

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6429-3]

Notice of Availability: Draft Guidance Manual and Example NPDES Permit for Concentrated Animal Feeding Operations**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of availability of draft guidance.

SUMMARY: Today's document makes available for public comment the draft Guidance Manual and Example NPDES Permit for Concentrated Animal Feeding Operations for public review and comment. This draft guidance is being published to meet one EPA's key action items in the recently released U.S. Department of Agriculture (USDA)-Environmental Protection Agency (EPA) Unified National Strategy for Animal Feeding Operations (March 1999). The draft guidance is intended to provide assistance to EPA and State permit writers, who are responsible for issuing NPDES permits to reduce risk to water quality and human health from animal feeding operations.

The Unified National Strategy set forth a range of flexible, common-sense actions that USDA and EPA plan to take over a multi-year period to promote proper management of animal manure and wastewater in order to minimize the water quality and public health impacts of animal feeding operations. In the short-term, EPA is focused on improving implementation of the NPDES permitting program consistent with existing regulations, including today's publication of this draft guidance manual. Over the long-term, EPA plans to revise its regulations to reflect substantial changes in the animal production industry over the past several decades. Throughout this multi-year process, EPA will provide opportunities for interested parties to offer comments on its draft guidance documents and proposed regulations.

A key objective of both the Unified National Strategy and this draft guidance is to accelerate issuance of sound, legally defensible NPDES permits for large CAFOs (e.g. operations with greater than 1,000 animal units) by January of 2000. The draft guidance being made available today is intended to aid EPA and State permitting authorities in meeting this goal. Consistent with the Unified National Strategy, USDA is currently in the process of developing an important companion document that will provide guidance on how to develop sound

comprehensive nutrient management plans (CNMPs), which EPA and State permitting authorities will incorporate into NPDES permits as special conditions. USDA's draft guidance is expected to be available for public review and comment later this summer.

EPA believes that comments from a wide range of interested stakeholders is important to produce a final guidance document that will help EPA and State permitting authorities issue NPDES permits that achieve the goal of reducing risk to water quality and human health from animal feeding operations. EPA is interested in receiving comments from reviewers of the draft Guidance Manual and Example NPDES Permit for Concentrated Animal Feeding Operations, and will carefully consider this input as it prepares a final guidance document for publication later this year.

DATES: Written comments should be submitted by October 25, 1999 to the address below.

ADDRESSES: Address all comments to Gregory Beatty, US EPA, 401 M Street, SW, Mail Code 4203, Washington, DC 20460. Submit electronic comments to beatty.gregory@epa.gov.

SUPPLEMENTARY INFORMATION: Copies of the draft Guidance Manual and Example NPDES Permit for Concentrated Animal Feeding Operations may be obtained on the Internet at: <http://www.epa.gov/owm>. If you do not have Internet access, you may obtain a paper copy of the draft guidance by calling the Water Resources Center at (202) 260-7786. The draft guidance is also available in electronic format.

FOR FURTHER INFORMATION CONTACT: Gregory Beatty, (202) 260-6929 or Will Hall (202) 260-1458.

Dated: August 6, 1999.

J. Charles Fox,

Assistant Administrator for Water.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6428-2]

City of Key West No Discharge Zone Determination

The Environmental Protection Agency (EPA) Region 4 Regional Administrator concurs with the determinations of the State of Florida that adequate and reasonably available pumpout facilities exist around the waters (out to 600 feet from shore) of the Island of Key West. A petition was received from the State

of Florida requesting a determination by the Regional Administrator, EPA, pursuant to section 312(f)(3) of Public Law 92-500 as amended by Public Law 95-217 and Public Law 100-4, that adequate facilities for the safe and sanitary removal of sewage from all vessels are reasonably available for the waters around the City of Key West to qualify as a No Discharge Zone.

This action is taken under section 312 (f)(3) of the Clean Water Act which states:

After the effective date of the initial standards and regulations promulgated under this section, if any State determines that the protection and enhancement of the quality of some or all of the waters within such States require greater environmental protection, such State may completely prohibit the discharge from all vessels of any sewage, whether treated or not into such waters, except that no such prohibition shall apply until the Administrator determines that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for such water to which such prohibition would apply.

EPA's action allows prohibition regarding discharge from vessels to be applied by the State of Florida for the City of Key West. EPA found the following existing facilities available for pumping out vessel holding tanks in the City of Key West. Their address, telephone number, hours of operation and draft are as follows:

- A. Galleon Marina; 619 Front Street, Key West, Florida 33040; 305-292-1292; 8 AM-6 PM 7 days/week; 45' draft.
- B. Historic Seaport at Key West Bight; 201 William Street, Key West, Florida 33040; 305-293-8309; 7 AM-7 PM (summer) 7 AM-5 PM (winter) 7 days /week; 12' draft.
- C. Key West Conch Harbor; 951 Caroline Street, Key West, Florida 33040; 305-294-2933; 6 AM-Sunset 7 days/week; 10' draft.
- D. Garrison Bight Marina; Garrison Bight Causeway, Key West, Florida 33040; 305-292-8167; 24 hours/day 7 days/week; 7' draft; mobile pumpout barge operated 8 AM-5 PM Monday through Saturday; 1' draft.
- E. Sunset Marina; 5555 College Road, Stock Island, Key West, Florida 33040; 305-296-7101; 7 AM-8 PM daily; 6.5' draft.

Additional pumpout facilities are being installed at several other marinas within city limits. The facilities at A & B Marina are scheduled for completion by September 1, 1999. The Key West Yacht Club is currently seeking permits for a pumpout facility. The Historic Seaport at Key West Bight has budgeted