



Office of Advocacy

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September 23, 1999

Thomas E. Kelly (MC-2131)  
Small Business Advocacy Chair  
U.S. Environmental Protection Agency  
401 M Street, S.W.  
Washington, D.C. 20460

**Subject: Metal Products and Machinery Industry Effluent Limitations Guidelines and Standards**

Dear Mr. Kelly:

I received your letter on September 7, 1999 regarding **Metal Products and Machinery Industry Effluent Limitations Guidelines and Standards**, notifying us of the possibility of convening a Small Business Advocacy Review Panel under §609(b) of the Regulatory Small Business Regulatory Enforcement Fairness Act of 1996.

Having examined the list of suggested small business representatives, we have added several additional parties to the list at this time. We agree to the EPA list and have added several trade association representatives who were actively involved in representing their small business members in the phase I proposal for this rulemaking.

**Next Steps**

We understand that the agency plans to re-evaluate whether the proposal would have a significant impact on a substantial number of small entities. If the agency finds no such impact, a Panel would not be required under SBREFA. If a Panel were convened, a final Panel report would be prepared.

If a panel is warranted, we ask that EPA provide, in advance of the convening of the Panel, supporting materials and possibly a draft regulatory analysis and/or draft rule (see RFA §609(b)(4)), in order to allow sufficient review time by Panel members. We strongly recommend that the agency hold several prepanel meetings in accordance with the most current EPA SBREFA guidance to assure that adequate and timely information and data is provided to the small entity representatives and the panel representatives.

Sincerely,

Jere W. Glover  
Chief Counsel for Advocacy

cc: Art Fraas, OMB

**I. Additional Small Entity Representatives  
September 22, 1999 (corrected)**

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