



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

OFFICE OF
WATER

MEMORANDUM


SUBJECT: Antidegradation, Wasteloads, and Permits

TO: Water Management Division Directors
Region I - X

The purpose of this memorandum is to clarify that the antidegradation policy is an integral component of water quality standards and that it must be considered when developing wasteload allocations and NPDES permits.

In recent discussions between Senate staff and representatives for OQRS and OWEP, the Staff expressed their concern that they could not explicitly trace the antidegradation policy and its application through the wasteload and permitting processes. Therefore, they contended that water quality was being allowed to decline in violation of the antidegradation policy through either the development of inappropriate wasteload allocations or permits.

All Agency staff involved in water quality standards, wasteload allocations, and permitting should be reminded that in developing wasteload allocations and permits and in reviewing state allocations and State permits, consideration must, of course, be given to the State's applicable water quality standards, including the antidegradation provisions. Our national antidegradation policy establishes explicit procedures by which a State may determine that water quality that exceeds that necessary to support the Section 101(a)(2) goal of the Act may be lowered (Section 131.12(a)(2)). However, no wasteload allocation can be developed or NPDES permit issued that would allow such a decline in water quality unless all the applicable public participation and intergovernmental review requirements of the antidegradation policy have been met. It is also incumbent upon us to ensure that each State's antidegradation policy meets the requirements established in the Water Quality Standards Regulation. These requirements have been on the books with only slight modification since 1975.


Edwin L. Johnson, Director
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