

(c) Any new source subject to the provisions of this section that commenced discharging after November 21, 1988, and prior to November 20, 1998, must continue to achieve the standards specified for this section in the 1988 edition of 40 CFR part 439, until the expiration of the applicable time period specified in 40 CFR 122.29(d)(1), after which the source must achieve the standards specified in § 439.33 and § 439.34.

23. Section 439.36 is revised to read as follows:

**§ 439.36 Pretreatment standards for existing sources (PSES).**

Except as provided in 40 CFR 403.7 and 403.13, any existing source subject to this subpart must continue achieving the standards for cyanide specified in paragraph (b) of this section and must achieve the standards specified in § 439.16(a) by September 21, 2001.

(a) Sources that discharge to a POTW with nitrification capability (defined at § 439.1(i)) are not required to achieve the standards for ammonia (as N).

(b) The standards for cyanide are the same as specified in § 439.12(e), (f) and (g).

24. Section 439.37 is revised to read as follows:

**§ 439.37 Pretreatment standards for new sources (PSNS).**

(a) Except as provided in 40 CFR 403.7, any new source subject to this subpart that commenced discharge on November 20, 1998, or thereafter must achieve the same standards as specified in § 439.36.

(b) Except as provided in 40 CFR 403.7, any new source subject to this subpart that commenced discharging after November 21, 1988, and prior to November 20, 1998, must continue to achieve the pretreatment standards specified for this section in the 1988 edition of 40 CFR part 439 during a ten-year period beginning on the date the source commenced discharge, or during the period of depreciation or amortization of the facility, whichever comes first, after which the source must achieve the same standards as specified in § 439.36.

25. Revise the heading of Subpart D to read as follows:

**Subpart D—Mixing/Compounding and Formulation**

26. Section 439.41 is revised to read as follows:

**§ 439.41 Special definitions.**

For the purpose of this subpart:

(a) *Mixing, compounding, and formulating operations* means processes

that put pharmaceutical products in dosage forms.

(b) *Product* means any pharmaceutical product manufactured by blending, mixing, compounding, and formulating pharmaceutical ingredients. The term includes pharmaceutical preparations for both human and veterinary use such as ampules, tablets, capsules, vials, ointments, medicinal powders, solutions, and suspensions.

27. Section 439.42 is amended by revising paragraphs (a) through (c) and removing paragraph (d) to read as follows:

**§ 439.42 Effluent limitations attainable by the application of the best practicable control technology currently available (BPT).**

\* \* \* \* \*

(a) The limitation for BOD<sub>5</sub> is the same as specified in § 439.12(a). No facility shall be required to attain a monthly average limitation for BOD<sub>5</sub> that is less than the equivalent of 45 mg/L.

(b) The limitation for TSS is the same as specified in § 439.12(b).

(c) The limitations for COD are the same as specified in § 439.22(c) and (d).

\* \* \* \* \*

28. Section 439.44 is revised to read as follows:

**§ 439.44 Effluent limitations attainable by the application of best available technology economically achievable (BAT).**

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BAT: The limitations for COD are the same as specified in § 439.22(c) and (d).

29. Section 439.45 is revised to read as follows:

**§ 439.45 New source performance standards (NSPS).**

(a) Any new source subject to this subpart must achieve the same standards as specified in § 439.25(a).

(b) Any new source subject to the provisions of this section that commenced discharging after November 21, 1988, and prior to November 20, 1998, must continue to achieve the standards specified for this section in the 1988 edition of 40 CFR part 439, until the expiration of the applicable time period specified in 40 CFR 122.29(d)(1), after which the source must achieve the standards specified in § 439.43 and § 439.44.

30. Section 439.46 is revised to read as follows:

**§ 439.46 Pretreatment standards for existing sources (PSES).**

Except as provided in 40 CFR 403.7 and 403.13, any existing source subject to this subpart must achieve the following standards by September 21, 2001:

**PRETREATMENT STANDARDS (PSES)**

Regulated parameter	Maximum daily <sup>1</sup>	Maximum monthly average <sup>1</sup>
Acetone .....	20.7	8.2
n-Amyl acetate .....	20.7	8.2
Ethyl acetate .....	20.7	8.2
Isopropyl acetate .....	20.7	8.2
Methylene chloride ...	3.0	0.7

<sup>1</sup> mg/L (ppm).

31. Section 439.47 is revised to read as follows:

**§ 439.47 Pretreatment standards for new sources (PSNS).**

(a) Except as provided in 40 CFR 403.7, any new source subject to this subpart that commenced discharge on November 20, 1998, or thereafter must achieve the same standards as specified in § 439.46.

(b) Except as provided in 40 CFR 403.7, any new source subject to this subpart that commenced discharging after November 21, 1988, and prior to November 20, 1998, must continue to achieve the pretreatment standards specified for this section in the 1988 edition of 40 CFR part 439 during a ten-year period beginning on the date the source commenced discharge, or during the period of depreciation or amortization of the facility, whichever comes first, after which the source must achieve the same standards as specified in § 439.46.

32. Revise the heading of subpart E to read as follows:

**Subpart E—Research**

33. Section 439.51 is revised to read as follows:

**§ 439.51 Special definitions.**

For the purpose of this subpart, *product* means products or services resulting from research and product development activities.

34. Section 439.52 is amended by revising paragraphs (a) through (d) to read as follows:

**§ 439.52 Effluent limitations attainable by the application of the best practicable control technology currently available (BPT).**

\* \* \* \* \*

(a) The limitation for BOD<sub>5</sub> is the same as specified in § 439.12(a). No