

August 31, 1990

POLICY STATEMENT NO. PS-3

Clean Water Act, Water Quality Standards

WHEREAS:

Recognizing that the U.S. Environmental Protection Agency (USEPA) has the responsibility for enforcing the Clean Water Act, the Office acknowledges that State regulations should not interfere or conflict with the Act.

Recognizing further, that the Louisiana Surface Mining Regulations, at §5321, state:

"Discharges of water from areas disturbed by surface mining activities shall be made in compliance with all applicable state and federal water quality laws and regulations and with the effluent limitations for coal mining promulgated by the U.S. Environmental Protection Agency set forth in 40 CFR Part 343."

THEREFORE:

It is hereby declared to be the Policy of the Office that implementation of the Louisiana Surface Mining and Reclamation Act, and the Louisiana Surface Mining Regulations, shall in no way conflict with the Clean Water Act, and that Louisiana shall enforce its regulations in compliance with the Clean Water Act.

This Policy Statement adequately reflects the policy of the Office in regard to the Clean Water Act with respect to surface mining of coal and lignite, and this Policy Statement is hereby included in the approved Louisiana Regulatory Program.

Issued this 11th day of September, 1990 in Baton Rouge, Louisiana.