PLAINTIFF'S EXHIBIT
CAP-1747



SENATE COMMITTEE APPROVES ENERGY STUDY: The Senate Interior Committee has endorsed S. Res. 45, sponsored by Sen. Jennings Randolph (D-WV) and others, which would authorize a study by the committee of national fuels and energy policy. The resolution now goes to the Senate Rules Committee with a request for $200,000 to finance the study. A Senate vote on the legislation is expected after the Easter congressional recess.

ARMY ENGINEERS ADOPT DISCHARGE REGULATIONS: Regulations establishing a nationwide permit system to regulate discharges into navigable waters and their tributaries were issued April 7 by the Corps of Engineers.

"This marks the start of a coordinated program of water quality under the Refuse Act of 1899," the Office of the Chief of Engineers said. The Act prohibits discharges, except from public streets and sewers in liquid form, into any navigable waters or tributaries thereof in the United States without a permit from the Corps of Engineers.

The new regulations were drawn up in coordination with the Environmental Protection Agency, the Council on Environmental Quality, and the Departments of Interior, Commerce, and Justice. Applications for permits, under the new regulations, must be filed by July 1, 1971, for existing discharges and 120 days before new future discharges.

The new permit application forms are expected to be available about mid-April at the 36 District Offices of the Corps of Engineers, and the New England and Pacific Ocean Division Offices, where permits will be received and processed.

In announcing the issuance of the new rules, the Corps of Engineers said a decision as to whether a permit will be issued will be based on an evaluation of the impact of the discharge on anchorage and navigation, water quality standards, and on fish and wildlife resources.

EPA LISTS HAZARDOUS AIR POLLUTANTS: The March 31 issue of the Federal Register contained two important lists just released by the Environmental Protection Agency. The first list, published pursuant to section 112 of the Clean Air Act, designated asbestos, beryllium and mercury as "hazardous air pollutants." This means that within 180 days the EPA Administrator must publish proposed regulations establishing federal emission standards for such pollutants together with notice of a public hearing to be held within 30 days after publication of the notice.

The second list covers five categories of stationary sources for which the EPA Administrator will propose within 120 days federal standards of performance covering new sources within the categories. From time to time there will be additional lists covering perhaps 15 other kinds of stationary sources. The first five sources are: (1) contact sulfuric acid plants; (2) fossil-fuel-fired steam generators of more than 250 million B.t.u. per hour heat input; (3) incinerators of more than 2,000 pounds per hour charging rate (municipal-type refuse); (4) nitric acid plants, and (5) portland cement plants.

ADDITIONAL SECONDARY AMBIENT AIR QUALITY STANDARD FOR SULFUR OXIDES: In the Federal Register of March 30 the Environmental Protection Agency proposed to establish an additional secondary ambient air quality standard for sulfur oxides of 1,300 micrograms per cubic meter--maximum 3-hour concentration not to be exceeded more than once per year. Primary standards are concerned with health effects while secondary standards relate to welfare considerations.