



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

JUN 30 1974

THE ADMINISTRATOR

Dear Governor Anderson:

With great pleasure I am today approving your request dated April 5, 1974, 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). Accordingly, as of this date I am suspending the issuance of permits by the United States Environmental Protection Agency under subsection (a) of section 402 of the Act as to all discharges in the State of Minnesota 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 V and the Minnesota Pollution Control Agency, which I have also approved (copy enclosed). Any NPDES permits issued by Minnesota for publicly owned treatment facilities must be consistent with the guidelines of the December 28, 1973, memorandum from John R. Quarles, Jr. to all Regional Administrators which you received from Region V.

I strongly support Minnesota's commitment to issue NPDES permits (a) to all dischargers in the State of Minnesota as expeditiously as possible, and (b) to all significant dischargers by December 31, 1974. Meeting the December 31 deadline is important because all facilities discharging without an NPDES permit after that date will be in violation of the Act and possibly subject to severe penalty provisions. Also, prompt issuance of NPDES permits is necessary in order to put polluters on a timely and specific cleanup schedule. The Minnesota Pollution Control Agency has already set an excellent example by drafting a substantial number of permits during the Federal administration of the NPDES program. The Region V staff stands ready to assist you in the writing and issuance of these permits.

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Upon this transfer of authority, Minnesota will have the primary responsibility for enforcing violations of all NPDES permits, except for those issued to agencies and instrumentalities of the Federal Government. Of course, should the State not take appropriate and timely action for violations of these permits, we will undertake Federal enforcement proceedings, as required under section 309(a) of the Act, where necessary to obtain compliance.

I am encouraged by the remarkable acceleration in the permit program which has occurred recently in Minnesota. Mr. Merritt and his able staff deserve much credit for this as well as their willingness to invite public scrutiny and comment with regard to Minnesota Pollution Control Agency programs and activities. Minnesota particularly has been a leader among the States in seeking to aid and encourage interested citizens to join the effort to improve our environment.

We look forward to working with you and the Minnesota Pollution Control Agency staff to continue the progress you have made towards cleaner water in Minnesota.

Sincerely yours,

/s/ John Quarles, Deputy

for Russell E. Train

Honorable Wendell R. Anderson
Governor of Minnesota
St. Paul, Minnesota 55155

Enclosure

cc: Grant J. Merritt, Executive Director
Minnesota Pollution Control Agency

bcc: OGC Chron (w/encl)

Reading (w/o encl)

AK (2) (w/encl)

Richard Johnson, EG-335 (w/o encl)

William Molloy, EG-338 (w/o encl)

Robert Emmett, EG-338 (w/original)

Francis Mayo, Regional Administrator, Region V

James McDonald, Director, Enforcement Division, Region V

✓ Al Manzardo, Permits Branch, Region V

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