

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

MEMORANDUM

OFFICE OF ENFORCEMENT

SUBJECT: NPDES Permit Issuance
For Iron and Steel Facilities

TO: Enforcement Division Directors
State NPDES Directors

FROM: R. Sarah Compton
Deputy Assistant Administrator
for Water Enforcement (EN-335)

The purpose of this memorandum is to address methods for the issuance of permits for the iron and steel industry from the present until July 1, 1981. The preamble to the recently promulgated Consolidated Permit Regulations (45 FR 33340, May 19, 1980) sets out three possibilities:

- 1) Issue a short term permit, expiring no later than July 1, 1981.
- 2) Take no action, and therefore extend the present permit administratively, under applicable law.
- 3) Issue "in appropriate circumstances" a Best Professional Judgement (BPJ) Best Available Technology (BAT) permit, with a reopener clause to use after the guideline is issued.

Based on the fact that the iron and steel BAT guideline is scheduled to be promulgated July, 1981, and on my and the Administrator's discussions with the steel industry, we have decided that the expiring steel permits do not represent "appropriate circumstances" for the use of the third possibility, BPJ BAT permits with reopener clauses. Therefore, I am requesting that EPA Regional Offices not issue such permits prior to the July 1, 1981 deadline, and I recommend to NPDES states that they adopt a similar policy.

If you have any questions concerning this matter, please telephone me (FTS or Area Code 202, 755-0440) or Dr. Robert April of my staff (FTS or Area Code 202, 426-7035).

cc: Steve Shatzow
Alan Eckert