

## § 145.58

under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 *et seq.*), the Indian Mineral Development Act (25 U.S.C. 2101 *et seq.*), or the Indian Sanitation Facilities Construction Activity Act (42 U.S.C. 2004a).

(2) A list of existing environmental or public health programs administered by the Tribal governing body and a copy of related Tribal laws, regulations and policies.

(3) A description of the Indian Tribe's accounting and procurement systems.

(4) A description of the entity (or entities) which exercise the executive, legislative, and judicial functions of the Tribal government.

(5) A description of the existing, or proposed, agency of the Indian Tribe which will assume primary enforcement responsibility, including a description of the relationship between owners/operators of the underground injection wells and the agency.

(6) A description of the technical and administrative capabilities of the staff to administer and manage an effective Underground Injection Control Program or a plan which proposes how the Tribe will acquire additional administrative and/or technical expertise. The plan must address how the Tribe will obtain the funds to acquire the additional administrative and technical expertise.

(e) The Administrator may, in his discretion, request further documentation necessary to support a Tribe's eligibility.

(f) If the Administrator has previously determined that a Tribe has met the prerequisites that make it eligible to assume a role similar to that of a State as provided by statute under the Safe Drinking Water Act, the Clean Water Act, or the Clean Air Act, then that Tribe need provide only that information unique to the Underground Injection Control program (§ 145.76(c) and (d)(6)).

[53 FR 37412, Sept. 26, 1988, as amended at 59 FR 64345, Dec. 14, 1994]

### § 145.58 Procedure for processing an Indian Tribe's application.

(a) The Administrator shall process a completed application of an Indian Tribe in a timely manner. He shall

## 40 CFR Ch. I (7–1–12 Edition)

promptly notify the Indian Tribe of receipt of the application.

(b) A tribe that meets the requirements of § 145.52 is eligible to apply for development grants and primary enforcement responsibility for an Underground Injection Control program and the associated funding under section 1443(b) of the Act and primary enforcement responsibility for the Underground Injection Control Program under sections 1422 and/or 1425 of the Act.

[53 FR 37412, Sept. 26, 1988, as amended at 59 FR 64345, Dec. 14, 1994]

## PART 146—UNDERGROUND INJECTION CONTROL PROGRAM: CRITERIA AND STANDARDS

### Subpart A—General Provisions

Sec.

- 146.1 Applicability and scope.
- 146.2 Law authorizing these regulations.
- 146.3 Definitions.
- 146.4 Criteria for exempted aquifers.
- 146.5 Classification of injection wells.
- 146.6 Area of review.
- 146.7 Corrective action.
- 146.8 Mechanical integrity.
- 146.9 Criteria for establishing permitting priorities.
- 146.10 Plugging and abandoning Class I-III wells.

### Subpart B—Criteria and Standards Applicable to Class I Wells

- 146.11 Criteria and standards applicable to Class I nonhazardous wells.
- 146.12 Construction requirements.
- 146.13 Operating, monitoring and reporting requirements.
- 146.14 Information to be considered by the Director.
- 146.15 Class I municipal disposal well alternative authorization in certain parts of Florida.
- 146.16 Requirements for new Class I municipal wells in certain parts of Florida.

### Subpart C—Criteria and Standards Applicable to Class II Wells

- 146.21 Applicability.
- 146.22 Construction requirements.
- 146.23 Operating, monitoring, and reporting requirements.
- 146.24 Information to be considered by the Director.