

These options potentially have compliance costs more closely aligned with toxic pollutant reductions. EPA considered the following alternative options for today's final rule:

Option A: No change in current regulation;

Option B: Option 2 with a low-flow exclusion; and

Option C: Upgrading facilities currently covered by part 413 to the PSES of part 433.

Option D: Pollution Prevention Option.

All facilities in the MFJS subcategory are currently subject to part 413, part 433 or both.

As discussed in section IV.B.1 of today's final rule, based on comments, EPA has revised its methodology for estimating compliance costs and pollutant loadings for Option 2, low-flow exclusions (Option B), and the "upgrade" option (Option C) previously described. Using information from this revised analysis, EPA concludes that neither of these alternative options (Options B or C) are economically achievable. EPA rejected Options B and C as greater than 10% of existing indirect dischargers not covered by part 433 close at the upgrade option.

EPA also solicited comment in the January 2001 proposal on a pollution prevention alternative for indirect dischargers in this subcategory (Option D). Commentors supported option D and stated that the pollution prevention practices identified by EPA in the January 2001 proposal represent environmentally sound practices for the metal finishing industry. The commentors also stated that Option D should, however, be implemented on a voluntary basis similar to the National Metal Finishing Strategic Goals Program (see 66 FR 511). Control authorities also commented that Option D may increase their administrative burden because of additional review of facility operations and compliance with the approved pollution prevention plan, and enforcement of Option D may be more difficult than other options considered. EPA is not promulgating Option D for facilities in the MFJS subcategory for the final rule due to the increased administrative burden on pretreatment control authorities and potential problems enforcing Option D. Section 15 of the TDD describes many of the pollution prevention practices that were considered for Option D. These pollution prevention practices may be useful in helping facilities lower operating costs, improve environmental performance, and foster other important benefits.

EPA is not establishing PSES for existing indirect dischargers in the

MFJS subcategory. Wastewater discharges to POTWs from facilities in this subcategory will remain regulated by general pretreatment standards (part 403), and parts 413 and/or 433, as applicable. EPA also notes that facilities regulated by parts 413 and/or 433 PSES must comply with part 433 PSNS if the changes to their facilities are determined to make them new sources.

4. Pretreatment Standards for New Sources (PSNS)

EPA proposed to establish PSNS for indirect dischargers in the MFJS subcategory based on the Option 4 technology. Option 4 technology is similar to Option 2 (including Option 2 flow control and pollution prevention) but includes oils removal using ultrafiltration and solids separation by a microfilter (instead of a clarifier). As explained in section VI.A.4, EPA concluded its database is insufficient to support a determination that the Option 4 standards are technically achievable. Consequently, EPA is today rejecting Option 4 technology as the basis for PSNS in the MFJS subcategory.

For today's final rule EPA evaluated setting MFJS PSNS based on the Option 2 technology and assessed the financial burden to new MFJS indirect dischargers. Specifically, EPA's 'barrier to entry' analysis identified whether MFJS PSNS based on the Option 2 technology would pose sufficient financial burden on new MFJS facilities to constitute a material barrier to entry into the MP&M point source category.

EPA projects a barrier to entry for MFJS PSNS based on the Option 2 technology as 8% of MFJS indirect dischargers have after-tax compliance costs between 1–3% of revenue, 5% have after-tax compliance costs between 3–5% of revenue, and 6% have after-tax compliance costs greater than 5% of revenue. Consequently, EPA is today rejecting Option 2 technology as the basis for PSNS in the MFJS subcategory, and is not revising PSNS for new MFJS indirect dischargers. Wastewater discharges to POTWs from facilities in this subcategory will remain regulated by local limits, general pretreatment standards (part 403), and part 433, as applicable. See section 11 of the TDD for a description of how these new source compliance costs were developed and Chapter 9 of the EEBA for a description of the framework EPA used for the barrier to entry analysis and general discussion of the results.

C. Printed Wiring Board Subcategory

EPA is not revising 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. BPT/BCT/BAT

EPA proposed to establish BPT/BCT/BAT for direct dischargers in the PWB subcategory based on the Option 2 technology (see section VI.A for a description of Option 2). EPA evaluated the cost of effluent reductions, pollutant reductions, and the economic achievability of compliance with BPT/BCT/BAT limitations based on the Option 2 technology. Based on revisions and corrections to the EPA Cost & Loadings Model discussed in the NODA and in section IV.B.1 of today's final rule, EPA has concluded that revision of the national regulation is not warranted for this subcategory.

Based on MP&M survey information, EPA estimates that compliance with BPT/BCT/BAT limitations based on the Option 2 technology results in no closures of the existing eight direct dischargers in the PWB subcategory. However, EPA decided not to establish BPT/BAT limitations based on the Option 2 technology for the PWB subcategory for the following reasons: (1) EPA identified only eight existing PWB direct dischargers and all of these PWB direct dischargers are currently regulated by existing effluent guidelines (part 433); and (2) the costs of Option 2 are disproportionate to the estimated toxic pollutant reductions. EPA estimates compliance cost of \$0.3 million (2001\$) with only 186 toxic pound-equivalents (PE) being removed. This equates to a cost-effectiveness value (in 1981\$) of approximately \$900/PE. EPA concludes that for existing direct dischargers in the PWB subcategory, Option 2 is not the best practicable control technology, best conventional pollutant control technology, or best available technology economically achievable. EPA has decided not to establish new BPT, BCT, or BAT limitations for existing PWB direct dischargers based on the Option 2 technology, which will remain subject to part 433.

2. New Source Performance Standards (NSPS)

EPA proposed to establish NSPS for new direct dischargers in the PWB subcategory based on the Option 4 technology. Option 4 technology is similar to Option 2 (including Option 2 flow control and pollution prevention) but includes oils removal using ultrafiltration and solids separation by a microfilter (instead of a clarifier). As explained in section VI.A.4, EPA