

as well as the supporting information and analyses in the record.

The "Authority" citation is revised to conform with current guidance from the Federal Register Office.

VIII. Summary of Proposed Actions and Solicitation of Data and Comments

A. Summary of Proposed Actions

The Agency is proposing to delete certain limitations and standards for selenium from the metals subcategory and for antimony, barium, molybdenum, and titanium from the oils subcategory. The proposal also reflects these changes in the multiple wastestreams subcategory. We have concluded that the model technologies that provided the basis for the limitations and standards do not consistently and predictably remove these pollutants to the specified levels for compliance. Nevertheless, operation of treatment systems required to achieve compliance with other metals limits will ensure some continued removal of these five metals, even if not at consistent and predictable rates. Even if there were no incidental removals for these metals, the estimated pollutant reduction for this regulation remains relatively unchanged, *i.e.*, the December 22, 2000, estimated pollutant reductions would decrease by 9,996 lbs/yr or 0.006 percent of the total estimated reduction of 166,125,128 lbs/yr for the CWT regulation. Expressed as toxic pound-equivalents, the decrease as a result of assuming no removals for these metals is 0.32 percent or 1,581 lb-eq/yr out of the total estimated reduction of 487,644 lb-eq/yr for the CWT regulation (DCN 47.8).

Even though EPA does not believe that the potential increases in pollutant discharges related to the proposed amendments result in any significant environmental effects, we will continue to monitor the discharges from this industry as part of the biennial Effluent Guidelines Program Plans required under section 304(m) of the Clean Water Act.

B. Solicitation of Data and Comments

EPA invites and encourages public participation in this rulemaking. The Agency asks that commenters address whether the record supports EPA's conclusions that the technology on which it based the final limitations and standards does not provide consistent and predictable removals for the pollutants the Agency has proposed to delete from the regulation. Any suggestions for changes or revisions should be supported by adequate technical data.

EPA is particularly interested in receiving comment on an issue raised by the National Oil Recyclers Association (NORA) in its request for deletion of molybdenum limitations from certain subcategories. NORA submitted information to the Agency with a request that EPA delete the molybdenum limitations and standards from the Organics Treatment and Recovery subcategory and from the related sections of the Multiple Wastestreams subcategory (DCNs 45.32 and 45.33). They state that many CWT organics subcategory facilities have molybdenum influent raw waste concentrations that are too high for effective biological treatment. Based on our preliminary assessment of this new information and data we will probably delete the molybdenum limitations from the organics subcategory. However, we are seeking additional information to augment the record before finalizing such a change. As a consequence, EPA is not today proposing to remove the molybdenum limitations and standards as requested by NORA; however, EPA plans to evaluate closely any additional information it receives on this subject. When EPA promulgates the final rule, we will likely delete these limitations and standards from the organics subcategory and the related sections of the multiple wastestream subcategory if we receive adequate supporting documentation. The discussion below describes the kind of information EPA would need before it could delete the molybdenum limitations and standards from the CWT organics subcategory.

Commenters should submit information showing that well-designed and well-operated treatment systems employing the BAT technology used as the basis for the organics subcategory limitations and standards will not provide consistent and predictable removals for molybdenum.

The information and data should characterize the influent pollutant levels (including molybdenum) as well as the effluent levels being discharged in the treated final effluent resulting from the treatment of organics waste receipts at facilities with BAT technology for the organics subcategory. To the extent possible, we want to characterize organics subcategory treatment prior to commingling with wastewaters from other subcategories, non-contaminated stormwater, or other sources of water.

Comments should include sufficient information and data to determine if the biological treatment system is well-designed and well-operated during the sampling period(s). To the extent possible, the information and data should include (1) block diagrams

identifying the influent, intermediate, and final outfall sampling points; holding tanks and equalization units; each component or stage of the biological treatment system; and any post biological unit operations; (2) the hydraulic and pollutant load design bases including hydraulic residence times in each stage of the biological treatment system; (3) the operational information and data that demonstrate good operation for the sampling period(s); (4) relative flows of the influent waste receipts and equalization characteristics; and (5) analytical and flow data for each sampling point including, to the extent available, the design and operation parameters, molybdenum, total suspended solids (TSS), 5-day biochemical oxygen demand (BOD₅), chemical oxygen demand (COD), and other regulated and relevant parameters. Please note what types of samples were collected at each sampling point (grab or composite) as well as the analytical methods used. If grab sample data are provided, please document how the grab samples represent typical wastewater characteristics. The rationale should at least address the flow and concentration variability of the organics subcategory waste receipts and any other commingled wastestreams as well as the residence times and mixing characteristics of any equalization unit operations.

IX. POTW Pretreatment Program Alternatives in Light of the December 22, 2003 Compliance Deadline

EPA is likely to take final action on today's proposal with only a short amount of time remaining before the December 22, 2003, deadline for indirect dischargers to comply with the 2000 pretreatment standards that are the subject of today's proposal. EPA understands that POTWs are already preparing pretreatment control mechanisms to implement those pretreatment standards. In view of the fact that EPA's rulemaking and the issuance of pretreatment control mechanisms are proceeding on parallel tracks, EPA recommends that the POTWs consider one of several approaches to account for the situation. For example, a POTW could decide to include, in the proposed and, if necessary, final amendments to its local pretreatment program, alternative sets of limitations that reflect both the requirements as they exist in unamended form today and the requirements that would apply if EPA promulgates amendments as proposed today. The first set of limitations would establish requirements for each