

WORKING WITH THE STATES ON UNRESOLVED ISSUES

We have adopted the basic approach of wanting to assist the States to improve their standards, and to get standards that we can approve, so that the States will feel that it is their program and they are going to enforce and supervise the working out of the State standards.

And so, rather than adopt the rigid approach which we were talking about a year ago and saying, unless we approve every little detail, we will not approve State standards, we have adopted this flexible approach, and we simply notify them that we approve their standards, but that there are certain unresolved issues and we will continue to talk with them about those, and we sort of leave those on the table.

NO CONSTRUCTION GRANT APPLICATIONS DISAPPROVED ON ACCOUNT
OF RESERVATIONS

Mr. CRAMER. Have you returned any application for sewage treatment construction grants as a result of those reservations?

Secretary UDALL. None.

"NO DEGRADATION" POLICY

Mr. CRAMER. Now, this no degradation approach, in which the present quality of the water is a condition of approval, were the States consulted relating to that prior to the decision, at the time the decision was made?

NO DEGRADATION LANGUAGE AVAILABLE

Secretary UDALL. This was an issue that was raised in our guidelines that we put out 2 years ago in terms of what was intended. And we have had to not only notify the States; we have had to have extensive discussions with all of the States on implementing this. And again we do not have any stock boilerplate language. We work with each State in trying to get a piece of language that they can put in their standards that will, we believe, satisfy the act and then be workable in terms of whatever problems they have.

In other words, we have not said to them that here is language, this has to be in your standards. We have said that we think that a certain objective is required by the act, and we want to achieve it, and we want a program that will be practical and feasible.

Now, let us sit down and negotiate a general provision in the standards which will cover this particular question.

This is the approach we have used.

Mr. CRAMER. I understand that. However, that is not responsive to my question relating to the fact that you made a major change, as I construe it, relating to this question of nondegradation. I do not think there is a question but that that is a major change, without following the procedures of the act or, in the alternative, conferring with the States relating to that new major requirement.

Secretary UDALL. Well, I do not regard it—some of them may regard it as a new major requirement. I think it was implicit in the act as it was enacted initially. We advised them of it in our initial guidelines, and it was merely a matter of construing, not a matter of pro-