

## § 145.2

## 40 CFR Ch. I (7–1–03 Edition)

more extensive than those required under this part;

(2) Operating a program with a greater scope of coverage than that required under this part. Where an approved State program has a greater scope of coverage than required by Federal law the additional coverage is not part of the federally approved program.

(h) Section 1451 of the SDWA authorizes the Administrator to delegate primary enforcement responsibility for the Underground Injection Control Program to eligible Indian Tribes. An Indian Tribe must establish its eligibility to be treated as a State before it is eligible to apply for Underground Injection Control grants and primary enforcement responsibility. All requirements of parts 124, 144, 145, and 146 that apply to States with UIC primary enforcement responsibility also apply to Indian Tribes except where specifically noted.

[48 FR 14202, Apr. 1, 1983, as amended at 53 FR 37412, Sept. 26, 1988; 59 FR 64345, Dec. 14, 1994]

### § 145.2 Definitions.

The definitions of part 144 apply to all subparts of this part.

### Subpart B—Requirements for State Programs

#### § 145.11 Requirements for permitting.

(a) All State programs under this part must have legal authority to implement each of the following provisions and must be administered in conformance with each; except that States are not precluded from omitting or modifying any provisions to impose more stringent requirements.

(1) Section 144.5(b)—(Confidential information);

(2) Section 144.6—(Classification of injection wells);

(3) Section 144.7—(Identification of underground sources of drinking water and exempted aquifers);

(4) Section 144.8—(Noncompliance reporting);

(5) Section 144.11—(Prohibition of unauthorized injection);

(6) Section 144.12—(Prohibition of movement of fluids into underground sources of drinking water);

(7) Section 144.13—(Elimination of Class IV wells);

(8) Section 144.14—(Requirements for wells managing hazardous waste);

(9) Sections 144.21–144.26—(Authorization by rule);

(10) Section 144.31—(Application for a permit);

(11) Section 144.32—(Signatories);

(12) Section 144.33—(Area Permits);

(13) Section 144.34—(Emergency permits);

(14) Section 144.35—(Effect of permit);

(15) Section 144.36—(Duration);

(16) Section 144.38—(Permit transfer);

(17) Section 144.39—(Permit modification);

(18) Section 144.40—(Permit termination);

(19) Section 144.51—(Applicable permit conditions);

(20) Section 144.52—(Establishing permit conditions);

(21) Section 144.53(a)—(Schedule of compliance);

(22) Section 144.54—(Monitoring requirements);

(23) Section 144.55—(Corrective Action);

(24) Section 124.3(a)—(Application for a permit);

(25) Section 124.5 (a), (c), (d), and (f)—(Modification of permits);

(26) Section 124.6 (a), (c), (d), and (e)—(Draft Permit);

(27) Section 124.8—(Fact sheets);

(28) Section 124.10 (a)(1)(ii), (a)(1)(iii), (a)(1)(v), (b), (c), (d), and (e)—(Public notice);

(29) Section 124.11—(Public comments and requests for hearings);

(30) Section 124.12(a)—(Public hearings); and

(31) Section 124.17 (a) and (c)—(Response to comments).

(32) Section 144.88—(What are the additional requirements?);

(b)(1) States need not implement provisions identical to the provisions listed in paragraphs (a)(1) through (a)(32) of this section. Implemented provisions must, however, establish requirements at least as stringent as the corresponding listed provisions. While States may impose more stringent requirements, they may not make one requirement more lenient as a tradeoff for making another requirement more stringent; for example, by requiring