Environmental Protection Agency

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by permit modification or termination;

(4) A change in any condition that re-
quires either a temporary or perma-
nent reduction or elimination of any
discharge or sludge use or disposal
practice controlled by the permit (for
example, plant closure or termination
of discharge by connection to a POTW).

(b) The Director shall follow the
applicable procedures in part 124 or part
22 of this chapter, as appropriate (or
State procedures equivalent to part
124) in terminating any NPDES permit
under this section, except that if the
entire discharge is permanently termi-
nated by elimination of the flow or by
connection to a POTW (but not by land
application or disposal into a well), the
Director may terminate the permit by
notice to the permittee. Termination
by notice shall be effective 30 days
after notice is sent, unless the per-
mittee objects within that time. If the
permittee objects during that period,
the Director shall follow part 124 of
this chapter or applicable State proce-
dures for termination. Expedited per-
mit termination procedures are not
available to permittees that are sub-
ject to pending State and/or Federal
enforcement actions including citizen
suits brought under State or Federal
law. If requesting expedited permit ter-
mination procedures, a permittee must
certify that it is not subject to any
pending State or Federal enforcement
actions including citizen suits brought
under State or Federal law. State-au-
thorized NPDES programs are not re-
quired to use part 22 of this chapter
procedures for NPDES permit termi-
nations.

[48 FR 14153, Apr. 1, 1983; 50 FR 6940, Feb. 19,
1985, as amended at 54 FR 10784, May 2, 1989;
65 FR 30909, May 15, 2000]

APPENDIX A TO PART 122—NPDES
PRIMARY INDUSTRY CATEGORIES

Any permit issued after June 30, 1981 to
dischargers in the following categories shall
include effluent limitations and a compli-
ance schedule to meet the requirements of
section 301(b)(2)(A), (C), (D), (E) and (F) of
CWA, whether or not applicable effluent lim-
itations guidelines have been promulgated.
See §§122.44 and 122.46.

Industry Category

Adhesives and sealants

Aluminum forming

Auto and other laundries

Battery manufacturing

Coal mining

Coil coating

Copper forming

Electrical and electronic components

Electroplating

Explosives manufacturing

Foundries

Gum and wood chemicals

Inorganic chemicals manufacturing

Iron and steel manufacturing

Leather tanning and finishing

Mechanical products manufacturing

Nonferrous metals manufacturing

Ore mining

Organic chemicals manufacturing

Paint and ink formulation

Pesticides

Petroleum refining

Pharmaceutical preparations

Photographic equipment and supplies

Plastics processing

Plastic and synthetic materials manufac-
turing

Porcelain enameling

Printing and publishing

Pulp and paper mills

Rubber processing

Soap and detergent manufacturing

Steam electric power plants

Textile mills

Timber products processing

APPENDIX B TO PART 122 [RESERVED]

APPENDIX C TO PART 122—CRITERIA FOR
DETERMINING A CONCENTRATED
AQUATIC ANIMAL PRODUCTION FACIL-
ITY (§ 122.24)

A hatchery, fish farm, or other facility is a
concentrated aquatic animal production fa-
cility for purposes of §122.24 if it contains,
grows, or holds aquatic animals in either of
the following categories:

(a) Cold water fish species or other cold
water aquatic animals in ponds, raceways, or
other similar structures which discharge at
least 30 days per year but does not include:

(1) Facilities which produce less than 9,090
harvest weight kilograms (approximately
20,000 pounds) of aquatic animals per year;

(2) Facilities which feed less than 2,272
kilograms (approximately 5,000 pounds) of
food during the calendar month of maximum
feeding.

(b) Warm water fish species or other warm
water aquatic animals in ponds, raceways, or
other similar structures which discharge at
least 30 days per year, but does not include:

(1) Closed ponds which discharge only dur-
ing periods of excess runoff; or

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