

## 40 C.F.R. § 124.62

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### Decision on variances.

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*(Applicable to State programs, see § 123.25 (NPDES).)*

- (a) The Director may grant or deny requests for the following variances (subject to EPA objection under § 123.44 for State permits):
- (1) Extensions under CWA section 301(i) based on delay in completion of a publicly owned treatment works;
  - (2) After consultation with the Regional Administrator, extensions under CWA section 301(k) based on the use of innovative technology; or
  - (3) Variances under CWA section 316(a) for thermal pollution.
- (b) The State Director may deny, or forward to the Regional Administrator with a written concurrence, or submit to EPA without recommendation a completed request for:

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