

EP 1165-2-2

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JOINT AGREEMENT FOR INTERAGENCY COORDINATION OF WATER QUALITY
MANAGEMENT PLANNING ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

BETWEEN

THE ENVIRONMENTAL PROTECTION AGENCY

AND

THE DEPARTMENT OF THE ARMY

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This interagency agreement is developed for providing additional assistance to State and local governments toward enhancing the quality of the environment and in meeting the Federal requirements for planning as published in the Federal Register on July 2, 1970 (18CFR601.32-33). The purpose of this planning is to maximize the cost effectiveness of investments in pollution abatement and prevention actions required to achieve national water quality objectives.

The Department of the Army (DA) requested and was authorized by the Office of Management and Budget and the House and Senate Public Works Appropriation Subcommittees to undertake pilot wastewater management feasibility studies to supplement the planning being done at the local level for the following specific areas: Chicago; Cleveland; Detroit; San Francisco; and Merrimack River Basin.

This authorization specifically calls for these studies to be undertaken in close coordination, active cooperation and with full participation of the Environmental Protection Agency (EPA), the States and local planning agencies.

SCOPE

The purpose of this EPA-DA memorandum of understanding is to establish a basic framework for all required coordination, participation and objectives to be accomplished in these studies, and the respective roles and responsibilities of the EPA and DA in the conduct of these studies.

To fulfill this role, this agreement establishes a client-consultant relationship whereby the DA will act as the consultant to EPA in the areas of water resources planning and development. EPA will in

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consultation and cooperation with the States and local governments assign priorities, determine needs, and provide overall guidance for the studies.

The studies undertaken under this agreement or any of the study recommendations are not to be construed as allowing any deviation from water quality standards or any enforcement requirements or scheduled regulatory programs deemed necessary by EPA or State regulatory agencies. This means the studies will not serve to interfere with the application of such regulatory measures as may be determined necessary to assure compliance or abate violations of such established standards or requirements.

OBJECTIVES OF STUDIES

The study objectives are set forth in the "Guidelines-Water Quality Management Planning" issued by the EPA Water Quality Office in January 1971. The feasibility studies to be carried out under this agreement will identify the problems and the alternative solution to these problems. Objectives are:

1. To assure an acceptable level of certainty that water quality standards implementation plans will achieve instream goals and that water quality standards are maintained or improved.
2. To maximize the cost effectiveness and utilization of available funds (Federal, State and local) for proposed pollution abatement and prevention actions considering the environmental and social factors.
3. To relate investigations to other studies that are underway or completed.
4. To coordinate State and local participation in the studies through EPA to insure that appropriate input of local interests and views are included.
5. To assure that all water quality management alternatives proposed have considered the economic, social, institutional, and financial advantages and constraints of the proposed alternative in addition to the technical aspects.

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6. To consider the requirements and scheduled remedial programs of regulatory actions for pollution control projects required by EPA and State regulatory agencies as planning premises which are to be adhered to.
7. To incorporate the latest technological advances and methods in the alternatives enumerated and to base future actions on expected advances where feasible.

COORDINATION

Mutual concurrence between EPA and DA is required in: the selection of study areas and stated objectives; the detailed plan of study for each area; all changes related to study conduct, scope, design and objectives; and, all recommendations arising from such studies.

Any study undertaken under this agreement shall include the full participation of State and local governments. The views and comments of the units of State and local general governments which are affected by the study shall be included along with the official view of the Governor of the State. The study recommendations shall be based on these views and comments and shall be acceptable to the States and local governments.

All the studies shall be designed and conducted at the field level between EPA and DA. Final review and approval will be at the appropriate agency level. Substantive changes in study direction and scope must be mutually concurred with and approved at the appropriate level of both agencies. All progress reviews shall be jointly conducted by the two agencies.

Public meetings held for the purpose of public participation in studies undertaken in this agreement shall be conducted jointly between EPA and DA with the participation of State and local units of government. Where EPA has planned or is conducting public hearings or other proceedings in any of the study areas, the joint public meetings planned by EPA/DA must be coordinated and where necessary changed so as not to interfere with such proceedings or regulatory actions.

RESPONSIBILITIES

Responsibilities of the Department of the Army

The studies will be conducted in such a manner that the DA acting as consultant to EPA and through EPA to appropriate units of State and

local government, will provide planning services as necessary to meet the stated and mutually agreed upon objectives. Such services would include, but not be limited to, identification of water quality and wastewater management problems including water use, assessment of the magnitude of the problems, formulation of alternative water quality management programs and the assessment and evaluation of the impacts on the alternatives investigated including the environment.

Responsibilities of the Environmental Protection Agency

The EPA in accordance with its statutory authorities and responsibilities for protection and enhancement of the Nation's environment, will participate fully in the conduct of the pilot studies presently authorized by the Congress.

Such participation will include, but not be limited to: design, guidance and evaluation of studies; identification and definition of water quality and wastewater management problems and water use; provision of "state of the art" information on methods of treatment, including advanced waste treatment and urban runoff and insuring the incorporation of this new technology in the alternatives; interpretation of national water quality objectives and policies; institutional analyses; coordination with enforcement actions; review and comment of interim and final products; and environmental assessment. In view of past and present relationships, EPA is responsible for coordination with State and local governments, and for assuring that the views of such governments are included and considered during the conduct of the studies.

Joint Responsibilities

The studies will be documented in a joint EPA/DA report. Press releases or meetings connected with the studies will be done jointly. Disposition of the reports will be for State and local use in meeting their water quality management planning requirements.

Signed at Washington, D. C., This 15th day of April 1971

Department of the Army

Environmental Protection Agency

BY /s/
Special Assistant to the
Secretary of the Army
(Civil Functions)

BY /s/ WILLIAM D. RUCKELSHAUS
Administrator