

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 438**

[FRL-7453-6]

RIN 2040-AB79

Effluent Limitations Guidelines and New Source Performance Standards for the Metal Products and Machinery Point Source Category**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: EPA is publishing final regulations establishing Clean Water Act (CWA) technology-based effluent limitations guidelines for the metal products and machinery (MP&M) point source category. The metal products and machinery point source category includes facilities that manufacture,

rebuild, or maintain metal products, parts, or machines. EPA is promulgating limitations and standards only for facilities that directly discharge wastewaters from oily operations in the Oily Wastes subcategory.

EPA expects compliance with this regulation to reduce the discharge of conventional pollutants by approximately 500,000 pounds per year. EPA estimates the annual cost of the rule will be \$13.8 million (pre-tax \$2001). EPA estimates that the annual benefits of the rule to be approximately \$1.5 million (\$2001).

DATES: This regulation shall become effective June 12, 2003.

ADDRESSES: The administrative record is available for inspection and copying at the Water Docket, located at the EPA Docket Center (EPA/DC) in the basement of the EPA West Building, Room B-102, 1301 Constitution Ave.,

NW., Washington, DC. The rule and key supporting materials are also electronically available via EPA Dockets (Edocket) at <http://www.epa.gov/edocket/> under Edocket number OW-2002-0033 or at <http://www.epa.gov/guide/mpm/>.

FOR FURTHER INFORMATION CONTACT: For technical information concerning today's final rule, contact Mr. Carey A. Johnston at (202) 566-1014 or Ms. Shari Z. Barash at (202) 566-0996. For economic information contact Mr. James Covington at (202) 566-1034.

SUPPLEMENTARY INFORMATION:**What Entities Are Potentially Regulated by This Final Rule?**

Entities potentially regulated by this action include facilities that directly discharge wastewaters from oily operations and include the following types:

Category	Examples of regulated entities
Industry	Facilities that discharge wastewater from oily operations and manufacture, maintain, or rebuild metal parts, products or machines used in the following sectors: Aerospace, Aircraft, Bus & Truck, Electronic Equipment, Hardware, Household Equipment, Instruments, Mobile Industrial Equipment, Motor Vehicles, Office Machines, Ordnance, Precious Metals and Jewelry, Railroad, Ships and Boats, Stationary Industrial Equipment, and Miscellaneous Metal Products.
Government	State and local government facilities that discharge wastewater from oily operations and manufacture, maintain, or rebuild metal parts, products or machines in one of the sectors previously listed (e.g., a town that operates its own bus, truck, and/or snow removal equipment maintenance facility). Federal facilities that discharge wastewater from oily operations and manufacture, maintain, or rebuild metal parts, products or machines.

Note: The term "oily operations" is defined at 40 CFR 438.2(f) and appendix B of part 438.

Note: See Appendix A of the TDD for a list of example NAICS and SIC codes that may apply to facilities regulated by MP&M.

EPA does not intend the preceding table to be exhaustive, but rather it provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities that EPA is now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether your facility is regulated by this action, you should carefully examine the applicability criteria listed at 40 CFR 438.1 and 438.10 of today's rule. If you still have questions regarding the applicability of this action to a particular entity, consult one of the persons listed for technical information in the preceding **FOR FURTHER INFORMATION CONTACT** section.

How Can I Get Copies of This Document and Other Related Information?

EPA has established an official public docket for this action under Docket ID. No. OW-2002-0033. The official public docket is the collection of materials that is available for public viewing at the Water Docket in the EPA Docket Center

(EPA/DC) in the basement of EPA West, Room B102, 1301 Constitution Ave., NW., Washington DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Water Docket is (202) 566-2426. For access to the docket materials, please call ahead to schedule an appointment. A reasonable fee may be charged for photocopying.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility previously identified. Once in

the system, select "search," then key in the appropriate docket identification number (OW-2002-0033).

Major supporting documents are also available in hard copy from the National Service Center for Environmental Publications (NSCEP), U.S. EPA/NSCEP, PO Box 42419, Cincinnati, Ohio, USA 45242-2419, (800) 490-9198, <http://www.epa.gov/ncepihom/>. You can obtain electronic copies of this preamble and rule as well as major supporting documents at EPA Dockets at <http://www.epa.gov/edocket/> and <http://www.epa.gov/guide/mpm/>. The two major documents supporting the final regulations are:

- "Development Document for the Final Effluent Limitations Guidelines and Standards for the Metal Products & Machinery Point Source Category" [EPA-821-B-03-001] referred to in the preamble as the Technical Development Document (TDD): This document presents the technical information that formed the basis for EPA's decisions in today's final rule. The TDD describes, among other things, the data collection activities, the wastewater treatment