

attendees and their addresses and copies of any written comments or materials they submitted at the meeting.

(c) Once the Director receives your modification request, he or she must make a tentative determination within 120 days to approve or disapprove your request. You are allowed a one time extension of 30 days to prepare the draft permit decision. When the use of the 30-day extension is anticipated, you should inform the permit applicant during the initial 120-day review period.

(d) After the Director makes this tentative determination, the procedures in § 124.205 and §§ 124.207 through 124.210 for processing an initial request for coverage under the standardized permit apply to making the final determination on the modification request.

PART 125—CRITERIA AND STANDARDS FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Subpart A—Criteria and Standards for Imposing Technology-Based Treatment Requirements Under Sections 301(b) and 402 of the Act

Sec.

- 125.1 Purpose and scope.
- 125.2 Definitions.
- 125.3 Technology-based treatment requirements in permits.

Subpart B—Criteria for Issuance of Permits to Aquaculture Projects

- 125.10 Purpose and scope.
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Subpart C [Reserved]

Subpart D—Criteria and Standards for Determining Fundamentally Different Factors Under Sections 301(b)(1)(A), 301(b)(2) (A) and (E) of the Act

- 125.30 Purpose and scope.
- 125.31 Criteria.
- 125.32 Method of application.

Subpart E—Criteria for Granting Economic Variances From Best Available Technology Economically Achievable Under Section 301(c) of the Act [Reserved]

Subpart F—Criteria for Granting Water Quality Related Variances Under Section 301(g) of the Act [Reserved]

Subpart G—Criteria for Modifying the Secondary Treatment Requirements Under Section 301(h) of the Clean Water Act

- 125.56 Scope and purpose.
- 125.57 Law governing issuance of a section 301(h) modified permit.
- 125.58 Definitions.
- 125.59 General.
- 125.60 Primary or equivalent treatment requirements.
- 125.61 Existence of and compliance with applicable water quality standards.
- 125.62 Attainment or maintenance of water quality which assures protection of public water supplies; assures the protection and propagation of a balanced, indigenous population of shellfish, fish, and wildlife; and allows recreational activities.
- 125.63 Establishment of a monitoring program.
- 125.64 Effect of the discharge on other point and nonpoint sources.
- 125.65 Urban area pretreatment program.
- 125.66 Toxics control program.
- 125.67 Increase in effluent volume or amount of pollutants discharged.
- 125.68 Special conditions for section 301(h) modified permits.

APPENDIX TO SUBPART G—APPLICANT QUESTIONNAIRE FOR MODIFICATION OF SECONDARY TREATMENT REQUIREMENTS

Subpart H—Criteria for Determining Alternative Effluent Limitations Under Section 316(a) of the Act

- 125.70 Purpose and scope.
- 125.71 Definitions.
- 125.72 Early screening of applications for section 316(a) variances.
- 125.73 Criteria and standards for the determination of alternative effluent limitations under section 316(a).

Subpart I—Requirements Applicable to Cooling Water Intake Structures for New Facilities Under Section 316(b) of the Act

- 125.80 What are the purpose and scope of this subpart?
- 125.81 Who is subject to this subpart?
- 125.82 When must I comply with this subpart?
- 125.83 What special definitions apply to this subpart?
- 125.84 As an owner or operator of a new facility, what must I do to comply with this subpart?
- 125.85 May alternative requirements be authorized?

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- 125.86 As an owner or operator of a new facility, what must I collect and submit when I apply for my new or reissued NPDES permit?
- 125.87 As an owner or operator of a new facility, must I perform monitoring?
- 125.88 As an owner or operator of a new facility, must I keep records and report?
- 125.89 As the Director, what must I do to comply with the requirements of this subpart?

Subpart J—Requirements Applicable to Cooling Water Intake Structures for Phase II Existing Facilities Under Section 316(b) of the Act

- 125.90 What are the purpose and scope of this subpart?
- 125.91 What is a “Phase II existing facility”?
- 125.92 [Reserved]
- 125.93 What special definitions apply to this subpart?
- 125.94 How will requirements reflecting best technology available for minimizing adverse environmental impact be established for my Phase II existing facility?
- 125.95 As an owner or operator of a Phase II existing facility, what must I collect and submit when I apply for my reissued NPDES permit?
- 125.96 As an owner or operator of a Phase II existing facility, what monitoring must I perform?
- 125.97 As an owner or operator of a Phase II existing facility, what records must I keep and what information must I report?
- 125.98 As the Director, what must I do to comply with the requirements of this subpart?
- 125.99 What are approved design and construction technologies?

Subpart K [Reserved]

Subpart L—Criteria and Standards for Imposing Conditions for the Disposal of Sewage Sludge Under Section 405 of the Act [Reserved]

Subpart M—Ocean Discharge Criteria

- 125.120 Scope and purpose.
- 125.121 Definitions.
- 125.122 Determination of unreasonable degradation of the marine environment.
- 125.123 Permit requirements.

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- 125.124 Information required to be submitted by applicant.

Subpart N—Requirements Applicable to Cooling Water Intake Structures for New Offshore Oil and Gas Extraction Facilities Under Section 316(b) of the Act

- 125.130 What are the purpose and scope of this subpart?
- 125.131 Who is subject to this subpart?
- 125.132 When must I comply with this subpart?
- 125.133 What special definitions apply to this subpart?
- 125.134 As an owner or operator of a new offshore oil and gas extraction facility, what must I do to comply with this subpart?
- 125.135 May alternative requirements be authorized?
- 125.136 As an owner or operator of a new offshore oil and gas extraction facility, what must I collect and submit when I apply for my new or reissued NPDES permit?
- 125.137 As an owner or operator of a new offshore oil and gas extraction facility, must I perform monitoring?
- 125.138 As an owner or operator of a new offshore oil and gas extraction facility, must I keep records and report?
- 125.139 As the Director, what must I do to comply with the requirements of this subpart?

AUTHORITY: The Clean Water Act, 33 U.S.C. 1251 *et seq.*, unless otherwise noted.

SOURCE: 44 FR 32948, June 7, 1979, unless otherwise noted.

Subpart A—Criteria and Standards for Imposing Technology-Based Treatment Requirements Under Sections 301(b) and 402 of the Act

§ 125.1 Purpose and scope.

This subpart establishes criteria and standards for the imposition of technology-based treatment requirements in permits under section 301(b) of the Act, including the application of EPA promulgated effluent limitations and case-by-case determinations of effluent limitations under section 402(a)(1) of the Act.

§ 125.2 Definitions.

For the purposes of this part, any reference to *the Act* shall mean the Clean