EC-2000-007
II - A - 024

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

Provision	Current Wording	Notes
§ 310.17	(a) You must *certify* that reimbursement under this regulation does not supplant local funds that you normally *provide* for emergency response. (b) You must also *certify* that your *response* actions are not in conflict with CERCLA, the National Contingency Plan (NCP), and the local emergency *response* plan prepared by your Local Emergency Planning Committee,	Help with (b)is available through a telephone help line or contacting your EPA regional office.
§ 370.40	The owner or operator or the officially designated representative of the owner or operator must *certify* that all information included in the Tier I *submission* is true, accurate, and complete. On the Tier I *form*, enter your full name and official title. *Sign* your name and enter the current date. Enter the total number of pages in the *submission*, including all *attachments*.	Tier I Form instructions on "certification."
§ 470.41	The owner or operator or the officially designated representative of the owner or operator must *certify* that all information included in the Tier Two *submission* is true, accurate, and complete. On the first page of the Tier Two report, enter your full name and official title. *Sign* your name and enter the current date. Also, enter the *total* number of *pages* included in the Confidential and Non-Confidential Information Sheets as well as all *attachments*. An *original signature* is required on at least the first page of the *submission*. *Submissions* to the SERC, LEPC, and fire department must each contain an *original signature* on at least the first *page*. Subsequent *pages* must contain either an *original signature*, a *photocopy* of the original signature, or a *signature stamp*. Each *page* must contain the date on which the *original signature* was affixed to the first *page* of the *submission* and the total number of *pages* in the *submission*.	Tier II Form instructions on "certification" Other instructions have same subsections as listed on various pages for Tier I Form instructions.
§ 372.27	(b) the owner or operator is not required to *submit* a *report* for that chemical under § 372.30, but must *submit* a *certification statement* that contains the information required in §372.95. The owner or operator of the facility must also keep *records* as specified in §372.10(d). (d) Each *certification statement* for activities involving a toxic chemical that occurred during a calendar year must be *submitted* to EPA and to the State in which the facility is located on or before July 1 of the next year.	Alternate reporting threshold. *Effective Date Note: At 59 FR 61502, Nov. 30, 1994, §372.27 was added. This section contains information collection and recordkeeping requirements and will not become effective until approval has been given by the Office of Management and Budget.??*
§ 310.14	you must *certify* on your reimbursement application that you made a good-faith, reasonable effort to recover your costs from other sources before applying to EPA.	Refers to reimbursement of local gov'ts for response to haz. substance release. (See Form)

Sections of 40CFR Containing "Copy"

Provision	Current Wording	Notes

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§ 300.430(c)(2)(iii)	Establishing at least one local information repository at or near the location of the response action. Each information repository should contain a *copy* of items made available to the public, including information that describes the technical assistance grants application process.	Important for recordkeeping.
§ 307.22(c) § 307.22(h)(2)	(1) A *summary or copy* of the preliminary assessment; and (2) A *description* of the proposed removal action If the application is to undertake a remedial investigation and feasibility study, an *affirmation* that the applicant will not directly or indirectly benefit from the preauthorization as a *response* action contractor...	Requirements for preauthorization of Superfund claims. Subsections (b), (d), (f) and (h) also list req.'s and include the words *"plan," "procedures," " considerations," "study," "description," "explanation," "schedule," "affirmation* (h), " etc.
§ 307.22(g)(2)	The applicant or *response* claimant must provide EPA with two *copies* of its *submittal* if any information is claimed confidential.	Refers to "Confidential business information" requests. Subsec.'s (i)-(iii) discuss details of two copies but in the same context.
§ 374.5	At the time of *filing* an action under this Act, the plaintiff must provide a *copy* of the complaint to the Attorney General of the United States and to the Administrator of the Environmental Protection Agency.	Copy of complaint, notice of citizen suit filed under CERCLA (see LettMail).

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

Provision	Current Wording	Notes
§ 300.5	Superfund state *contract* is a joint, legally binding agreement between EPA and a state to obtain the necessary assurances before a federal-lead remedial action can begin at a site.	
§ 305.3	The final order may consist of one or more of the following *documents*: the findings of fact, conclusions of law, and order of the Presiding Officer; a voluntary agreement; an accelerated order; or a default order	
§ 300.120(g)(2)(i)	The SAC's responsibilities may include *providing* and reviewing *data* and *documents* as *requested* by the OSC/RPM	
§ 300.315	All OSLTF users need to collect and *maintain documentation* to support all actions taken under the CWA	
§ 300.430(f)(1)(ii)	First, the lead, with the support, agency, identifies a preferred alternative and *presents* it to the public in a proposed plan. Then, the lead agency shall review the public comments and consult with the state (or support agency) to determine if the alternative is the most appropriate remedial action for the site. The lead agency, as specified in §300.515(e), makes the final remedy selection decision, which shall be *documented* in the ROD.	Subsection (B) refers to *signature* of ROD.
§ 300.430(f)(5)(i)	To support the selection of a remedial action, all facts, analyses of facts, and site-specific policy determinations considered in the course of carrying out activities in this section shall be *documented*, as appropriate, in a *record* of decision, in a level of detail appropriate to the site situation, for inclusion in the administrative *record* required under subpart I of this part.	Subsection is entitled "*Documenting* the decision." Subsections (ii) & (iii) give requirements for ROD.
§ 300.800(a)	lead agency shall establish administrative *record* with the *documents* that *form* the basis for selection of a *response* action. lead agency shall compile and *maintain* the administrative *record* in accordance with this subpart	
§ 300.800(c)	The state shall *provide* EPA with a *copy* of the index of *documents* included in the administrative record *file*, the RI/FS workplan, the RI/FS released for public comment, the proposed plan, any public comments *received* on the RI/FS and proposed plan, and any other *documents* EPA may *request* on a case-by-case basis.	Reg says state must comply with (a) if project is state-led
§ 300.805(a)	lead agency shall establish a docket at an office of the lead agency or other central location at which *documents* included in the administrative *record file* shall be located and a *copy* of the *documents* in the administrative *record file* shall also be available for public inspection at or near the site	Subsections provide examples of documents not required in site file, such as sample *data* or confidential info.
§ 304.42(b)	The original of any joint request for arbitration, modification to any joint request for arbitration, pleading, *letter*, or other *document filed* in the proceeding (except for exhibits and other *documentary* evidence) shall be *signed* by the *filing* party or by his or her attorney.	In "Miscellaneous Provisions" subsection about arbitration.

§ 307.32(l)(3)	A person who by *contract, agreement, or otherwise* arranged for disposal or treatment, or arranged with a transporter for transport for disposal or treatment, of hazardous substances owned or possessed by such person	Reasons for withdrawal of preauth. of Superfund claim. Not about E-reporting but may need to be updated.
§ 307.32(m)	If EPA determines that it cannot complete its evaluation of a *claim* because the *records, documents, and other evidence* were not *maintained* in accordance with generally accepted accounting principles and practices consistently applied, or were for any reason inadequate to demonstrate that claimed costs are necessary costs, EPA will adjust the claim accordingly.	Reasons for adjustment of Superfund claim.
§ 307.41(b)	The claimant and the claimant's contractors shall *furnish* the personnel, services, *documents, and materials* needed to assist EPA in the collection of evidence to *document* work performed and costs expended by the claimant or the claimant's contractors at the particular site in order to aid in cost recovery efforts.	Requiring assistance in cost recovery regarding Superfund claims.
§ 310.19(a)	records, *documents*, or other evidence are not *maintained* according to generally accepted accounting principles and practices consistently applied	Reasons for refusal of reimbursement of local gov't for emer. response to haz. mat'l release.
§ 373.1	After the last day of the six-month period beginning on April 16, 1990, whenever any department, agency or instrumentality of the United States enters into any *contract* for the sale or other transfer of real property which is owned by the United States and at which any hazardous substance was stored for one year or more, known to have been released, or disposed of, the head of such department, agency or instrumentality must include in such *contract notice* of the type and quantity of such hazardous substance and *notice* of the time at which such storage, release or disposal took place, to the extent such information is available on the basis of a complete search of agency files.	General requirement for reporting hazardous substance activity when selling or transferring federal real property. 373.2(b) & (c) have some weight and/or quantity stipulations on when notice is necessary but does not affect our work.

Sections of 40CFR Containing "Fact Sheet"

Provision	Current Wording	Notes
§ 300.435(c)(3)	After the completion of the final engineering design, the lead agency shall issue a *fact sheet* and provide, as appropriate, a public briefing prior to the initiation of the remedial action.	Under subsection on public relations.

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

Provision	Current Wording	Notes
§ 305.3	Requestor is the party who *files* a Request for a Hearing	
§ 350.1	*Submitter* means a person *filing* a *required report* or making a claim of trade secrecy to EPA under sections 303 (d)(2)...	
§ 300.120(f)(3)	RPM may review *responses* where EPA has preauthorized a person to *file* a *claim* for reimbursement to determine that the *response* was consistent with the terms of such preauthorization in cases where claims are *filed*	
§ 307.31(a)	A *response* claim must be *submitted* on EPA *Form* 2075-4 and must include...	Form is in app. B. Subsections require "documentation " showing preauth., that activity was consistent with PDD, PRPs, and cost info.
§ 310.15(a)	(a) You must apply for reimbursement on EPA *Form* 9310-1 (b) You must *submit* your *request* within one year of the date of response (c) Your application must be *signed* by the highest ranking official of your local government or you must include a *letter* of delegation authorizing a delegate to act on his or her behalf. (d) *Mail* your completed application and supporting *data* to the LGR Project Officer, (5204-G), Office of Emergency and Remedial Response, Environmental Protection Agency, 401 M Street SW, Washington DC 20460.	Form is in app. III Included all of these references together for clarity. Also on respective word sheets. 310.16 describes documentation, including invoices, receipts, loan agreements, etc., required but does not use flag words.
App I to Part 310	(8) Can I add *attachments* to the Application *Form*? Yes, *attach* any additional information that you feel is necessary.	Reimbursement application from local governments.
§ 370.25	(a) The owner or operator of a facility subject to this subpart shall *submit* an inventory *form* to the commission, the committee, and the fire department with jurisdiction over the facility. (b) With respect to any specific hazardous chemical at the facility, the owner or operator may *submit* a Tier II *form* in lieu of the Tier I info. (c) The owner or operator of a facility subject to this section shall *submit* the Tier II *form* to the commission, committee, or the fire department having jurisdiction over the facility upon *request* of such persons. The Tier II *form* shall be *submitted* within 30 days of the *receipt* of each *request*.	Basic requirement. Alternative reporting. Submission of Tier II information
§ 370.28(a)	The owner or operator of a facility may meet the *reporting* requirements of §§370.21 (MSDS *reporting*) and 370.25 (inventory *form reporting*) of this subpart for a hazardous chemical that is a mix of hazardous chemicals by...	Basic reporting of mixtures. Next 2 subsec.'s (1) & (2) define how but do not add anything new.
§ 370.40	(a) The *form* set out in paragraph (b) shall be completed and *submitted* as required in §370.25(a) of this part. In lieu of the *form* set out in paragraph (b), the facility owner or operator may *submit* a State or local *form* that contains identical content.	Tier I emergency and hazardous chemical inventory form. Same stipulation for Tier II (370.41).

§ 370.40	must *report* the info. required on this *form* for every hazardous chemical for which you are required to prepare or have available an *MSDS* under the Hazard Communication Standard, unless the chemicals are excluded under Section 311(e) of Title III or below the min. *reporting* thresholds.	Tier I emergency and hazardous chemical inventory form. Instructions also say "Print or Type all Responses"
§ 370.40	1. Your State emergency *response* commission. 2. Your local emergency planning committee. 3. The fire department with jurisdiction over your facility.	Where to send a completed Tier I emergency and hazardous chemical inventory form.
§ 370.41	*Attach* the Tier Two Confidential Location Information *Sheet* to the Tier Two *form*.	Prevents disclosure to the public of location of certain chemicals on Tier II form.
§ 372.30	(a) For each toxic chemical known by the owner or operator to be manufactured (including imported), processed, or otherwise used in excess of an applicable threshold quantity in §372.25 at its covered facility described in §372.22 for a calendar year, the owner or operator must *submit* to EPA and to the State in which the facility is located a completed EPA *Form* R (EPA *Form* 9350-1) in accordance with the instructions referred to in subpart E of this part. (b)(1) The owner or operator of a covered facility is required to *report* as described in paragraph (a) of this section on a toxic chemical that the owner or operator knows is present as a component of a mixture or trade name product which the owner or operator *receives* from another person, if that chemical is imported, processed, or otherwise used by the owner or operator in excess of an applicable threshold quantity in §372.25 at the facility as part of that mixture or trade name product.	Reporting requirements (toxic chemical release reporting). Each report for activities involving a toxic chemical that occurred during a calendar year at a covered facility must be submitted on or before July 1 of the next year. (d) Subsequent subsections describe more circumstances that must be reported on Form R, but all are in a very similar context so are not explicitly listed.
§ 372.38	(a)-(h) *list* circumstances when a substance does not need to be considered in determining if exceeding thresholds or *reporting* minimums.	Exemptions to reporting required on Form R.
§ 372.85	(a) The most current version of EPA *Form* R (EPA *Form* 9350-1 and subsequent revisions) and the instructions for completing this *form* may be obtained by *writing* to the Section 313 Document Distribution Center, P.O. Box 12505, Cincinnati, OH 45212. EPA also encourages facilities subject to this part to *submit* the required information to EPA by using *magnetic media (computer disk or tape)* in lieu of *Form* R. Instructions for *submitting* and using *magnetic media* may also be obtained from the address given in this paragraph. (b)Information elements *reportable* on EPA *Form* R or equivalent *magnetic media* format include the following... (b)(2)``I hereby certify that I have reviewed the attached *documents* and, to the best of my knowledge and belief, the *submitted* information is true and complete and that amounts and values in this *report* are accurate based upon reasonable estimates using *data* available to the preparer of *report*."	Availability of toxic chemical release reporting form and instructions. Form elements are listed from (1)-(18). *Signature* of a senior management official *certifying* this quote required.

§ 372.95	(a) Availability of the alternate threshold *certification statement* and instructions is the same as provided in §372.85(a) for availability of the reporting *form* and instructions. (b) Alternate threshold *certification statement* elements. The following information must be *reported* on an alternate threshold *certification statement* pursuant to § 372.27(b)... {Effective Date Note: At 59 FR 61502, Nov. 30, 1994, §372.95 was added. This section contains information collection and *recordkeeping* requirements and will not become effective until approval has been given by the Office of Management and Budget}	Availability of the alternate threshold certification statement and instructions. Has list (1)-(17) similar to list in 372.85 (b) including signature requirement (with quoted section of previous reference).

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

Provision	Current Wording	Notes
§ 300.920(a)(1)	To add a dispersant to the NCP Product Schedule, *submit* the technical product *data* specified in §300.915(a) to the Emergency Response Division (5202-G), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460.	Section entitled "Addition of products to Schedule." Has mailing address, but doesn't say mail, but put it on mail sheet anyway. {2nd listing; also on submit sheet}
§ 303.33(c)	All *claim submissions* must be *submitted* to the Office of Criminal Enforcement Counsel (LE-134X), United States Environmental Protection Agency, 401 M Street SW., Washington, DC 20460	Refers to the "citizen award" for information on criminal violations under Superfund. Subsec. (a & b) say when and what to file but not *how*.
§ 304.33(d)	The parties shall accept as legal delivery of the proposed decision the placing in the United States *mail* of a true *copy* of the proposed decision, sent by *certified mail, return receipt requested, addressed* to each party's last known *address* or each party's attorney's last known *address*, or by personal service.	
§ 304.42(c)	All *papers* associated with the proceeding that are served by a party to an opposing party shall be served by personal service, or by United States *first class mail,* or by United States *certified mail, return receipt requested, addressed* to the party's attorney, or if the party is not represented by an attorney or the attorney cannot be located, to the last known *address* of the party. All *papers* associated with the proceeding that are served by the Arbitrator or by the Association shall be served by personal service or by United States *certified mail, return receipt requested, addressed* to the party's attorney...	Under "Miscellaneous Provisions" subsection about arbitration.
§ 307.30(a)	A claimant must present all *claims* to anyone who is known to the claimant and who may be liable under section 107 of CERCLA at least 60 days before filing a *claim* against the Fund. The presentation to the PRP must be a *written request* for payment, delivered either by *certified mail (return receipt requested) or in such a manner as will establish the date of receipt.*	Procedures for filing and processing response claims - - Requesting payment from the potentially responsible party Subsections detail what must be in the request.
§ 307.32(p)	*Notice* of an *award* under paragraph (f) of this section will be given by *First Class Mail* within five (5) days of the date of the decision.	Award of Superfund claim. "award"?
App D to Part 370	Additional information can be obtained by contacting William O. Ross, Office of Emergency and Remedial Response (5203 G), Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460, (703) 603-8798, or the RCRA/CERCLA Hotline, (800) 424-9346 (or (703) 920-9810 in the Washington, DC metropolitan area).	Not about reporting but may need to be updated. Refers to additional info about the payment of claims for response actions and procedure of filing claims under CERCLA.
§ 310.15(d)	(d) *Mail* your completed application and supporting *data* to the LGR Project Officer, (5204-G), Office of Emergency and Remedial Response, Environmental Protection Agency, 401 M Street SW, Washington DC 20460.	See reference on "Form" sheet.
§ 310.21(a)	The EPA reimbursement official's decision is final EPA action unless you *file* a *request* for review by *registered or certified mail* within 60 calendar days of the date you *receive* our decision.	Address given in Sec. 310.15(d) (see above).

§ 310.23(b)	*Copies* are available from the Bureau of the Census, Office of Public Affairs, Department of Commerce, Constitution Avenue, NE., Washington, DC 20230 (1-202-763-4040). You may review a copy at the U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460 or at the Office of the Federal Register, 800 N. Capitol Street, NW., 7th Floor, Suite 700, Washington, DC.	Not reporting but may need to be updated. Refers to EPA use of per capita income in areas and population statistics for weighting requests for reimbursement.
§ 350.5(b)(4)	Section 303 *claims* shall be sent to the *address* specified in §350.16 of this regulation.	Claims of trade secrecy for EPCR info.
§ 350.9(d)(2)	If such a prior determination held that the *submitter's claim* for that chemical identity is invalid, and such determination was not challenged by appeal to the General Counsel, or by review in the District Court, or, if challenged, was upheld, EPA shall *notify* the *submitter* by *certified mail (return receipt requested)*...also *notify* the petitioner by *regular mail*	If the chemical identity claimed as trade secret is subject to a prior trade secret determination
§ 350.11(a)(1)	If the *claim* meets the criteria of sufficiency set forth in §350.13, EPA shall *notify* the *submitter* in *writing, by certified mail (return receipt requested)*, that it has 30 days from the date of *receipt* of the *notice* to *submit* supplemental information in *writing* in accordance with §350.7(e), to support the truth of the facts asserted in the substantiation. The *notice* shall include the *address* to which supplemental information must be sent.	Trade secrecy claims (sufficient claims).
§ 350.11(a)(2)	If the claim does not meet the criteria of sufficiency in §350.13, EPA shall *notify the submitter in writing by certified mail (return receipt requested*). (iv)(B) If after *receipt* of additional material for good cause, EPA decides the claim is insufficient, EPA will notify the submitter by *certified mail (return receipt requested)*...petitioner shall be *notified* by *regular mail*. (v) If EPA determines that the *submitter* has not met the standard for good cause, then EPA shall *notify* the *submitter* by *certified mail (return receipt requested)* ...petitioner shall be *notified* of EPA's decision by *regular mail*.	Insufficient trade secrecy claim. See "submit" sheet for other subsections with flag words (350.11(a)(2)...).
§ 350.11(b)(1)	(1) If EPA determines that the information *submitted* in support of the trade secrecy *claim* is true and that the chemical identity is a trade secret, the petitioner shall be *notified* by *certified mail (return receipt requested)... submitter* shall be *notified* of EPA's decision by *regular mail* (2)(i) The *submitter* shall be *notified* by *certified mail (return receipt requested)* of EPA's determination and may appeal to the General Counsel within 30 days of *receipt* of such *notice*... petitioner shall be *notified* of EPA's decision by *regular mail* (2)(ii) The General Counsel shall *notify* the submitter by *certified mail (return receipt requested)* of its decision on appeal	If EPA determines trade secrecy claim is not true and chemical identity is not a trade secret...

§ 350.15	(a) public may *request* the *disclosure* of chemical identity claimed as trade secret by *submitting* a *written* petition to the *address* specified in §350.16 (b) The petition shall include: (1) The name, *address,* and telephone number of the petitioner; (2) The name and *address* of the company claiming the chemical identity as trade secret; and (3) A *copy* of the *submission* in which the *submitter* claimed chemical identity as trade secret (c) EPA shall acknowledge, by *letter* to the petitioner, the *receipt* of the petition	(b)(1) & (2) included because of "address" and " telephone number" in case something should be added. (b)(3) included because it says "copy" (not on "copy" sheet; here for overall clarity).
§ 350.16	should be sent to the following *address*: EPCRA Reporting Center, Environmental Protection Agency, P.O. Box 3348, Merrifield, VA 22116-3348, Attn:--.	Address to send trade secrecy claims and petitions requesting disclosure
§ 350.17(a)	The appeal shall be *addressed* to: The Office of General Counsel, U.S. Environmental Protection Agency, Contracts and Information Law Branch, Room 3600M, LE-132G, 401 M Street, SW., Washington, DC 20460.	Procedure for filing appeal. Must contain letter requesting review of the appealed decision, and copy of the letter containing EPA's decision upon which appeal is requested.
§ 350.17(b)(2)	The General Counsel shall *notify* the *submitter* of the determination on appeal in *writing*, by *certified mail (return receipt requested)*. The appeal determination shall include the date the appeal was *received* by the General Counsel, a statement of the decision appealed from, a *statement* of the decision on appeal and the reasons for such decision.	If the General Counsel reverses the decision made by the EPA office handling the claim... {Appeal of determination of insufficient claim.}
§ 350.17(b)(3)	the *submitter* may seek review in U.S. District Court within 30 days after *receipt* of *notice* of the General Counsel's determination. The General Counsel shall *notify* the *submitter* of its determination on appeal in *writing*, by *certified mail (return receipt requested)*... The petitioner shall be *notified* by *regular mail.*	If the General Counsel upholds the decision made by the EPA office handling the claim... Appeal determination must contain same materials as in 350.17(b)(2) and a statement of the *submitter's* right to seek review in U.S. District Court w/in 30 days of receipt of notice.
§ 350.17(c)(2) & (3)	Appeal of determination of no trade secret...	Contains the same language as previous two entries covering appeal of determination of insufficient claim.
§ 350.18(a)	EPA may *furnish notice* of intent to *disclose* the chemical identity *claimed* as trade secret within 10 days by furnishing the *submitter* with the *notice* set forth in paragraph (d) of this section by *certified mail (return receipt requested).*	Subsec.'s (b) & (c) state almost the same as (a) but for filing under different parts of this section [§ 350.17(c)(3), §350.11(a)(2)(v), or §350.17(b)(3)] Subsec. (d) states what must be in the notice to submitters.
§ 350.27	All trade secrecy *claims* should be sent to the following *address*: U.S. Environmental Protection Agency, Emergency Planning and Community Right-to-Know Program, P.O. Box 70266, Washington, DC 20024-0266. {In addition, you must send sanitized *copies* of the *report form* and substantiation to relevant State and local authorities. States will *provide addresses* where the *copies* of the *reports* are to be sent.}	Instructions on form to accompany claims of trade secrecy.

§ 350.27	A completed section 322 claim package must include four items, packaged in the following order: It is important to *securely fasten together (binder clip or rubber band)* each of the reporting *forms* and substantiations for the particular chemical being *claimed* trade secret. When *submitters submit* claims for more than one chemical, EPA *requests* that the four parts associated with each chemical be assembled as a set and each set for different chemicals be kept separate within the *package sent* to EPA.	Instructions on form to accompany claims of trade secrecy. Not exactly "mail" but same idea.
§ 374.2(a)(1)	If the alleged violator is a private individual or corporation, *notice* shall be served by *personal service* upon, or by *certified mail, return receipt requested, addressed* to the person alleged to be in violation. If the alleged violator is a corporation, a *copy* of the *notice* shall also be served by personal service upon or by *certified mail, return receipt requested, addressed* to the registered agent, if any, of that corporation in the State in which the violation is alleged to have occurred. A *copy* of the *notice* shall be served by personal service upon or by *certified mail, return receipt requested, addressed* to the United States Attorney General; to the Attorney General of the State in which the violation is alleged to have occurred; and to the head of the Federal agency with delegated responsibility for the CERCLA provision allegedly violated, pursuant to Executive Order 12580, 3 CFR, 1987 Comp., p. 193, as amended by Executive Order 12777, 3 CFR, 1991 Comp., p. 351. If the EPA has responsibility for the CERCLA provision allegedly violated, then a *copy* of the *notice* shall be served by personal service upon or *by certified mail, return receipt requested, addressed* to the Administrator of the Environmental Protection Agency, and to the Regional Administrator of the Environmental Protection Agency for the Region in which the violation is alleged to have occurred.	A list of addresses that may be useful in providing notice of citizen suits is provided at §374.6. Regarding notice of intent to file suit under subsection 310(a)(1) of CERCLA. 374.2(a)(2) & (3) are very similar except that the alleged violators are a State or local agency (2) or a Federal agency (3). Both refer to "personal service" and "certified mail, return receipt requested." 374.2(b) has stipulation about "failure to act" but no new uses of flag words, only "certified mail, return receipt requested."
§ 374.2(c)	*Notice* given in accordance with the provisions of this part shall be considered to have been served on the date of *receipt*. If *notice* or *copy* of *notice* is required to be served on more than one entity, *notice* shall be considered to have been served on the date of *receipt* by the last entity served. If service was accomplished by *mail*, the date of receipt will be considered to be the date noted on the *return receipt card*.	Regarding date of service. 374.3 describes contents of notice, but does not include new uses of our flag words. 374.6 includes street addresses for
§ 374.6	*Address* for EPA adm., EPA regional adm., Agency for Toxic Substances and Disease Registry (ATSDR) adm., and the US AG.	Has street addresses referred to in previous subsections of 374.

Sections of 40CFR Containing Miscellaneous Words/Phrases

Provision	Current Wording	Notes
§ 300.155(k)	If there is insufficient national policy guidance on a matter before the RRT...it may be *referred* to the NRT, described in §300.110	
§ 300.5(h)(i)(1)	Review and *comment* on local emergency response plans or other issues of preparation, implementation, or exercise of such plans	
§ 300.120(a)(2)	The USCG OSC shall *contact* the cognizant RPM as soon as it is evident that a removal may require a follow-up	
§ 307.14	EPA's *receipt* of the application for preauthorization [in def. of preauthorization]	
§ 300.120(f)(1)	Based upon the *reports* of these parties, the RPM *recommends* action for decisions by lead agency officials.	Very similar usage in 300.120(f)(2).
§ 304.12(f)	Ex parte communication means any *communication*, written or oral, relating to the merits	
§ 300.405(b)	Any person in charge of a vessel or a facility shall *report* releases to the National Response Center (NRC). If *reporting* to NRC is not practicable, *reports* may be made to the USCG on-scene coord. (OSC) for the geographic area where the release occurs. The EPA predesignated OSC may also be contacted through the regional 24-hour emergency response *telephone* number.	Also refers to contact through telephone.
§ 372.22	A facility that meets all of the following criteria for a calendar year is a covered facility for that calendar year and must *report* under §372.30.	Toxic chemical release reporting. Listed criteria do not apply to our work.
§ 372.25	Subsections (a)-(h) give examples of thresholds for *reporting*.	"Report" is used in similar context as before.
§ 307.31(c)	EPA will *return claims* presented under this subpart when the Agency determines that a claimant has initiated an action for recovery of the same *response* costs, in court, against a party potentially liable under section 107 of CERCLA.	
§ 350.25	Other *disclosure* of specific chemical identity may be made in accordance with 40 CFR 2.209.	Disclosure in special circumstances.

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

Provision	Current Wording	Notes
§ 300.430(f)(3)(A)	*Publish* a *notice* of availability and brief analysis of the proposed plan in a major local *newspaper* of general circulation	Under section entitled "Community relations to support the selection of remedy."
§ 300.430(f)(6)(i)	*Publish* a *notice* of the availability of the ROD in a major local *newspaper* of general circulation	Am ignoring other similar references for now since it is referring to EPA reporting.

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

Provision	Current Wording	Notes
§ 300.5	Activation means *notification* by *telephone* or other expeditious manner or the assembly of some or all appropriate members of the RRT or NRT	Also defined in one of the appendices (E).
§ 302.4	Reportable quantity means that quantity, as set forth in this part, the release of which requires *notification* pursuant to this part	
§ 300.115(b)(2)	Appropriate levels of activation and/or *notification* of the incident-specific RRT shall be determined by the designated RRT chair, based on the RCP.	
§ 300.115(j)(8)	*Notification* of the RRT may be appropriate when full activation is not necessary, with systematic communication of pollution reports or other means to keep RRT members informed	
§ 300.125(a)	*Notice* of discharges must be made *telephonically* through a toll free number or a special local number (TDD and collect calls accepted). (*Notification* details appear in §§300.300 and 300.405.) The NRC receives and relays telephone *notices* of discharges to the appropriate federal OSC. The *telephone report* is distributed to any interested NRT member agency or federal entity that has a *written* agreement or understanding with NRC.	Usage of "telephone" and "written" in this reference as well. Section (c) discusses the notification by telephone of the NRC Duty Officer and the immediate relay by telephone to the OSC.
§ 300.300(b)	The OSC may also be contacted through the regional 24-hour emergency response *telephone* number. All such *reports* shall be promptly relayed to the NRC. reports may be made immediately to the nearest Coast Guard unit. person in charge of the vessel or facility shall *notify* the NRC asap.	§300.300(c) refers to *notification* by any other person.
§ 300.405(g)	Release *notification* made to the NRC under this section does not relieve the owner/operator of a facility from any obligations to which it is subject under SARA Title III or state law.	Refers to community emergency coordinator for the local emer. planning committee and the state emergency response commission.
§ 300.403(e)(8)	The lead agency shall *notify* the support agency of the alternatives that will be evaluated in detail to facilitate the identification of ARARs and, as appropriate, pertinent advisories, criteria, or guidance to be considered	Referring to alternative approaches to site remediation.
§ 300.920(d)	The *submitter* must *notify* EPA of any changes in the composition, formulation, or application of the dispersant (or other agent)	Referring to agents being added to the product schedule.
§ 302.6(a)	Any person in charge of a vessel shall, as soon as he has knowledge of any release of a hazardous substance equal to or exceeding the reportable quantity, immediately *notify* the National Response Center ((800) 424-8802; in Washington, DC (202) 426-2675)	
§ 302.8(c)(1), (2) & (3)	(1) Initial *telephone notification*; (2) Initial *written notification* within 30 days of the initial *telephone notification*; (3) Follow-up *notification* within 30 days of the first anniversary date of the initial *written notification*	Refer to notifications of a continuous release qualifying for reduced reporting under this section. Several follow-up notifications referred to in subsequent subsec.'s but none say *written*. Next sections go into details on each of these.

§ 302.8(f)	Within 30 days of the first anniversary date of the initial *written notification*, the person in charge of the facility or vessel shall evaluate each hazardous substance release *reported* to verify and update the information *submitted* in the initial *written notification*.	List of required information follows but never states that it must be *written*, although it does have a *signature* stipulation (see next).
§ 302.8(f)(4)(viii)	A *signed statement* that the hazardous substance release(s) is(are) continuous and stable in quantity and rate under the definitions in paragraph (a) of this section and that all *reported* information is accurate	Final requirement in list mentioned in previous entry.
§ 302.8(g)... {Notification of changes in release}	(1) If this changes, the release is a new release and must be qualified for *reporting* under this section by the *submission* of initial *telephone notification* and initial *written notification* as soon as applicable; (2) If the release changes such that the quantity of the release exceeds the upper bound of the *reported* normal range, the release must be *reported* as a statistically significant increase in the release. If a change will result in a number of releases that exceed the upper bound of the normal range, the person in charge of a facility or vessel may modify the normal range by: (i) *Reporting* at least one statistically significant increase *report* as required under paragraph (c)(7) of this section and, at the same time, *informing* the National Response Center of the change in the normal range; and (ii) *Submitting*, within 30 days of the *telephone notification*, *written notification* to the appropriate EPA Regional Office describing the new normal range, the reason for the change, and the basis for stating that the release in the increased amount is continuous and stable in quantity and rate under the definitions in paragraph (b) (3) If there is a change in any information *submitted* in the initial *written notification* or the followup *notification* other than those in (1) or (2), the person in charge of the facility or vessel shall provide *written notification* of the change to the EPA Region for the geographical area where the facility or vessel is located, within 30 days of determining that the information *submitted* previously is no longer valid. *Notification* shall include the reason for the change, and the basis for stating that the release is continuous and stable under the changed conditions. (4) *Notification* of changes shall include the case number assigned by the National Response Center or the Environmental Protection Agency and also the *signed certification statement* required at (c)(2)(xi) of this section.	Change in source or composition. Change in the normal range. Sec. 302.8(h) deals with *notification* of significant changes in release (but doesn't mention writing or telephone specifically). Changes in other reported information. Needs *signed certification statement*, but couldn't find (c)(2)(xi) in this section.
§ 307.23(a)	EPA shall review each preauthorization application and will *notify* the applicant of the decision to grant or deny preauthorization. Decisions to grant preauthorization will be *memorialized* in a PDD.	
§ 307.33	The claimant shall, however, *notify* EPA of the location of the records, and allow EPA the opportunity to take possession of the *records* before they are destroyed.	Must be for a period of 10 years to allow for cost recovery action by EPA.
App D to Part 307	all *claims* must receive prior approval, or ``preauthorization,'' from EPA. This means that before *response* work is initiated, the party must: (1) *Notify* EPA of its intent to *file* a *claim*;	Claimants attempting repayment of claims for response actions (response to haz.mat. release).

§ 310.13	You should *notify* EPA, the National Response Center, or use another established response communication channel, but it is not a requirement for reimbursement. *Telephone numbers* for EPA regional offices and the NRC are in Appendix II	Referring to reimbursement of local gov'ts for emergency response to haz. substance release.
§ 310.22(b)(3)	You will *receive* a *written* decision by the disputes decision official within 45 days after we *receive* your final *submission*	Related to above. Documents kept by local gov't to support case for reimbursement.
§ 350.21	The Governor or State emergency *response* commission shall identify the adverse health effects associated with each of the chemicals claimed as trade secret and shall make this information available to the public.	Adverse health effects of trade secret chemicals.
§ 355.40(b)	(1) The owner or operator of a facility subject to this section shall immediately *notify* the community emergency coordinator for the local emergency planning committee of any area likely to be affected by the release and the State emergency *response* commission of any State likely to be affected by the release.	Notice requirements under emergency planning and notification. Not EPA, but notification.
§ 355.40(b)	(3) As soon as practicable after a release which requires *notice* under (b)(1) of this section, such owner or operator shall *provide* a *written* follow-up emergency notice	More notice requirements under emergency planning and notification. Again, not EPA.
§ 372.45	(a) a person who owns or operates a facility or establishment...must *notify* each person to whom the mixture or trade name product is sold or otherwise distributed from the facility or establishment in accordance with paragraph (b) of this section. (c) *Notification* under this section shall be provided as follows... (d) *Notifications* are not required in the following instances...	About toxic chemicals. ... represents where the instances that require reporting are listed. Paragraph(b) lists the requirements for the notification and says it must be in *writing*. Describes when notification must occur. Cases when notification is not necessary.
§ 372.45(c)(5)	If a *Material Safety Data Sheet (MSDS)* is required to be prepared and distributed for the mixture or trade name product in accordance with 29 CFR 1910.1200, the *notification* must be *attached* to or otherwise incorporated into such *MSDS*. When the *notification* is *attached* to the *MSDS*, the *notice* must contain clear instructions that the *notifications* must not be detached from the *MSDS* and that any *copying* and redistribution of the *MSDS* shall include *copying* and redistribution of the *notice attached* to *copies* of the *MSDS* subsequently redistributed.	See previous reference.
§ 372.45	(e) If the person considers the specific identity of a toxic chemical in a mixture or trade name product to be a trade secret under provisions of 29 CFR 1910.1200, the *notice* shall contain a generic chemical name that is descriptive (f) If the person considers the specific percent by weight composition of a toxic chemical in the mixture or trade name product to be a trade secret under applicable State law or under the Restatement of Torts section 757, comment b, the *notice* must contain a *statement* that the chemical is *present* at a concentration that does not exceed a specified upper bound concentration value.	
§ 372.45(g)	However, for purposes of this section, a person has such knowledge if the person *receives* a *notice* under this section from a supplier of a mixture or trade name product and the person in turn sells or otherwise distributes that mixture or trade name product to another person.	Exception to plea of ignorance.

Ch I Subch J Sec 373.3	The *notice* required by 40 CFR 373.1 must contain the following information...	Content of notice; see "DocContract" sheet

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

Provision	Current Wording	Notes
§ 300.5(h)(i)	The standing RRT shall recommend changes in the regional response organization as needed ... and *provide* technical assistance for preparedness to the *response* community	
§ 300.5(h)(i)(10)	*Provide letter reports* on RRT activities to the NRT twice a year, no later than January 31 and July 31	
§ 300.5	Support agency means the agency that *provides* the support agency coordinator to *furnish* necessary *data* to the lead agency,	
§ 300.5	Claimant as defined by section 1001 of the OPA means any person or government who *presents* a *claim* for compensation	
§ 305.3	Claimant means any person who *presents* a *claim* to the Fund	
§ 307.14	Claimant means any person who *presents* a *claim* to the Fund	
§ 300.430(f)(2)	the first step in the remedy selection process, the lead agency shall identify the alternative that best meets the req.'s in §300.430(f)(1) and shall *present* that alternative to the public in a proposed plan.	Subsections (i)-(iv) list what the proposed plan shall do: summarize alternatives, reasons for choosing, etc.
§ 307.20	Who may *present* claims. {Title of Subsecton}	Subsections go through list of who may "*present*" or " *assert*" claims, but not how.
§ 355.30(d)	(1) The owner or operator of a facility subject to this section shall *inform* the local emergency planning committee of any changes occurring at the facility which may be relevant to emer. planning. (2) Upon *request* of the local emergency planning committee, the owner or operator of a facility subject to this section shall promptly *provide* to the committee any information necessary for development or implementation of local emergency plan.	Provision of information under "Emergency Planning and Notification."

Sections of 40CFR Containing "Record"

Provision	Current Wording	Notes
§ 300.430(f)(3)(B)	Make the proposed plan and supporting analysis and information available in the administrative *record* required under subpart I of this part	In same section (next subsection) other references to similar things.
§ 350.23	(a) Under section 322(f) of the Act, EPA possesses the authority to *disclose* to any authorized representative of the United States any information to which this section applies, notwithstanding the fact that the information might otherwise be entitled to trade secret or confidential treatment under this part. (b)(1) A person under *contract or subcontract* to EPA or a grantee who performs work for EPA in connection with Title III or regulations which implement Title III may be considered an authorized representative of the United States...information may be *disclosed* if the EPA program office managing the *contract*, *subcontract*, or grant first determines in *writing* that such *disclosure* is necessary (2)(ii) the contractor, subcontractor or grantee shall obtain a *written* agreement to honor such terms of the *contract*... (3) No information shall be *disclosed* under this §350.23(b) until each affected *submitter* has been *furnished notice* of the contemplated *disclosure* by the EPA program office...This *notice* may be *sent* to individual *submitters*. (4) The EPA program office shall prepare a *record* of *disclosures*. EPA program office shall *maintain* the *record* of *disclosure* and the determination of necessity of 350.23(b)(1) for a period of not less than 36 months after the date of the *disclosure*.	Disclosure of trade secret chemical information by EPA to authorized representatives.
§ 372.10	(a)Each person subject to the reporting requirements of this part must *retain* the following *records* for a period of 3 years from the date of the *submission* of a *report* under §372.30 (b) Each person subject to the *notification* requirements of this part must *retain* the following *records* for a period of 3 years from the date of the *submission* of a *notification* under § 372.45. (c) *Records retained* under this section must be *maintained* at the facility to which the *report* applies or from which a *notification* was *provided*. Such *records* must be readily available for purposes of inspection by EPA. (d) Each owner or operator who determines that the owner operator may apply the alternate threshold as specified under §372.27(a) must *retain* the following *records* for a period of 3 years from the date of the *submission* of the *certification statement* as required under § 372.27(b)	Recordkeeping, but not by EPA. Subsections list what must be kept, not important for our purposes.

Sections of 40CFR Containing "Request"

Provision	Current Wording	Notes
§ 300.115(j)(4)(ii)	*Request* other federal, state, or local governments, or private agencies, to *provide* resources under their existing authorities	also in 300.115(j)(2) [see written]
§ 305.4(a)	The Review Officer is authorized to *receive Requests* for a Hearing; attempt to promote settlement; make the decision of the Agency on the *claim* if the claimant does not *request* referral of the *Request* for a Hearing to the Chief Administrative Law Judge; and refer a *Request* for a Hearing to the Chief Administrative Law Judge when necessary. The Review Officer shall make the decision of the Agency on the *claim* in *writing* and shall serve the Requestor and the Claims Official with a *copy* of his decision..., a *copy* of all pleadings must be *filed* with the Hearing Clerk	The rest of this subsection refers to more instances or refer requests and making decisions known in writing, all in very similar context to these sentences. In the section entitled "CERCLA Admin. Hearings Procedures for Claims against Superfund."
§ 305.4(b)	Upon *receipt* from the Review Officer of the *Request* for a Hearing, the Chief Administrative Law Judge shall designate himself or another Administrative Law Judge as Presiding Officer and shall *transmit* all *documents* related to the Request for a Hearing to the Presiding Officer.	Also contains the words "receipt," "documents," and " transmit."
§ 370.30	(a)(1)Any person may obtain an *MSDS* regarding a specific facility by submitting a *written request* to the committee. (2) If the committee does not have in its possession the *MSDS requested*, it shall *request* a *submission* of the *MSDS* from the owner or operator of the facility that is the subject of the *request*. (b)(1) Any person may *request* Tier II information with respect to a specific facility by *submitting* a *written request* to the commission or committee in accordance with the requirements of this section. (2) If the committee or commission does not have in its possession the Tier II information *requested*, it shall *request* a *submission* of the Tier II *form* from the owner or operator of the facility that is the subject of the *request*,	Request for MSDS info. Requests for Tier II information. Stipulations follow, but none are significant to our purposes.

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

Provision	Current Wording	Notes
§ 300.430(f)(1)(ii)(B)	On-site remedial actions selected in a ROD must attain those ARARs that are identified at the time of ROD *signature* or provide grounds for invoking a waiver under §300.430(f)(1)(ii)(C).	Subsection (*1*) also refers to ROD *signature*.
§ 300.800(d)(2)	Removal actions where the action memorandum is *signed* after the *promulgation* of these regulations.	Referring to applicability of this subpart (see DocContract: 300.800(a & c).
§ 302.8(e)(1)(iv)(H)	A *signed statement* that the hazardous substance release(s) described is(are) continuous and stable in quantity and rate under the definitions in paragraph (a) of this section and that all reported information is accurate and current to the best knowledge of the person in charge.	Refers to hazardous substance release claimed to qualify for reduced reporting under CERCLA section 103(f)(2). Part of the required information that must be supplied in *writing*.
§ 302.8(j)(3)(iv)	A *signed statement* that the hazardous substance release(s) is(are) continuous and stable in quantity and rate under the definitions in paragraph (b) of this section and that all reported information is accurate and current to the best knowledge of the person in charge.	Refers to additional info required if using a copy of TRI form submitted under SARA Title III section 313 the previous July 1 in lieu of written initial or followup report
§ 304.33(b)(1)	The proposed decision shall be in *writing* and shall be *signed* by the Arbitrator.	
§ 307.31(b)	Claimants (or their authorized representatives) may amend their *claims* at any time before final action by EPA. Amendment of *claims* after final action by EPA will be allowed only at EPA's discretion. Each amendment must be submitted in *writing* and must be *signed* by the claimant or authorized representative.	Amending CERCLA claims.
§ 310.15(c)	(c) Your application must be *signed* by the highest ranking official of your local government or you must include a *letter* of delegation authorizing a delegate to act on his or her behalf.	See reference on "Form" sheet.
§ 350.7(c)	c) An owner, operator or senior official with management responsibility shall *sign* the *certification* at the end of the *form* contained in §350.27. The *certification* in both the sanitized and unsanitized versions of the substantiation must bear an *original signature*.	Form to substantiate claim of trade secrecy for EPCR info.
§ 350.7(d)(2)	An owner, operator, or senior official with management responsibility shall *sign* the *certification* stating that those portions of the substantiation claimed as confidential would, if disclosed, reveal the chemical identity	Claims of confidentiality in the substantiation.

§ 350.27 Part 4.	An *original signature* is required for each trade secret substantiation *submitted* to EPA, both sanitized and unsanitized. It indicates the *submitter* is *certifying* that the particular substantiation provided to EPA is complete, true, and accurate, and that it is intended to support the specific trade secret *claim* being made. Noncompliance with this *certification* requirement may jeopardize the trade secret *claim*. 4.1 Name and Official Title. *Print* or *type* the name and title of the person who *signs* the *statement* at 4.2. 4.2 *Signature*. This *certification* must be *signed* by the owner or operator, or a senior official with management responsibility for the person (or persons) completing the *form*. An *original signature* is required for each trade secret substantiation *submitted* to EPA, both sanitized and unsanitized. Since the *certification* applies to all information supplied on the forms, it should be *signed* only after the substantiation has been completed. 4.3 Date. Enter the date when the *certification* was *signed*.	Instructions on "*Certification*" of form to accompany claims of trade secrecy. Not included on "Certify" sheet. Terms used similarly elsewhere in section.
§370.41 (Tier 2 Form Instructions)	Subsequent *pages* must contain either an *original signature*, a *photocopy* of the *original signature*, or a *signature stamp*. Each *page* must contain the date on which the *original signature* was affixed to the first *page* of the *submission* and the total number of *pages* in the *submission*.	Terms used similarly elsewhere in section.

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

Provision	Current Wording	Notes
§ 350.1	Claimant means a person *submitting* a claim of trade secrecy	
§ 350.1	Petitioner is any person who *submits* a petition under this regulation	
§ 350.1	*Submitter* means a person filing a required report or making a claim of trade secrecy to EPA under sections 303 (d)(2)...	Submitter also appears in another definition (substantiation, see written)
§ 300.115(j)(4)(v)	Submit pollution reports to the NRC as significant developments occur.	
§ 350.1	Trade secrecy claim is a *submittal* under sections 303 (d)(2) or (d)(3), 311, 312 or 313 of Title III	
§ 305.3	Preauthorization means EPA's prior approval to *submit* a *claim* against the Fund for necessary *response* costs incurred when carrying out the NCP.	Appears in very similar context in 307.14 def. of preauthorization.
§ 300.300(a)(1)	A report *submitted* by the person in charge of a vessel or facility, in accordance with statutory requirements	Refers to "discovery" of discharge of oil Should this be listed under report?
§ 300.405(a)(1)	A report *submitted* in accordance with section 103(a) of CERCLA, i.e., reportable quantities codified at 40 CFR part 302	Refers to "discovery" of hazardous substance release. Same ques. as above.
§ 300.405(a)(2)/(6)/(7)	A report *submitted* to EPA in accordance with § 103(c) of CERCLA/ *submission* of a citizen petition to EPA or the appropriate federal facility requesting a preliminary assessment, in accordance with § 105(d) of CERCLA/ A report *submitted* in accordance with § 311(b)(5) of the CWA	Also refer to "discovery" of hazardous substance release.
§ 300.920(a)(1)	To add a dispersant to the NCP Product Schedule, *submit* the technical product *data* specified in §300.915(a) to the Emergency Response Division (5202-G), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460.	Section entitled "Addition of products to Schedule." Has mailing address, but doesn't say mail, but put it on mail sheet anyway. Same statement for other chemical agents (b)(1)
§ 300.920(c)	Such information must be *submitted* separately from non-confidential information, clearly identified, and clearly marked ``Confidential Business Information."	Referring to submission of confidential information for addition of product to schedule.
§ 307.11(a)	The following may be *submitted* only through the procedures established by this part: *claims* for responses to a release or substantial threat of release of a hazardous substance into the environment...	Referring to CERCLA claims procedures.
§ 307.22(a)	No person may *submit* a *claim* to the Fund for a response action unless that person *notifies* the Administrator of EPA or his designee prior to taking such *response* action and *receives* preauthorization by EPA. In order to obtain preauthorization, any person intending to *submit* a *claim* to the Fund must fulfill the following requirements before commencing...	Referring to preauthorization of Superfund claim. Subsections lay out details and include other, similar usages of "notify" and "submit" (1) & (2). (3) refers to "obtaining approval" of preauthorization application.
§ 307.22(g)	*Claims* of business confidentiality may be asserted for information *submitted* to EPA under this subpart.	Also about preauth. of Superfund claims. See "copy" for other information about subsection.

§ 307.23(d)	If EPA denies a preauthorization because of an insufficient balance in the Fund or the low priority assigned to the response action when weighed against other applications or uses of the Fund, the applicant may resubmit the application in another fiscal year.	Refers to preauthorization of Superfund claim.
§ 307.32(h)	Where a *response* action is determined to have been ineffective due to acts or omissions of the claimant, his employees or agents, or any third party having a contractual relationship with the claimant, payment of the *claim* will be adjusted accordingly. EPA may require the claimant to *submit* any additional information needed to determine whether the actions taken were reasonable and necessary.	More about Superfund claims.
§ 310.15(b)	(b) You must *submit* your request within one year of the date of *response*	See reference on "Form" sheet.
§ 350.5(b)	(2) To make a *claim*, the *submitter* shall *submit* to EPA the following: (i) A *copy* of the information which is being *submitted* under sections 303 (d)(2) or (d)(3) to the local emergency planning committee, with the chemical identity or identities *claimed* trade secret deleted, and the generic class or category of the chemical identity or identities inserted in its place. (ii) A sanitized and unsanitized substantiation in accordance with §350.7 for each chemical identity claimed as trade secret.	Trade secret claims procedure for EPCR info. (4) states that info must be mailed (see "mail" sheet. Subsec.'s (c)-(e) use very, very similar language to refer to info being submitted under sections 311-313 respectively.
§ 350.7(a)	Claims of trade secrecy must be substantiated by providing a specific answer including, where applicable, specific facts, to each of the following questions with the *submission* to which the trade secrecy claim pertains. *Submitters* must answer these questions on the *form* entitled ``Substantiation to Accompany Claims of Trade Secrecy" in §350.27	Substantiating claims of trade secrecy. Subsec.'s (1)-(5) list the questions to be answered. Form is to be submitted with trade secret claim.
§ 350.7(d)(1)	To claim this material as confidential, the *submitter* shall clearly designate those portions of the substantiation to be claimed as confidential by marking those portions ``Confidential," or ``Trade Secret."	Claims of confidentiality in the substantiation. Must be signed (see "sign" sheet).
§ 350.7(d)(3)	The *submitter* shall *submit* to EPA two *copies* of the substantiation, one of which is the unsanitized version, and the other being the sanitized version.	Two subsections (i) & (ii) describe the two copies.
§ 350.7(e)(1)	EPA may *request* supplemental information from the *submitter* in support of its trade secret claim, pursuant to §350.11(a)(1)	Additional info regarding trade secrecy claim. Subject to the exact same stipulations about submission made on original info [350.7(d)].
§ 350.11(a)(2)	(i) The *submitter* may *file* an appeal of a determination of insufficiency with the General Counsel (ii) In lieu of an appeal to the General Counsel, the *submitter* may send additional material in support of its trade secrecy claim, for good cause... the *submitter* shall *notify* EPA by *letter* of its contentions as to good cause, and shall include in that letter the additional supporting material	Good Cause.
§ 350.19(a)	Any State may *request* access to trade secrecy claims, substantiations, supplemental substantiations, and additional information *submitted* to EPA. EPA shall release this information, even if claimed confidential, to any State *requesting* access if: (1) The *request* is in *writing*	Provision of information to States.

§ 350.27	must *submit* this form to EPA in sanitized and unsanitized versions, along with the sanitized and unsanitized *copies* of the *submittal* that gives rise to this trade secrecy claim (except for the section 303 *submittal*, and for MSDSs under section 311).	General instructions for from mentioned in Sec. 350.7(a) (see above).
§ 370.21(a)	The owner or operator of a facility subject to this subpart shall *submit* an *MSDS* for each hazardous chemical present at the facility according to the minimum threshold schedule provided in §370.20(b) to the committee, the commission, and the fire department with jurisdiction over the facility.	MSDS reporting. Not EPA.
§ 370.21(b)	In lieu of the *submission* of an *MSDS* for each hazardous chemical under paragraph (a) of this section, the owner or operator may *submit* the following: {subsec.'s list alt. 's, but nothing new for this purpose.}	Alternative Reporting. Again, not EPA. Subsec. (c) & (d) have very similar stipulations on submission of information.
§ 372.5	if no *report* is *submitted* or *notice provided*, EPA will hold both the owner and the operator liable under section 325(c) of Title III, except as *provided* in §§372.38(e) and 372.45(g).	Persons subject to toxic chemicals release reporting (community right-to-know).

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

Provision	Current Wording	Notes
§300.155(b)	If a participating agency believes public interest warrants the issuance of *statements* and an on-scene news office has not been established, the affected agency should recommend its establishment.	
§300.400(d)(4)(iv)(A)	A determination by EPA and a *statement* of the facts upon which the determination is based;	
§300.415(n)(1)	All news releases or *statements* made by participating agencies shall be coordinated with the OSC/RPM.	Term used similarly elsewhere in section.
§300.430(f)(2)(i)	*Provide* a brief *summary* description of the remedial alternatives evaluated in the detailed analysis established under paragraph (e)(9) of this section;	
§300.430(f)(2)(iii)	*Provide* a *summary* of any formal comments received from the support agency;	Term used similarly elsewhere in section.
§300.515(e)(1)	Included in the proposed plan shall be a *statement* that the lead and support agencies have reached agreement or, where this is not the case, a *statement* explaining the concerns of the support agency with the lead agency's proposed plan.	
§300.700(b)	The mechanisms available to recover the costs of response actions under CERCLA are, in *summary*:	
§304.30(b)(7)	Any other *statement* or *documentation* that EPA deems necessary to support its claim.	Terms used similarly elsewhere in section.
§304.32(j)(3)	The Arbitrator may, at any time, require *oral statements* clarifying the issues to be addressed at the hearing.	

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

Provision	Current Wording	Notes
§ 304.12(f)	Ex parte communication means any communication, *written* or *oral*, relating to the merits	
§ 305.3	*Claim* means a demand in *writing* for a sum certain, which is *presented* to the Fund in accordance with CERCLA sections 111 and 112.369	Also defined in Appendix E.
§ 305.3	Request for a Hearing means a *written notice* requesting an administrative hearing	
§ 307.14	*Claim* means a demand in *writing* for a sum certain presented to the Fund in accordance with sections 111 and 112 of CERCLA.	Also in Appendix E.
§ 307.14	Contractor *claim* means the disputed portion of a *written* demand or *written* assertion by any contractor	
§ 307.14	Perfected means the point at which EPA determines that the *written* demand for a sum certain (i.e., *claim*)	
§ 307.14	*Response claim* means a preauthorized demand in *writing* for a sum certain for *response* costs	
§ 350.1	Substantiation means the *written* answers *submitted* to EPA by a *submitter* to the specific questions set forth in this regulation	
§ 300.5	*Claim* for purposes of CERCLA, means a demand in *writing*; for purposes of CWA, it means a *request*, made in *writing* for compensation	
§ 300.5	Superfund Mem. of Agr. (SMOA) means a nonbinding, *written document* executed by an EPA Regional Administrator and the head of a state agency	
§ 300.5	Quality assurance project plan (QAPP) is a *written document*, associated with all remedial site sampling activities, which *presents* in specific terms	
§ 300.115(j)(2)	The RRT will be activated upon a *request* from the OSC/RPM, or from any RRT representative, to the chair of the RRT. *Requests* for activation shall later be confirmed in *writing*.	
§ 300.920(a)(2)	If EPA requests additional information, within 60 days of *receiving* such additional information or sample, EPA will then *notify* the manufacturer in *writing* of its decision to *list* or not *list* the product.	In section on adding products (dispersants) to schedule. Same reg. for other agents (b)(2).
§ 300.920(a)(3)(i)	A manufacturer whose product was determined to be ineligible for *listing* on the NCP Product Schedule may *request* EPA's Administrator to review the determination. The *request* must be made in *writing*	Manuf. requesting a review of decision. Next subsection (ii) says that Adm. must notify manuf. of decision in *writing* of decision in 60d.
§ 304.30(b)	Within thirty days after *receipt* of the *notice* of appointment of the Arbitrator (see § 304.22 of this part), EPA shall *submit* to the Arbitrator two *copies* of a *written statement* and shall serve a *copy* of the *written statement* upon all other parties.	Subsequent sentences and subsec.'s list what is included in written statement.

§ 304.30(c)	Within thirty days after *receipt* of EPA's *written statement*, each participating PRP shall *submit* to the Arbitrator two *copies* of an answer and shall serve a *copy* of the answer upon all other parties.	Answer to EPA's written statement of previous entry. Subsequent sentences and subsec.'s list what is included in written statement. EPA and then PRP can file responses to these but writing is not stipulated, only says "copies shall be served" {see (d) & (e)}.
§ 304.33(e)(1)	...shall *provide* persons who are not parties to the proceeding a thirty-day period in which to *file written* comments relating to the proposed decision. The participating PRPs shall have ten days from the close of the public comment period in which to *submit* to EPA in *writing* their views on the merits of any comments *filed*. EPA shall consider any comments *filed*, and shall, within thirty days after the close of the ten-day period during which the participating PRPs may *submit* their views on any comments *filed*, provide *written* notice to the Arbitrator and the participating PRPs. The *written* notice shall be made available to the public and shall include:	Refers to EPA publishing arbiter's proposed decision in the Federal Register. Next subsection (e2) refers several times to EPA's written notice discussed in this subsection.
§ 304.33(g)	The Arbitrator shall, upon *written* request of any party, furnish to such party certified facsimiles of all papers in the Arbitrator's possession that may be required in judicial proceedings relating to the arbitration pursuant to §304.40 of this part.	
§ 304.42(a)	Any party who proceeds with the arbitration knowing that any provision or requirement of this part has not been complied with, and who fails to object thereto either *orally* or in *writing* in a timely manner, shall bedeemed to have waived the right to object.	Under "Miscellaneous Provisions" subsection about arbitration.
§ 307.23(f)	If the applicant is unable to initiate or complete the preauthorized response action, the applicant shall immediately notify EPA in *writing*.	Referring to preauthorization of Superfund claims.
§ 307.24(a)	Where the *claim* is incomplete or has significant defects, EPA will *return* the claim to the claimant with *written notification* of its deficiencies.	More info. on Superfund claims.
§ 307.32(l)	Any withdrawal of preauthorization will be preceded by *written notice* from EPA.	Preauth. of Superfund claim.
§ 310.18(b)	If your application meets all requirements, we will consider whether the costs are allowable and reasonable. We will then send you *written notification* of decision to award or deny reimbursement in full or in part.	Refers to application for reimbursement of local gov't for emergency response to haz. substance release.
§ 310.20	If we deny your *request* because you failed to meet a requirement in this regulation, you may *request*, in *writing*, that EPA grant an exception. You may also *file* a *request* for an exception with your initial application.	Refers to application for reimbursement of local gov't for emergency response to haz. substance release.
§ 310.21(d)(3)	You will *receive* a *written* decision by the disputes decision official within 45 days after we *receive* your final *submission*	Disputes about refusal of reimbursement mentioned in previous reference.
§ 310.23(d)	The EPA reimbursement official will give you a *written* decision on whether the *request* will be reimbursed or held for future reconsideration.	
§ 310.24(a)	In such a case, we would give you *written* notice of our intentions.	If reimbursement is refused because of false information in application.

§ 350.40(c)	(1) An owner or operator of a facility which is subject to the requirements of sections 311, 312, and 313, shall, upon *request*, *provide* the specific chemical identity, if known, of a hazardous chemical, extremely hazardous substance, or a toxic chemical to a health professional if: (i) The request is in *writing*; (iii) The request contains a *confidentiality* agreement (iv) The request includes a *certification signed* by the health professional	Disclosure for diagnosis or treatment by health professionals in non-emergency Situations. {Not reporting to or by EPA.} Subsec. (d) covers disclosure for preventative measures. Subsec. (e) covers disclosure in medical emergencies, but wording is very similar in both to (c). "Confidentiality agreement" (iii) is defined in subsec. (f) (no flag words).