

technology options considered by the Agency as the basis for effluent limitations guidelines and standards, the pollutants found in MP&M wastewaters, and the estimation of pollutant removals associated with certain pollutant control options.

- *“Economic, Environmental, and Benefits Analysis of the Final Metal Products & Machinery Rule”* [EPA-821-B-03-002] referred to in the preamble as the Economic, Environmental, and Benefits Analysis (EEBA): This document presents the methodology employed to assess economic impacts and environmental impacts and benefits of the final rule and the results of the analysis.

What Process Governs Judicial Review for Today's Final Rule?

In accordance with 40 CFR 23.2, today's rule is considered promulgated for the purposes of judicial review as of 1 p.m. Eastern Daylight Time, May 27, 2003. Under section 509(b)(1) of the Clean Water Act (CWA), judicial review of today's effluent limitations guidelines and standards may be obtained by filing a petition in the United States Circuit Court of Appeals for review within 120 days from the date of promulgation of these guidelines and standards. Under section 509(b)(2) of the CWA, the requirements of this regulation may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

What Are the Compliance Dates for Today's Final Rule?

Existing direct dischargers must comply with today's limitations based on the best practicable control technology currently available (BPT) and the best conventional pollutant control technology (BCT) as soon as their National Pollutant Discharge Elimination System (NPDES) permits include such limitations. New direct discharging sources must comply with applicable new source performance standards (NSPS) on the date the new sources begin discharging. For purposes of NSPS, a source is a new source if it commences construction after June 12, 2003.

How Does EPA Protect Confidential Business Information (CBI)?

EPA notes that certain information and data in the record supporting the final rule have been claimed as CBI and, therefore, EPA has not included these materials in the record that is available to the public in the Water Docket. Further, the Agency has withheld from disclosure some data not claimed as CBI because release of this information

could indirectly reveal information claimed to be confidential. To support the rulemaking while preserving confidentiality claims, EPA is presenting in the public record certain information in aggregated form or, alternatively, is masking facility identities or employing other strategies. This approach assures that the information in the public record explains the basis for today's final rule without compromising CBI claims.

How Is This Preamble Organized?

The following outline is for the preamble to the final rule. It is written in plain language designed to help the reader understand the information in the final rule. This preamble contains a short summary of what was proposed, the key comments that the Environmental Protection Agency (EPA) received on the proposed rule, and the principal bases for EPA's decisions.

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Abbreviations, Acronyms, and Other Terms Used in Today's Final Rule

I. Legal Authority

The U.S. Environmental Protection Agency is promulgating these regulations under the authority of sections 301, 304, 306, 307, 308, 402, and 501 of the Clean Water Act, 33 U.S.C. 1311, 1314, 1316, 1317, 1318, 1342, and 1361 and under authority of the Pollution Prevention Act of 1990 (PPA), 42 U.S.C. 13101 *et seq.*, Public Law 101-508, November 5, 1990.

II. Legislative Background

A. Clean Water Act

Congress adopted the Clean Water Act (CWA) to “restore and maintain the chemical, physical, and biological integrity of the Nation's waters” (section 101(a), 33 U.S.C. 1251(a)). To achieve this goal, the CWA prohibits the discharge of pollutants into navigable waters except in compliance with the statute. The Clean Water Act confronts the problem of water pollution on a number of different fronts. Its primary reliance, however, is on establishing restrictions on the types and amounts of pollutants discharged from various industrial, commercial, and public sources of wastewater.