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Sections of 40CFR Containing "Certify" or "Certification"

Provision	Current Wording	Notes
§ 104.12	As soon as possible after the hearing, the Presiding Officer shall *transmit* to the hearing clerk the *transcript* of the *testimony* and *exhibits* introduced in the hearing. The Presiding Officer shall *attach* to the *original transcript* his *certificate* stating that, to the best of his knowledge and belief, the *transcript* is a true *transcript* of the *testimony* given at the hearing except in such particulars as he shall *specify*, and that the *exhibits transmitted* are all the *exhibits* as *introduced* at the hearing with such exceptions as he shall specify.	
§ 104.13(a)	The Presiding Officer may *certify* a ruling for interlocutory review by the Administrator where a party so *requests* and the Presiding Officer concludes that (1) the ruling from which review is sought involves an important question as to which there is substantial ground for difference of opinion, and (2) either (i) a subsequent reversal of his ruling would be likely to result in substantial delay or expense if left to the conclusion of the proceedings, or (ii) a ruling on the question by the Administrator would be of material assistance in expediting the hearing. The *certificate* shall be in *writing* and shall specify the material relevant to the ruling *certified*. If the Administrator determines that interlocutory review is not warranted, he may decline to consider the ruling which has been *certified*.	Terms used similarly elsewhere in section.
§112.3(d)	No SPCC Plan shall be effective to satisfy the requirements of this part unless it has been reviewed by a Registered Professional Engineer and *certified* to by such Professional Engineer. By means of this *certification* the engineer, having examined the facility and being familiar with the provisions of this part, shall attest that the SPCC Plan has been prepared in accordance with good engineering practices.	Terms used similarly elsewhere in section.
§112.6(c)	No amendment to an SPCC Plan shall be effective to satisfy the requirements of this section unless it has been *certified by a Professional Engineer* in accordance with §112.3(d).	
Appendix C to Part 112	3.0 *Certification* for Facilities That Do Not Pose Substantial Harm If the facility does not meet the substantial harm criteria listed in Attachment C-I to this appendix, the owner or operator shall *complete* and *maintain* at the facility the *certification form* contained in Attachment C-II to this appendix. In the event an alternative formula that is comparable to the one in this appendix is used to evaluate the substantial harm criteria, the owner or operator shall *attach documentation* to the *certification form* that demonstrates the reliability and analytical soundness of the comparable formula and shall *notify* the Regional Administrator in *writing* that an alternative formula was used.	

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Appendix F to Part 112	1.8.2 Facility Drills/Exercises (B) The PREP Guidelines specify that the facility conduct internal and external drills/exercises. The internal exercises include: qualified individual *notification* drills, spill management team tabletop exercises, equipment deployment exercises, and unannounced exercises. External exercises include Area Exercises. Credit for an Area or Facility-specific Exercise will be given to the facility for an actual response to a spill in the area if the plan was utilized for *response* to the spill and the objectives of the Exercise were met and were properly evaluated, *documented* and *self-certified*.	
§ 121.2(a)	A *certification* made by a *certifying agency* shall include the following: (2) A *statement* that the *certifying agency* has either (i) examined the *application* made by the *applicant* to the *licensing* or *permitting agency* (specifically identifying the number or code affixed to such *application*) and bases its *certification* upon an evaluation of the information contained in such *application* which is relevant to water quality considerations, or (ii) examined other information *furnished* by the *applicant* sufficient to *permit* the *certifying agency* to make the *statement* described in paragraph (a)(3) of this section;	Terms used similarly elsewhere in section.
§ 121.11(a)	Upon *receipt* from an *applicant* of an *application* for a *license* or *permit* without an accompanying *certification*, the *licensing* or *permitting agency* shall either: (1) *Forward* one *copy* of the *application* to the appropriate *certifying agency* and two *copies* to the Regional Administrator, or (2) *forward* three *copies* of the *application* to the Regional Administrator, pursuant to an agreement between the *licensing or permitting* agency and the Administrator that the Regional Administrator will *transmit a copy* of the *application* to the appropriate *certifying agency*. Upon subsequent *receipt* from an *applicant* of a *certification*, the *licensing or permitting agency* shall forward a *copy* of such *certification* to the Regional Administrator, unless such *certification* shall have been made by the Regional Administrator pursuant to § 121.24.	Terms used similarly elsewhere in section.
§ 124.90(d)	In exceptional circumstances, the Presiding Officer may stay the proceeding pending a decision by the Environmental Appeals Board upon an *order* or *ruling certified* by the Presiding Officer for an interlocutory appeal, or upon the denial of such *certification* by the Presiding Officer.	

Sections of 40CFR Containing "Copy"

Provision	Current Wording	Notes
§ 104.4(d)	Such other information as may be reasonably required to set forth fully the basis of the standard. Where the *notice* of the proposed rulemaking summarizes the full *statement* of basis and purpose, or incorporates *documents* by reference, the *documents* thus summarized or incorporated by reference shall thereupon be made available by the Agency for *inspection* and *copying* by any interested person.	Reference to record-keeping requirement.
§112.3(e)	Owners or operators of a facility for which an SPCC Plan is required pursuant to paragraph (a), (b) or (c) of this section shall maintain a complete *copy* of the Plan at such facility if the facility is normally attended at least 8 hours per day, or at the nearest field office if the facility is not so attended, and shall make such Plan available to the Regional Administrator for on-site review during normal working hours.	Reference to record-keeping requirement. Terms used similarly elsewhere in section.
§ 112.4(c)	A complete *copy* of all information provided to the Regional Administrator pursuant to paragraph (a) of this section shall be *sent* at the *same time* to the State agency in charge of water pollution control activities in and for the State in which the facility is located. Upon *receipt* of such information such State agency may conduct a review and make recommendations to the Regional Administrator as to further procedures, methods, equipment and other requirements for equipment necessary to prevent and to contain discharges of oil from such facility.	
§112.20(b)(2)	Except as provided in paragraph (d)(1) of this section, amendments to personnel and telephone number *lists* included in the *response* plan and a change in the oil spill removal organization(s) that does not result in a *material change* in support capabilities do not require approval by the Regional Administrator. Facility owners or operators shall provide a *copy* of such changes to the Regional Administrator as the revisions occur.	Terms used similarly elsewhere in section.
§ 123.21	Any State that seeks to administer a program under this part shall *submit* to the Administrator at least *three copies* of a program *submission*. The *submission* shall contain the following: (1) A *letter* from the Governor of the State (or in the case of an Indian Tribe in accordance with §123.33(b), the Tribal authority exercising powers substantially similar to those of a State Governor) *requesting* program approval;	Terms used similarly elsewhere in section.

Sections of 40CFR Containing "Document" or "Contract"

Provision	Current Wording	Notes
§ 104.9(f)	Any relevant and material *documentary* evidence, including but not limited to *affidavits*, *published articles*, and *official documents*, regardless of the availability of the affiant or author for cross-examination, may be admitted in evidence, subject to the provisions of paragraphs (a), (c), and (d) of this section. The availability or nonavailability of cross-examination shall be considered as affecting the weight to be accorded such evidence in any decision based upon the *record*.	Terms used similarly elsewhere in section.
§ 112.7(e)(7)(xviii)	Sub-marine pipelines appurtenant to the facility should be in good operating condition at all times and inspected on a scheduled periodic basis for failures. Such inspections should be *documented* and *maintained at the facility*.	Reference to record-keeping requirement.
§112.20(h)(3)(ii)	Evidence of *contracts* or other *approved* means for ensuring the availability of such personnel and equipment;	Terms used similarly elsewhere in section.
§112.20(h)(7)(i)	*Response* actions to be carried out by facility personnel or contracted personnel under the *response* plan to ensure the safety of the facility and to mitigate or prevent discharges described in paragraph (h)(5) of this section or the substantial threat of such discharges;	
§122.21(g)(12)	If a *contract* laboratory or consulting firm performed any of the analyses required by paragraph (g)(7) of this section, the identity of each laboratory or firm and the analyses performed.	
§ 122.28(b)(4)(ii)	Entered into a binding *contractual* obligation for the purchase of facilities or equipment which are intended to be used in its operation with a reasonable time. Options to purchase or *contracts* which can be terminated or modified without substantial loss, and *contracts* for feasibility engineering, and design studies do not constitute a *contractual* obligation under the paragraph.	
§ 132.1(e)	Certain *documents* referenced in the appendixes to this part with a designation of NTIS and/or ERIC are available for a fee upon *request* to the National Technical Information Center (NTIS), U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA 22161.	
§ 141.82(c)(2)	The water system shall evaluate each of the corrosion control treatments using either pipe rig/loop tests, metal coupon tests, partial-system tests, or analyses based on *documented* analogous treatments with other systems of similar size, water chemistry and distribution system configuration.	

Sections of 40CFR Containing "Fact Sheet"

Provision	Current Wording	Notes

§ 122.28(c)(1)	The Regional Administrator shall, except as provided below, *issue* general *permits* covering discharges from offshore oil and gas exploration and production facilities within the Region's jurisdiction. Where the offshore area includes areas, such as areas of biological concern, for which separate *permit* conditions are required, the Regional Administrator may *issue* separate general *permits*, individual *permits*, or both. The reason for separate general *permits* or individual *permits* shall be set forth in the appropriate *fact sheets* or *statements* of basis. Any *statement* of basis or *fact sheet* for a *draft permit* shall include the Regional Administrator's tentative determination as to whether the *permit* applies to ``new sources,'' ``new dischargers,'' or existing sources and the reasons for this determination, and the Regional Administrator's *proposals* as to areas of biological concern subject either to separate individual or general *permits*. For Federally leased lands, the general *permit* area should generally be no less extensive than the lease sale area defined by the Department of the Interior.	Terms used similarly elsewhere in section.
§ 122.44(d)(1)(v)	Except as provided in this subparagraph, when the *permitting* authority determines, using the procedures in paragraph (d)(1)(ii) of this section, toxicity testing data, or other information, that a discharge causes, has the reasonable potential to cause, or contributes to an in-stream excursion above a *narrative* criterion within an *applicable* State water quality standard, the *permit* must contain effluent limits for whole effluent toxicity. Limits on whole effluent toxicity are not necessary where the *permitting* authority demonstrates in the *fact sheet* or *statement* of basis of the NPDES *permit*, using the procedures in paragraph (d)(1)(ii) of this section, that chemical-specific limits for the effluent are sufficient to attain and maintain *applicable* numeric and *narrative* State water quality standards.	Terms used similarly elsewhere in section.
§ 124.7	EPA shall prepare a *statement* of basis for every *draft permit* for which a *fact sheet* under § 124.8 is not prepared. The *statement* of basis shall briefly describe the derivation of the conditions of the *draft permit* and the reasons for them or, in the case of *notices* of intent to deny or terminate, reasons supporting the tentative decision. The *statement* of basis shall be *sent* to the applicant and, on *request*, to any other person.	Terms used similarly elsewhere in section.

Sections of 40CFR Containing "Form," "List," or "File"

Provision	Current Wording	Notes
§ 104.3(b)	Objections. Any objection to a proposed standard which is *filed* pursuant to paragraph (a) of this section shall meet the following requirements: (1) It shall be *filed* in *triplicate* with the hearing clerk within the time prescribed in paragraph (a) of this section; (3) To the greatest extent feasible it shall (i) state specifically the objector's proposed modification to any such standard proposed by the Agency to which objection is taken, (ii) set forth the reasons why such modification is sought, and (iii) identify and describe the scientific or other basis for such proposed modification, including reference to any pertinent scientific *data* or authority in support thereof.	Terms used similarly elsewhere in section.
§ 104.8(a)(6)	If desirable, the segregation of the hearing into separate segments for different provisions of the proposed effluent standards and the establishment of separate service *lists*;	Terms used similarly elsewhere in section.
§ 112.20(e)	If the owner or operator of a facility determines pursuant to paragraph (a)(2) of this section that the facility could not, because of its location, reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters or adjoining shorelines, the owner or operator shall *complete* and *maintain* at the facility the *certification form contained in Appendix C* to this part and, in the event an alternative formula that is comparable to one contained in Appendix C to this part is used to evaluate the criterion in paragraph (f)(1)(ii)(B) or (f)(1)(ii)(C) of this section, the owner or operator shall *attach documentation* to the *certification form* that demonstrates the reliability and analytical soundness of the comparable formula and shall *notify* the Regional Administrator in *writing* that an alternative formula was used.	Terms used similarly elsewhere in section.
Appendix F to Part 112	1.2 Facility Information The facility *information form* is designed to provide an overview of the site and a description of past activities at the facility.	
Appendix F to Part 112	1.3 Emergency Response Information (A) (2) The Spill Response *Notification Form* in section 1.3.1 creates a *checklist* of information that shall be provided to the National Response Center (NRC) and other response personnel. All information on this *checklist* must be known at the time of *notification*, or be in the process of being collected. This *notification form* is based on a similar form used by the NRC. Note: Do not delay spill *notification* to collect the information on the *list*.	
Appendix F to Part 112	1.4.1 Hazard Identification The Tank and Surface Impoundment (SI) *forms*, or their equivalent, that are part of this section must be *completed* according to the directions below. (1) *List* each tank at the facility with a separate and distinct identifier. Begin aboveground tank identifiers with an ``A" and belowground tank identifiers with a ``B", or *submit* multiple *sheets* with the aboveground tanks and belowground tanks on separate *sheets*. (5) Using knowledge of the facility and its operations, describe the following in *writing*:	

Appendix F to Part 112	2.0 Response Plan Cover Sheet A *three-page form* has been developed to be *completed* and *submitted* to the RA by owners or operators who are required to *prepare* and *submit* a facility-specific response plan. The *cover sheet (*Attachment F-1) must accompany the response plan to provide the Agency with basic information concerning the facility. This section will describe the Response Plan Cover *Sheet* and provide instructions for its completion.	
§ 122.1(d)	Relation to other requirements-(1) *Permit application forms. Applicants* for EPA *issued permits* must *submit* their *applications* on EPA's permit *application forms* when available. Most of the information *requested* on these *application forms* is required by these regulations. The basic information required in the general *form* (*Form 1*) and the additional information required for NPDES applications (*Forms 2* a through d) are *listed* in §122.21. *Applicants* for State *issued permits* must use *State forms* which must *require* at a minimum the information *listed* in these sections.	Terms used similarly elsewhere in section.
§ 122.1(m)(1)(i)	A *request* for a variance based on the presence of ``fundamentally different factors" from those on which the effluent limitations guideline was based shall be *filed* as follows:	Terms used similarly elsewhere in section.
§ 122.26(c)(1)	Dischargers of storm water associated with industrial activity are *required* to *apply* for an individual *permit*, *apply* for a *permit* through a group *application*, or seek coverage under a *promulgated* storm water general *permit*. Facilities that are *required* to obtain an individual *permit*, or any discharge of storm water which the Director is evaluating for designation (see 40 CFR 124.52(c)) under paragraph (a)(1)(v) of this section and is not a municipal separate storm sewer, and which is not part of a group *application* described under paragraph (c)(2) of this section, shall *submit* an NPDES *application* in accordance with the requirements of § 122.21 as modified and supplemented by the provisions of the remainder of this paragraph. *Applicants* for discharges composed entirely of storm water shall *submit Form* 1 and *Form* 2F. *Applicants* for discharges composed of storm water and non-storm water shall *submit Form* 1, *Form* 2C, and *Form* 2F. *Applicants* for new sources or new discharges (as defined in §122.2 of this part) composed of storm water and non-storm water shall *submit Form* 1, *Form* 2D, and *Form* 2F.	Terms used similarly elsewhere in section.
§ 122.28(c)(2)(i)	If the recommendation is to deny the *permit*, the final EIS shall contain the reasons for the recommendation and *list* those measures, if any, which the *applicant* could take to cause the recommendation to be changed;	Terms used similarly elsewhere in section.
§ 122.41(l)(4)(i)	Monitoring results must be *reported* on a Discharge Monitoring *Report* (DMR) or *forms* provided or specified by the Director for *reporting* results of monitoring of sludge use or disposal practices.	Terms used similarly elsewhere in section.
§ 124.80(a)	An *original* and one (1) *copy* of all *written submissions* relating to an evidentiary hearing *filed* after the *notice* is published shall be *filed* with the Regional Hearing Clerk.	Terms used similarly elsewhere in section.
§ 124.80(b)	The party *filing* any *submission* shall also *serve* a *copy* of each *submission* upon the Presiding Officer and each party of *record*. Service shall be by *mail* or *personal delivery*.	Terms used similarly elsewhere in section.
§ 130.10(c)	The *form* and content of required State *submittals* to EPA may be tailored to reflect the organization and needs of the State, as long as the requirements and purposes of the Act,	

§ 142.206(b)	The Hearing Officer shall determine the *form* and procedures of the public hearing, and shall maintain complete and accurate *record* of the proceedings in *written* or *other permanent form* .	
§ 145.21(b)	The Administrator may prescribe the *manner* and *form* of the *report*.	
§ 145.23(d)	*Copies* of the *permit form*(s), *application form*(s), *reporting form*(s), and *manifest format* the State intends to employ in its program. *Forms* used by States need not be identical to the *forms* used by EPA but should require the same basic information. The State need not provide *copies* of uniform national *forms* it intends to use but should *note* its intention to use such *forms*.	

Sections of 40CFR Containing "Letter" or "Mail"

Provision	Current Wording	Notes
§ 104.16(c)	Except where these rules or an order of the Presiding Officer require *receipt* of a *document* by a certain date, any *document* or *paper required* or *authorized* to be *filed* by this part shall be deemed to be *filed* when *postmarked*, or in the case of *papers delivered* other than by *mail*, when received by the hearing clerk.	
§112.3(f)(2)	Any owner or operator seeking an extension of time pursuant to paragraph (f)(1) of this section may *submit* a *letter* of *request* to the Regional Administrator. Such *letter* shall include: (i) A complete *copy* of the SPCC Plan, if completed; In addition, such owner or operator may *present* additional *oral* or *written statements* in support of his *letter* of *request*.	Terms used similarly elsewhere in section.
§ 112.4(e)	When the Regional Administrator proposes to require an amendment to the SPCC Plan, he shall *notify* the facility operator by *certified mail* addressed to, or by *personal delivery* to, the facility owner or operator, that he proposes to require an amendment to the Plan, and shall specify the terms of such amendment. If the facility owner or operator is a corporation, a *copy* of such notice shall also be *mailed* to the registered agent, if any, of such corporation in the State where such facility is located. Within 30 days from *receipt* of such *notice*, the facility owner or operator may *submit written information*, views, and arguments on the amendment. After considering all relevant *material presented*, the Regional Administrator shall *notify* the facility owner or operator of any amendment *required* or shall rescind the *notice*.	Terms used similarly elsewhere in section.
Appendix E to Part 112	10.2 The *docket* will *mail copies* of *materials* to *requestors* who are outside the Washington D.C. metro area. *Materials* may be *available from other sources*, as noted in this section. The ERNS/SPCC Information line at 202-260-2342 or the RCRA/Superfund Hotline at 800-424-9346 may also provide additional information on where to obtain *documents*. To contact the RCRA/Superfund Hotline in the Washington, DC metropolitan area, dial 703-412-9810. The Telecommunications Device for the Deaf (TDD) Hotline number is 800-553-7672, or, in the Washington, DC metropolitan area, 703-412-3323.	
§ 121.23	The Regional Administrator will provide *public notice* of each *request* for *certification* by *mailing* to State, County, and municipal authorities, heads of State agencies responsible for water quality improvement, and other parties known to be interested in the matter, including adjacent property owners and conservation organizations, or may provide such *notice* in a *newspaper* of general circulation in the area in which the activity is proposed to be conducted if the Regional Administrator deems *mailed* notice to be impracticable. Interested parties shall be provided an opportunity to *comment* on such *request* in such manner as the Regional Administrator deems appropriate.	Terms used similarly elsewhere in section.

§ 123.46(f)	At any time after the Regional Administrator disapproves an ICS (or conditionally aproves a draft *permit* as an ICS), the Regional Office may submit a *written notification* to the State that the Regional Office intends to *issue* the ICS. Upon *mailing* the *notification*, and notwithstanding any other regulation, exclusive authority to *issue* the *permit* passes to EPA.	
§ 123.61(a)	After determining that a State program *submission* is complete, EPA shall *publish notice* of the State's *application* in the Federal Register, and in enough of the largest *newspapers* in the State to attract statewide attention, and shall *mail notice* to persons known to be interested in such matters, including all persons on appropriate State and EPA *mailing lists* and all *permit* holders and *applicants* within the State.	Terms used similarly elsewhere in section.
§ 124.10(c)	Public *notice* of activities described in paragraph (a)(1) of this section shall be given by the following methods: (1) By *mailing* a *copy* of a *notice* to the following persons (any person otherwise entitled to *receive notice* under this paragraph may waive his or her rights to *receive notice* for any classes and categories of *permits*);	
§ 124.10(c)(1)(ix)(C)	*Notifying* the public of the opportunity to be put on the *mailing list* through periodic *publication* in the *public press* and in such *publications* as Regional and State funded *newsletters*, environmental *bulletins*, or *State law journals*. (The Director may update the *mailing list* from time to time by *requesting written* indication of continued interest from those *listed*. The Director may delete from the *list* the name of any person who fails to *respond* to such a *request*.)	Terms used similarly elsewhere in section.
§ 125.59(e)	On or before the deadline established in paragraph (f)(3) of this section, applicants shall *submit* a *letter of intent* to demonstrate compliance with §§125.60 and 125.65. The *letter of intent* is subject to *approval* by the Administrator based on the requirements of this paragraph and paragraph (f)(3) of this section.	Terms used similarly elsewhere in section.
§125.104	Comment: Additional technical information on BMPs and the elements of a BMP program is contained in *publication* entitled ``Guidance Manual for Developing Best Management Practices (BMP)." *Copies* may be obtained by *written request* to the Office of Water Resource Center (*mail* code: 4100), Environmental Protection Agency, Washington, DC 20460].	
§ 135.2(a)(1)	If the alleged violator is an individual or corporation, *service* of *notice* shall be accomplished by *certified mail* addressed to, or by *personal service* upon, the owner or managing agent of the building, plant, installation, vessel, facility, or activity alleged to be in violation.	Terms used similarly elsewhere in section.
§ 135.4(c)	A citizen plaintiff shall *mail* a *copy* of the complaint on the same date on which the plaintiff *files* the complaint with the court, *or as expeditiously thereafter as practicable*.	
§ 135.5(a)	The plaintiff shall serve the Administrator and the Attorney General by *personal service* or by *certified mail* (*return receipt requested*.) The plaintiff shall also *mail* a *copy* of a proposed consent judgment at the same time to the Regional Administrator of the EPA Region in which the violations were alleged to have occurred.	Terms used similarly elsewhere in section.

§ 135.11(c)	*Notice* given in accordance with the provisions of this subpart shall be deemed to have been given on the date of *receipt* of service, if *served personally*. If service was accomplished by *mail*, the date of *receipt* will be considered to be the date *noted* on the *return receipt card*.	
§ 141.32(a)(1)(ii)	By *mail* delivery (by *direct mail* or with the water bill), or by *hand delivery*, not later than 45 days after the violation or failure.	Terms used similarly elsewhere in section.
§ 142.12(b)(3)(iii)	Assisting EPA in the development of the technical aspects of enforcement actions and conducting informal follow-up on violations (*telephone calls*, *letters*, *etc.*)	
§ 142.19(d)(3)	Notice of the final order shall be provided by *mailing* the final order to the affected system(s), the State, and all parties who commented on the proposed order.	

Sections of 40CFR Containing "Map," "Diagram," or "Drawings"

Provision	Current Wording	Notes
§112.20(h)(9)	The response plan shall include *site plan* and drainage plan *diagrams*.	Terms used similarly elsewhere in section.
Appendix F to Part 112	1.9 *Diagrams* The facility-specific response plan shall include the following *diagrams*. Additional *diagrams* that would aid in the development of response plan sections may also be included.	
§ 122.21(f)(7)	A *topographic map* (or other *map* if a *topographic map* is unavailable) extending one mile beyond the property boundaries of the source, depicting the facility and each of its intake and discharge structures; each of its hazardous waste treatment, storage, or disposal facilities; each well where fluids from the facility are injected underground; and those wells, springs, other surface water bodies, and drinking water wells *listed* in *public records* or otherwise known to the *applicant* in the *map* area.	Terms used similarly elsewhere in section.
§ 122.21(g)(2)	A *line drawing* of the water flow through the facility with a water balance, showing operations contributing wastewater to the effluent and treatment units.	
§ 122.26(c)(1)(i)(A)	A *site map* showing topography (or indicating the outline of drainage areas served by the outfall(s) covered in the *application* if a *topographic map* is unavailable) of the facility including:	
§ 122.26(d)(1)(iii)(B)	A USGS *7.5 minute topographic map* (or equivalent *topographic map* with a scale between 1:10,000 and 1:24,000 if cost effective) extending one mile beyond the service boundaries of the municipal storm sewer system covered by the *permit application*.	
§ 124.31(d)(2)(iii)	A *brief* description of the facility and proposed operations, including the address or a *map* (e.g., a sketched or *copied street map*) of the facility location;	Terms used similarly elsewhere in section.
§ 130.6(b)	WQM plans are used to direct implementation. WQM plans *draw* upon the water quality assessments to identify priority point and nonpoint water quality problems,	
§ 140.4(c)(1)(iii)	Include a *map*, either a USGS *topographic quadrant map* or a NOAA *nautical chart*, as applicable, clearly marking by latitude and longitude the waters or portions thereof to be designated a drinking water intake zone; and	
§ 141.30(a)	For the purpose of this section, the minimum number of samples required to be taken by the system shall be based on the number of treatment plants used by the system, except that multiple wells *drawing* raw water from a single aquifer may, with the State approval, be considered one treatment plant for determining the minimum number of samples.	Terms used similarly elsewhere in section.
§ 144.7(a)	The Director may identify (by *narrative description*, *illustrations*, *maps*, or *other means*) and shall protect, except where exempted under paragraph (b) of this section, as an underground source of drinking water, all aquifers or parts of aquifers which meet the definition of an ``underground source of drinking water" in §144.3.	Terms used similarly elsewhere in section.

Sections of 40CFR Containing Miscellaneous Words/Phrases

Provision	Current Wording	Notes
§ 104.3(c)	Data in support of objection or modification. In the event that the time prescribed for *filing* objections pursuant to paragraphs (a) and (b) of this section is insufficient to *permit* an objecting party to fully set forth with such objection the basis therefor together with the information and *data* specified in paragraph (b)(3) of this section, he may so state at the time of the *filing* of such objection, and *file* a more complete *statement* of such basis, information, and *data* (hereinafter referred to as ``*supplemental data*'') within the time prescribed by this paragraph (c). The *supplemental data* herein described shall be *filed* not later than 40 days following publication of the proposed effluent standards.	Terms used similarly elsewhere in section.
§ 104.3(e)	Promulgation in absence of objection. If no objection is *filed* pursuant to this section, then the Administrator shall promulgate the final standards on the basis of the Agency's *statement* of basis and purpose and any *public comments* received pursuant to paragraph (d) of this section.	
§ 104.6	No person who has any personal pecuniary interest in the outcome of a proceeding under this part, or who has participated in the development or enforcement of any standard or proposed standard at *issue* in a proceeding hereunder, shall serve as Presiding Officer in such proceeding.	
§ 104.8(a)(1)	Consideration and simplification of any *issues* of law or fact;	Terms used similarly elsewhere in section.
§ 104.8(b)	The Presiding Officer may, following a prehearing conference, *issue* an order setting forth the agreements reached by the parties or representatives, the schedule of witnesses, and a *statement* of *issues* for the hearing. In addition such *order* may direct the parties to *file* and *serve copies* of *documents* or *materials*, *file and serve lists* of witnesses which may include a short *summary* of the expected testimony of each and, in the case of an expert witness, his curriculum vitae, and may contain such other directions as may be appropriate to facilitate the proceedings.	
§ 104.9(b)	At the first prehearing conference, or at another time before the beginning of the taking of *oral testimony* to be set by the Presiding Officer, the *statement* of basis and purpose, together with any *publications* or reference *materials cited* therein, except where excluded by stipulation, shall be *received* in evidence.	
§ 104.10(c)	Where necessary in order to prevent undue prolongation of the hearing, or to comply with time limitations set forth in the Act, the Presiding Officer may limit the number of witnesses who may *testify*, and the scope and extent of cross-examination.	
§ 104.10(e)	If a party objects to the admission or rejection of any evidence or to any other ruling of the Presiding Officer during the hearing, he shall *state* briefly the grounds of such objection. With respect to any ruling on evidence, it shall not be necessary for any party to *claim* an exception in order to preserve any right of subsequent review.	
§ 104.11	At the conclusion of the hearing, the Presiding Officer shall set a schedule for the *submission* by the parties of *briefs* and proposed findings of fact and conclusions.	

§ 104.14(a)	As soon as practicable following the *certification* of the *record* and the *filing* by the parties of *briefs* and proposed findings of fact and conclusions under §104.11, the Administrator, with such staff assistance as he deems necessary and appropriate, shall review the entire *record* and *prepare* and *file* a tentative decision based thereon. The tentative decision shall include findings of fact and conclusions, and shall be *filed* with the hearing clerk who shall at once *transmit* a *copy* thereof to each party who participated at the hearing, or his attorney or other representative.	Terms used similarly elsewhere in section.
§ 109.3	The guidelines in this part establish minimum criteria for the development and implementation of State, local, and regional contingency plans by State and local governments in *consultation* with private interests to insure timely, efficient, coordinated and effective action to minimize damage resulting from oil discharges. Such plans will be directed toward the protection of the public health or welfare of the United States, including, but not limited to, fish, shellfish, wildlife, and public and private property, shorelines, and beaches. The development and implementation of such plans shall be consistent with the National Oil and Hazardous Materials Pollution Contingency Plan. State, local and regional oil removal contingency plans shall *provide* for the coordination of the total *response* to an oil discharge so that contingency organizations established thereunder can function independently, in conjunction with each other, or in conjunction with the National and Regional *Response* Teams established by the National Oil and Hazardous Materials Pollution Contingency Plan.	
§ 109.5(a)	Definition of the authorities, responsibilities and duties of all persons, organizations or agencies which are to be involved or could be involved in planning or directing oil removal operations, with particular care to clearly define the authorities, responsibilities and duties of State and local governmental agencies to avoid unnecessary *duplication* of contingency planning activities and to minimize the potential for conflict and confusion that could be generated in an emergency situation as a result of such *duplications*.	
§ 109.5(c)(3)	Development of agreements and arrangements in advance of an oil discharge for the acquisition of equipment, materials and supplies to be used in *responding* to such a discharge.	
§ 110.6	If *direct reporting* to the NRC is not practicable, *reports* may be made to the Coast Guard or EPA predesignated On-Scene Coordinator (OSC) for the geographic area where the discharge occurs. All such *reports* shall be *promptly relayed* to the NRC. If it is not possible to *notify* the NRC or the predesignated OCS immediately, *reports* may be made immediately to the nearest Coast Guard unit, provided that the person in charge of the vessel or onshore or offshore facility *notifies* the NRC as soon as possible.	
§ 112.7(e)(2)(xi)	A secondary means of containment, such as dikes or catchment basins, should be *furnished* for the largest single compartment or tank.	
§ 112.7(e)(3)(ii)	When a pipeline is not in service, or in standby service for an extended time the terminal connection at the transfer point should be capped or blank-flanged, and *marked* as to origin.	
§ 112.7(e)(3)(v)	Vehicular traffic granted entry into the facility should be warned *verbally* or by appropriate *signs* to be sure that the vehicle, because of its size, will not endanger above ground piping.	Terms used similarly elsewhere in section.

§ 112.20(a)(3)	In the event the owner or operator of a facility that is required to *prepare* and *submit* a *response* plan uses an alternative formula that is comparable to one contained in Appendix C to this part to evaluate the criterion in paragraph (f)(1)(ii)(B) or (f)(1)(ii)(C) of this section, the owner or operator shall *attach documentation* to the *response* plan *cover sheet* contained in Appendix F to this part that demonstrates the reliability and analytical soundness of the alternative formula.	
§ 112.20(f)(2)(ii)	Any person, including a member of the public or any representative from a Federal, State, or local agency who believes that a facility subject to this section could, because of its location, reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters or adjoining shorelines may *petition* the Regional Administrator to determine whether the facility meets the criteria in paragraph (f)(2)(i) of this section. Such *petition* shall include a discussion of how the factors in paragraph (f)(2)(i) of this section apply to the facility in question. The RA shall consider such *petitions* and *respond* in an appropriate amount of time.	
§ 112.20(h)	A *response* plan shall follow the *format* of the model facility-specific *response* plan *included in Appendix F* to this part, unless an equivalent *response* plan has been prepared to meet State or other Federal requirements. A *response* plan that does not follow the specified *format* in Appendix F to this part shall have an emergency *response* action plan as specified in paragraphs (h)(1) of this section and be supplemented with a cross-reference section to identify the location of the elements *listed* in paragraphs (h)(2) through (h)(10) of this section. To meet the requirements of this part, a response plan shall address the following elements, as further described in Appendix F to this part:	Terms used similarly elsewhere in section.
§ 112.20(h)(1)	The *response* plan shall include an emergency *response* action plan in the *format* specified in paragraphs (h)(1)(i) through (viii) of this section that is *maintained* in the front of the *response* plan, or as a *separate document* accompanying the *response* plan, and that includes the following information:	
§112.20(h)(5)(i)	A worst case discharge, as calculated using the *appropriate worksheet in Appendix D* to this part.	Terms used similarly elsewhere in section.
§112.20(h)(8)	Self-inspection, drills/exercises, and response training. The response plan shall include: (i)A *checklist* and *record* of inspections for tanks, secondary containment, and response equipment; (iv) *Logs* of discharge prevention meetings, training sessions, and drills/exercises. These *logs* may be *maintained* as an annex to the response plan.	Note reference to record keeping
§112.20(h)(11)	*Response* plan *cover sheet*. The *response* plan shall include a *completed response* plan *cover sheet provided in Section 2.0 of Appendix F* to this part.	Terms used similarly elsewhere in section.

Appendix C to Part 112	5.1 Facility owners or operators must evaluate the potential for oil to be transported over land to navigable waters of the United States. The owner or operator must evaluate the likelihood that portions of a worst case discharge would reach navigable waters via open channel flow or from *sheet* flow across the land, or be prevented from reaching navigable waters when trapped in natural or man-made depressions excluding secondary containment structures.	
Appendix F to Part 112	1.1 Emergency Response Action Plan Several sections of the response plan shall be *co-located* for easy access by response personnel during an actual emergency or oil spill. This *collection* of sections shall be called the Emergency Response Action Plan. The Agency intends that the Action Plan contain only as much information as is necessary to combat the spill and be arranged so response actions are not delayed. The Action Plan may be arranged in a number of ways. For example, the sections of the Emergency Response Action Plan may be *photocopies* or *condensed versions of the forms* included in the associated sections of the response plan. Each Emergency Response Action Plan section may be *tabbed for quick reference*. The Action Plan shall be *maintained* in the *front of the same binder* that contains the complete response plan or it shall be contained in a *separate binder*. In the latter case, both *binders* shall be kept together so that the entire plan can be accessed by the qualified individual and appropriate spill response personnel.	Reference to record-keeping requirements.
Appendix F to Part 112	1.8 Self-Inspection, Drills/Exercises, and Response Training The owner or operator must develop programs for facility response training and for drills/exercises according to the requirements of 40 CFR 112.21. *Logs* must be *kept* for facility drills/exercises, personnel response training, and spill prevention meetings. Much of the *recordkeeping* information required by this section is also contained in the SPCC Plan required by 40 CFR 112.3. These *logs* may be *included* in the facility response plan or *kept* as an *annex* to the facility response plan.	Reference to record-keeping requirements. Terms used similarly elsewhere in section.
Appendix F to Part 112	1.8.1 Facility Self-Inspection Pursuant to 40 CFR 112.7(e)(8), each facility shall include the *written* procedures and *records* of inspections in the SPCC Plan. The inspection shall include the tanks, secondary containment, and response equipment at the facility. *Records* of the inspections of tanks and secondary containment required by 40 CFR 112.7(e) shall be cross-referenced in the response plan. The inspection of response equipment is a new requirement in this plan. Facility self-inspection requires two steps: (1) a *checklist* of things to inspect; and (2) a *method of recording* the actual inspection and its findings. The date of each inspection shall be *noted*. These *records* are required to be *maintained* for 5 years.	Reference to record-keeping requirements. Terms used similarly elsewhere in section.

Appendix F to Part 112	Attachment F-1-Response Plan Cover *Sheet* This *cover sheet* will provide EPA with basic information concerning the facility. It must accompany a *submitted* facility response plan. Explanations and detailed instructions can be found in Appendix F. Please *type* or *write* legibly in *blue* or *black* ink. *Public reporting* burden for the collection of this information is estimated to vary from 1 hour to 270 hours per response in the first year, with an average of 5 hours per response. This estimate includes time for reviewing instructions, searching existing data sources, gathering the data needed, and completing and reviewing the collection of information. *Send* comments regarding the burden estimate of this information, including suggestions for reducing this burden to: Chief, Information Policy Branch, PM-223, U.S. Environmental Protection Agency, 401 M St., SW., Washington, D.C. 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington D.C. 20503.	Terms used similarly elsewhere in section.
§ 117.2	NPDES equals National Pollutant Discharge Elimination System. RQ equals *reportable* quantity.	Terms used similarly elsewhere in section.
§ 117.11(a)	In compliance with a *permit issued* under the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1401 et seq.);	Terms used similarly elsewhere in section.
§ 117.12(d)	(d) A discharge is a ``continuous or anticipated intermittent discharge from a point source, identified in a *permit* or *permit application* under section 402 of this Act, and caused by events occurring within the scope of the relevant operating or treatment systems," whether or not the discharge is in compliance with the *permit*, if:	Terms used similarly elsewhere in section.
§ 122.21(g)(3)	A *narrative identification* of each type of process, operation, or production area which contributes wastewater to the effluent for each outfall, including process wastewater, cooling water, and stormwater runoff; the average flow which each process contributes; and a description of the treatment the wastewater receives, including the ultimate disposal of any solid or fluid wastes other than by discharge.	
§ 122.21 (g)(7)(iii)(A)	Each *applicant* must *indicate* whether it knows or has reason to believe that any of the pollutants in table IV of appendix D (certain conventional and nonconventional pollutants) is discharged from each outfall. If an *applicable* effluent limitations guideline either directly limits the pollutant or, by its express terms, indirectly limits the pollutant through limitations on an indicator, the *applicant* must *report* quantitative data.	Terms used similarly elsewhere in section.
§ 122.21 (k)(4)	If a new source performance standard promulgated under section 306 of CWA or an effluent limitation guideline *applies* to the *applicant* and is expressed in terms of production (or other measure of operation), a reasonable measure of the *applicant's* expected actual production *reported* in the units used in the *applicable* effluent guideline or new source performance standard as *required* by §122.45(b)(2) for each of the first three years. Alternative estimates may also be *submitted* if production is likely to vary.	

§ 122.21 (k)(5)	The requirements in paragraphs (h)(4)(i), (ii), and (iii) of this section that an *applicant* must *provide* estimates of certain pollutants expected to be *present* do not apply to pollutants *present* in a discharge solely as a result of their presence in intake water; however, an *applicant* must *report* such pollutants as *present*. Net credits may be *provided* for the presence of pollutants in intake water if the requirements of §122.45(g) are met.	Terms used similarly elsewhere in section.
§ 122.1(o)(1)	Notwithstanding the time requirements in paragraphs (m) and (n) of this section, the Director may *notify* a *permit applicant* before a *draft permit* is *issued* under §124.6 that the *draft permit* will likely contain limitations which are eligible for variances. In the *notice* the Director may *require* the *applicant* as a condition of consideration of any potential variance *request* to *submit* a *request* explaining how the requirements of part *applicable* to the variance have been met and may *require* its *submission* within a specified reasonable time after *receipt* of the notice. The *notice* may be *sent* before the *permit application* has been *submitted*. The *draft* or *final permit* may contain the alternative limitations which may become effective upon final grant of the variance.	Terms used similarly elsewhere in section.
§ 122.26(a)(v)	A discharge which the Director, or in States with *approved* NPDES programs, either the Director or the EPA Regional Administrator, determines to contribute to a violation of a water quality standard or is a significant contributor of pollutants to waters of the United States. This designation may include a discharge from any conveyance or system of conveyances used for *collecting* and conveying storm water runoff or a system of discharges from municipal separate storm sewers, except for those discharges from conveyances which do not require a *permit* under paragraph (a)(2) of this section or agricultural storm water runoff which is exempted from the definition of point source at §122.2.	
§ 122.26(c)(1)(i)(B)	An estimate of the area of impervious surfaces (including paved areas and building roofs) and the total area drained by each outfall (within a mile radius of the facility) and a *narrative* description of the following: Significant *materials* that in the three years prior to the *submittal* of this *application* have been treated, *stored* or disposed in a manner to allow exposure to storm water; method of treatment, *storage* or disposal of such *materials*; *materials* management practices employed, in the three years prior to the *submittal* of this *application*, to minimize contact by these *materials* with storm water runoff; *materials loading* and access areas; the location, manner and frequency in which pesticides, herbicides, soil conditioners and fertilizers are applied;	Terms used similarly elsewhere in section.
§ 122.26(d)(1)(iv)(C)(4)	Identified and classified according to eutrophic condition of publicly owned lakes listed in *State reports* required under section 314(a) of the CWA (include the following:	
§ 122.26(d)(2)(iv)(B)(5)	A description of a program to promote, *publicize*, and facilitate *public reporting* of the presence of illicit discharges or water quality impacts associated with discharges from municipal separate storm sewers;	

§ 122.44(b)(1)	If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is *promulgated* under section 307(a) of CWA for a toxic pollutant and that standard or prohibition is more stringent than any limitation on the pollutant in the *permit*, the Director shall institute proceedings under these regulations to modify or revoke and *reissue* the *permit* to conform to the toxic effluent standard or prohibition. See also §122.41(a).	
§ 123.26(c)	Investigatory inspections shall be conducted, samples shall be taken and other information shall be gathered in a manner (e.g., using proper ``*chain of custody*'' procedures) that will produce evidence admissible in an enforcement proceeding or in court.	
§ 123.27(a)(1)	To restrain immediately and effectively any person by *order* or by *suit* in State court from engaging in any unauthorized activity which is endangering or causing damage to public health or the environment; Note: This paragraph (a)(1) requires that States have a mechanism (e.g., an administrative cease and desist *order* or the ability to seek a temporary restraining *order*) to stop any unauthorized activity endangering public health or the environment.	
§ 123.45	The Director shall prepare quarterly, semi-annual, and annual *reports* as detailed below. When the State is the *permit-issuing authority*, the State Director shall *submit* all *reports* required under this section to the Regional Administrator, and the EPA Region in turn shall *submit* the State *reports* to EPA Headquarters. When EPA is the *permit-issuing authority*, the Regional Administrator shall *submit* all *reports* required under this section to EPA Headquarters.	
§ 123.62	The State shall keep EPA fully *informed* of any proposed modifications to its basic statutory or regulatory authority, its *forms*, procedures, or priorities. Grounds for program revision include cases where a State's existing approved program includes authority to *issue* NPDES *permits* for activities on a Federal Indian reservation and an Indian Tribe has subsequently been approved for assumption of the NPDES program under 40 CFR part 123 extending to those lands.	
§ 123.62(c)	States with approved programs shall *notify* EPA whenever they propose to transfer all or part of any program from the approved State agency to any other State agency, and shall identify any new division of responsibilities among the agencies involved. The new agency is not authorized to administer the program until *approved* by the Administrator under paragraph (b) of this section. *Organizational charts* required under §123.22(b) shall be revised and *resubmitted*.	
§ 123.64(b)(3)(ii)(C)(1)	A *motion* for leave to intervene in any proceeding conducted under these rules of practice must set forth the grounds for the proposed intervention, the position and interest of the movant and the likely impact that intervention will have on the expeditious progress of the proceeding.	Terms used similarly elsewhere in section.

§ 123.64(b)(3)(ii)(D)(1)	All *motions*, except those made *orally* on the record during a hearing, shall (i) be in *writing*; (ii) state the grounds therefor with particularity; (iii) set forth the relief or order sought; and (iv) be accompanied by any *affidavit*, *certificate*, other *evidence*, or *legal memorandum* relied upon. Such *motions* shall be *served* as provided by paragraph (b)(4) of this section.	Terms used similarly elsewhere in section.
§ 124.17(b)	For *EPA-issued permits*, any *documents* cited in the *response* to comments shall be included in the *administrative record* for the final *permit* decision as defined in §124.18. If new points are raised or new material supplied during the public *comment* period, EPA may *document* its *response* to those matters by adding new materials to the administrative *record*.	Terms used similarly elsewhere in section.
§ 124.73(a)	All *submissions authorized* or required to be *filed* with the Agency under this subpart shall be *filed* with the Regional Hearing Clerk, unless otherwise provided by regulation. *Submissions* shall be considered *filed* on the date on which they are *mailed* or *delivered in person* to the Regional Hearing Clerk.	
§ 124.73(c)(1)	All data and information referred to or in any way relied upon in any *submission* shall be included in full and may not be incorporated by reference, unless previously *submitted* as part of the *administrative record* in the same proceeding. This requirement does not apply to State or Federal statutes and regulations, judicial decisions *published* in a *national reporter system, officially issued* EPA *documents* of general applicability, and any other generally available reference material which may be incorporated by reference. Any party incorporating materials by reference shall provide *copies* upon *request* by the Regional Administrator or the Presiding Officer.	
§ 124.74(b)(1)	This paragraph allows the *submission* of *requests* for evidentiary hearings even though both *legal* and *factual issues* may be raised, or only *legal issues* may be raised. In the latter case, because no *factual issues* were raised, the Regional Administrator would be required to deny the *request*.	
§ 124.83(a)	The Presiding Officer, sua sponte, or at the *request* of any party, may direct the parties or their attorneys or duly authorized representatives to appear at a specified time and place for one or more conferences before or during a hearing, or to *submit written proposals* or *correspond* for the purpose of considering any of the matters set forth in paragraph (c) of this section.	
§ 125.30(b)	In establishing national limits, EPA takes into account all the information it can *collect*, develop and *solicit* regarding the factors *listed* in sections 304(b) and 304(g) of the Act.	
§ 125.31(d)(1)	[*Comment*: (1) In determining whether factors concerning the discharger are fundamentally different, EPA will consider, where relevant, the *applicable* development *document* for the national limits, associated technical and economic *data collected* for use in developing each respective national limit, *records* of legal *proceedings*, and *written* and *printed documentation* including *records* of *communication*, etc., relevant to the development of respective national limits which are kept on public *file* by EPA.	

§ 125.63(b)(1)(i)	Periodic *surveys* of the biological communities and populations which are most likely affected by the discharge to enable comparisons with baseline conditions described in the application and verified by sampling at the control stations/reference sites during the periodic *surveys*;	
Appendix to part 125 to subpart G	I. Introduction 1. This *questionnaire* is to be *submitted* by both small and large applicants for modification of secondary treatment requirements under section 301(h) of the Clean Water Act (CWA).	Terms used similarly elsewhere in section.
Appendix to part 125 to subpart G	I. Introduction 2. If there are questions in this regard, applicants should *contact* the appropriate EPA Regional Office for guidance.	
§ 125.104(b)(1)	Be *documented* in narrative *form*, and shall include any necessary *plot plans*, *drawings* or *maps*	
§ 130.4	The State's water monitoring program shall include *collection* and analysis of physical, chemical and biological *data* and quality assurance and control programs to assure scientifically valid *data*.	Terms used similarly elsewhere in section.
§ 130.7(d)(2)	After considering public comment and making any revisions he deems appropriate, the Regional Administrator shall *transmit* the *listing* and loads to the State, which shall incorporate them into its current WQM plan.	
Appendix A to part 132	V. Final Acute Equation B. Note: Because the best *documented* relationship is that between hardness and acute toxicity of metals in fresh water and a *log-log* relationship fits these *data*, geometric means and natural logarithms of both toxicity and water quality are used in the rest of this section.	Terms used similarly elsewhere in section.
§ 135.4(b)	The *copy* so *served* shall be of a *filed*, *date-stamped* complaint, or shall be a *conformed copy* of the *filed* complaint which indicates the assigned civil action number, accompanied by a *signed statement* by the plaintiff or his attorney as to when the complaint was *filed*.	
§ 135.5(b)	When the parties in an action in which the United States is not a *party file* or *lodge* a proposed consent judgment with the court, the plaintiff shall *notify* the court of the statutory requirement that the consent judgment shall not be *entered* prior to 45 days following *receipt* by both the Administrator and the Attorney General of a *copy* of the consent judgment.	
Appendix A to part 132	II. Collection of Data B. All data that are used should be available in *typed*, dated, and *signed hard copy* (e.g., *publication*, *manuscript*, *letter*, *memorandum*, etc.) with enough supporting information to indicate that acceptable test procedures were used and that the results are reliable. In some cases, it might be appropriate to obtain *written* information from the investigator, if possible.	
Appendix A to part 136	4.1 The laboratory is responsible for maintaining a current awareness *file* of OSHA regulations regarding the safe handling of the chemicals specified in this method. A reference *file* of *material data handling sheets* should also be made available to all personnel involved in the chemical analysis.	Terms used similarly elsewhere in section.

§ 141.21(d)(1)(i)	Public water systems which do not collect five or more routine samples/month must undergo an initial *sanitary survey* by June 29, 1994, for community public water systems and June 29, 1999, for non-community water systems.	Terms used similarly elsewhere in section.
§ 141.32(a)(3)(i)	In lieu of the requirements of paragraphs (a) (1) and (2) of this section, the owner or operator of a community water system in an area that is not served by a daily or weekly *newspaper* of general circulation must give *notice* by *hand delivery* or by *continuous posting in conspicuous places* within the area served by the system.	Terms used similarly elsewhere in section.
§ 141.85(a)	A water system shall include the following text in all of the *printed materials* it distributes through its lead public education program.	
§ 141.85(a)(1)	If you have any questions about how we are carrying out the requirements of the lead regulation please give us a *call* at [insert water system's phone number]. This *brochure* explains the simple steps you can take to protect you and your family by reducing your exposure to lead in drinking water.	
§ 141.142(c)(1)	A PWS shall *report* required data and information *collected* under the provisions of paragraph (a) of this section to EPA, using an EPA-specified *computer readable format*. A PWS shall *submit* a monthly *report* that indicates the analytical results of all samples collected, including quarterly samples taken in that same month, and all process train data. These *reports* shall be submitted on a *diskette* no later than the fourth month following sampling.	Terms used similarly elsewhere in section.
§ 141.142(c)(2)	A PWS shall *submit* a DBP and related monitoring sampling plan for EPA approval, using *software* provided by EPA, for each treatment plant specified in §141.141(b)(2) of this subpart that indicates sampling point locations and monitoring to be conducted at each point, and process treatment train information.	Terms used similarly elsewhere in section.
§ 141.143(c)(1)	A PWS shall *report* data and information required under paragraphs (a) and (b) of this section using *an EPA-specified computer readable format*. A PWS shall *submit* a monthly *report* on a *diskette*, no later than the fourth month following sampling, that indicates the analytical results of all samples collected.	Terms used similarly elsewhere in section.
§ 145.12(b)(1)	A program which is capable of making *comprehensive surveys* of all facilities and activities subject to the State Director's authority to identify persons subject to regulation who have failed to comply with *permit application* or other program requirements.	
§ 145.12(d)	Investigatory inspections shall be conducted, samples shall be taken and other information shall be gathered in a manner [e.g., using proper *``chain of custody" procedures*] that will produce evidence admissible in an enforcement proceeding or in court.	
§ 145.25(b)(1)	The Memorandum of Agreement shall include the following: Provisions for the *prompt transfer* from EPA to the State of pending *permit applications* and any other information relevant to program operation not already in the possession of the State Director (e.g., *support files* for *permit* issuance, *compliance reports*, etc.).	
§ 146.72(b)(3)	*Submit* a *survey plat* to the local zoning authority designated by the Director. The *plat* shall indicate the location of the well relative to permanently surveyed benchmarks.	
§ 147.2929(f)(3)	A *tape recording* or *written transcript* of the hearing shall be made available to the public.	

§ 148.20(b)	A demonstration under §148.20(a)(1)(i) shall identify the strata within the injection zone which will confine fluid movement above the injection interval and include a *showing* that this strata is free of known transmissive faults of fractures and that there is a confining zone above the injection zone.	Terms used similarly elsewhere in section.

Sections of 40CFR Containing "Newspaper" or "Publication"

Provision	Current Wording	Notes
§ 122.21(c)(2)	*Permits* under section 405(f) of CWA. (i) Any existing ``treatment works treating domestic sewage" required to have, or *requesting* site-specific pollutant limits as provided in 40 CFR part 503, must *submit* the *permit application* information required by paragraph (d)(3)(ii) of this section within 180 days after *publication* of a standard applicable to its sewage sludge use or disposal practice(s). After this 180 day period, ``treatment works treating domestic sewage" may only apply for site-specific pollutant limits for good cause and such *requests* must be made within 180 days of becoming aware that good cause exists.	Terms used similarly elsewhere in section.
§ 122.28(c)(2)	Any interested person, including any prospective *permittee*, may petition the Regional Administrator to *issue* a general *permit*. Unless the Regional Administrator determines under paragraph (c)(1) of this section that no general *permit* is appropriate, he shall promptly *provide* a project decision schedule covering the *issuance* of the general *permit* or *permits* for any lease sale area for which the Department of the Interior has *published* a draft environmental impact *statement*.	
§ 123.46(e)(2)	The Regional Administrator shall *provide* the *notice* of approval or disapproval given under this paragraph to the appropriate State Director. The Regional Administrator shall *publish* a *notice* of availability, in a daily or weekly *newspaper* with State-wide circulation or in the Federal Register, for the *notice* of approval or disapproval. The Regional Administrator shall also provide *written notice* to each discharger identified under section 304(l)(1)(C), that EPA has listed the discharger under section 304(l)(1)(C).	Terms used similarly elsewhere in section.
§ 124.31(d)(1)(i)	A *newspaper* advertisement. The applicant shall *publish* a *notice*, fulfilling the requirements in paragraph (d)(2) of this section, in a *newspaper* of general circulation in the county or equivalent jurisdiction that hosts the proposed location of the facility. In addition, the Director shall *instruct* the applicant to *publish* the *notice* in *newspapers* of general circulation in adjacent counties or equivalent jurisdictions, where the Director determines that such *publication* is necessary to inform the affected public. The *notice* must be *published* as a *display advertisement*.	
§ 124.73(c)(1)	All data and information referred to or in any way relied upon in any *submission* shall be included in full and may not be incorporated by reference, unless previously *submitted* as part of the *administrative record* in the same proceeding. This requirement does not apply to State or Federal statutes and regulations, judicial decisions *published* in a *national reporter system, officially issued* EPA *documents* of general applicability, and any other generally available reference material which may be incorporated by reference. Any party incorporating materials by reference shall provide *copies* upon *request* by the Regional Administrator or the Presiding Officer.	Terms used similarly elsewhere in section.

§ 124.73(c)(2)	If any part of the material *submitted* is in a foreign language, it shall be accompanied by an English translation *verified under oath* to be complete and accurate, together with the name, address, and a *brief statement* of the qualifications of the person making the translation. Translations of literature or other material in a foreign language shall be accompanied by *copies* of the *original publication*.	Terms used similarly elsewhere in section.

Sections of 40CFR Containing "Notice" or "Notification"

Provision	Current Wording	Notes
§ 104.3(a)	*Notice* of hearing. Whenever the Administrator *publishes* any proposed effluent standard, he shall simultaneously *publish* a *notice* of a public *hearing* to be held within thirty days following the date of *publication* of the proposed standard. Any person who has any objection to a proposed standard may *file* with the hearing clerk a concise *statement* of any such objection. No person may participate in the *hearing* on the proposed toxic pollutant effluent standards unless the hearing clerk has *received* within 25 days of the *publication* of the *notice* of the proposed standards a statement of objection as herein described.	Terms used similarly elsewhere in section.
§ 104.9(g)	*Official notice* may be taken by the Presiding Officer or the Administrator of any matter which could be *judicially noticed* in the United States District Courts, and of other facts within the specialized knowledge and experience of the Agency.	
§ 109.5(b)	Establishment of *notification* procedures for the purpose of early detection and timely *notification* of an oil discharge including: (1) The identification of critical water use areas to facilitate the *reporting* of and *response* to oil discharges. (2) A current *list* of names, telephone numbers and addresses of the responsible persons and alternates on call to *receive notification* of an oil discharge as well as the names, telephone numbers and addresses of the organizations and agencies to be *notified* when an oil discharge is discovered. (3) Provisions for access to a *reliable communications system* for timely *notification* of an oil discharge and incorporation in the *communications system* of the capability for interconnection with the *communications systems* established under related oil removal contingency plans, particularly State and National plans. (4) An established, prearranged procedure for *requesting* assistance during a major disaster or when the situation exceeds the *response* capability of the State, local or regional authority.	The term "notification" is used similarly elsewhere in section.
112.20(a)(2)	The owner or operator of a facility in operation on or after August 30, 1994 that satisfies the criteria in paragraph (f)(1) of this section or that is *notified* by the Regional Administrator pursuant to paragraph (b) of this section 551shall *prepare* and *submit* a facility *response* plan that satisfies the requirements of this section to the Regional Administrator.	Terms used similarly elsewhere in section.
Appendix F to Part 112	1.3 Emergency Response Information (A) (1) The information provided in the Emergency Notification *Phone List* in section 1.3.1 identifies and prioritizes the names and phone numbers of the organizations and personnel that need to be *notified immediately* in the event of an emergency. This section shall include all the appropriate phone numbers for the facility. These numbers must be verified each time the plan is updated. The contact *list* must be accessible to all facility employees to ensure that, in case of a discharge, any employee on site could immediately *notify* the appropriate parties.	

§ 121.15	When a *licensing or permitting agency* holds a *public hearing* on the objection of an affected State, *notice* of such objection, including the grounds for such objection, shall be *forwarded* to the Regional Administrator by the *licensing* or *permitting agency* no later than 30 days prior to such *hearing*. The Regional Administrator shall at such *hearing submit* his evaluation with respect to such objection and his recommendations as to whether and under what conditions the *license* or *permit* should be issued.	
§ 122.6(c)(2)	Issue a *notice* of intent to deny the new *permit* under §124.6. If the *permit* is denied, the owner or operator would then be required to cease the activities authorized by the continued *permit* or be subject to enforcement action for operating without a *permit*;	
§ 122.44(f)	A ``*notification level*'' which exceeds the *notification level* of §122.42(a)(1)(i), (ii) or (iii), upon a *petition* from the permittee or on the Director's initiative. This new *notification level* may not exceed the level which can be achieved by the technology-based treatment requirements appropriate to the permittee under §125.3(c)	Terms used similarly elsewhere in section.
§ 124.51	Decisions on NPDES variance *requests* ordinarily will be made during the *permit* issuance process. Variances and other changes in *permit* conditions ordinarily will be decided through the same *notice-and-comment* and hearing procedures as the basic *permit*.	
§ 141.85(c)(2)(i)	*Insert notices* in each customer's water utility bill containing the information in paragraph (a) of this section, along with the following alert on the water bill itself in *large print*: ``SOME HOMES IN THIS COMMUNITY HAVE ELEVATED LEAD LEVELS IN THEIR DRINKING WATER. LEAD CAN POSE A SIGNIFICANT RISK TO YOUR HEALTH. PLEASE READ THE ENCLOSED *NOTICE* FOR FURTHER INFORMATION.''	
§ 142.54(b)(1)	*Posting* of a *notice* in the principal post office of each municipality or area served by the public water system, and *publishing* of a *notice* in a *newspaper* or *newspapers* of general circulation in the area served by the public water system.	

Sections of 40CFR Containing "Page" or "Paper"

Provision	Current Wording	Notes
§ 104.16(a)	All *documents* or *papers required* or *authorized* by the foregoing provisions of this part including, but not limited to, *motions*, *applications* for review, and *briefs*, shall be *filed* in *duplicate* with the hearing clerk, except as otherwise expressly provided in these rules. Any *document* or *paper* so *required* or *authorized* to be *filed* with the hearing clerk, if it is *filed* during the course of the hearing, shall be also *filed* with the Presiding Officer. A *copy* of each *document* or *paper filed* by any party with the Presiding Officer, with the hearing clerk, or with the Administrator shall be *served* upon all other parties, except to the extent that the list of parties to be so served may be modified by order of the Presiding Officer, and each such *document* or *paper* shall be accompanied by a *certificate* of such service.	Terms used similarly elsewhere in section.

Appendix E to Part 112	10.1 All *materials listed* in this section are part of EPA's rulemaking *docket*, and are located in the Superfund Docket, Room M2615, at the U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460 (Docket Number SPCC-2P). The *docket* is available for inspection between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Federal holidays. Appointments to review the *docket* can be made by *calling* 202-260-3046. The public may *copy* a maximum of 266 *pages* from any regulatory *docket* at no cost. If the number of *pages copied* exceeds 266, however, a charge of 15 cents will be incurred for each additional *page*, plus a $25.00 administrative fee. Charges for *copies* and *docket* hours are subject to change.	
Appendix D to Part 122	c. 4.Testing and reporting for the pesticide fraction in the Papergrade Sulfite subcategories (subparts J and U) of the Pulp and *Paper* industry (40 CFR part 430); testing and *reporting* for the base/neutral and pesticide fractions in the following subcategories: Deink (subpart Q), Dissolving Kraft (subpart F), and *Paperboard* from Waste *Paper* (subpart E); testing and *reporting* for the volatile, base/neutral and pesticide fractions in the following subcategories: BCT Bleached Kraft (subpart H), Semi-Chemical (subparts B and C), and Nonintegrated-Fine Papers (subpart R); and testing and *reporting* for the acid, base/neutral, and pesticide fractions in the following subcategories: Fine Bleached Kraft (subpart I), Dissolving Sulfite Pulp (subpart K), Groundwood-Fine *Papers* (subpart O), Market Bleached Kraft (subpart G), Tissue from *Wastepaper* (subpart T), and Nonintegrated-Tissue *Papers* (subpart S).	Terms used similarly elsewhere in section.
Appendix D to Part 122	c. 4.Testing and reporting for the pesticide fraction in the Papergrade Sulfite subcategories (subparts J and U) of the Pulp and *Paper* industry (40 CFR part 430); testing and *reporting* for the base/neutral and pesticide fractions in the following subcategories: Deink (subpart Q), Dissolving Kraft (subpart F), and *Paperboard* from Waste *Paper* (subpart E); testing and *reporting* for the volatile, base/neutral and pesticide fractions in the following subcategories: BCT Bleached Kraft (subpart H), Semi-Chemical (subparts B and C), and Nonintegrated-Fine Papers (subpart R); and testing and *reporting* for the acid, base/neutral, and pesticide fractions in the following subcategories: Fine Bleached Kraft (subpart I), Dissolving Sulfite Pulp (subpart K), Groundwood-Fine *Papers* (subpart O), Market Bleached Kraft (subpart G), Tissue from *Wastepaper* (subpart T), and Nonintegrated-Tissue *Papers* (subpart S).	Terms used similarly elsewhere in section.
§ 124.20(d)	Whenever a party or interested person has the right or is required to act within a prescribed period after the *service* of *notice* or other *paper* upon him or her by *mail*, 3 days shall be added to the prescribed time.	
§ 144.5(a)	In accordance with 40 CFR part 2, any information *submitted* to EPA pursuant to these regulations may be *claimed* as confidential by the *submitter*. Any such *claim* must be asserted at the time of *submission* in the manner prescribed on the *application form* or instructions or, in the case of other *submissions*, by *stamping* the words ``confidential business information" on each *page* containing such information.	Terms used similarly elsewhere in section.

Sections of 40CFR Containing "Postmark"

Provision	Current Wording	Notes
§ 135.2(c)	*Notice* given in accordance with the provisions of this subpart shall be deemed to have been *served* on the *postmark* date if mailed, or on the date of *receipt* if *served personally*.	Terms used similarly elsewhere in section.

Sections of 40CFR Containing "Provide," "Presents" or "Furnish"

Provision	Current Wording	Notes
§ 104.10(a)	Following the *admission* in evidence of the materials described in §104.9(b), the Agency shall have the right at the commencement of the hearing to supplement that evidence or to *introduce* additional relevant evidence. Thereafter the evidence of each objector shall be *presented* in support of its objection and any proposed modification. The Agency staff shall then be given an opportunity to *rebut* or *respond* to the objectors' presentation, including at its option the introduction of evidence which tends to support a standard or standards other than as set forth in the Agency's own initially proposed standards. In the event that evidence which tends to support such other standard or standards is *offered* and *received* in evidence, then the objectors may thereafter *rebut* or *respond* to any such new evidence.	Terms used similarly elsewhere in section.
§ 109.1	The criteria in this part are *provided* to assist State, local and regional agencies in the development of oil removal contingency plans for the inland navigable waters of the United States and all areas other than the high seas, coastal and contiguous zone waters, coastal and Great Lakes ports and harbors and such other areas as may be agreed upon between the Environmental Protection Agency and the Department of Transportation in accordance with section 11(j)(1)(B) of the Federal Act, Executive Order No. 11548 dated July 20, 1970 (35 FR 11677) and §306.2 of the National Oil and Hazardous Materials Pollution Contingency Plan (35 FR 8511).	Terms used similarly elsewhere in section.
§ 109.4	The National Oil and Hazardous Materials Pollution Contingency Plan *provides* that the Federal on-scene commander shall investigate all *reported* spills. If such investigation shows that appropriate action is being taken by either the discharger or non-Federal entities, the Federal on-scene commander shall monitor and *provide* advice or assistance, as required. If appropriate containment or cleanup action is not being taken by the discharger or non-Federal entities, the Federal on-scene commander will take control of the response activity in accordance with section 11(c)(1) of the Federal Act.	Terms used similarly elsewhere in section.
§ 112.4(e)	After considering all relevant material *presented*, the Regional Administrator shall *notify* the facility owner or operator of any amendment required or shall rescind the *notice*.	Terms used similarly elsewhere in section.
§ 112.7(c)	Appropriate containment and/or diversionary structures or equipment to prevent discharged oil from reaching a navigable water course should be *provided*. One of the following preventive systems or its equivalent should be used as a minimum:	
§ 112.7(e)(9)(v)	Facility lighting should be commensurate with the type and location of the facility. Consideration should be given to: (A) Discovery of spills occurring during hours of darkness, both by operating personnel, if *present*, and by non-operating personnel (the general public, local police, etc.) and (B) prevention of spills occurring through acts of vandalism.	Terms used similarly elsewhere in section.
§ 112.20(h)(2)	The *response* plan shall identify and discuss the location and type of the facility, the identity and tenure of the *present* owner and operator, and the identity of the qualified individual identified in paragraph (h)(1) of this section.	Terms used similarly elsewhere in section.

Appendix F to Part 112	Day-to-day operations that may *present* a risk of discharging oil or releasing a hazardous substance.	Terms used similarly elsewhere in section.
§ 122.41(h)	The permittee shall *furnish* to the Director, within a reasonable time, any information which the Director may *request* to determine whether cause exists for modifying, revoking and reissuing, or terminating this *permit* or to determine compliance with this *permit*. The permittee shall also *furnish* to the Director upon *request*, *copies* of *records* required to be kept by this *permit*.	Terms used similarly elsewhere in section.

Sections of 40CFR Containing "Record"

Provision	Current Wording	Notes
§		
§ 104.5	*Docket and record.* Whenever the Administrator publishes a *notice* of hearing under this part, the hearing clerk shall promptly *establish a docket* for the hearing. The docket shall include all *written* objections *filed* by any party, any *public comments* received pursuant to §104.3(d), a verbatim *transcript* of the *hearing*, the *statement* of basis and purpose required by §104.4, and any supporting *documents* referred to therein, and other *documents* of exhibits that may be received in evidence or *marked for identification* by or at the direction of the Presiding Officer, or *filed* by any party in connection with the hearing. *Copies* of documents in the *docket* shall be available to any person upon payment to the Agency of such charges as the Agency may prescribe to cover the costs of *duplication*. The materials contained in the *docket* shall constitute the *record*.	Terms used similarly elsewhere in section.
§ 104.10(d)	A *verbatim transcript* of the hearing shall be maintained and shall constitute a part of the *record*.	Terms used similarly elsewhere in section.
§ 104.15	Upon consideration of the *record*, at the time of his final decision the Administrator shall determine whether the proposed effluent standard or standards should be *promulgated* as proposed, or whether any modification thereof is justified based upon a proponderance of the evidence adduced at the hearing, regardless of whether or not such modification was actually proposed by any objecting party. If he determines that a modification is not justified, he shall *promulgate* the standard or standards as proposed. If he determines that a modification is justified, he shall *promulgate* a standard or standards as so modified.	Terms used similarly elsewhere in section.
§ 108.5	Any hearing held pursuant to this part shall be of *record* and shall be conducted according to the requirements of 5 U.S.C. 554. The Administrative Law Judge shall conduct the hearing in an orderly and expeditious manner. By agreement of the parties, he may dismiss the hearing. The Administrative Law Judge, on his own *motion*, or at the *request* of any party, shall have the power to *hold* prehearing conferences, to *issue* subpoenas for the attendance and *testimony* of witnesses and the production of relevant *papers*, *books*, and documents, and he may *administer oaths*. The Regional Administrator, and any party *submitting* a *request* pursuant to §108.3 or §108.4, or counsel or other representative of such party or the Regional Administrator, may appear and offer evidence at the hearing.	Terms used similarly elsewhere in section.
§ 112.7(e)(2)(iii)	Drainage of rainwater from the diked area into a storm drain or an effluent discharge that empties into an open water course, lake, or pond, and bypassing the in-plant treatment system may be acceptable if: (D) Adequate *records* are kept of such events.	Terms used similarly elsewhere in section. Reference to record-keeping requirements.
§ 112.7(e)(2)(vi)	*Comparison records should be kept* where appropriate, and tank supports and foundations should be included in these inspections. In addition, the outside of the tank should frequently be *observed* by operating personnel for *signs* of deterioration, leaks which might cause a spill, or accumulation of oil inside diked areas.	Reference to record-keeping requirements. Terms used similarly elsewhere in section.

§ 117.12(a)(2)	Discharges resulting from circumstances identified, reviewed and made a part of the *public record* with respect to a *permit issued* or modified under section 402 of this Act, and subject to a condition in such *permit*;	Terms used similarly elsewhere in section.
§ 141.5(b)	Except for intake structures, is within the floodplain of a 100-year flood or is lower than any *recorded* high tide where appropriate *records* exist. The U.S. Environmental Protection Agency will not seek to override land use decisions affecting public water systems siting which are made at the State or local government levels.	
§ 141.71(b)(3)(iv)	A review of *data records* to ensure that all required tests are being conducted and *recorded* and disinfection is effectively practiced;	

Sections of 40CFR Containing "Request"

Provision	Current Wording	Notes
§ 104.7(a)	Rule upon *motions* and *requests*;	Terms used similarly elsewhere in section.
§ 104.8(a)	The Presiding Officer on his own motion may, and at the *request* of any party made within 20 days of the proposal of standards hereunder shall, *direct* all parties to appear at a specified time and place for an initial hearing session in the nature of a prehearing conference.	
§ 108.3	Any employee who is discharged or laid-off, threatened with discharge or lay-off, or otherwise discriminated against by any person because of the alleged results of any effluent limitation or *order issued* under *the Act,* or any representative of such employee, may *submit* a *request* for an investigation under this part to the Regional Administrator of the region in which such discrimination is alleged to have occurred.	
§ 112.20(g)(1)	All facility response plans shall be consistent with the requirements of the National Oil and Hazardous Substance Pollution Contingency Plan (40 CFR part 300) and applicable Area Contingency Plans prepared pursuant to section 311(j)(4) of the Clean Water Act. The facility response plan should be coordinated with the local emergency response plan developed by the local emergency planning committee under section 303 of Title III of the Superfund Amendments and Reauthorization Act of 1986 (42 U.S.C. 11001 et seq.). Upon *request*, the owner or operator should provide a *copy* of the facility response plan to the local emergency planning committee or State emergency response commission.	
§ 124.57(a)(3)	If the applicant has *filed* an *early screening request* under §125.72 for a section 316(a) variance, a *statement* that the applicant has *submitted* such a plan.	
§ 129.6(a)	Upon the *request* of the owner or operator of a facility discharging a pollutant subject to a toxic pollutant effluent standard or prohibition, the Regional Administrator (or State Director, if appropriate) shall give credit, and shall adjust the effluent standard(s) in such *permit*	
§ 132.1(e)	Certain *documents referenced* in the appendixes to this part with a designation of NTIS and/or ERIC are available for a fee upon *request* to the National Technical Information Center (NTIS), U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA 22161. Alternatively, *copies* may be obtained for a fee upon *request* to the Educational Resources Information Center/Clearinghouse for Science, Mathematics, and Environmental Education (ERIC/CSMEE), 1200 Chambers Road, Room 310, Columbus, Ohio 43212.	

Sections of 40CFR Containing "Sign" or "Signature"

Provision	Current Wording	Notes
§ 112.7(e)(8)	Inspections required by this part should be in accordance with *written* procedures developed for the facility by the owner or operator. These *written* procedures and a *record* of the inspections, *signed* by the appropriate supervisor or inspector, should be made part of the SPCC Plan and *maintained for a period of three years.*	Reference to record-keeping requirement.

§ 122.21(h)(8)	*Signature* of *certifying* official under §122.22.	Terms used similarly elsewhere in section.
§ 122.22(a)(1)	For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who perfoms similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign *documents* has been assigned or delegated to the manager in accordance with corporate procedures.	Terms used similarly elsewhere in section.
§ 122.22(d)	Any person *signing* a *document* under paragraph (a) or (b) of this section shall make the following *certification*: I *certify* under penalty of law that this *document* and all *attachments* were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information *submitted*. Based on my *inquiry* of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information *submitted* is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.	
§ 122.41(k)	All *applications*, *reports*, or information *submitted* to the Director shall be *signed* and *certified*. (See §122.22)	
§ 124.3	*Permit applications* (except for PSD *permits*) must comply with the *signature* and *certification* requirements of §§122.22 (NPDES), 144.32 (UIC), 233.6 (404), and 270.11 (RCRA).	
§ 124.31(b)	Prior to the *submission* of a part B RCRA *permit application* for a facility, the applicant must hold at least one meeting with the public in order to *solicit* questions from the community and *inform* the community of proposed hazardous waste management activities. The applicant shall *post* a *sign-in sheet* or otherwise provide a voluntary opportunity for attendees to provide their names and addresses.	
§ 124.31(d)(1)(ii)	A visible and accessible *sign*. The applicant shall *post* a *notice* on a clearly *marked sign* at or near the facility, fulfilling the requirements in paragraph (d)(2) of this section. If the applicant places the *sign* on the facility property, then the *sign* must be large enough to be readable from the nearest point where the public would pass by the site.	Terms used similarly elsewhere in section.
§ 124.73(e)	The *original* of all *statements* and *documents* containing factual material, data, or other information shall be *signed* in *ink* and shall state the name, address, and the representative capacity of the person making the *submission*.	
§ 125.59(i)(3)(ii)	*Cosign* the section 301(h) modified *permit* if the Director has indicated an intent to do so in the *written* concurrence.	
§ 144.63(a)(1)	An owner or operator may satisfy the requirements of this section by establishing a plugging and abandonment trust fund which conforms to the requirements of this paragraph and *submitting* an *originally signed duplicate* of the trust agreement to the Regional Administrator.	Terms used similarly elsewhere in section.

Sections of 40CFR Containing "Submit," "Submittal" or "Submitter"

Provision	Current Wording	Notes
§ 104.7(e)	*Require* any part or all of the evidence to be *submitted* in *writing* and by a certain date.	Terms used similarly elsewhere in section.
§ 104.8(a)(2)	Identification, advance *submission*, marking for identification, consideration of any objections to admission, and admission of *documentary* evidence;	Terms used similarly elsewhere in section.
§ 112.4(a)	Notwithstanding compliance with §112.3, whenever a facility subject to §112.3 (a), (b) or (c) has: Discharged more than 1,000 U.S. gallons of oil into or upon the navigable waters of the United States or adjoining shorelines in a single spill event, or discharged oil in harmful quantities, as defined in 40 CFR part 110, into or upon the navigable waters of the United States or adjoining shorelines in two spill events, reportable under section 311(b)(5) of the FWPCA, occurring within any twelve month period, the owner or operator of such facility shall *submit* to the Regional Administrator, within 60 days from the time such facility becomes subject to this section, the following:	Terms used similarly elsewhere in section.
§ 112.20(a)(1)	For the owner or operator of a facility in operation on or before February 18, 1993 who is required to *prepare* and *submit* a response plan under 33 U.S.C. 1321(j)(5), the Oil Pollution Act of 1990 (Pub. L. 101-380, 33 U.S.C. 2701 et seq.) requires the *submission* of a response plan that satisfies the requirements of 33 U.S.C. 1321(j)(5) no later than February 18, 1993.	Terms used similarly elsewhere in section.
§ 112.20(d)(1)	The owner or operator of a facility for which a response plan is required under this part shall *revise* and *resubmit* revised portions of the response plan within 60 days of each facility change that materially may affect the response to a worst case discharge, including:	
Appendix F to Part 112	1.0 Model Facility-Specific Response Plan B) Response plans must be *sent* to the appropriate EPA Regional office. Figure F-1 of this Appendix *lists* each EPA Regional office and the address where owners or operators must *submit* their response plans. Those facilities deemed by the Regional Administrator (RA) to pose a threat of significant and substantial harm to the environment will have their plans reviewed and *approved* by EPA. In certain cases, information required in the model response plan is similar to information currently maintained in the facility's Spill Prevention, Control, and Countermeasures (SPCC) Plan as required by 40 CFR 112.3. In these cases, owners or operators may *reproduce* the information and include a *photocopy* in the response plan.	
§ 122.7(a)	In accordance with 40 CFR part 2, any information *submitted* to EPA pursuant to these regulations may be *claimed* as confidential by the *submitter*. Any such *claim* must be asserted at the time of *submission* in the manner prescribed on the *application form* or instructions or, in the case of other *submissions*, by *stamping the words* ``confidential business information" on each *page* containing such information. If no *claim* is made at the time of *submission*, EPA may make the information available to the public without further *notice*. If a *claim* is asserted, the information will be treated in accordance with the procedures in 40 CFR part 2 (Public Information).	Terms used similarly elsewhere in section.

§ 122.21(d)(1)	Any POTW with a currently effective *permit* shall *submit* a new *application* at least 180 days before the expiration date of the existing *permit*, unless *permission* for a later date has been granted by the Director. (The Director shall not grant *permission* for *applications* to be *submitted* later than the expiration date of the existing *permit*.)	Terms used similarly elsewhere in section.
§ 122.21(g)(7)	For storm water discharge samples taken from discharges associated with industrial activities, quantitative data must be *reported* for the grab sample taken during the first thirty minutes (or as soon thereafter as practicable) of the discharge for all pollutants specified in §122.26(c)(1). For all storm water *permit applicants* taking flow-weighted composites, quantitative data must be *reported* for all pollutants specified in §122.26 except pH, temperature, cyanide, total phenols, residual chlorine, oil and grease, fecal coliform, and fecal streptococcus.	Terms used similarly elsewhere in section.
§ 122.26(c)(2)	The *part 1 application* shall be *submitted* to the Office of Water Enforcement and Permits, U.S. EPA, 401 M Street, SW., Washington, DC 20460 (EN-336) for approval.	

Sections of 40CFR Containing "Summary" or "Statement"

Provision	Current Wording	Notes
§ 104.4	Whenever the Administrator *publishes* a proposed effluent standard, the *notice* thereof *published* in the Federal Register shall include a *statement* of the basis and purpose of the standard or a *summary* thereof.	Terms used similarly elsewhere in section.
§104.14(d)	Any decision rendered by the Administrator pursuant to this section shall include a *statement* of his findings and conclusions, and the reasons and basis therefor, and shall indicate the toxic pollutant effluent standard or standards which the Administrator is *promulgating* or intends to *promulgate* based thereon.	Terms used similarly elsewhere in section.
§ 123.23(a)	Note: EPA will supply States with an Attorney General's *statement format* on *request*.	Terms used similarly elsewhere in section.
§ 123.23(c)	The Attorney General's *statement* shall *certify* that the State has adequate legal authority to *issue* and enforce general *permits* if the State seeks to implement the general *permit* program under §122.28.	
§ 124.31(c)	The applicant shall *submit* a *summary* of the meeting, along with the *list* of attendees and their addresses developed under paragraph (b) of this section, and copies of any *written comments* or *materials submitted* at the meeting, to the permitting agency as a part of the part B application, in accordance with 40 CFR 270.14(b).	
§ 141.33(a)	*Records* of bacteriological analyses made pursuant to this part shall be kept for not less than 5 years. *Records* of chemical analyses made pursuant to this part shall be kept for not less than 10 years. Actual laboratory *reports* may be kept, or *data* may be *transferred to tabular summaries*, provided that the following information is included:	
§ 141.33(c)	*Copies* of any *written reports*, *summaries* or *communications* relating to *sanitary surveys* of the system conducted by the system itself, by a private consultant, or by any local, State or Federal agency, shall be kept for a period not less than 10 years after completion of the *sanitary survey* involved.	

Sections of 40CFR Containing "Write" or "Writing"

Provision	Current Wording	Notes
§ 104.9(e)	Whenever *written testimony* or a *document* or object is excluded from evidence by the Presiding Officer, it shall at the *request* of the proponent be *marked for identification*. Where *oral testimony is permitted* by the Presiding Officer, but the Presiding Officer excludes particular *oral testimony*, the party offering such testimony may make a *brief* offer of proof.	Terms used similarly elsewhere in section.
§ 104.13(g)	*Motions* shall be *brief*, in *writing*, and may be *filed* at any time following the *publication* of the proposed effluent standards, unless otherwise ordered by the Presiding Officer or the Administrator. Unless otherwise ordered or provided in these rules, responses to motions may be *filed* within seven days of the actual *filing* of the motion with the hearing clerk.	Terms used similarly elsewhere in section.
§ 108.4	Upon *receipt* of any *request* meeting the requirements of §108.3, the Regional Administrator shall conduct a full investigation of the matter, in order to determine whether the request may be related to an effluent limitation *or order under the Act*. Following the investigation, the Regional Administrator shall *notify* the employee *requesting* the investigation (or the employee's representative) and the employer of such employee, in *writing*, of his preliminary findings and conclusions. The employee, the representative of such employee, or the employer may within fifteen days following *receipt* of the preliminary findings and conclusions of the Regional Administrator *request* a hearing under this part. Upon *receipt* of such a request, the Regional Administrator, with the concurrence of the Chief Administrative Law Judge, shall *publish notice* of a hearing to be held not less than 30 days following the date of such *publication* where he determines that there are factual *issues* concerning the existence of the alleged discrimination or its relationship to an effluent limitation or order *under the Act*. The *notice* shall specify a date before which any party (or representative of such party) may *submit* a *request* to appear.	Terms used similarly elsewhere in section.
§ 112.3(a)	Owners or operators of onshore and offshore facilities in operation on or before the effective date of this part that have discharged or, due to their location, could reasonably be expected to discharge oil in harmful quantities, as defined in 40 CFR part 110, into or upon the navigable waters of the United States or adjoining shorelines, shall prepare a Spill Prevention Control and Countermeasure Plan (hereinafter ``SPCC Plan''), in *writing* and in accordance with §112.7.	

§ 112.4(f)	An owner or operator may *appeal* a decision made by the Regional Administrator requiring an amendment to an SPCC Plan. The *appeal* shall be made to the Administrator of the United States Environmental Protection Agency and must be made in *writing* within 30 days of *receipt* of the *notice* from the Regional Administrator requiring the amendment. A complete *copy* of the *appeal* must be *sent* to the Regional Administrator at the time the *appeal* is made. The *appeal* shall contain a clear and concise *statement* of the *issues* and points of fact in the case. It may also contain additional information from the owner or operator, or from any other person. The Administrator or his designee may request additional information from the owner or operator, or from any other person. The Administrator or his designee shall *render a decision* within 60 days of *receiving* the *appeal* and shall *notify* the owner or operator of his decision.	
§ 112.7(a)	A facility which has experienced one or more spill events within twelve months prior to the effective date of this part should include a *written* description of each such spill, corrective action taken and plans for preventing recurrence.	
§ 112.7(d)(2)	A *written* commitment of manpower, equipment and materials required to expeditiously control and remove any harmful quantity of oil discharged.	
§ 112.7(e)(7)(viii)	A *written* procedure for inspecting and testing pollution prevention equipment and systems should be *prepared* and *maintained at the facility*. Such procedures should be included as part of the SPCC Plan.	Reference to record-keeping requirements.
§ 112.7(e)(7)(xiii)	In order that there will be no misunderstanding of joint and separate duties and obligations to perform work in a safe and pollution free manner, *written* instructions should be prepared by the owner or operator for contractors and subcontractors to follow whenever contract activities include servicing a well or systems appurtenant to a well or pressure vessel. Such instructions and procedures should be *maintained at the offshore production facility*.	Reference to record-keeping requirements.
§112.20(b)(1)	The Regional Administrator may at any time require the owner or operator of any non-transportation-related onshore facility to prepare and *submit* a facility response plan under this section after considering the factors in paragraph (f)(2) of this section. If such a determination is made, the Regional Administrator shall *notify* the facility owner or operator in *writing* and shall provide a basis for the determination. If the Regional Administrator *notifies* the owner or operator in *writing* of the requirement to prepare and *submit* a response plan under this section, the owner or operator of the facility shall *submit* the response plan to the Regional Administrator within six months of *receipt* of such *written notification*.	Terms used similarly elsewhere in section.
Appendix B to Part 112	Limitations 1. The DOI, DOT, and EPA may agree in *writing* to exceptions to this MOU on a facility-specific basis. Affected parties will *receive notification* of the exceptions.	
Appendix B to Part 112	Modification and Termination Any party to this agreement may propose modifications by *submitting* them in *writing* to the heads of the other agency/department.	

§ 117.13(b)	These regulations apply to all discharges of reportable quantities to a POTW, where the discharge originates from a mobile source, except where such source has *contracted* with, or otherwise received *written permission* from the owners or operators of the POTW to discharge that quantity, and the mobile source can show that prior to accepting the substance from an industrial discharger, the substance had been treated to comply with any effluent limitation under sections 301, 302 or 306 or pretreatment standard under section 307 applicable to that facility.	
§ 121.16 (a)	*Written notification* from the State or interstate agency concerned that it expressly waives its authority to act on a *request* for *certification*; or	
§ 122.41(l)(6)(i)	The permittee shall *report* any noncompliance which may endanger health or the environment. Any information shall be *provided orally* within 24 hours from the time the permittee becames aware of the circumstances. A *written submission* shall also be *provided* within 5 days of the time the permittee becomes aware of the circumstances. The *written submission* shall contain a description of the noncompliance and its cause;	Terms used similarly elsewhere in section.
§ 122.61(b)(2)	The *notice* includes a *written agreement* between the existing and new permittees containing a specific date for transfer of *permit* responsibility, coverage, and liability between them; and	Terms used similarly elsewhere in section.