buildup of salts in the system that would require a periodic blowdown to maintain a well operated treatment system. To achieve zero discharge this blowdown wastewater would have to be contract hauled for off-site disposal, increasing the economic impact to the industry and increasing the opportunity for cross-media transfers.

The third situation described by commenters concerns the reuse of water following treatment. In the proposed regulation, EPA demonstrated, in the discussion on estimation of compliance costs, that it did not expect facilities to reuse wastewaters that had been treated directly into product or for cleaning equipment interiors (59 FR 17876). Although some facilities do reuse treated wastewaters in this way, only interior rinsates that could be reused without treatment and could, therefore, be directly reused into formulation or stored for reuse in a future formulation of the same or compatible product formed the basis for the proposed zero discharge. EPA recommended that wastewaters that needed treatment prior to reuse could be reused for their original purpose (i.e., treated floor wash can be used to wash floors). However, commenters felt that EPA did not account for wastewaters that could not be reused for their original purpose such as interior wastewaters that could not be stored due to concerns for microbial growth or interior wastewaters generated when changing a formulating or packaging line from a solvent-based product to a water-based product. EPA notes that cost estimates for the proposed regulation did include costs for contract hauling similar excess wastewaters for off-site incineration. However, EPA does recognize that, as stated previously, contract hauling these wastewaters for incineration may increase economic and cross-media impacts.

Due to the concerns described above, many commenters requested a discharge allowance for these excess or non-reusable wastewaters. Commenters suggested that they would be willing to agree to use specified pollution prevention or best management practices and pointed to the pollution prevention, recycle and reuse practices described in the preamble to the proposal (59 FR 17866) and the technical development document [EPA #821–R–94–002]. In some cases commenters provided examples of possible additional practices they would be willing to agree to use. EPA believes that a discharge allowance (''pollution prevention allowable discharge'') may provide an added incentive to increase the use of pollution prevention and recycle practices while ensuring that facilities are maximizing pollutant reductions in the wastewater without increasing cross-media impacts.

The following sections describe the possible variations in the structure of the pollution prevention alternative, the practices which may be included as part of final regulation for either variation, and the various approaches for implementing the final rule.

C. Structure of the Alternative

For purposes of soliciting comment on today's supplemental notice, two variations of the structure of the pollution prevention alternative, as they might appear in the final regulation are discussed below. EPA has also provided possible regulatory text in Appendix B of this notice to assist commenters in focusing their written comments. Appendix B to this notice focuses on a version of the P2 alternative which would list all the pollution prevention, recycle and reuse practices that would be specified in the final regulatory text. The other version of the P2 alternative would specify, in the final rule, only those pollution prevention, recycle and reuse practices that directly reduce pollutant loadings in the wastewater, while only recommending the use of the water conservation practices and equipment as guidance. For example, in this case the use of a floor scrubber would not be specified in the regulation; however, floor wash from cleaning liquid production area floors would still require treatment prior to being considered a P2 allowable discharge. Thus, floor scrubbers would be recommended because they can reduce the size and cost of the treatment system by reducing the volume of wastewater requiring treatment. (See Section III.C.4 for a discussion on an implementation approach which could increased the use of BPJ in reference to the specified practices).

EPA believes that although most facilities would choose to use both the specified and recommended practices, this approach may be more difficult to permit and enforce. Also, this approach does not ensure that the total pounds of pollutants in the discharged wastewaters are at desirable levels. Without the use of certain flow equipment devices, the maximum reusability of certain wastewater sources, particularly interior equipment rinsates, may not be possible (i.e., facilities may have too much rinsewater volume than is called for in the formulation). In addition, in the case where water conservation practices are not incorporated into the final regulatory text, the use of dilution to achieve the P2 allowable concentrations may be encouraged.

In addition to soliciting comment on these variations, EPA is soliciting comment on the approach related to implementation of the pollution prevention alternative. (See Section III.C.4. for a discussion on implementation).

1. *Alternative to Zero*

The pollution prevention alternative has been designed to serve as an alternative to the proposed zero discharge regulation. This means that if a facility agrees to comply with the prescriptive practices (and any local limits which may be more stringent) and make them enforceable, the facility would be allowed a discharge allowance (P2 allowable discharge). However, if a facility does not agree to comply with the requirements of the alternative they would be subject to a zero discharge limitation or standard.

2. *Definition of Pollution Prevention Allowable Discharge*

EPA has extensively evaluated the definition of the P2 allowable discharge for use in the pollution prevention alternative. EPA is not planning to set a numerical definition of P2 allowable discharge for many of the same reasons that EPA did not set numerical limitations and standards in the proposed regulation (59 FR 17875). Briefly, the reasons included the lack of data, such as long term monitoring data necessary to set numerical limitations, lack of analytical methods for testing for many of the PAIs in wastewater, and the large annual cost that would be associated with compliance monitoring for all PAIs that a PFPR facility may use in production over a year's time.

In general, the definition as described would require that, in addition to performing the specified practices, certain waste streams be treated (or pretreated) prior to being eligible for consideration as an ''allowable discharge.'' In order to allow additional flexibility, EPA is considering allowing permitting authorities (NPDES or pretreatment authority) to use BPJ to make a special modification to this definition in which treatment would not be necessary for a specific facility. EPA solicits comments on the use of a special modification to the definition. The remainder of this section focuses on the definition of pollution prevention allowable discharge.

Use of a definition for P2 allowable discharge should account for the difference between waste streams of high concentration and other waste streams (e.g., interior wastewaters, floor