**Section 352.440 Special Provisions for Noncontact Cooling Water**

Notwithstanding the other provisions of this Part, the Agency will not impose WQBELs for a discharge consisting solely of once through noncontact cooling water withdrawn entirely from the same body of water receiving the discharge, except in accordance with the following:

a) The Agency may require a WQBEL based on an acute aquatic criterion for a substance of acute whole effluent toxicity when information is available indicating that such a limit is necessary to protect aquatic life, unless the discharger is able to demonstrate that the presence of the substance or WET is due solely to its presence in the intake water.

b) If a substance is present at elevated levels in the noncontact cooling water wastestream due to improper operation or maintenance of the cooling system, and this substance is or may be discharged at a level that will cause or contribute to an excursion above a numeric standard, criterion or value for a toxic substance as determined under this Part, a WQBEL shall be established for that substance.

c) If the permitee uses or proposes to use additives in the noncontact cooling water, the additives shall be evaluated using the reasonable potential procedures of this Part to determine whether WQBELs are necessary for the wastestream.

d) If the noncontact cooling water is blended with other wastestreams prior to final discharge, the provisions of this Section are restricted to the noncontact cooling wastestream and any permit limitations on the other commingling wastestreams shall include internal monitoring points or other appropriate methods to assess compliance prior to blending.