



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

MAR 11 1974

THE ADMINISTRATOR

Dear Governor Gilligan:

It is my pleasure to inform you that your request dated December 12, 1973, 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 (U.S. EPA) under subsection (a) of Section 402 of the Act as to all discharges in the State of Ohio 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 U.S. EPA's Region V and the Director, Ohio Environmental Protection Agency, which I have also approved today (copy enclosed).

I strongly support Ohio's commitment, as set forth in the Memorandum of Agreement, to issue NPDES permits to all dischargers in the State of Ohio by December 31, 1974. We note with concern that some States which have assumed the NPDES program have not taken their permit issuance commitments seriously, thereby compromising their chances of meeting the December 31 deadline. 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, we urge the State of Ohio to honor this important commitment vigorously and in good faith. The Ohio Environmental Protection 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.

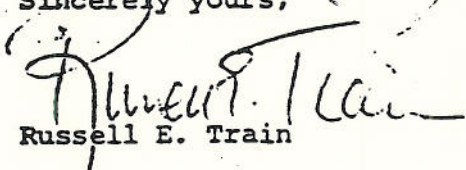
Upon this transfer of authority, Ohio receives the opportunity to take enforcement action for violation of all State-issued permits. Of

course, if the State should not take appropriate and timely action for violations of these permits, Federal enforcement proceedings are available where necessary to obtain compliance.

I am encouraged by the vigorous and constructive public participation at the January 30, 1974 Cleveland hearing to consider the Ohio Permit Program. Dr. Whitman and his able staff deserve much credit for their willingness to invite public scrutiny and comment with regard to Ohio Environmental Protection Agency programs and activities. Ohio 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 Ohio Environmental Protection Agency staff to continue the progress you have made towards cleaner water in Ohio.

Sincerely yours,



Russell E. Train

Honorable John J. Gilligan
Governor of Ohio
Columbus, Ohio 43215

Enclosure

cc: Dr. Ira L. Whitman, Director
Ohio Environmental Protection Agency

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