



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

OCT 23 1977

THE ADMINISTRATOR

Honorable James R. Thompson
Governor of Illinois
Springfield, Illinois 60601

Dear Governor Thompson:

Your request dated July 8, 1977, for approval 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 of 1972 (the "Act") is hereby approved. Accordingly, as of this date I am suspending the issuance of permits by the United States Environmental Protection Agency (EPA) under subsection (a) of section 402 of the Act as to all discharges in the State of Illinois 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 EPA's Region V and the Administrator of the Division of Environmental Protection, Illinois Environmental Protection Agency, which I approved on May 12, 1977 (copy enclosed).

With respect to the Memorandum of Agreement, I understand that no comments were submitted at the September 7 public hearing or otherwise which would make it necessary to revise the Agreement. This Agreement has established an important relationship between the parties for enforcement of permit violations as well as permit issuance. It gives Illinois the first opportunity to take enforcement actions for all permits except those issued to agencies and instrumentalities

of the Federal Government. However, if the EPA determines that such action is not timely or appropriate, we retain the power to proceed as would be the case without such an agreement. Our interpretation of "timely and appropriate" includes the current EPA economic penalty policy or future Agency policy on enforcement matters, as stated by representatives of EPA's Region V at the September 7 public hearing held to consider Illinois' request for NPDES approval.

Speaking on behalf of the EPA and its staff, let me assure you that we will do everything possible, including the minimization of time-consuming procedures and paper shuffling, to aid you in your commitment to eliminate the blight of water pollution.

Sincerely yours,

Barbara Bl... Acting

Douglas M. Costle

Enclosure

- cc: Michael P. Mauzy, Acting Director
Illinois Environmental Protection Agency
- Jacob Dumelle, Chairman
Illinois Pollution Control Board
- William Scott
Illinois Attorney General