

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 451**

[FRL-7602-5]

Effluent Limitations Guidelines and New Source Performance Standards for the Concentrated Aquatic Animal Production Point Source Category; Notice of Data Availability**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of data availability.**SUMMARY:** In 2002, EPA proposed technology-based effluent limitations and new source performance standards for the concentrated aquatic animal production (CAAP) point source

category. The proposal applied to new and existing CAAP facilities that discharge pollutants directly to waters of the United States.

This notice summarizes the data received since proposal and describes how the Agency may use the data to address comments and develop the final rule. The notice also discusses refinements EPA may make to its methods for estimating costs, load reductions and financial impacts. It also presents revised results for these analyses reflecting the refinements and incorporating new data.

DATES: Submit comments on or before February 12, 2004.**ADDRESSES:** Public comments regarding this document should be mailed to Water Docket, Environmental Protection

Agency, Mailcode 4101T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, Attention Docket ID No. OW-2002-0026 (formerly W-02-01), or submitted electronically at <http://www.epa.gov/edocket>. For additional information on how to submit comments, see section B in the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: For technical information concerning today's proposed rule, contact Ms. Marta Jordan at (202) 566-1049. For economic information, contact Mr. Christopher Miller at (202) 566-0395.

SUPPLEMENTARY INFORMATION:**A. Regulated Entities**

Entities potentially regulated by this action include:

Category	Examples of regulated entities	Primary NAICS codes
Industry and Government	Facilities engaged in concentrated aquatic animal production, which may include these sectors: Finfish Farming and Fish Hatcheries Other Animal Aquaculture	112511 112519

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities that EPA is now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether your facility would be regulated by this action, you should carefully examine the applicability criteria in 40 CFR 451.1, 451.10, 451.20 and 451.30 of the proposed rule. If you have questions regarding the applicability of this proposed action to a particular entity, contact the person listed for technical information in the preceding **FOR FURTHER INFORMATION CONTACT** section.

B. How Can I Get Copies of This Document and Other Related Information?

1. *Docket.* EPA has established an official public docket for this action under Docket ID No. OW-2002-0026. The official public docket consists of the documents specifically referenced in this action, any public comments received and other information related to this action. Although a part of the official docket, the public docket does not include information as Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the

Water Docket in the EPA Docket Center, (EPA/DC) EPA West, Room B102, 1301 Constitution Avenue, NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Water Docket is (202) 566-2426. For access to docket materials, please call ahead to schedule an appointment. Every user is entitled to copy 266 pages per day before incurring a charge. The Docket may charge 15 cents a page for each page over the page limit plus an administrative fee of \$25.00.

2. *Electronic Access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the appropriate docket identification number.

Certain types of information will not be placed in the EPA Dockets.

Information claimed as CBI and other information whose disclosure is restricted by statute, which is not included in the official public docket will not be available for public viewing in EPA's electronic public docket. EPA's policy is that copyrighted material will not be placed in EPA's electronic public docket, but will be available only in printed, paper form in the official public docket. To the extent feasible, publicly available docket materials will be made available in EPA's electronic public docket. When a document is selected from the index list in EPA Dockets, the system will identify whether the document is available for viewing in EPA's electronic public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Section B.1. EPA intends to work towards providing electronic access to all of the publicly available docket materials through EPA's electronic public docket.

For public commenters, it is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, information claimed as CBI, or other information whose disclosure is