need to enforce the pretreatment standards through compliance mechanisms, including inspections. However, these mandates are already contained in the existing general Pretreatment Standards, which include requirements for an approved POTW pretreatment program. 40 CFR 403.8. Thus, EPA believes that any mandates resulting from this notice are not significant or unique.

EPA has, however, sought meaningful and timely input from the private sector, states, and local governments on the development of this notice. After receiving comment on the pollution prevention alternative, EPA met with members of private sector who requested that such meetings be held to discuss this alternative. EPA shared a draft version of the pollution prevention alternative with the Effluent Guidelines Task Force, the members of which include industry, environmental groups, state governments, and owner/operators of POTWs. EPA officials also presented the pollution prevention alternative at a conference held by the Association of Metropolitan Sewerage Agencies, which includes representatives from, primarily, large and medium municipal sewer authorities (POTWs) from across the United States. EPA also plans to distribute this Federal Register notice to several smaller POTWs which service different small communities throughout the United States in an attempt to seek timely and meaningful input from small governments. Thus, EPA expects that any applicable requirements of section 203 of the Act will have been satisfied prior to promulgating a final rule.

## VII. Solicitation of Comment

In addition to those areas where EPA specifically requested comment throughout this notice, EPA solicits comment in the following areas:

• Research and development (R&D) facilities—EPA has received comment from stand alone R&D facilities that develop new formulations and perform efficacy and field testing on these new formulations. These facilities requested exemption from the PFPR effluent guidelines for several reasons. First, the majority of wastewater that is generated at these facilities is due to operation of a greenhouse or residue laboratory. EPA notes that even if these facilities are

included in the final regulation, these wastewaters should not be considered process wastewater associated with pesticide formulating, packaging and repackaging operations.

Second, the remainder of wastewater is generated by the operation of a quality control (QC) laboratory or by cleaning the pilot scale formulating equipment. Both of these wastewater sources would have been considered PFPR process wastewaters under the proposed rule. However, as discussed in today's notice, EPA is considering whether to exempt laboratory equipment rinsates from cleaning analytical equipment from the definition of PFPR process wastewater. In the case of rinsate generated from cleaning the experimental formulation equipment, commenters stated that they could not meet the proposed regulation of zero discharge based on reuse. Since these facilities do not produce the same pesticides again once they have completed testing, they do not have the same ability to reuse water as a typical PFPR facility. EPA is soliciting comment and additional information on whether stand alone R&D facilities that perform PFPR operations should be exempted from the PFPR effluent guidelines rule. EPA is not considering exempting wastewaters generated by R&D activities at PFPR facilities.

 Stand alone direct discharging PFPR facilities—EPA requests comment on allowing stand alone direct discharging PFPR facilities (i.e., PFPR facilities that do not perform pesticide manufacturing operations) to have the option of complying with the pollution prevention alternative. [Note: During the development of the proposed regulation, EPA estimated that there were only two direct discharging PFPR stand alone facilities (one of which was both an indirect and a direct discharger).] Based on available data, EPA does not believe that stand alone PFPR facilities have the necessary treatment in place to discharge directly to the nation's waters; therefore, Appendix B does not include BAT and NSPS limitations for PFPR stand alone direct discharging facilities.

Triple rinse and the pollution prevention allowable discharge—EPA solicits comment and data on concentrations of pollutants (PAIs and other pollutants) found in the second

and third rinses of a triple rinse from cleaning equipment interiors or raw material drums. In discussions with industry, EPA was asked whether the second or third rinses of a triple rinse could be considered a P2 allowable discharge for the purposes of the pollution prevention alternative. Under the pollution prevention alternative, as it is presented today, these rinses would have to be reused because EPA believes that these subsequent rinses contain pollutant loadings which are at high enough levels to be reused. However, if sufficient data is available, EPA may reconsider specifying reuse of these rinses and allow discharge (possibly only after treatment) in the final regulation. [Note to commenters providing data: please indicate if data represents concentrations in second or third rinses and if from drum rinsing, interior equipment rinsing, minibulk or bulk tank rinsing.]

Burden to permitting authorities (NPDES and Pretreatment)-EPA solicits comment from POTWs and NPDES permit writers on the burden to them associated with both the variations of the pollution prevention alternative and on the different implementation approaches. EPA believes the burden for either of the variations of the P2 alternative and for implementation by self-certification is no larger than what is associated with the proposed zero discharge limitation as on-site inspections would still be the expected method of demonstrating compliance. EPA notes that implementation by selfcertification of the pollution prevention alternative does not require analytical testing on the part of the permitting authority. However, EPA solicits comment, including estimates of burden, on whether there would be a substantial additional burden associated with increased use of guidance (versus the use of all practices being specified in the regulatory text). In addition, EPA solicits estimates of the burden associated with requiring submittal of paperwork for approval to the permitting authority (NPDES and/or pretreatment authority).

The following four appendices (A–D) are the appendices which are referred to in this Supplemental Notice.