

changed significantly since the guidelines were first issued in 1982, but many refineries have two to four times the throughput than was used when the effluents guidelines were first issued and can probably achieve greater pollutant reductions than they are presently required to achieve. For industries with production based limitations and standards, such as this one, a significant change in production may suggest a need to review the effluent guidelines.

As part of its review of this industry, EPA will consider whether any new subcategories should be added. For example, EPA has identified petroleum bulk stations and terminals, which are not currently regulated by technology-based effluent guidelines, as a possible new subcategory. Some stakeholders identified concerns for discharges from petroleum bulk stations and terminals facilities. EPA intends to consider petroleum bulk stations and terminals (not currently regulated by effluent guidelines) as it reviews the Petroleum Refining point source category (part 419) because of potential similarities in operations performed, wastewaters generated, and available pollution prevention and treatment options.

B. Industrial Point Source Categories EPA Has Identified as the Highest Priority for Further Investigation

EPA intends to address data gaps and uncertainties affecting EPA's estimates of the potential risks and hazards posed by two industrial categories: Inorganic Chemicals (part 414) and Nonferrous Metals Manufacturing (part 421). However, EPA does not anticipate completing its review of these industrial categories in this planning cycle. EPA expects to complete its review of Group II industries for the Effluent Guidelines Program Plan for 2006/2007.

Consequently, EPA does not anticipate selecting either of these industrial categories for revision of their effluent guidelines in the final Effluent Guidelines Program Plan for 2004/2005.

1. Inorganic Chemicals

This industry ranked high in terms of toxic and non-conventional pollutant discharges among all industrial point source categories investigated in the screening level analyses. EPA identified this industry as a lower priority than the Organic Chemicals, Plastics and Synthetic Fibers and Petroleum Refining industries based on the following:

- Only a few facilities account for the reported toxic releases. For the Inorganic Chemicals Manufacturing Point Source Category, 12 facilities in the 2000 TRI database account for

approximately 90 percent of the reported releases of toxic-weighted pound equivalents (TWPE) to waters of the United States.

- The reported toxic releases are dominated by dioxin. Dioxin and dioxin-like compounds represent approximately 70 percent of the TWPE reported releases to surface waters and three facilities discharge approximately 80 percent of those TWPE. The majority of reported dioxin discharges are from chlor-alkali facilities (SIC 2812).

- Use of industry-specific dioxin toxic weighting factors. Using the best available information, EPA is using different toxic weighting factors for the different dioxin congeners. Further information and data may also affect EPA's estimate of the toxicity associated with these dioxin discharges.

- Low-level mercury discharges reported in PCS account for a substantial part of the TWPE for this industry. Excluding one facility, the average mercury discharge is at a very low concentration, raising issues about the treatability of these discharges.

During outreach efforts, some stakeholders suggested that the Inorganic Chemical effluent guidelines (part 415) should be reevaluated to determine whether the "no discharge" requirement is reasonable. Stakeholders stated that there have been substantial changes to this industrial point source category since the effluent guidelines were promulgated in 1982. In particular, stakeholders suggested revising the effluent guidelines with respect to chlor-alkali and nitrous oxide manufacturing. The majority of reported dioxin discharges are from chlor-alkali facilities (SIC 2812). Stakeholders also suggested revising the potassium manufacturing subcategory to address interpretation issues for new sources as to what constitutes process wastewater.

2. Nonferrous Metals Manufacturing

This industry ranked high in terms of toxic and non-conventional pollutant discharges among all industrial point source categories investigated in the screening level analyses. The existing effluent guidelines use SIC codes to determine applicability but in some cases a single SIC code covers facilities not only in this industrial point source category, but also in other categories. Consequently, EPA has begun to conduct further review of the discharges reported in TRI and PCS for this category to ensure that EPA is not double-counting pollutants among two or more categories. This review has already lowered the estimated toxic and non-conventional pollutant discharges attributed to this category and may do

so further. EPA also notes that nonferrous metals manufacturing facilities tend to have efficient metals removal from existing treatment-in-place (most metals removals are approximately 99% efficient based on 2000 TRI data).

C. Other Industry Categories

EPA identified seven other industrial point source categories with relatively high estimates of potential hazard or risk based on the screening tools used to evaluate hazard or risk and the information gathered from EPA Regional Offices and stakeholders: fertilizer manufacturing; ore mining and dressing; phosphate manufacturing; pulp and paper (phase II); steam electric power generating; textile mills; and timber products processing. EPA also identified numerous data gaps and issues that may affect the Agency's estimate of the risk or hazard posed by discharges from these industrial point source categories. EPA will continue investigating pollutant discharges from these industrial point source categories, but will assign a higher priority to the industrial categories described in sections VII A. and B. At the present time, the Agency does not have enough information to determine whether the hazard or risk that appears to be posed by these categories warrants revision of the applicable effluent guidelines. Therefore, EPA does not anticipate identifying any of these categories for revision of an effluent guideline in the final Effluent Guidelines Program Plan for 2004/2005.

EPA Regional Offices and outreach efforts identified nine other industrial point source categories as potential candidates for effluent guideline revision: canned and preserved fruits and vegetable processing; canned and preserved seafood processing; coal mining; coil coating; dairy products processing; electrical and electronic components; metal molding and casting; mineral mining and processing; and oil and gas extraction (including coalbed methane extraction). These industries were identified because of potential opportunities to improve efficient implementation of the national water quality program or because their discharges may contribute to water quality problems. EPA evaluated these categories and, based on available data, did not identify hazard or risks that appear to warrant effluent guideline revision. Therefore, EPA does not anticipate identifying any of these categories for revision of an effluent guideline in the final Effluent Guidelines Program Plan for 2004/2005.