

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

PEA
1-3-3

NOV 28 1974

THE ADMINISTRATOR

Dear Governor Burns:

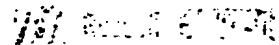
With great pleasure I am today approving your request to conduct a State permit program pursuant to the provisions of the National Pollutant Discharge Elimination System (NPDES) under Section 402 of the Federal Water Pollution Control Act Amendments of 1972 (the Act). Pursuant to Section 402(c) of the Act, I am suspending, as of this date, the issuance of permits by the Environmental Protection Agency under Section 402(a) of the Act as to discharges in the State of Hawaii other than those from agencies and instrumentalities of the Federal Government.

The program that you conduct pursuant to this authority must at all times be in accordance with Section 402 of the Act, all guidelines promulgated pursuant to Section 304(h) (2) of the Act, and the Memorandum of Agreement between the Regional Administrator of Region IX and the Director of the Hawaii Department of Health, which I have also approved today (copy enclosed).

I note that you have committed in paragraph IX.1. of the Memorandum of Agreement to issue NPDES permits to all dischargers (other than federal facilities) which have not received a permit from the Environmental Protection Agency prior to my approval of your program. I strongly support your efforts to meet this commitment because of the importance of issuing all NPDES permits by the December 31, 1974, deadline set in Section 402(k) of the Act. As the task of issuing the permits is being accomplished, more and more we must turn our attention to monitoring permittee compliance in order to ensure that clean up efforts are proceeding on schedule. I hope that where your monitoring and surveillance activities or permittee self-monitoring reports indicate violations of NPDES permits, you will proceed firmly and promptly to remedy such violations. We are finding that those State programs which are willing to respond to permit violations with swift enforcement action are most successful in obtaining general voluntary compliance from all permittees.

Let me commend the Director and staff of the Department of Health for their patience, energy, and commitment in undertaking the responsibility for this important environmental program. We look forward to working with you and the Department to protect and enhance one of Hawaii's most precious resources, her streams and oceans.

Sincerely yours,



Russell E. Train

Honorable John A. Burns
Governor of Hawaii
Honolulu, Hawaii 96813

cc: Dr. Walter B. Quisenberry, Director
Hawaii Department of Health

Prepared by: RAEmmett/dwk/11-21-74/EG-338/58731

see: OEGC Chron & Reading File

AX (2)

EG-338 Reading/Brian Molloy

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Regional Administrator, Region IX

Regional Counsel, Region IX

Director, Enforcement Division, Region IX