

the Multiple Wastestreams subcategory to reflect deletions of regulated pollutants.

As explained in the proposal, EPA's single-stage DAF model treatment system was designed primarily to remove suspended solids and dispersed oil and grease from oily wastewater. The use of treatment chemicals effectively increases the efficiencies of DAF treatment systems in removing suspended solids. It may also enhance the removal of metals (DCN 41.2, pages 8–13 to 15). The conditions under which the EPA's model treatment technology operated included adding treatment chemicals (aluminum sulfate, caustic soda, and polymer) with pH adjustments to relatively strong base levels between 9 to 11. These operating conditions optimize removals of the more traditional heavy metals including chromium, zinc, lead, nickel, copper, and cadmium.

As previously noted, after EPA published the December 2000 final rule, the regulated community evaluated several different engineering strategies for complying with the limitations and standards. Several companies and a CWT trade association submitted new information demonstrating that the model technology would not consistently remove certain pollutants from oils wastestreams. They reported that the antimony, molybdenum, and titanium limitations and standards were not technically achievable, petitioning EPA to delete these pollutants as regulated parameters. The docket includes the additional information and EPA's review of that information (DCNs 45.12.1, 45.12.2, 45.12.3, 45.12.4, 45.25, 45.25.2, 46.5.1, 46.5.2, 46.5.3, 46.10, 46.11, 46.12, 46.15, 46.21, and 47.5).

Based on the materials submitted, EPA reexamined its model technology and the removal data. The results led EPA to propose deleting the antimony, molybdenum, and titanium limitations and standards in the Oils Treatment and Recovery subcategory. Information and data submitted by commenters has further convinced the Agency that the oils subcategory model DAF treatment technology will not consistently meet the antimony, molybdenum, and titanium limitations and standards. The data demonstrate that optimum removals of antimony, molybdenum, and titanium require treatment with high concentrations of iron (ranging from 1,000 to 5,000 mg/l). The data also demonstrate that optimum removals of antimony and molybdenum require pH adjustments to relatively strong acid levels between 4 to 5. To ensure compliance with the antimony, molybdenum, and titanium limitations

and standards, many oily waste facilities would need to add a second-stage chemical precipitation step, operated at a relatively low pH (between 4 and 5) and/or add large quantities of iron (1,000 to 5,000 mg/l), followed by clarification or filtration.

EPA did not intend to regulate a pollutant in the oils waste receipts subcategory for which compliance requires the addition of uniquely designed chemical precipitation systems to the model technology. Based on the information and data provided, we conclude that many CWT facilities subject to Subpart B would not be able to comply with the antimony, molybdenum, and titanium limitations and standards through the use of the model DAF technology alone. EPA is therefore amending the regulation to remove the limitations and standards for these pollutants from Subpart B and revise the associated provisions of Subpart D.

Although EPA is deleting the regulatory limits for antimony, molybdenum, and titanium, operation of treatment systems required to achieve compliance with other metals limits will ensure some continued removal of antimony, molybdenum, and titanium, even if not at consistent and predictable rates. Even with no incidental removals for antimony, molybdenum, and titanium, the estimated oils subcategory pollutant reduction for this regulation remains relatively unchanged (the December 2000 estimated pollutant reductions would decrease by 7,832 lbs/yr or 0.91 percent of the total estimated reduction of 859,988 lbs/yr). Expressed as pollutant pound-equivalents, the decrease, assuming no antimony, molybdenum, and titanium removals, is about 2.89 percent or 1,519 lb-eq/yr out of the total estimated subcategory reduction of 52,603 lb-eq/yr (DCN 48.1).

VI. Amendment To Remove Molybdenum, Antimony, Aniline, and 2,3-Dichloroaniline Limitations From the Organics Treatment and Recovery Subcategory

EPA is amending 40 CFR Part 437 by deleting from §§ 437.31, 437.33, and 437.34 the respective BPT, BAT, and NSPS limitations and standards for molybdenum, antimony, aniline, and 2,3-dichloroaniline; and by deleting the respective PSES and PSNS standards for molybdenum and 2,3-dichloroaniline from §§ 437.35 and 437.36. Section VII describes the methodology used to revise the related segments of the Multiple Wastestreams subcategory to reflect deletions of regulated pollutants.

In the proposed amendment, EPA asked for comment on an issue raised by

the National Oil Recyclers Association (NORA). NORA submitted information 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). NORA stated that many CWT organics subcategory facilities had molybdenum influent raw waste concentrations that are too high for effective biological treatment. Based on our assessment of the information and data, EPA indicated in the proposed amendment that it would probably delete the molybdenum limitations from the organics subcategory. We sought further information that showed that the model technology for the Organics Treatment and Recovery subcategory would not consistently and predictably remove molybdenum from wastestreams. EPA received additional information and data from commenters on this issue and has determined that it should remove molybdenum from the pollutants regulated in the Organics Treatment and Recovery subcategory (and related sections of the Multiple Wastestreams subcategory).

EPA had based the December 2000 effluent limitations and pretreatment standards for Subpart C—the Organics Treatment and Recovery subcategory—on the performance of one model facility that used the BPT/BAT model technology. That technology consists of equalization followed by biological treatment provided by a sequential batch reactor (SBR). EPA's analysis of information and data submitted by commenters and in the rulemaking record demonstrates, however, that well-designed and well-operated treatment systems at CWT facilities that use the BPT/BAT technology as the basis for the organics subcategory limitations and standards will not consistently and predictably remove molybdenum. Commenters asserted that EPA had erroneously selected molybdenum as a regulated pollutant because it had used data from the wrong influent sample point. Further, commenters asserted that EPA had improperly included in its determination influent data for one day of sampling for which it had no corresponding effluent data. Commenters concluded that, if EPA had applied its methodology to the proper data set from the correct sampling point, the Agency would not have selected molybdenum for regulation.

EPA has reexamined the data underlying its original determination of which pollutants should be regulated in the organics subcategory. The