



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

JUL 20 1977

OFFICE OF ENFORCEMENT

n-77-13

MEMORANDUM

TO: Enforcement Division Directors, Regions I - X

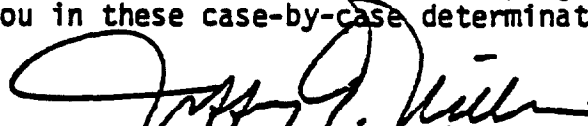
FROM: Deputy Assistant Administrator for Water Enforcement (EN-335)

SUBJECT: Implementation of Section 403 of the FWPCA

The attached letter and memorandum from the National Wildlife Federation are being forwarded to you for your information. This is also an appropriate opportunity to reiterate EPA's position on Section 403, "Ocean Dumping Criteria."

Before January 11, 1977, ocean dumping and ocean discharge were both governed by 40 CFR 227. At that time, the regulation was revised; and the final Revision of Regulation and Criteria is solely applicable to ocean dumping. References to ocean discharge were deleted.

Although efforts at proposed ocean discharge rules are currently underway, a commitment to the marine environment calls for appropriate control over ocean discharges in the interim. Section 403 of the FWPCA should, therefore, be considered in the issuance and re-issuance of all NPDES permits. The criteria set forth in Section 403(c) may be applied to all discharges on a case-by-case basis pursuant to Section 402(a)(1) of the Act. Where appropriate, the criteria for ocean dumping should provide guidance to assist you in these case-by-case determinations.


Jeffrey G. Miller

Attachments