and pod vegetables. Thus, for purposes of this rule, the category seed and pod vegetables (dry) is too inclusive and would allow the establishment of tolerances on crops that would not be supportable by the available data. Consequently, the category is changed to dried peas and dried beans (except soybeans). Similarly, the hay of seed and pod vegetables is changed to the vine hays of dried peas and dried beans (except soybeans). Also, since past tolerances on peanuts have been established on the meat of the peanut excluding the shell, the qualified "nutmeats after the removal of hulls" is unnecessary after the term "peanuts." (40 CFR 180.1 is herewith amended to include a definition for peanuts.)

The toxicology studies (both referenced and submitted) and their corresponding no-effect levels (NEL) evaluated in approving the proposed tolerances in both petitions consisted of a rat LD_{50} (lethal dose) study, a 90-day rat-feeding study (NEL 70 ppm), a 90-day dog-feeding study (NEL 300 ppm), a three-generation rat reproduction study (NEL greater than 180 ppm), ratteratogenicity study (NEL 66.7 mg/kg), a dominant lethal rate study (NEL greater than 180 ppm), a 2-year rat-feeding study (NEL 350 ppm), and an 18-month mouse-feeding study (NEL 350). The calculated maximum permissible intake (MPI) for man of bentazon based on long-term rat studies is 10.5 mg/day. The proposed uses in PPs 6FI828 and 7F1889 would result in a theoretical maximum exposure of 0.15% and less than 1% of this MPI, respectively.

An adequate analytical method (gas chromatography using a sulfur-specific flame photometric detector) is available to enforce the proposed tolerances. Tolerances have previously been established for residues of bentazon in or on soybeans; eggs; and the meat, fat, and meat byproducts of cattle, goats, hogs, horses, poultry, and sheep at 0.05 ppm (negligible residue except for soybeans) and in milk at 0.02 ppm (negligible residue). The negligible residue designation has been removed from the existing tolerances because long-term studies are now available. The existing egg, meat, milk, and poultry tolerances are adequate to cover any residues resulting from the proposed uses as delineated in 40 CFR 180.6(a)(2).

It has been determined that these tolerances will protect the public health, and it is concluded, therefore, that the tolerances be established as set forth below.

Any person adversely affected by this regulation may, on or before June 27, 1977, file written objections with the Hearing Clerk, EPA, East Tower, Rm. 1019, 401 M St. SW, Washington, D.C. 20460. Such objections should be submitted in quintuplicate and should specify both the provisions of the regulation deemed to be objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Effective May 26, 1977, 40 CFR 180.1 and 40 CFR 180.355 are amended as set forth below.

(Sec. 408(d)(2), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(d)(2)).)

Dated: May 19, 1977.

JAMES M. CONLON,
Acting Deputy Assistant Administrator for Pesticide Programs.

1. Part 180, Subpart A, § 180.1 is amended by adding the following new paragraph:

§ 180.1 Definitions and interpretations.

* * * * * *

(j) * * *

9. The term peanuts means the peanut meat after removal of the hulls.

2. Part 180, Subpart C, § 180.355 is revised in its entirety by (1) editorially restructuring paragraphs (a) and (b) into alphabetized columnar listings, (2) alphabetically inserting tolerances of 3 ppm on corn fodder and forage, peanut hay, rice straw, and the vine hays of dried peas and dried beans (except soybeans); 0.3 ppm on peanut hulls and soybean hay, and 0.05 ppm on dried beans (except soybeans), corn grain, fresh corn, peanuts, peas (dried), and rice in paragraph (a), and (3) deleting the designation "negligible residue" from both paragraphs as follows:

§ 180.355 Bentazon; tolerances for residues.

(a) Tolerances are established for combined residues of the herbicide bentazon (3-isopropyl-1*H*-2,1,3-benzothiadiazin-4(3*H*)-1-2,2-dioxide) and its 6- and 8-hydroxy metabolites in or on raw agricultural commodities as follows:

Commodity:	Parts per million
Beans (except soybeans), dried	0.05
Beans (exc. soybeans), dried, vine hays	3
Corn, fodder	3
Corn, forage	3
Corn, grain	0.05
Corn, fresh (inc. sweet K+CWHR)	0.05
Peanuts	0.05
Peanuts, hay	3
Peanuts, hulls	0.3
Peas (dried)	0.05
Peas (dried), vine hays	3
Rice	0.05
Rice, straw	3
Soybeans	0.05
Soybeans, hay	0.3

(b) Tolerances are established for combined residues of bentazon (3-isopropyl-1-1*H*-2,1,3-benzothiadiazin-4(3*H*) - one-2,2-dioxide) and its metabolite 2-amino-*N*-isopropyl benzamide in raw agricultural commodities as follows:

Commodity:	Parts per million
Cattle, fat	0.05
Cattle, mbyp	0.05
Cattle, meat	0.05
Eggs	0.05
Goats, fat	0.05
Goats, mbyp	0.05
Goats, meat	0.05
Hogs, fat	0.05
Hogs, mbyp	0.05
Hogs, meat	0.05
Milk	0.02
Poultry, fat	0.05
Poultry, mbyp	0.05
Poultry, meat	0.05
Sheep, fat	0.05
Sheep, mbyp	0.05
Sheep, meat	0.05

[FR Doc.77-14945 Filed 5-25-77;8:45 am]

SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

[FRL 735-2]

PART 410—TEXTILE INDUSTRY POINT SOURCE CATEGORY

Pretreatment Standards for Existing Sources; Final Rulemaking

AGENCY: Environmental Protection Agency:

ACTION: Final rule.

SUMMARY: This action sets forth final pretreatment standards for existing sources in the following subcategories of the textile mills point source category: Wool scouring, wool finishing, dry processing, woven fabric finishing, knit fabric finishing, carpet mills and stock and yarn dyeing and finishing. The effect of the rule will be to set four general prohibitions for pollutants which create a fire or explosion hazard, which cause corrosive damage, which obstruct sewer flow or which upset treatment efficiency. After considering new industry data and reviewing the technical basis for specific pollutant limitations as proposed in 1974, EPA has concluded that the four general prohibitions are most appropriate.

EFFECTIVE DATE: June 30, 1977.

FOR FURTHER INFORMATION CONTACT:

Harold B. Coughlin, Environmental Protection Agency, Effluent Guidelines Division, 401 M Street, SW., Room 911 WSME—(WH-552), Washington, D.C. 20460, Telephone number 202-426-2560.

SUPPLEMENTARY INFORMATION: On July 5, 1974, EPA promulgated a regulation adding Part 410 to Title 40 of the Code of Federal Regulations (39 FR 24736). That regulation with a subsequent correction established effluent limitations and guidelines for existing sources and standards of performance and pretreatment standards for new sources and proposed pretreatment standards for existing sources in the textile mills point source category. Pursuant to section 307(b) of the Federal Water Pollution Control Act, as amended. (33 U.S.C. 1317(b)) (the Act), the regulation set forth below will amend 40 CFR Part 410 textile mills point source category by adding § 410.14 of the wool scouring subcategory (Subpart A), § 410.24 of the wool finishing subcategory (Subpart B), § 410.34 of the dry processing subcategory (Subpart C), § 410.44 of the woven fabric finishing subcategory

(Subpart D), § 410.54 of the knit fabric finishing subcategory (Subpart E), § 410.64 of the carpet mills subcategory (Subpart F) and § 410.74 of the stock and yarn dyeing and finishing subcategory (Subpart G).

The Technical Basis of Pretreatment Standards for Existing Sources

The regulation set forth below establishes pretreatment standards for pollutants introduced to publicly owned treatment works (POTW) from existing sources within the subparts set forth above. This regulation is intended to implement the concepts of the general regulation for pretreatment standards for existing sources set forth in 40 CFR Part 128. This general regulation was published in final form on November 8, 1973 (38 FR 30982).

The general pretreatment regulation (40 CFR Part 128) described above and its application to effluent limitations and standards has sometimes caused confusion. In order to correct any lack of clarity, 40 CFR Part 128 is set aside for existing sources within the subparts set forth in paragraph (a) above. In its place, the specific pretreatment standards applicable to each subcategory are set forth in detail below as the pretreatment standard for that subcategory. This mechanism will eliminate any possible confusion as to the materials which are limited or controlled by the pretreatment standard for each subcategory. This decision is also warranted because new general pretreatment regulations have been proposed (42 FR 6476 et seq., Feb. 2, 1977), which will revoke and replace 40 CFR Part 128 upon promulgation. When the general pretreatment regulations are promulgated, these standards will be reviewed for consistency with the general policy stated therein.

A supplemental technical study was made to determine the levels of pretreatment requirements which are appropriate considering the limitations established for direct dischargers under sections 301 and 304 and the requirements of section 307(b). The findings of this study and technical rationale for the establishment of pretreatment standards are summarized in Appendix A to this preamble. Since some municipalities might have a problem with treatment of a textile discharge, Appendix A also contains alternative treatment technology information as a guide to municipalities in exercising their prerogative to control specific substances.

The report entitled "Supplement for Pretreatment to the Development Document for the Textile Mills Point Source Category" details the additional technical analysis undertaken in support of the final regulation set forth herein and is available for inspection at the EPA Public Information Reference Unit, Room 2922 (EPA Library), Waterside Mall, 401 M Street SW., Washington, D.C. 20460, at all EPA Regional offices and at State water pollution control offices. A supplementary analysis prepared for EPA of the possible economic effects of the regulation is also available for inspection at these locations. An additional limited number of copies of these reports are available. Persons wishing to obtain a copy may write the Environmental Protection Agency, Effluent Guidelines Division, Washington, D.C. 20460, Attention: Distribution Officer, WH-552. Copies of the technical documentation will also be available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Copies of the economic analysis document will be available through the National Technical Information Service, Springfield, Va. 22151.

Did the Public Comment?

Prior to this publication, many agencies and interest groups were consulted and given an opportunity to participate in the development of these standards. Immediately prior to this rulemaking the results of this study were circulated for comment to persons known to be interested. A summary of public participation in this rulemaking, public comments and the Agency's response is contained in Appendix B to this preamble.

What Is The Economic and Inflationary Impact?

The economic impact is expected to be minimal for all subcategories in this industry and no price increases are anticipated as a result of the regulations. No plant closures or production curtailments will occur. In the event that all affected municipalities exercise their prerogative to impose the entire complement of optional pretreatment technologies for about 2000 plants in the subcategories, the wool dyeing and finishing subcategory would be heavily impacted. New plants in this category are not financially feasible even without pollution control requirements. The older, medium-sized plants in the woven fabric dyeing and finishing subcategory and existing small plants in the stock and yarn dyeing and finishing subcategory could face closure if they were forced to absorb the pollution control costs of all of the optional pretreatment technologies. However, they could absorb some fraction of the cost. The economic impact is discussed in greater detail in Appendix A.

Compliance Date

Compliance with the prohibited discharge standards is required immediately upon the effective date of these regulations since these standards are essentially the same as 40 CFR 128.131 and since the deadline for compliance with 40 CFR 128.131 has passed.

The Agency is subject to an order of the United States District Court for the District of Columbia entered in *Natural Resources Defense Council* v. *Train* (Civ. No. 2153-73, 75-0172, 75-1698 and 75-1267) which required the promulgation of pretreatment standards for this industry category no later than May 15, 1977.

In consideration of the foregoing, 40 CFR Part 410 is hereby amended as set forth below and shall become effective on June 30, 1977.

Dated: May 18, 1977.

Douglas M. Costle,
Administrator.

Appendix A—Technical Summary and Basis for Regulations

This Appendix summarizes the basis of final pretreatment standards for existing sources in the textile mills point source category.

(1) *General methodology.* The pretreatment standards set forth herein were developed in the following manner. The point source, flow and volume of water used in the pose of determining whether separate standards are appropriate for different segments within the category. The raw waste characteristics for each such segment were then identified. This included an analysis of the source, flow and volume of water used in the process employed, the sources of waste and waste waters in the operation and the constituents of all waste water. The principal basis used in developing the pretreatment standards for this industry is analogous to the technology based derivations used in developing the regulations for the direct dischargers. In this regard, the treatment technology employed by direct dischargers is the same as that utilized by POTW to achieve secondary treatment requirements, i.e., primary treatment plus secondary biological treatment. Another integral part of the basis for these standards is the identification of pollutants which either upset or pass through POTW.

The control and treatment technologies were established within each segment. This included an identification of each distinct control and treatment technology, including both in-plant and end-of-process technologies, which is existent or capable of being designed for each segment. It also included an identification of, in terms of the amount of constituents and the chemical, physical, and biological characteristics of pollutants, the effluent level resulting from the application of each of the technologies. The problems, limitations, and reliability of each treatment and control technology were also specified. In addition, the nonwater quality environmental impact, such as the effects of the application of such technologies upon other pollution problems, including air, solid waste, noise, and radiation were discussed. The energy requirements of each control and treatment technology were determined as well as the cost of the application of such technologies.

This information was then evaluated to determine what levels of technology reflected the application of appropriate pretreatment technologies. To help select these technologies, various factors were considered. These included the total cost of application of technology, the age of equipment and facilities involved, the process employed, the engineering aspects of the application of various types of control techniques, process changes, nonwater quality environmental impact (including energy requirements) and other factors.

The data base for the above analysis included EPA permit applications, EPA sampling and inspection reports, consultant reports, and industry submissions.

(2) *Summary of conclusions with respect to the textile mill point source category.*—(i) *Categorization.* For the purpose of establishing pretreatment standards, factors such as types of raw materials, manufacturing processes and final products, age, size, and location of plants, waste water volume, pollutant content, and treatability by typical

POTW including secondary treatment technology, were all considered as potential bases for subcategorizing the textile industry. The principal factors which contributed most to subcategorization were raw material type, final product, manufacturing process and waste water character. Subcategorization by these principal factors was substantiated by assessment of other factors such as relative wasteload and hydraulic contributions to POTW, type of secondary treatment at a POTW (e.g.—trickling filter, activated sludge, etc.), and influent pollutant concentrations.

(ii) *Waste characteristics.* For all seven subcategories, the known significant waste water pollutants and pollutant properties include flow, pH, total suspended solids (TSS), BOD5, COD, oil and grease, total chromium, phenol and sulfide.

(iii) *Treatment and control technology.*—(a) *Rationale for Pretreatment Standards.* Waste water treatment and control technologies have been studied for this industry to determine what is the appropriate pretreatment technology.

The following discussions of treatment technologies outline the bases for the pretreatment standards. These discussions do not preclude the selection by individual municipalities with different circumstances of other waste water treatment alternatives which provide equivalent or better levels of treatment.

Performance data for POTW treating textile waste water indicate that where treatment systems are properly designed to handle this specific waste water, pollutants of concern (i.e., BOD5, COD, TSS, and oil and grease) are removed to consistently low concentrations, and therefore do not pass through a POTW inadequately treated. Where POTW are not meeting their NPDES permits, there are contributing problems, such as hydraulic overloading (related to increased residential or commercial development), POTW operational problems, or very stringent water quality constraints. The pollutants proposed (existing sources) and promulgated (new sources) for pretreatment, COD, chromium, phenol, sulfide, wool scouring oil and grease, have not been reported to cause upsets of POTW.

The removal of wool scouring oil and grease was studied at nine locations. Five of these plants which discharge to POTW reported widely varying levels of oil and grease both within and between plants. Nevertheless, there is no indication of a problem either at the POTW or in the collection system. This is probably due to their low percent participation in the POTW. Also, this oil and grease is from animal origin rather than the more resistent petroleum base. Four other plants treat or pretreat wastes in biological systems. One of these plants reported oil and grease concentrations of about 1500 mg/l after centrifugation prior to biological treatment. After approximately 30 hours aeration, the effluent oil and grease was reduced to about 50 mg/l. The available wool scouring data suggest that high raw waste loads are experienced but that properly designed and operated POTW can treat this waste water satisfactorily. Therefore, a wool scouring oil and grease pretreatment standard is not required at this time.

The raw waste concentrations of chromium, phenol and sulfide were also investigated. Total chromium values from 47 plants in the industry indicated an average raw waste concentration of 0.14 mg/l with a minimum of 1 mg/l. A lack of hexavalent chromium data exists and the following summarizes this data: one plant reported 0.15 mg/l hexavalent out of 0.20 mg/l total chromium; two plants report a maximum of 0.05 mg/l hexavalent chromium compared to a total chromium maximum of 0.28 mg/l; and two other mills report no hexavalent chromium out of a maximum of 0.02 mg/l total chromium. In summary, where hexavalent chromium is present it should only occur at very low concentrations. Phenol values from thirty-five plants averaged 0.17 mg/l, 1 mg/l maximum and sulfide values from seventeen plants averaged 0.59/1, 7 mg/l maximum. Therefore, at the low levels of chromium, phenol and sulfide reported in this industry, these pollutants are compatible with POTW biological treatment.

(b) *Suggested guidance for affected municipalities.* The Agency has concluded that pretreatment regulations which include substantive limitations for specific pollutants on a national basis are not required. However, it must be recognized that the waste water from textile dyeing and finishing plants can create or contribute to at least the following POTW problems: coarse suspended solids which clog pumps, foul bearings and aerators or float in basins; excessive fluctuations of hydraulic or organic loadings; and highly alkaline or acidic discharges. Each of these problems can be largely controlled by careful design and diligent operation of a POTW. Mitigating and site specific circumstances can dictate the need for pretreatment.

Screens such as hydrosieves or vibrating screens are available to capture essentially all of the coarse suspended solids. A combination of coarse and fine screening may be necessary to remove rags and yarn along with individual fibers, lint and flock. While POTW can remove individual fibers, clumps of fibers, rags and large coarse solids should be removed to avoid their interference with the operation of the POTW.

Equalization can even out excessive hydraulic or organic loadings. Lack of equalized hydraulic or organic loading can degrade a normally adequate acclimated biological population in biological treatment or cause complete wash out of trickling filters or clarified sludge blankets.

Extreme pH values or widely fluctuating pH can seriously upset the operation and function of POTW. Control of pH can be accomplished by the addition of lime, caustic soda or other alkali; addition of sulfuric acid or carbon dioxide; mixing of high and low pH streams, passage over limestone beds; or injecting waste flue gas.

Recently revised general guidelines have been made available, per FEDERAL REGISTER notice (42 FR 838) dated January 4, 1977, for use by municipalities in the establishment of pretreatment regulations where local circumstances warrant. It is intended that this preamble and the supplementary development document should provide general assistance to municipalities in identifying problems and potential solutions along with associated costs. Specific on-site engineering and cost evaluation should still be made by municipal engineers or their consultants to more fully evaluate all local circumstances which may allow a unique and cost effective solution to problems which are identified.

(iv) *Cost estimates for control of waste water pollutants.* Cost information was obtained directly from industry, engineering firms, equipment suppliers, government sources and available literature. Costs are based on actual industry installations or engineering estimates for projected facilities as supplied by contributing companies. In the absence of such information, cost estimates have been developed from either plant-supplied costs for similar waste treatment installations at plants making similar products or general cost estimates for treatment technology.

(v) *Energy requirements and nonwater quality environmental impacts.* There are no major nonwater quality considerations associated with screening, equalization or neutralization pretreatment technologies. There are solid waste and energy considerations associated with biological treatment and chemical coagulation alternatives.

(vii) *Economic impact analysis.* This section summarizes the economic and inflationary impacts of the pretreatment standards for the textile mills point source category.

(a) *Inflationary Impact.* Executive Order 11821 (November 27, 1974) requires that major proposals for legislation and promulgation of regulations and rules by Agencies of the executive branch be accompanied by a statement certifying that the inflationary impact of the proposal has been evaluated. The Administrator has directed that all regulatory actions which are likely to exceed any of the following four criteria will require certification.

1. Additional national annualized costs of compliance, including capital charges (interest and depreciation), will total $100 million within any calendar year by the attainment date, if applicable, or within five years of implementation.

2. Total additional cost of production of any major product is more than 5 percent of the selling price of the product.

3. Net national energy consumption will be increased by the equivalent of 25,000 barrels of oil a day (equal to 50 trillion BTU per year or 5 billion kilowatt-hours per year).

4. Additional annual demands are created or annual supply is decreased by more than 3 percent for any of the following materials by the attainment date, if applicable, or within five years of implementation: slate steel, tubular steel, stainless steel, scrap steel, aluminum, copper, manganese, magnesium, zinc, ethylene, ethylene glycol, liquified petroleum gases, ammonia, urea, plastics, synthetic rubber, or pulp.

No significant capital cost is anticipated. However, in the unlikely event that all affected municipalities exercise their prerogative to impose all of the optional pretreatment technologies, assuming that none of the plants have any treatment in place, total investment cost for this industry is estimated to be as high as $440 million, while total annual costs are estimated to be $154 million. These costs are in first quarter 1976 dollars. Total annual costs are equal to operation and maintenance cost plus a capital cost based on a fifteen (15) year depreciation and an approximate nine (9) percent interest rate. This is based upon the document entitled "Economic Impact of Pretreatment Standards for the Textile Industry".

As can be seen above, the potential total national annualized costs of compliance for the pretreatment standards could be above $100 million per year. The increase in cost of production is less than 5 percent of the selling price. Energy consumption may be increased by a nominal amount and the projected increase in demand or decrease in supply for any of the above materials is nominal. Because of the potential that total national annualized cost of compliance could be above $100 million, the Agency certifies that the inflationary impact has been considered in formulating these regulations and has prepared an inflationary impact statement contained in the report, "Economic Impact Pretreatment Standards for the Textile Industry".

(b) *Economic Impact Analysis.* The Agency has considered the economic impact of the internal and external costs of the effluent limitations guidelines. Internal costs are defined as investment and annual cost, where annual cost is composed of operating costs, maintenance costs, the cost of capital and

depreciation. External cost deals with the assessment of the economic impact of the internal costs in terms of price increases, production curtailments, plant closures, resultant unemployment, community and regional impacts, international trade, and industry growth.

In order to determine what possible impact could result if municipalities required any of the optional pretreatment technologies, an incremental cost analysis was performed. For each model plant developed, an impact analysis was completed using an incremental capital cost approach with capital costs ranging from $25,000 to $300,000, each increment being $25,000. For each textile model plant, an analysis was completed for each of the following impact indicators: required price increase; after tax income; after tax return on sales; after tax return on invested capital.

A separate report on the economic analysis indicates the range of impacts to be expected for each model developed. Plant closures and production curtailments for each industry subcategory are discussed as follows.

1. *Wool Scouring.* No plant closures are expected in this industry subcategory and the economic impact will be minimal. Existing medium size plants could be impacted if investment costs were to run above $200,000 but not to a point where they still would not be profitable to operate. Pollution control costs do not prevent new plants from entering the market.

2. *Wool Dyeing and Finishing.* According to the impact analysis, any required investment in pollution control will result in a plant closure. The plants that are presently operating are marginal at best, with after tax return on sales in the 1 percent range. New plants in this subcategory are not financially feasible even before pollution control costs are included in the cost.

3. *Woven Fabric Dyeing and Finishing.* With the exception of older, medium-size existing plants, no impact is expected for this subcategory. In the case of the older medium size model, such plants are well established in the industry and have a lower cost of debt capital, and it is not expected that they will cease operation. However, their after-tax returns are not very high and even a moderate investment in pollution control equipment could result in plant closures for the sixteen plants in this subcategory. Much of the uncertainty here rests with the outcome of international trade agreements presently under negotiation.

4. *Knit Fabric Dyeing and Finishing.* No impacts are expected in this subcategory.

5. *Carpet Manufacture Dyeing and Finishing.* No impacts are expected in this subcategory.

6. *Stock and Yarn Dyeing and Finishing.* The only impact that would be felt in this subcategory would be on the existing small plants. Pollution investment costs above $150,000 could impact a plant but not to a point where they would still not be profitable to operate. Market conditions in terms of demand would be the determining factor as to whether or not the plant would close.

The impact of these regulations is expected to be minimal for the textile industry and little or no price increase is projected. No production curtailment from plant closures is projected and there will be a negligible effect on profitability on plants which are indirect dischargers. Based upon this analysis the effects on employment industry growth and international trade are expected to be minimal.

In enforcing optional pretreatment requirements municipalities must be careful to assess the economic impact of any such controls on the wool dyeing and finishing subcategory. In addition careful attention must be given to the older plants in the woven fabric dyeing and finishing subcategory and the small plants in the stock and yarn dyeing and finishing subcategory.

Appendix B—Summary of Public Participation

Prior to this publication, copies of the draft document were sent to the industry trade association, Federal agencies, state, local, and territorial pollution control agencies. In addition, copies were sent to many textile mills which discharge to a POTW. Each of these parties was given an opportunity to participate in the development of pretreatment standards by submitting written comments. In addition, a public meeting was held on February 2, 1977, at EPA headquarters in Washington, D.C. at which interested parties were invited to express their views. Public comments were also solicited when pretreatment standards for these segments were proposed in the Federal Register on July 5, 1974.

The following responded with comments: American Textile Manufacturers Institute; Northern Textile Association; Carpet and Rug Institute; State of South Carolina; State of Georgia; Kleinschmidt and Dutting; and Camp, Dresser and McKee.

The primary issues raised by commenters during the development of the pretreatment regulations for the textile industry are as follows:

1. Several commenters indicated there is no justification for national pretreatment standards. Occurrence of problems associated with the presence of textile waste waters in sewer collection systems and at POTW is neither consistent nor universal. Further, local ordinances include provisions with authority to control these problems.

The Agency has reviewed all available industry and POTW data and information in light of these comments and has concluded that problems attributable to textile waste waters are not consistent or nationwide in scope. One reason for this is that textile wastes are diluted in public collection systems. Another reason is that some POTW are specifically designed and/or operated to receive and treat textile waste waters. Also, certain textile manufacturing processes produce waste waters that are easier to treat than others. There are many combinations of variables which must be considered in comparing POTW. Sometimes it is difficult to explain why some POTW have success while others fail under seemingly similar circumstances. The preamble to the regulation and the development document are intended to provide general assistance to municipalities and their consultants in the identification of problems and potential solutions. In summary, the Agency has determined that specific pollutant national pretreatment standards are not appropriate for the textile industry. The Agency has determined that four general prohibitions which prohibit pollutants which create a fire or explosion hazard, which cause corrosive damage, which obstruct sewer flow or which upset treatment efficiency are most appropriate for POTW and the textile industry.

2. A number of comments address treatment costs. Most indicated that treatment costs in the North should be higher than the South and that costs should be higher for urban locations than for rural ones. The costs for energy were also considered too low.

The Agency has reviewed the treatment design criteria and the capital and annual costs and has found that Agency costs are applicable to the North, the South, urban and local situations. There will obviously be instances where costs are higher or lower than those estimated in the Development Document but the Agency costs are typical pretreatment costs for average textile mills in urban and rural locations. Particular attention has been given to screening, equalization and neutralization and these costs appear to be particularly reasonable. One commenter indicated that the size of equalization was much larger than typically needed. Thus, the Agency's costs for this technology have been overestimated. In summary, the Agency's pretreatment costs are reasonable for estimating economic impacts of treatment technology on the industry.

The Agency has also reviewed the energy cost data submitted with comments. The agency recognizes that some electricity rates are significantly higher than the 1.5 cents per kilowatt-hour used. However, the Agency costs are incremental increased costs due to new pretreatment technology. This added technology will utilize energy at an incremental cost less than the area's average industrial energy cost. These energy costs are near or below the Agency's estimate. Thus, the Agency's energy usage estimate is reasonable.

3. The comment was made that pretreatment standards were needed for hexavalent chromium and wool scouring oil and grease.

The Agency reviewed its data base for chromium and for wool scouring oil and grease. Additional data were collected for hexavalent chromium and for wool scouring oil and grease.

A lack of hexavalent chromium data exists. Data from five plants were located and these data showed low contributions of hexavalent chromium in total chromium analyses. In only one case was a low level of total chromium mostly in the hexavalent form. Because of the lack of information and the low levels of total chromium reported (maximum 1 mg/l), no concentration limit is appropriate at this time. However, the Agency is presently reconsidering 1983 limitations and will specifically investigate hexavalent chromium.

With regard to wool scouring oil and grease, information was available from nine plants. Five of these plants which discharge to POTW reported widely varying levels of oil and grease both within and between plants. Nevertheless, there is no indication of a problem either at the POTW or in the collection system. This is probably due to their low percent participation in the POTW. Also, this oil and grease is from animal origin rather than the more resistent petroleum base. Four other plants treat or pretreat wastes in biological systems. One plant reported oil and grease concentrations of about 1500 mg/l after centrifugation prior to biological treatment. After approximately 30 hours aeration, the effluent oil and grease was reduced to about 50 mg/l. The available wool scouring data suggest that high raw waste loads are experienced but that properly designed and operated POTW can treat this waste water satisfactorily. Therefore, a wool scouring oil and grease pretreatment standard is not required at this time.

§ 410.10 [Amended]

1. Section 410.10 is amended by inserting the phrases "and to the introduction of pollutants into treatment works which are publicly owned" after the word "discharges."

2. Subpart A is amended by adding § 410.14 as follows:

§ 410.14 Pretreatment standards for existing sources.

For the purpose of establishing pretreatment standards under Section 307(b) of the Act for a source within the wool scouring subcategory, the provisions of 40 CFR Part 128 shall not apply. The pretreatment standards for an existing source within the wool scouring subcategory are set forth below.

(a) No pollutant (or pollutant property) introduced into a publicly owned treatment works shall interfere with the operation or performance of the works. Specifically, the following wastes shall not be introduced into the publicly owned treatment works:

(1) Pollutants which create a fire or explosion hazard in the publicly owned treatment works.

(2) Pollutants which will cause corrosive structural damage to treatment works, but in no case pollutants with a pH lower than 5.0, unless the works is designed to accommodate such pollutants.

(3) Solid or viscous pollutants in amounts which would cause obstruction to the flow in sewers, or other interference with the proper operation of the publicly owned treatment works.

(4) Pollutants at either a hydraulic flow rate or pollutant flow rate which is excessive over relatively short time periods so that there is a treatment process upset and subsequent loss of treatment efficiency.

(b) Any owner or operator of any source to which the pretreatment standards required by paragraph (a) of this section are applicable, shall be in compliance with such standards upon the effective date of that subsection.

§ 410.20 [Amended]

3. Section 410.20 is amended by inserting the phrase "and to the introduction of pollutants into treatment works which are publicly owned" after the word "discharges."

4. Subpart B is amended by adding § 410.24 as follows:

§ 410.24 Pretreatment standards for existing sources.

For the purpose of establishing pretreatment standards under Section 307 (b) of the Act for a source within the wool finishing subcategory, the provisions of 40 CFR Part 128 shall not apply. The pretreatment standards for an existing source within the wool finishing subcategory are set forth below.

(a) No pollutant (or pollutant property) introduced into a publicly owned treatment works shall interfere with the operation or performance of the works. Specifically, the following wastes shall not be introduced into the publicly owned treatment works:

(1) Pollutants which create a fire or explosion hazard in the publicly owned treatment works.

(2) Pollutants which will cause corrosive structural damage to treatment works, but in no case pollutants with a pH lower than 5.0, unless the works is designed to accommodate such pollutants.

(3) Solid or viscous pollutants in amounts which would cause obstruction to the flow in sewers, or other interference with the proper operation of the publicly owned treatment works.

(4) Pollutants at either a hydraulic flow rate or pollutant flow rate which is excessive over relatively short time periods so that there is a treatment process upset and subsequent loss of treatment efficiency.

(b) Any owner or operator of any source to which the pretreatment standards required by paragraph (a) of this section are applicable, shall be in compliance with such standards upon the effective date of that subsection.

§ 410.30 [Amended]

5. Section 410.30 is amended by inserting the phrase "and to the introduction of pollutants into treatment works which are publicly owned" after the word "discharges."

6. Subpart C is amended by adding § 410.34 as follows:

§ 410.34 Pretreatment standards for existing sources.

For the purpose of establishing pretreatment standards under section 307 (b) of the Act for a source within the dry processing subcategory, the provisions of 40 CFR Part 128 shall not apply. The pretreatment standards for an existing source within the dry processing subcategory are set forth below.

(a) No pollutant (or pollutant property) introduced into a publicly owned treatment works shall interfere with the operation or performance of the works. Specifically, the following wastes shall not be introduced into the publicly owned treatment works:

(1) Pollutants which create a fire or explosion hazard in the publicly owned treatment works.

(2) Pollutants which will cause corrosive structural damage to treatment works, but in no case pollutants with a pH lower than 5.0, unless the works is designed to accommodate such pollutants.

(3) Solid or viscous pollutants in amounts which would cause obstruction to the flow in sewers, or other interference with the proper operation of the publicly owned treatment works.

(4) Pollutants at either a hydraulic flow rate or pollutant flow rate which is excessive over relatively short time periods so that there is a treatment process upset and subsequent loss of treatment efficiency.

(b) Any owner or operator of any source to which the pretreatment standards required by paragraph (a) of this section are applicable, shall be in compliance with such standards upon the effective date of that subsection.

§ 410.40 [Amended]

7. Section 410.40 is amended by inserting the phrase "and to the introduction of pollutants into treatment works which are publicly owned" after the word "discharges."

8. Subpart D is amended by adding § 410.44 as follows:

§ 410.44 Pretreatment standards for existing sources.

For the purpose of establishing pretreatment standards under section 307(b) of the Act for a source within the woven fabric finishing subcategory, the provisions of 40 CFR Part 128 shall not apply. The pretreatment standards for an existing source within the woven fabric finishing subcategory are set forth below.

(a) No pollutant (or pollutant property) introduced into a publicly owned treatment works shall interfere with the operation or performance of the works. Specifically, the following wastes shall not be introduced into the publicly owned treatment works:

(1) Pollutants which create a fire or explosion hazard in the publicly owned treatment works.

(2) Pollutants which will cause corrosive structural damage to treatment works, but in no case pollutants with a pH lower than 5.0, unless the works is designed to accommodate such pollutants.

(3) Solid or viscous pollutants in amounts which would cause obstruction to the flow in sewers, or other interference with the proper operation of the publicly owned treatment works.

(4) Pollutants at either a hydraulic flow rate or pollutant flow rate which is excessive over relatively short time periods so that there is a treatment process upset and subsequent loss of treatment efficiency.

(b) Any owner or operator of any source to which the pretreatment standards required by paragraph (a) of this section are applicable, shall be in compliance with such standards upon the effective date of that subsection.

§ 410.50 [Amended]

9. Section 410.50 is amended by inserting the phrase "and to the introduction of pollutants into treatment works which are publicly owned" after the word "discharges."

10. Subpart E is amended by adding § 410.54 as follows:

§ 410.54 Pretreatment standards for existing sources.

For the purpose of establishing pretreatment standards under section 307 (b) of the Act for a source within the knit fabric finishing subcategory, the provisions of 40 CFR Part 128 shall not apply. The pretreatment standards for an existing source within the knit fabric finishing subcategory are set forth below.

(a) No pollutant (or pollutant property) introduced into a publicly owned treatment works shall interfere with the operation or performance of the works. Specifically, the following wastes shall not be introduced into the publicly owned treatment works:

(1) Pollutants which create a fire or explosion hazard in the publicly owned treatment works.

(2) Pollutants which will cause corrosive structural damage to treatment works, but in no case pollutants with a pH lower than 5.0, unless the works is designed to accommodate such pollutants.

(3) Solid or viscous pollutants in amounts which would cause obstruction to the flow in sewers, or other interference with the proper operation of the publicly owned treatment works.

(4) Pollutants at either a hydraulic flow rate or pollutant flow rate which is excessive over relatively short time periods so that there is a treatment process upset and subsequent loss of treatment efficiency.

(b) Any owner or operator of any source to which the pretreatment standards required by paragraph (a) of this section are applicable, shall be in compliance with such standards upon the effective date of that subsection.

§ 410.60 [Amended]

12. Section 410.60 is amended by inserting the phrase "and to the introduction of pollutants into treatment works which are publicly owned" after the word "discharges."

13. Subpart F is amended by adding § 410.64 as follows:

§ 410.64 Pretreatment standards for existing sources.

For the purpose of establishing pretreatment standards under section 307 (b) of the Act for a source within the carpet mills subcategory, the provisions of 40 CFR Part 128 shall not apply. The pretreatment standards for an existing source within the carpet mills subcategory are set forth below.

(a) No pollutant (or pollutant property) introduced into a publicly owned treatment works shall interfere with the operation or performance of the works. Specifically, the following wastes shall not be introduced into the publicly owned treatment works:

(1) Pollutants which create a fire or explosion hazard in the publicly owned treatment works.

(2) Pollutants which will cause corrosive structural damage to treatment works, but in no case pollutants with a pH lower than 5.0, unless the works is designed to accommodate such pollutants.

(3) Solid or viscous pollutants in amounts which would cause obstruction to the flow in sewers, or other interference with the proper operation of the publicly owned treatment works.

(4) Pollutants at either a hydraulic flow rate or pollutant flow rate which is excessive over relatively short time periods so that there is a treatment process upset and subsequent loss of treatment efficiency.

(b) Any owner or operator of any source to which the pretreatment standards required by paragraph (a) of this section are applicable, shall be in compliance with such standards upon the effective date of that subsection.

§ 410.70 [Amended]

14. Section 410.70 is amended by inserting the phrase "and to the introduction of pollutants into treatment works which are publicly owned" after the word "discharges."

15. Subpart G is amended by adding § 410.74 as follows:

§ 410.74 Pretreatment standards for existing sources.

For the purpose of establishing pretreatment standards under Section 307 (b) of the Act for a source within the stock and yarn dyeing and finishing subcategory, the provisions of 40 CFR Part 128 shall not apply. The pretreatment standards for an existing source within the stock and yarn dyeing and finishing subcategory are set forth below.

(a) No pollutant (or pollutant property) introduced into a publicly owned treatment works shall interfere with the operation or performance of the works. Specifically, the following wastes shall not be introduced into the publicly owned treatment works:

(1) Pollutants which create a fire or explosion hazard in the publicly owned treatment works.

(2) Pollutants which will cause corrosive structural damage to treatment works, but in no case pollutants with a pH lower than 5.0, unless the works is designed to accommodate such pollutants.

(3) Solid or viscous pollutants in amounts which would cause obstruction to the flow in sewers, or other interference with the proper operation of the publicly owned treatment works.

(4) Pollutants at either a hydraulic flow rate or pollutant flow rate which is excessive over relatively short time periods so that there is a treatment process upset and subsequent loss of treatment efficiency.

(b) Any owner or operator of any source to which the pretreatment standards required by paragraph (a) of this section are applicable, shall be in compliance with such standards upon the effective date of that subsection.

[FR Doc.77-15054 Filed 5-25-77;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 8—VETERANS ADMINISTRATION

PART 8-74—SPECIAL PROCUREMENT CONTROLS

PART 8-75—DELEGATIONS OF AUTHORITY

Miscellaneous Amendments

AGENCY: Veterans Administration.

ACTION: Final regulation.

SUMMARY: These parts are revised to make technical changes to reflect organizational changes, to revoke obsolete material, and to limit the purchasing authority of cemetery superintendents.

EFFECTIVE DATE: May 26, 1977.

FOR FURTHER INFORMATION CONTACT:

Clyde C. Cook, Director, Supply Service, Veterans Administration, Washington, D.C. 20420 (202-389-3808).

SUPPLEMENTARY INFORMATION: Section 8-74.113 is revised to reflect organizational changes. Section 8-75.201-1 is revised to provide the heads of all departments and staff offices with equivalent standby authority to procure professional services. Section 8-75.201-9 concerning authority to amend contracts for drugs and chemicals is revoked as unnecessary as a separate, specific delegation. Section 8-75.201-11 concerning registration with the Drug Enforcement Administration is revoked as inappropriate to Part 8-75. Sections 8-75.201-12 and 8-75.201-13 are revised to make the technical correction of including hospital-regional office centers. Section 8-75.201-14 is revoked to reflect the transfer to the Food and Drug Administration of the drug quality assurance program formerly conducted by the Marketing Center. Section 8-75.201-16 is revised to limit the purchasing authority of cemetery superintendents to emergency purchases of less than $300.

Since the proposed changes consist of statements of VA organization and practices, compliance with the provisions of 38 CFR 1.12 relating to regulatory development is considered unnecessary.

NOTE.—The Veterans Administration has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular No. A-107.

Approved: May 20, 1977.

By direction of the Administrator.

RUFUS H. WILSON,
Deputy Administrator.

1. In § 8-74.113, paragraphs (b) and (c) (1) are revised to read as follows:

§ 8-74.113 Telecommunications equipment.

* * * * *

(b) The descriptive literature to be furnished by the contractor after award, required by the clause in § 8-7.150-18, is to be reviewed and approved by the Telecommunications Service, Department of Data Management, prior to delivery and/or installation by the contractor. Promptly upon receipt of the descriptive literature, contracting officers will forward it together with a copy of the contract, the formal specification, or the detailed purchase description to the Associate Deputy Chief Medical Director for Operations (134).

(c) Solicitations, including those for construction, for telecommunications equipment based on "brand name or equal" purchase description (see FPR 1-1.307-4 to 1-1.307-9 inclusive) are subject to the following:

(1) Prior to award, contracting officers will forward to the Associate Deputy Chief Medical Director for Operations (134) the abstract of bids, one copy of each offer received, including descriptive literature and pertinent letters, and