

24 hours. Based on the results of the holding time study (see Section II.A.2 above), EPA is considering using the 24-hour data for these analyses. Note that EPA does not intend to revise the current limitations and standards for red meat facilities, and thus, is not using these data to develop limitations and standards for fecal coliforms. EPA requests comment on the use of the 24-hour holding time data for analysis of loadings and treatment performance at red meat facilities.

For poultry facilities, where EPA is transferring the existing limitations and standards from the red meat subcategories, EPA will only use data associated with the 8-hour holding time for its loading analysis because the holding time study indicated that longer holding times for poultry processing wastewaters were not comparable to the 8-hour period. Because only one sampling episode (6304) meets this criterion, EPA will base its loadings and other analyses on fecal coliforms data from this single sampling episode and any appropriate self-monitoring data. EPA will also use these data in evaluating the achievability of the limitations that EPA intends to transfer from the existing limitations for the red meat subcategory. EPA requests comment on the transfer of limitations for the poultry subcategory from the red meat subcategory, and on its planned use of data to analyze loadings and treatment performance.

4. Extending Holding Times in 40 CFR Part 136

As discussed in the preamble to the proposed rule (67 FR 8631), EPA planned to conduct the holding time study for two purposes: to evaluate the use of data in developing loadings estimates and limitations/standards, and for possible revisions to current holding time requirements. The previous section addresses EPA's intended use of the data for developing loadings estimates. Because the study collected data from only three facilities in the MPP industry, EPA does not consider the study results to provide a sufficient basis to revise the holding times specified in 40 CFR part 136 which apply to all industries.

5. Monitoring of Both Fecal Coliforms and *E. coli*

As part of its evaluation of the existing guidelines, EPA has reviewed its use of fecal coliforms as a regulated parameter. On page 68 of the 1974 development document for the renderer segment (EPA 440/1-74/031-a), EPA explained that it selected fecal coliforms as an indicator parameter because "they

have originated from the intestinal tract of warmblooded animals. Their presence in water indicates the potential presence of pathogenic bacteria and viruses." However, EPA subsequently issued a guidance document for water quality criteria that recommends the monitoring of *E. coli* or enterococci rather than fecal coliforms in recreational waters. (See "Ambient Water Quality Criteria for Bacteria—1986," January 1986, EPA440/5-84-002.)

While EPA has not validated an analytical method for *E. coli* in industrial wastewaters, which consist of considerably more complex matrices than ambient waters, it has analyzed for *E. coli* in MPP wastewaters using Standard Method 9221F and this appears to have provided reasonable estimates of the *E. coli* concentrations, based upon EPA's evaluation of the laboratory reports. However, EPA does not consider these data to be appropriate to use in developing limitations and standards for *E. coli*. Instead, EPA considers the *E. coli* data to be appropriate for general comparisons of *E. coli* and fecal coliforms concentrations in MPP wastewaters. For the pork and beef facilities in the holding time study, the *E. coli* and fecal coliforms concentration values were identical. For the effluent from the sampling episodes corresponding to the model technologies, the values of *E. coli* and fecal coliforms are identical for most samples. Thus, because fecal coliforms and *E. coli* in MPP effluent generally have similar concentration values, EPA continues to consider that fecal coliforms prove a reliable indicator parameter for *E. coli*.

While EPA considers fecal coliforms to be the appropriate parameter for regulation for the MPP industry, EPA recognizes that some states and tribes may still prefer that facilities monitor directly for *E. coli*. Because concentrations of fecal coliforms and *E. coli* are similar, EPA is considering an alternative that would allow facilities to monitor for *E. coli* instead of fecal coliforms in the effluent. This alternative would be available when EPA amends 40 CFR part 136 to include an analytical method for *E. coli* in industrial effluent. EPA expects to promulgate such a method in the next few years. EPA is currently conducting validation studies of this method, and expects to propose this method in 2004.

In this alternative, EPA would allow a facility to monitor for *E. coli* rather than fecal coliforms after the facility certified that the concentrations of the two parameters were similar in the final

effluent. As part of the application process for this certification, the facility would be required to submit data demonstrating the similarities of concentrations of fecal coliforms and *E. coli* in its facility's wastewater over an extended period of time (perhaps a month or longer). If the permit authority determined that the *E. coli* concentrations had values that, on average, were greater than some "cutoff" percent (for example, 75 or 90 percent) of the fecal coliforms concentration values, then the certification would allow the facility to monitor for *E. coli* rather than fecal coliforms. In this instance, the permit would contain an *E. coli* limitation/standard set equivalent to the same numerical value as the existing fecal coliforms limitation/standard for that facility. If the *E. coli* concentration values, on average, were lower than the cutoff percent of the fecal coliforms concentration values, then under this possible approach the permitting authority would be able to establish a limitation/standard for *E. coli* in place of fecal coliforms only if the numerical value for the *E. coli* limitation/standard in the facility's permit would be reduced by an appropriate amount from the fecal coliforms limitation/standard for that facility. Note that EPA is not proposing to set national limitations for *E. coli*, because EPA lacks the data necessary to set such limitations. EPA believes, however, that the alternate approach discussed here could avoid the need to monitor for both *E. coli* and fecal coliforms in cases where the permitting authority believes *E. coli* is the more appropriate indicator.

EPA solicits comment on this alternative and the specifications it is considering. EPA also solicits comments on whether this alternative would be beneficial for facilities, even though facilities could not use this method until EPA has adopted an approved method for *E. coli* in industrial effluent. Note that EPA is not proposing to set national limitations for *E. coli* as part of the MPP rule, because EPA lacks the information necessary to set such limitations at this time.

D. Concerns About Total Nitrogen Limitations and Standards

At the time of proposal, EPA expressed a tentative view that limits based on the performance of poultry products facilities could also be achieved by meat products facilities. EPA received comment from industry stakeholders indicating that the relative proportions of nitrogenous BOD and carbonaceous BOD differ in poultry wastewaters from red meat wastewater.