

**SUPREME COURT OF THE UNITED  
STATES**

No. 92-1911

PUD NO. 1 OF JEFFERSON COUNTY AND CITY OF  
TACOMA, PETITIONERS v. WASHINGTON  
DEPARTMENT OF ECOLOGY ET AL.  
ON WRIT OF CERTIORARI TO THE SUPREME COURT OF  
WASHINGTON  
[May 31, 1994]

JUSTICE STEVENS, concurring.

While I agree fully with the thorough analysis in the Court's opinion, I add this comment for emphasis. For judges who find it unnecessary to go behind the statutory text to discern the intent of Congress, this is (or should be) an easy case. Not a single sentence, phrase, or word in the Clean Water Act purports to place any constraint on a State's power to regulate the quality of its own waters more stringently than federal law might require. In fact, the Act explicitly recognizes States' ability to impose stricter standards. See, e.g., §301(b)(1)(C), 33 U. S. C. §1311(b)(1)(C).