
40 C.F.R. § 63.138

Process wastewater provisions—performance standards for treatment processes managing Group 1 wastewater streams and/or residuals removed from Group 1 wastewater streams.

(a) *General requirements.* This section specifies the performance standards for treating Group 1 wastewater streams. The owner or operator shall comply with the requirements as specified in paragraphs (a)(1) through (a)(6) of this section. Where multiple compliance options are provided, the options may be used in combination for different wastewater streams and/or for different compounds (e.g., Table 8 versus Table 9 compounds) in the same wastewater streams, except where otherwise provided in this section. Once a Group 1 wastewater stream or residual removed from a Group 1 wastewater stream has been treated in accordance with this subpart, it is no longer subject to the requirements of this subpart.

(1) *Existing source.* If the wastewater stream, at an existing source, is Group 1 for Table 9 compounds, comply with § 63.138(b).

(2) *New source.* If the wastewater stream, at a new source, is Group 1 for Table 8 compounds, comply with § 63.138(c). If the wastewater stream, at a new source, is Group 1 for Table 9 compounds, comply with § 63.138(b). If the wastewater stream, at a new source, is Group 1 for Table 8 and Table 9 compounds, comply with both § 63.138(b) and § 63.138(c).

Note to paragraph (a)(2):

The requirements for Table 8 and/or Table 9 compounds are similar and often identical.

(3) *Biological treatment processes.* Biological treatment processes in compliance with this section may be either open or closed biological treatment processes as defined in § 63.111. An open biological treatment process in compliance with this section need not be covered and vented to a control device as required in § 63.133 through § 63.137 of this subpart. An open or a closed biological treatment process in compliance with this section and using § 63.145(f) or § 63.145(g) of this subpart to demonstrate compliance is not subject to the requirements of § 63.133 through § 63.137 of this subpart. A closed biological treatment process in compliance with this section and using § 63.145(e) of this subpart to demonstrate compliance shall comply with the requirements of § 63.133 through § 63.137 of this subpart. Waste management units upstream of an open or closed biological treatment process shall meet the requirements of § 63.133 through § 63.137 of this subpart, as applicable.

(4) *Performance tests and design evaluations.* If design steam stripper option (§ 63.138(d)) or Resource Conservation and Recovery Act (RCRA) option (§ 63.138(h)) is selected to comply with this section, neither a design evaluation nor a performance test is required. For any other non-biological treatment process, and for closed biological treatment processes as defined in § 63.111 of this subpart, the owner or operator shall conduct either a design evaluation as specified in § 63.138(j), or a performance test as specified in § 63.145, of this subpart. For each open biological treatment process as defined in § 63.111 of this subpart, the owner or operator shall conduct a performance test as specified in § 63.145 of this subpart.

Note to paragraph (a)(4):

Some open biological treatment processes may not require a performance test. Refer to § 63.145(h) and table 36 of this subpart to determine whether the biological treatment process meets the criteria that exempt the owner or operator from conducting a performance test.

(5) *Control device requirements.* When gases are vented from the treatment process, the owner or operator shall comply with the applicable control device requirements specified in § 63.139 and § 63.145 (i) and (j), and the applicable leak inspection provisions specified in § 63.148, of this subpart. This requirement does not apply to any open biological treatment process that meets the mass removal requirements. Vents from anaerobic biological treatment processes may be routed through hard-piping to a fuel gas system.

(6) *Residuals: general.* When residuals result from treating Group 1 wastewater streams, the owner or operator shall comply with the requirements for residuals specified in § 63.138(k) of this subpart.

(7) *Treatment using a series of treatment processes.* In all cases where the wastewater provisions in this subpart allow or require the use of a treatment process or control device to comply with emissions limitations, the owner or operator may use multiple treatment processes or control devices, respectively. For combinations of treatment processes where the wastewater stream is conveyed by hard-piping, the owner or operator shall comply with either the requirements of paragraph (a)(7)(i) or (a)(7)(ii) of this section. For combinations of treatment processes where the wastewater stream is not conveyed by hard-piping, the owner or operator shall comply with the requirements of paragraph (a)(7)(ii) of this section. For combinations of control devices, the owner or operator shall comply with the requirements of paragraph (a)(7)(i) of this section.

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