit – Primary Industries. Primary industries are almost always large generators of pollutants. All permits for primary industries must include effluent limitations and a compliance schedule to meet the requirements of Section 301 of the Clean Water Act; the compliance schedule relates to the facility’s meeting the best available treatment economically achievable (BATEA) requirement.

Most primary industries also have Effluent Limit Guidelines (ELGs) at 40 CFR 405-473. There are only three primary industries that do not: laundries, mechanical products manufacturing, and printing/publishing.

EPA has listed 129 Priority Pollutants that each of these industries must test for and record or include the results in the permit application. These are listed at 40 CFR 122, Appendix D, tables II and III.

These types of facilities must provide analysis of their effluent to assist in the development of their NPDES limitations. Any process waste (including any cooling waters, which receive chemical additions) will have analytical requirements associated with a particular industrial category. Any pollutants, which appear in the analysis, should be considered for monitoring and effluent limitations as deemed necessary. For new facilities, where no discharge exists, analysis of effluent from a similarly designed plant can be used to approximate the pollutants of concern.

Minimum effluent monitoring requirements are outlined in current regulations at 10 CSR 20-7.015(8)(C), but permit writers should exercise their discretion in specifying monitoring frequencies which will show permit compliance with some degree of statistical reliability.

If ELGs do not exist, effluent parameters and limitations should be chosen based on the parameters of concern (or design parameters) and the expected efficiency of the treatment devices that would constitute BATEA for the facility. The Treatability Manual, which is located in the Central Office, and EPA Development Documents should be consulted. The EPA Development Documents relate to the categorical industry ELGs and are paper-copy documents. Some are available through the Central Office or the EPA Regional Office.

Storm water practices must be evaluated. Contaminated storm water runoff should be controlled/limited in the permit draft as necessary to satisfy 40 CFR 122.26 and to protect water quality.

Legal References:

Code of State Regulations:

[10 CSR 20-7.015\(8\)\(C\)](#)

Effluent Regulation - All Other Waters Limitations - Monitoring Requirements (Except Those in Paragraphs (1)(A)1.–6)

Code of Federal Regulations

40 CFR 122.26	EPA Administered Permit Programs: THE NPDES - Storm water discharges
40 CFR 122, Appendix A	NPDES Primary Industry Categories
40 CFR 122, Appendix D, Tables II and III	NPDES Permit Application Testing Requirements
40 CFR Parts 405 to 471	Subchapter N - Effluent Guidelines and Standards

Federal Clean Water Act

[Section 301](#)

Other Links:

[5.3.1.3 Limitations for Primary Industries](#)

Key Words:

Primary industry, BATEA, best available treatment, priority pollutants,

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Revised By: Tim Stallman

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