

## Chapter NR 239

## CARBON BLACK MANUFACTURING

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**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 ch. NR 205.

**History:** Cr. Register, June, 1977, No. 258, eff. 7-1-77.

**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

**History:** Cr. Register, June, 1977, No. 258, eff. 7-1-77.

**NR 239.03 Definitions.** Definitions of terms and meanings of abbreviations used in this chapter are set forth in ch. NR 205.

**History:** Cr. Register, June, 1977, No. 258, eff. 7-1-77.

**NR 239.04 Compliance with effluent limitations and standards.** Discharge of pollutants from facilities subject to the provisions of this chapter may 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, 1983 effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable;
- (3) Pretreatment standards for discharges to publicly owned treatment works;
- (4) Standards of performance for new sources.

**History:** Cr. Register, June, 1977, No. 258, eff. 7-1-77; r. and recr. Register, August, 1983, No. 332, eff. 9-1-83.

**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 sub. (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 sub. (2) above is: Carbon Black Manufacturing, EPA 440/1-76/060-h, April 1976

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

**History:** Cr. Register, June, 1977, No. 258, eff. 7-1-77; correction in (4) made under s. 13.92 (4) (b) 6., Stats.

**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 s. 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.

**History:** Cr. Register, June, 1977, No. 258, eff. 7-1-77.

**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.

**History:** Cr. Register, June, 1977, No. 258, eff. 7-1-77.

**NR 239.13 Pretreatment standards.** The pretreatment standards for discharges to publicly owned treatment works from sources subject to the provisions of this chapter shall be as set forth in ch. NR 211.

**History:** Cr. Register, August, 1983, No. 332, eff. 9-1-83.