

would have the effect of any degradation whatsoever; and I cannot imagine a plant that would not have some, particularly now when you are going into thermal heating. If the water comes out of a powerplant heated, that is considered to be degradation. I think that is pending now in Miami, Dade County, where the local authorities approved the project.

The local pollution authorities approved the project, but it has—and also in Orlando—it does heat the water. Although there is requirement not to heat it above a certain degree. And the Federal Government has said, no, we will not let you build that plant, because there is a thermal degradation.

REASONABLE DETERMINATION OF WATER USE A STATE PREROGATIVE

Now, it seems to me that somewhere—and I certainly contemplated when we worked on the Clean Water Act in 1965 that standards would be set, that the States would have the jurisdiction to determine within reason where a stream should be used for industrial purposes, the nature of that, and under those guidelines, without having to come to the Secretary on every approval for every plant.

Secretary UDALL. Well, they are not usually going to have to come to the Secretary for approval on plants. There may be a few rare cases that will get to my desk. I think the situation that has developed is that as far as most of your State water pollution control agencies are concerned, they have the same kind of expertise, the same kind of people working as we have in the Federal agency. Most of these matters are going to be worked out at the local level. The States are going to have the main responsibility once their standards are approved.

I would predict there are going to be far fewer of these troublesome exceptional cases that we are talking about here than anyone realizes; because I do not think that we have a great difference between what the States want to do and what the Federal Government wants to achieve.

Mr. CRAMER. I just want to say to you as one of those who worked hard on that legislation and assisted in getting unanimous support for it, I appealed to my colleagues on the floor of the House on the basis that these standards would be set and fixed pursuant to the act, and for certain streams it would be obvious that it would be needed for industrial purposes and that the States, under those standards, would have the final say-so relating to the location of those plants.

Now, it appears, however, that it now takes approval of the Federal Government, and the Federal Government is assuming by that means the responsibility relating to land use, zoning, in effect, on all interstate streams in this country.

FEDERAL INVOLVEMENT IN STANDARDS IMPLEMENTATION EXPECTED ONLY IN UNUSAL SITUATIONS

Secretary UDALL. Congressman, I can only say, in terms of how we are actually functioning and how the implementation of the act is going to work out, that some of the fears that some have, that the