

B. How Did EPA Estimate Potential Hazards or Risks to Human Health or the Environment As Part of Its 2003 Annual Review?

The screening-level review of potential hazards or risks to human health or the environment (EPA's "Factor 1" review) focused on using readily available information to assess the potential hazard or risk associated with pollutants discharged from industrial point sources. EPA reviewed such data sources as Agency databases, models, existing scientific literature, the Gulf Hypoxia Action Plan, and analyses currently underway on chemical contaminants in the environment. This included data on pollutant point source discharges, water quality, environmental impacts (e.g., sediment and fish contamination), and pathogen impacts. The two major data sources/analyses that formed the basis of ranking industries for the current Factor 1 analysis are the Toxics Release Inventory (TRI) and Permit Compliance System (PCS). The Factor 1 analysis also describes the available data linking water quality impairments with point sources discharges. EPA focused this impaired waters analysis on those point source dischargers discharging the most pounds of toxic and non-conventional pollutants (as estimated by the initial screening TRI and PCS analyses). Section 2.1 of the docket contains the complete analysis including descriptions of additional data sources that may be useful in future planning cycles.

EPA primarily relied on PCS and TRI for estimating pollutant discharges. EPA believes that the TRI database is a reasonable starting point for identifying possible hazard or risk concerns as it is a national database on reported toxic discharges. EPA's Permit Compliance System (PCS) contains information required by the NPDES Permit Program for major dischargers across the country.¹ EPA does not require States to

include data for other dischargers (e.g., minor and indirect dischargers) in PCS, so little information is available about industries dominated by minor and indirect dischargers. However, EPA is primarily concerned with facilities that may discharge high volumes of polluted wastewaters because these are more likely to pose the greatest hazard or risk to human health or the environment. PCS is the primary repository of data used to determine reductions in pollutant loads to the waters of the United States. Because of its national scope, PCS is also a reasonable starting point for identifying hazard or risk concerns, especially when combined with other sources of information. Finally, the Agency also analyzed the spatial correlation between the discharge outfalls of regulated facilities that report to PCS and impaired water bodies listed under section 303(d) of the Clean Water Act.

We used the TRI and PCS databases as the focus in this round of analysis because of their nationwide coverage, relative accessibility, ability to link the source with the pollutant discharge, and the important types of toxic releases that they cover. However, as detailed in the complete Factor 1 report, the Agency is exploring other avenues of information that may be added in future planning cycles. These include, for example, regional resources such as the Gulf Hypoxia Action Plan (nutrients), various sources related to pathogens, information that becomes available as the Agency implements its Endocrine Disruptor Screening Program, and information being developed in the U.S. Geological Survey's National Water-Quality Assessment Program.

C. How Did EPA Evaluate Stakeholder Input As Part of Its 2003 Annual Review?

EPA's planning process for the Effluent Guidelines Program has historically considered information

provided by stakeholders regarding the need for new or revised effluent guidelines or regarding issues associated with effluent guidelines implementation and efficiency. For the 2003 annual review, EPA obtained information from informal discussions with stakeholder groups with an interest in the Effluent Guidelines Program and with EPA and state staff charged with implementing effluent guidelines in NPDES permits, as well as from public comments submitted to EPA on the draft strategy.

Stakeholders' suggestions played a prominent role in the screening analyses conducted for the preliminary Effluent Guidelines Program Plan for 2004/2005. Examples of such sectors include food processing/preparation industries (nutrients and/or oil and grease); and drinking water supply and treatment (total suspended solids); and coalbed methane (total dissolved solids, sodium adsorption ratio).

Results of the formal comment process are presented in this notice and in the following document: Factor 4 Analysis: Implementation and Efficiency Considerations—Status of Screening Level Review Phase (DCN 00547, section 2.3). Results of the informal process are described in today's notice and in the public record, section 2.3. EPA will follow up with stakeholders, as necessary, for more information on their recommendations as the planning process continues. EPA hopes that public review of this and future proposed and final Effluent Guidelines Program Plans will elicit additional information and suggestions. Tables VI-2 and VI-3 describe which industry sectors were identified during the Agency's outreach activities. Table VI-2 uses the same codes as Table VI-1 to describe the rationales for the Agency's industry specific decisions. Table VI-3 uses the same codes as Table VIII-1 to describe the rationales for the Agency's industry specific decisions.

TABLE VI-2.—INDUSTRIAL POINT SOURCE CATEGORIES CURRENTLY REGULATED BY EFFLUENT GUIDELINES IDENTIFIED DURING OUTREACH

Industry	Formal comment process		Previous outreach	Draft strategy outreach		Rationale
	Comments on draft strategy	Comments on 2002/2003 plan		Permitting authorities	AMSA and/or ASWIPCA ¹	
Canned and Preserved Fruits and Vegetable Processing.	✓	(3)
Canned and Preserved Seafood Processing.	✓	✓	✓	(4)
Coal Mining	✓	✓	✓	(1) and (4).

¹ A major discharger is any NPDES facility or activity classified as such by the Regional Administrator, or, in the case of approved State

Programs, the Regional Administrator in conjunction with the State Director. Major industrial facilities are determined based on

specific ratings criteria developed by EPA and approved State Programs.