



NR 239

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Anthony S. Earl
Secretary

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: _____

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Anthony S. Earl, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. EL-107-76c was duly approved and adopted by this Department on December 16, 1976. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at Pyare Square Building in the Village of Shorewood Hills, this 9th day of May, 1977.

RECEIVED
MAY 11 1977
2:40 pm
REVISOR OF STATUTES
BUREAU CRO

Anthony S. Earl
Anthony S. Earl, Secretary

(SEAL)

STATE OF WISCONSIN NATURAL RESOURCES BOARD

.....
IN THE MATTER of creating chapter NR 239 .
of the Wisconsin Administrative Code .
pertaining to carbon black manufacturing .
.....

EL-107-76c

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD

CREATING RULES

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by sections 147.02, 147.021 and 147.04(2)(a) and chapter 227, Wisconsin Statutes, the State of Wisconsin Natural Resources Board hereby creates rules as follows:

Chapter NR 239

CARBON BLACK MANUFACTURING

NR 239.01 Purpose. The purpose of this chapter is to establish effluent limitations, standards of performance, and pretreatment standards for discharges of process wastes from the carbon black manufacturing category of point sources and subcategories thereof.

NOTE: The authority for promulgation of this chapter is set forth in Wis. Adm. Code chapter NR 205.

NR 239.02 Applicability. The effluent limitations, standards of performance, pretreatment standards, and other provisions in this chapter are applicable to pollutants or pollutant properties in discharges of process waste resulting from manufacture in any of the following process subcategories:

- (1) Furnace process
- (2) Thermal process
- (3) Channel process
- (4) Lamp process

NR 239.03 Definitions. Definitions of terms and meanings of abbreviations used in this chapter are set forth in Wis. Adm. Code chapter NR 205.

NR 239.04 Compliance with effluent limitations and standards. Discharge of pollutants from facilities subject to the provisions of this chapter shall not exceed, as appropriate:

(1) By July 1, 1977 effluent limitations representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available;

(2) By July 1, 1977 pretreatment standards for existing discharges to publicly owned treatment works;

(3) By July 1, 1983 effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable;

(4) Standards of performance for new sources; or

(5) Pretreatment standards for new sources discharging to publicly owned treatment works.

NR 239.05 Modification of effluent limitations. (1) Effluent limitations representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available may be modified in accordance with this section.

(2) An individual discharger or other interested person may submit evidence to the department that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the effluent limitations. On the basis of such evidence or other available information the department will make a written determination that such factors are or are not fundamentally different for that facility compared to those specified in the applicable sections of the EPA development document identified in subsection (3) below. If such fundamentally different factors are found to exist, the department shall establish for the discharge effluent limitations in the WPDES

permit either more or less stringent than the limitations in this chapter, to the extent dictated by such fundamentally different factors. Such limitations must be approved by EPA which may approve, disapprove, or specify other limitations.

(3) The EPA development document for effluent limitations guidelines and new source performance standards, identified by category title, by EPA document number, and by publication date, applicable in accordance with subsection (2) above is:

Carbon Black Manufacturing, EPA 440/1-76/060-h, April 1976

(4) Copies of the development document identified in subsection (3) above are available for inspection at the office of the department of natural resources, the secretary of state's office, and the office of the revisor of statutes, and may be obtained for personal use from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20460.

NR 239.06 Application of effluent limitations and standards. (1) The effluent limitations and standards set forth in this chapter shall be used in accordance with this section to establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this chapter, except as:

(a) They may be modified in accordance with section NR 239.05,

(b) They may be superseded by more stringent limitations and standards necessary to achieve water quality standards or meet other legal requirements,
or

(c) They may be supplemented or superseded by standards or prohibitions for toxic pollutants or by additional limitations for other pollutants required to achieve water quality.

NR 239.10 Effluent limitations, best practicable treatment. Except as provided in section NR 239.05, there shall be no discharge of process wastewater pollutants from a facility subject to the provisions of this chapter after application to process wastes of the best practicable control technology currently available.

NR 239.11 Effluent limitations, best available treatment. (Reserved)

NR 239.12 Standards of performance. (Reserved)

NR 239.13 Pretreatment standards for new sources. (Reserved)

NR 239.14 Pretreatment standards for existing sources. (Reserved)

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on December 16, 1976.

The rules contained herein shall take effect upon publication.

Dated at Madison, Wisconsin 9 May 1977

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Anthony S. Earl
Anthony S. Earl, Secretary

(SEAL)