• Inbound material inspection program.

• Segregate, handle and store used batteries.

 Periodic inspections of processing equipment.

• Employee and supplier training.

In discussions with industry representatives and scrap recycling facility operators during site visits, it was observed or noted that many of these practices are already commonly employed by the scrap recycling industry. In particular, manufacturer specifications on what is acceptable for scrap often dictates what materials are or are not accepted. In addition, frequent training of employees and buyers of scrap is necessary in order to ensure that only acceptable materials are received. Concerns over potential liability of accepting undetected hazardous waste within scrap necessitated the need for the industry to provide adequate training of both employees and its major suppliers. Therefore, EPA does not believe that the costs associated with these activities are overly burdensome or that they can be exclusively attributed to the NPDES storm water program.

A number of commenters expressed concerns about the appropriateness of requiring WET testing as an alternative monitoring requirement. EPA has removed any requirements to conduct whole effluent toxicity testing from this section of the permit. A substantial number of comments were received by the industry with regard to other monitoring requirements during the permit term. To a large extent, commenters disagreed that monitoring during the permit term would provide the necessary information to support EPA's goal of assessing the effectiveness of pollution prevention plans. Many commenters specifically stated that EPA's use of benchmarks was not appropriate and that, in effect, the Agency was establishing numeric effluent limits for the scrap recycling industry. Commenters added that the site-to-site and storm-to-storm variability of the data will prevent EPA from determining the effectiveness of BMPs. In sum, the excessive cost of monitoring, the lack of technical and regulatory expertise, excessive administrative burden, and the need to hire consulting engineers were cited as justified reasons for eliminating monitoring requirements.

EPA's analysis of all sampling data provided by group applicants within this sector revealed that the scrap recycling industry consistently exhibited high concentrations of metals, particularly copper, lead, and zinc. Moreover, sampling data also revealed that, in general, scrap recycling facilities were a consistent source of a wide diversity of conventional and toxic pollutants. EPA believes that the range of concentration values reported for many pollutants adequately supports the inclusion of monitoring for these pollutants in the permit.

The group application sampling was intended to demonstrate to operators of facilities and to EPA the types of pollutants typically found in industrial storm water discharges and to give, to some extent, a measure of the magnitude of those pollutants. It was not expected that sampling results would be used as a basis of establishing numeric effluent limits. The purpose of monitoring in today's final permit is to substantiate, over the long term, that scrap recycling facilities are employing the full range of BMPs and to judge the overall effectiveness of pollution prevention plan measures in controlling the pollutants of concern.

A number of commenters requested that EPA subdivide this sector to distinguish between scrap recycling facilities and municipal recycling facilities (MRF) that recycle paper, newspaper, glass, plastic containers, cardboard, and aluminum cans received primarily from residential and commercial sources. Commenters argued that MRFs are not the same as scrap recycling facilities, particularly with regard to the degree of exposure of significant materials. Commenters requested that EPA clarify its position with regard to BMP and monitoring requirements with regard to MRFs. Commenters also requested that EPA clarify any distinctions between MRFs that receive source-separated recyclable materials only (so called clean MRFs) versus those that do not receive source separated materials (so called dirty MRFs).

Based on information and data submitted in two group applications, EPA has created a separate sub-sector for recycling facilities that receive only recyclable materials (source-separated facilities) primarily from commercial and residential sources. This sub-sector excludes scrap recycling facilities and dirty MRFs. EPA concludes that sourceseparated recycling facilities are different in many respects from scrap and waste recycling facilities and from dirty MRFs. Source separated recycling facilities do not produce the volume of non-recyclable wastes that scrap recycling and waste recycling and dirty MRF facilities do. In addition, recycling facilities do not have heavy industrial processing equipment such as shearers or shredders.

EPA observed during one site visit to a MRF that the majority of storage occurred indoors and there were few outdoor processing operations. Outdoor storage consisted only of processed materials, e.g., compacted bundles of aluminum cans and bins containing glass cullet. Outdoor storage of processed materials tended to be for only short periods of time as compared to scrap recycling facilities where stockpiled materials may be exposed for long periods of time.

EPA also believes that recycling facilities that reject non-recyclable waste materials at the source, e.g., curbside, also distinguishes them from scrap recycling and waste recycling facilities. This practice is an effective means of substantially reducing the potential that household hazardous wastes will be accepted. Frequent training of pickup drivers is also common to ensure that nonrecyclable materials such as paints, fluorescent tubes, used oil, and pesticides and are not accepted. EPA believes that separate pollution prevention plan and monitoring requirements are appropriate for this sub-group and has revised the final permit to reflect this.

EPA believes that municipal recycling facilities (MRFs) that receive only source-separated recyclable materials (e.g., glass, plastic, aluminum cans, paper, newspaper, tin cans, magazines, and alike) should not have the same monitoring requirements as those for scrap recycling facilities. MRFs are characterized as facilities that receive recyclable materials primarily from commercial and residential sources. In addition, MRF processing operations frequently occur indoors. EPA conducted a subsector review of sampling data submitted by four groups. These groups consist of facilities which receive source-separated recyclable wastes. EPA's analysis of median concentration data for pollutants sampled indicated that all pollutants were below the benchmarks.

EPA believes that given the nature of operations at these facilities and the implementation of BMPs, that these facilities should not be required to conduct storm water monitoring. EPA is also establishing separate pollution prevention plan requirements for recycling facilities that receive only source-separated, recyclable materials.

Steam Electric Generating Facilities

Several comments were received concerning the EPA's proposed monitoring regimen on which sector monitoring frequencies were based upon "benchmark" concentrations of pollutants, a representation of