

40 C.F.R. § 239.13

Criteria and procedures for withdrawal of determination of adequacy.

- (a) The Regional Administrator may initiate withdrawal of a determination of adequacy when the Regional Administrator has reason to believe that:
- (1) A state no longer has an adequate permit program; or
 - (2) The state no longer has adequate authority to administer and enforce an approved program in accordance with this part.
- (b) Upon receipt of substantive information sufficient to indicate that a state program may no longer be adequate, the Regional Administrator shall inform the state in writing of the information.
- (c) If, within 45 days of the state's receipt of the information in paragraph (b) of this section, the state demonstrates to the satisfaction of the Regional Administrator that the state program is adequate (*i.e.*, in compliance with this part), the Regional Administrator shall take no further action toward withdrawal of the determination of adequacy and shall so notify the state and any person(s) who submitted information regarding the adequacy of the state's program and authorities.

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