

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6317-4]

Effluent Guidelines Plan Update and Notice of Public Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA announces several recent developments in the effluent guidelines program. The Agency is developing a proposed rule for the Construction and Development industry and announces a public meeting to discuss the project. EPA also initiated a preliminary study of the Aquaculture industry. Finally, EPA announces a revised deadline for the Iron and Steel Manufacturing rule.

DATES: The public meeting for the Construction and Development rulemaking will be held on April 20, 1999, from 9:00 a.m. to 12:00 noon.

ADDRESSES: The meeting will take place at the Voice of America Auditorium, Wilbur J. Cohen Federal Building, 300 block of C Street, SW (between 3rd and 4th Streets), Washington, DC. See **SUPPLEMENTARY INFORMATION** for details on parking and transit. Written inquiries may be sent to: Engineering and Analysis Division (4303), Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: For the Construction and Development rulemaking, contact Eric Strassler, telephone 202-260-7150, E-mail: strassler.eric@epa.gov. For the Aquaculture preliminary study, contact Michael Clipper, telephone 202-260-1278, E-mail: clipper.mike@epa.gov. For the Iron and Steel rulemaking, contact George Jett, telephone 202-260-7151, E-mail: jett.george@epa.gov. Fact sheets on these projects are available on EPA's website at <http://www.epa.gov/OST/guide>.

SUPPLEMENTARY INFORMATION: EPA published its 1998 Effluent Guidelines Plan on September 4, 1998 (63 FR 47285). The Plan described the Effluent Guidelines Program and listed regulations that the Agency was developing or intended to develop. As mentioned in the Plan, several of these regulation projects are required by a Consent Decree in *Natural Resources Defense Council et al v. Browner (D.D.C. 89-2980, January 31, 1992, as modified)*. Table 1 in the Plan listed deadlines for the rules, with a footnote explaining that EPA was discussing extensions to some deadlines with the plaintiffs. See 63 FR 47286.

By court order dated November 18, 1998, the deadlines set forth in the Consent Decree for the Iron and Steel rule have been extended, to the dates noted below. The Agency has begun work on a new rulemaking project for the Construction and Development industry. The affected projects are listed in the following table.

MODIFICATIONS TO EFFLUENT GUIDELINES DEADLINES

Category	Proposal	Final action
Iron and Steel Manufacturing	10/00	4/02
Construction and Development	*12/00	*2/02

*EPA intends to pursue extensions to these deadlines.

Construction and Development Rule

EPA's new rulemaking project for the Construction and Development industry follows the Agency's publication of a *Preliminary Data Summary on Urban Storm Water Best Management Practices*. (Publication number pending. The report will be available on the EPA website at <http://www.epa.gov/OST/stormwater>). The regulations would apply to storm water discharges associated with construction activities, specifically for new development, as well as to those associated with re-development activities. The regulations would address storm water runoff from construction sites during the active phase of construction, as well as design considerations to minimize the adverse effects of post-construction runoff. Entities potentially affected by this rulemaking would include land developers, home builders, builders of commercial and industrial property, and other private and public sector construction site owners and operators.

EPA chose to begin development of effluent guidelines for the construction and development industry to support applicable state and local requirements for erosion and sediment controls and storm water best management practices (BMPs). State and local requirements vary widely, as does the performance of BMPs used. Sediment loadings from construction site discharges can be orders of magnitude higher than those associated with discharges from undisturbed areas. In addition, construction site runoff can contribute high loadings of nutrients and metals to receiving streams. Besides contributing pollutants, the increased runoff volumes and flow rates following development can cause significant degradation of receiving stream quality. Adverse impacts include: stream bed scouring

and habitat degradation; shoreline erosion and stream bank widening; loss of fish populations and loss of sensitive aquatic species; increased frequency of downstream flooding; and aesthetic degradation.

EPA intends to evaluate the inclusion of design and maintenance criteria as minimum requirements for a variety of BMPs which are used at construction sites to prevent or mitigate the impacts of storm water discharges on surface water quality. Current requirements for construction site BMPs vary around the United States, ranging from local erosion and sediment control programs with detailed site plan requirements and BMP specifications, to communities with few or no requirements.

EPA also intends to develop effectiveness and applicability criteria for BMPs that are used to manage post-construction discharges. By incorporating more water-quality sensitive site design aspects during the planning phase of projects, the adverse impacts of post-construction discharges can be minimized substantially.

BMPs used during construction and development activities include temporary control measures, permanent control measures and low-impact land-use practices. Temporary control measures include sediment trapping devices (such as silt fences, vegetated filter strips and sediment basins) and erosion control devices (such as mulching, temporary re-vegetation, and application of erosion control mats and blankets). These measures are used primarily to prevent loss of soil during the active phase of construction. Permanent measures remain in place to manage runoff after completion of construction activities, and may include structural BMPs, such as extended detention wet ponds, constructed wetland systems, and sand filters. Low-impact development practices can be incorporated into a site design during the planning phase of the project, and may include restrictions on the amounts of impervious surfaces created, preservation of stream buffers and sensitive areas (such as natural wetlands and riparian corridors), restrictions on the disturbance of soil and vegetation, and maintenance of the natural infiltrative capacity of an area.

EPA intends to consider the merits and performance of all appropriate management measures that can be used to reduce the adverse impacts of storm water discharges from construction and development activities. The Agency does not envision requirements for use of particular BMPs at specific sites, but plans to assist builders in BMP selection by publishing data on the performance

to be expected of various BMP types. EPA hopes to build on the successes of some of the effective state and local programs currently in place around the country, and to establish nation-wide criteria to encourage improved BMP selection, design, implementation and maintenance. The effluent guidelines would also enhance the "menu" of municipal BMPs (associated with the proposed construction, as well as development and redevelopment "minimum measures") scheduled for release by the Agency under the NPDES "Phase II" storm water rule in 2000.

Aquaculture Preliminary Study

EPA conducts preliminary studies to evaluate existing information on wastewater discharges from industrial categories. The Agency has begun a study of Aquaculture, also known as fish farming, in response to comments received during the preparation of the 1998 Effluent Guidelines Plan.

EPA will summarize available information on aquaculture wastewater characterization; waste collection, storage, and treatment systems; and management practices. The Agency will include information on industry demographics, trends and economics. EPA will also examine environmental impacts that are associated with wastewater from aquaculture operations and existing case studies of the costs and benefits of controls to mitigate these impacts. This information may be used to inform future decisions on the need to regulate wastewater discharges from this industry.

Stakeholder Involvement in Effluent Guidelines Projects

EPA relies extensively on the participation of stakeholders as it develops effluent guidelines. The Agency will be identifying its information needs for the Construction and Development rule and the Aquaculture study, and will initiate a data sharing process that will actively involve interested participants from industry, citizen groups, state and local governments, other Federal agencies and researchers.

EPA will conduct a public meeting on the Construction and Development rulemaking project on April 20, 1999, from 9:00 a.m. to 12:00 noon, at the Voice of America Auditorium, Wilbur J. Cohen Federal Building, 300 block of C Street, SW (between 3rd and 4th Streets), Washington, DC. The closest Metro subway station is Federal Center, SW (2 blocks from the Auditorium). Limited public parking is available. Public garages are located at 301 4th St., SW; Virginia Ave. between 3rd and 4th

St., SW; and 6th St. at C St., S.W. Agency staff will provide background on the effluent guidelines development process and identify data needs. EPA will answer questions and all stakeholders can participate in an informal discussion as time allows. This meeting is not a public hearing and the Agency will not be accepting formal testimony.

EPA welcomes suggestions on the development of effluent guidelines and preliminary studies. Internet web pages will be provided to explain the projects and distribute technical documents for review and comment. These web pages will be available through the Effluent Guidelines home page at <http://www.epa.gov/OST/guide>.

Dated: March 23, 1999.

Tudor T. Davies,

Director, Office of Science and Technology.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6317-2]

The National Advisory Council for Environmental Policy and Technology, (NACEPT) New Standing Committee on Sectors

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notification of Public Advisory for the NACEPT Standing Committee on Sectors Meeting; Open Meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, Pub. L. 92-463, notice is hereby given that the Standing Committee on Sectors will meet on the date and time described below. The meeting is open to the public. Seating at the meeting will be a first-come basis and limited time will be provided for public comment. For further information concerning this meeting, please contact the individual listed with the announcement below.

NACEPT Standing Committee on Sectors: April 15—April 16, 1999

Notice is hereby given that the Environmental Protection Agency will hold an open meeting of the NACEPT Standing Committee on Sectors on Thursday, April 15, 1999 from 9:00 a.m. EST to 5:30 p.m. EST on Friday, April 16, 1999 from 8:30 a.m. to 4:00 p.m. EST. The agenda for the meeting includes an orientation to NACEPT, review of the accomplishments of the Common Sense Initiative, discussion of the Committee's Charge, and discussion

of the Sector Based Environmental Protection Action Plan for fiscal year 1999 and 2000. A formal Agenda will be available at the meeting.

The meeting will be held at the Hotel Washington located at 515-15th Street, NW, Washington, DC 20004

(Pennsylvania Avenue and 15th Street). The telephone number is 202-638-5900.

SUPPLEMENTARY INFORMATION: NACEPT is a federal advisory committee under the Federal Advisory Committee Act, Pub. L. 92463. NACEPT provides advice and recommendations to the Administrator and other EPA officials on a broad range of domestic and international environmental policy issues. NACEPT consists of a representative cross-section of EPA's partners and principle constituents who provide advice and recommendations on policy issues and serve as a sounding board for new strategies that the Agency is developing.

In follow-up to completion of work by EPA's Common Sense Initiative (CSI) Council, the Administrator has asked NACEPT to create a new Standing Committee on Sectors. This will provide a continuing Federal Advisory Committee forum from which the Agency can continue to receive valuable multi-stakeholder advice and recommendations on sector approaches.

Based on the lessons learned in CSI and many other sector based programs, the Agency has developed a Sector Based Environmental Protection Action Plan to reinforce and expand sector based approaches to achieving environmental results. The Standing Committee on Sectors will, through NACEPT (the Council): (1) Continue to support the on-going CSI work, (2) support the implementation of the Action Plan, as noted above, and (3) serve as a vehicle to get stakeholder reaction and input on sector based issues in a timely way.

For further information concerning this NACEPT Standing Committee on Sectors meeting, contact Kathleen Bailey, Designated Federal Officer, on (202) 260-7417, or E-mail: bailey.kathleen@epa.gov.

Inspection of Subcommittee Documents

Documents relating to the above topics will be publicly available at the meeting. NACEPT Standing Committee on Sectors Subcommittee information can also be accessed electronically on our web site at <http://www.epa.gov/sectors>.

Kathleen Bailey,

Designated Federal Officer.

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