

cleaning, maintenance machining (wheel truing), touch-up painting, and washing. Railroad overhaul or heavy maintenance facilities typically perform the following unit operations: Assembly/disassembly, floor cleaning, maintenance machining (wheel truing), touch-up painting, washing, abrasive blasting, alkaline cleaning, aqueous degreasing, corrosion preventive coating, electrical discharge machining, grinding, heat treating, impact deformation, painting, plasma arc machining, polishing, pressure deformation, soldering/brazing, stripping (paint), testing, thermal cutting, and welding. Wastewater discharges from railroad line maintenance facilities (as defined at 40 CFR 438.2(h)) are not subject to today's final rule. Wastewater discharges from railroad overhaul or heavy maintenance facilities (as defined at 40 CFR 438.2(i)) may be covered by subpart A of this part, the Metal Finishing Point Source Category (40 CFR part 433), or by other effluent limitations guidelines, as applicable.

## VI. The Final Regulation

This section describes, by subcategory, the option(s) considered and selected for today's final rule. For each subcategory, EPA provides a discussion, as applicable, for the regulatory levels that EPA considered for regulation (*i.e.*, BPT, BCT, BAT, NSPS, PSES, PSNS). For a detailed discussion of all technology options considered in the development of today's final rule, see the proposal (*see* 66 FR 447), the NODA (*see* 67 FR 38797) or section 9 of the TDD for today's final rule.

Based on the record of information supporting the final MP&M rule, EPA has determined that the selected technology for the Oily Wastes subcategory is technically available. EPA used the appropriate technologies for developing today's limitations for existing direct dischargers (BPT and BCT) in one MP&M subcategory listed in the January 2001 proposal (Oily Wastes). EPA has also determined that each technology it selected as the basis for the final limitations or standards has effluent reductions commensurate with compliance costs and is economically achievable for the applicable subcategory. EPA also considered the age, size, processes, and other engineering factors pertinent to facilities in the scope of the final regulation for the purpose of evaluating the technology options. None of these factors provides a basis for selecting different technologies from those EPA has selected as its technology options

for today's rule (*see* section 6 of the TDD for the final rule for further discussion of EPA's analyses of these factors).

EPA considered the use of a low-flow cutoff as the principal means for reducing economic impacts on small businesses and administrative burden for control authorities associated with certain treatment technologies it considered. EPA did not identify any regulatory scheme incorporating a low-flow cutoff for direct dischargers that would assist EPA in meeting these objectives. EPA notes that all direct dischargers require a NPDES discharge permit regardless of wastewater discharge flow volume.

The new source performance standards (NSPS) EPA is today establishing represent the greatest degree of effluent reduction achievable through the best available technology. In selecting its technology basis for today's new source standards (NSPS) for the Oily Wastes subcategory being promulgated today, EPA considered all of the factors specified in CWA section 306, including the cost of achieving effluent reductions. EPA used the appropriate technology option for developing today's standards for new direct dischargers in the Oily Wastes subcategory. The new source technology basis for the Oily Wastes subcategory is equivalent to the technology bases upon which EPA is setting BPT and BCT (*see* Chapter 9 of the EEBA). EPA has thoroughly reviewed the costs of such technologies and has concluded that such costs do not present a barrier to entry. The Agency also considered energy requirements and other non-water quality environmental impacts for the new source technology basis and found no basis for any different standards from those selected for NSPS. Therefore, EPA concluded that the NSPS technology basis chosen for the Oily Wastes subcategory constitute the best available demonstrated control technology. For a discussion on the compliance date for new sources, *see* section XI of today's final rule.

EPA decided not to establish limitations for existing sources for seven subcategories listed in the January 2001 proposal (General Metals, Metal Finishing Job Shops, Printed Wiring Boards, Non-Chromium Anodizers, Steel Forming & Finishing, Railroad Line Maintenance, and Shipbuilding Dry Dock). EPA also decided not to establish standards for new sources for the same seven subcategories. Finally, EPA decided not to establish standards for new and existing indirect dischargers (PSES and PSNS) for all eight subcategories listed in the January 2001 proposal. EPA's bases for not

promulgating revised limitations and standards for these subcategories are explained in the following sections.

### A. General Metals Subcategory

EPA is not revising or establishing any limitations or standards for facilities that would have been subject to this subcategory. Such facilities will continue to be regulated by the General Pretreatment Standards (part 403), local limits, permit limits, and parts 413 and/or 433, as applicable.

#### 1. Best Practicable Control Technology Currently Available (BPT)

EPA proposed to establish BPT limitations for existing direct dischargers in the General Metals subcategory based on the Option 2 technology. EPA evaluated the cost of achieving effluent reductions, pollutant reductions, and the economic achievability of compliance with BPT limitations based on the Option 2 technology and the level of the pollutant reductions resulting from compliance with such limitations. EPA has decided not to establish BPT limitations for existing direct dischargers in the proposed General Metals subcategory. The 2001 proposal also contains detailed discussions on why EPA rejected BPT limitations based on other BPT technology options (*see* 66 FR 452). The information in the record for today's final rule provides no basis for EPA to change this conclusion.

EPA proposed Option 2 as a basis for establishing BPT limitations for the General Metals subcategory. Option 2 technology includes the following: (1) In-process flow control and pollution prevention; (2) segregation of wastewater streams; (3) preliminary treatment steps as necessary (including oils removal using chemical emulsion breaking and oil-water separation, alkaline chlorination for cyanide destruction, reduction of hexavalent chromium, and chelation breaking); (4) chemical precipitation using sodium hydroxide; (5) sedimentation using a clarifier; and (6) sludge removal (*i.e.*, gravity thickening and filter press). *See* section 9 of the TDD for today's final rule for additional technical details on the Option 2 technology.

Those facilities potentially regulated in the General Metals subcategory include facilities that are currently subject to effluent limitations guideline regulation under part 433 as well as facilities not currently subject to national regulation. Approximately 263 of the 266 existing General Metals direct dischargers (estimated from survey weights for 31 surveyed facilities) are currently covered by the Metal