

needed through regular civil service appointment or under the compensation provisions of the Classification Act of 1949, Special Research Consultants may be appointed to assist and advise in the operations of the EPA, subject to the provisions of the following paragraphs and in accordance with such instructions as may be issued from time to time by the Administrator or designee.

(b) *Appointments.* Appointments, pursuant to the provisions of this section, may be made by those officials in the EPA to whom authority has been delegated by the Administrator or designee.

(c) *Compensation.* The per diem or other rates of compensation shall be fixed by the appointing officer in accordance with criteria established by the Administrator or designee.

#### § 18.11 Standards of Conduct and Financial Disclosure.

All individuals appointed to an Environmental Protection Research Fellowship or as a Special Research Consultant shall be subject to the same current standards and disclosure regulations and requirements as Title 5 appointees.

## PART 19—ADJUSTMENT OF CIVIL MONETARY PENALTIES FOR INFLATION

Sec.

19.1 Applicability.

19.2 Effective date.

19.3 [Reserved]

19.4 Statutory civil monetary penalties, as adjusted for inflation, and tables.

**AUTHORITY:** Pub. L. 101-410, Oct. 5, 1990, 104 Stat. 890, as amended by Pub. L. 104-134, title III, sec. 31001(s)(1), Apr. 26, 1996, 110 Stat. 1321-373; Pub. L. 105-362, title XIII, sec. 1301(a), Nov. 10, 1998, 112 Stat. 3293; Pub. L. 114-74, title VII, sec. 701(b), Nov. 2, 2015, 129 Stat. 599.

**SOURCE:** 73 FR 75345, Dec. 11, 2008, unless otherwise noted.

#### § 19.1 Applicability.

This part applies to each statutory provision under the laws administered by the Environmental Protection Agency concerning the civil monetary penalties which may be assessed in ei-

ther civil judicial or administrative proceedings.

#### § 19.2 Effective date.

(a) The statutory civil monetary penalty levels set forth in the third column of Table 1 of § 19.4 apply to all violations which occur or occurred after November 2, 2015, where the penalties are assessed on or after January 6, 2023. The statutory civil monetary penalty levels set forth in the fourth column of Table 1 of § 19.4 apply to all violations which occurred after November 2, 2015, where the penalties were assessed on or after January 12, 2022, but before January 6, 2023.

(b) The statutory monetary penalty levels in the third column of Table 2 to § 19.4 apply to all violations which occurred after December 6, 2013 through November 2, 2015, and to violations occurring after November 2, 2015, where penalties were assessed before August 1, 2016. The statutory civil monetary penalty levels set forth in the fourth column of Table 2 of § 19.4 apply to all violations which occurred after January 12, 2009 through December 6, 2013. The statutory civil monetary penalty levels set forth in the fifth column of Table 2 of § 19.4 apply to all violations which occurred after March 15, 2004 through January 12, 2009. The statutory civil monetary penalty levels set forth in the sixth column of Table 2 of § 19.4 apply to all violations which occurred after January 30, 1997 through March 15, 2004.

[88 FR 988, Jan. 6, 2023]

#### § 19.3 [Reserved]

#### § 19.4 Statutory civil monetary penalties, as adjusted for inflation, and tables.

Table 1 of this section sets out the statutory civil monetary penalty provisions of statutes administered by the EPA, with the third column setting out the latest operative statutory civil monetary penalty levels for violations that occur or occurred after November 2, 2015, where penalties are assessed on or after January 6, 2023. The fourth column displays the operative statutory civil monetary penalty levels where penalties were assessed on or after January 12, 2022, but before January 6,

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2023. Table 2 of this section sets out the statutory civil monetary penalty provision of statutes administered by the EPA, with the operative statutory civil monetary penalty levels, as adjusted

for inflation, for violations that occurred on or before November 2, 2015, and for violations that occurred after November 2, 2015, where penalties were assessed before August 1, 2016.

TABLE 1 OF § 19.4—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS

U.S. Code citation	Environmental statute	Statutory civil monetary penalties for violations that occur or occurred after November 2, 2015, where penalties are assessed on or after January 6, 2023	Statutory civil monetary penalties for violations that occurred after November 2, 2015, where penalties were assessed on or after January 12, 2022, but before January 6, 2023	Statutory civil monetary penalties, as enacted
7 U.S.C. 136(a)(1)	FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA).	\$23,494	\$21,805	\$5,000
7 U.S.C. 136(a)(2) <sup>1</sup>	FIFRA	3,446/2,221/3,446	3,198/2,061/3,198	1,000/500/1,000
15 U.S.C. 2615(a)(1)	TOXIC SUBSTANCES CONTROL ACT (TSCA).	46,989	43,611	25,000
15 U.S.C. 2647(a)	TSCA	13,508	12,537	5,000
15 U.S.C. 2647(g)	TSCA	11,162	10,360	5,000
31 U.S.C. 3802(a)(1)	PROGRAM FRAUD CIVIL REMEDIES ACT (PFCRA).	13,508	12,537	5,000
31 U.S.C. 3802(a)(2)	PFCRA	13,508	12,537	5,000
33 U.S.C. 1319(d)	CLEAN WATER ACT (CWA)	64,618	59,973	25,000
33 U.S.C. 1319(g)(2)(A)	CWA	25,847/64,618	23,989/59,973	10,000/25,000
33 U.S.C. 1319(g)(2)(B)	CWA	25,847/323,081	23,989/299,857	10,000/125,000
33 U.S.C. 1321(b)(6)(B)(i)	CWA	22,324/55,808	20,719/51,796	10,000/25,000
33 U.S.C. 1321(b)(6)(B)(ii)	CWA	22,324/279,036	20,719/258,978	10,000/125,000
33 U.S.C. 1321(b)(7)(A)	CWA	55,808/2,232	51,796/2,072	25,000/1,000
33 U.S.C. 1321(b)(7)(B)	CWA	55,808	51,796	25,000
33 U.S.C. 1321(b)(7)(C)	CWA	55,808	51,796	25,000
33 U.S.C. 1321(b)(7)(D)	CWA	223,229/6,696	207,183/6,215	100,000/3,000
33 U.S.C. 1414b(d)(1)(A)	MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT (MPRSA).	1,487	1,380	600
33 U.S.C. 1415(a)	MPRSA	234,936/309,909	218,048/287,632	50,000/125,000
33 U.S.C. 1901 note (see 1409(a)(2)(A)).	CERTAIN ALASKAN CRUISE SHIP OPERATIONS (CACSO).	17,128/42,818	15,897/39,740	10,000/25,000
33 U.S.C. 1901 note (see 1409(a)(2)(B)).	CACSO	17,128/214,087	15,897/198,698	10,000/125,000
33 U.S.C. 1901 note (see 1409(b)(1)).	CACSO	42,818	39,740	25,000
33 U.S.C. 1908(b)(1)	ACT TO PREVENT POLLUTION FROM SHIPS (APPS).	87,855	81,540	25,000
33 U.S.C. 1908(b)(2)	APPS	17,570	16,307	5,000
42 U.S.C. 300g–3(b)	SAFE DRINKING WATER ACT (SDWA).	67,544	62,689	25,000
42 U.S.C. 300g–3(g)(3)(A)	SDWA	67,544	62,689	25,000
42 U.S.C. 300g–3(g)(3)(B)	SDWA	13,508/47,061	12,537/43,678	5,000/25,000
42 U.S.C. 300g–3(g)(3)(C)	SDWA	47,061	43,678	25,000
42 U.S.C. 300h–2(b)(1)	SDWA	67,544	62,689	25,000
42 U.S.C. 300h–2(c)(1)	SDWA	27,018/337,725	25,076/313,448	10,000/125,000
42 U.S.C. 300h–2(c)(2)	SDWA	13,508/337,725	12,537/313,448	5,000/125,000
42 U.S.C. 300h–3(c)	SDWA	23,494/50,120	21,805/46,517	5,000/10,000
42 U.S.C. 300i(b)	SDWA	28,239	26,209	15,000
42 U.S.C. 300i–1(c)	SDWA	164,373/1,643,738	152,557/1,525,582	100,000/1,000,000
42 U.S.C. 300j(e)(2)	SDWA	11,746	10,902	2,500
42 U.S.C. 300j–4(c)	SDWA	67,544	62,689	25,000
42 U.S.C. 300j–6(b)(2)	SDWA	47,061	43,678	25,000
42 U.S.C. 300j–23(d)	SDWA	12,397/123,965	11,506/115,054	5,000/50,000
42 U.S.C. 4852d(b)(5)	RESIDENTIAL LEAD-BASED PAINT HAZARD REDUCTION ACT OF 1992.	21,018	19,507	10,000

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TABLE 1 OF § 19.4—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS—Continued

U.S. Code citation	Environmental statute	Statutory civil monetary penalties for violations that occur or occurred after November 2, 2015, where penalties are assessed on or after January 6, 2023	Statutory civil monetary penalties for violations that occurred after November 2, 2015, where penalties were assessed on or after January 12, 2022, but before January 6, 2023	Statutory civil monetary penalties, as enacted
42 U.S.C. 4910(a)(2)	NOISE CONTROL ACT OF 1972.	44,411	41,219	10,000
42 U.S.C. 6928(a)(3)	RESOURCE CONSERVATION AND RECOVERY ACT (RCRA).	117,468	109,024	25,000
42 U.S.C. 6928(c)	RCRA	70,752	65,666	25,000
42 U.S.C. 6928(g)	RCRA	87,855	81,540	25,000
42 U.S.C. 6928(h)(2)	RCRA	70,752	65,666	25,000
42 U.S.C. 6934(e)	RCRA	17,570	16,307	5,000
42 U.S.C. 6973(b)	RCRA	17,570	16,307	5,000
42 U.S.C. 6991e(a)(3)	RCRA	70,752	65,666	25,000
42 U.S.C. 6991e(d)(1)	RCRA	28,304	26,269	10,000
42 U.S.C. 6991e(d)(2)	RCRA	28,304	26,269	10,000
42 U.S.C. 7413(b)	CLEAN AIR ACT (CAA)	117,468	109,024	25,000
42 U.S.C. 7413(d)(1)	CAA	55,808/446,456	51,796/414,364	25,000/200,000
42 U.S.C. 7413(d)(3)	CAA	11,162	10,360	5,000
42 U.S.C. 7524(a)	CAA	55,808/5,580	51,796/5,179	25,000/2,500
42 U.S.C. 7524(c)(1)	CAA	446,456	414,364	200,000
42 U.S.C. 7545(d)(1)	CAA	55,808	51,796	25,000
42 U.S.C. 9604(e)(5)(B)	COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA).	67,544	62,689	25,000
42 U.S.C. 9606(b)(1)	CERCLA	67,544	62,689	25,000
42 U.S.C. 9609(a)(1)	CERCLA	67,544	62,689	25,000
42 U.S.C. 9609(b)	CERCLA	67,544/202,635	62,689/188,069	25,000/75,000
42 U.S.C. 9609(c)	CERCLA	67,544/202,635	62,689/188,069	25,000/75,000
42 U.S.C. 11045(a)	EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA).	67,544	62,689	25,000
42 U.S.C. 11045(b)(1)(A)	EPCRA	67,544	62,689	25,000
42 U.S.C. 11045(b)(2)	EPCRA	67,544/202,635	62,689/188,069	25,000/75,000
42 U.S.C. 11045(b)(3)	EPCRA	67,544/202,635	62,689/188,069	25,000/75,000
42 U.S.C. 11045(c)(1)	EPCRA	67,544	62,689	25,000
42 U.S.C. 11045(c)(2)	EPCRA	27,018	25,076	10,000
42 U.S.C. 11045(d)(1)	EPCRA	67,544	62,689	25,000
42 U.S.C. 14304(a)(1)	MERCURY-CONTAINING AND RECHARGEABLE BATTERY MANAGEMENT ACT (BATTERY ACT).	18,827	17,474	10,000
42 U.S.C. 14304(g)	BATTERY ACT	18,827	17,474	10,000

<sup>1</sup>Note that 7 U.S.C. 136(a)(2) contains three separate statutory maximum civil penalty provisions. The first mention of 1,000 and the 500 statutory maximum civil penalty amount were originally enacted in 1978 (Pub. L. 95-396), and the second mention of 1,000 was enacted in 1972 (Pub. L. 92-516).

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TABLE 2 OF § 19.4—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS

U.S. Code citation	Environmental statute	Statutory civil penalties for violations after December 6, 2013 through November 2, 2015, or assessed before August 1, 2016	Statutory civil penalties for violations after January 12, 2009 through December 6, 2013	Statutory civil penalties for violations after March 15, 2004 through January 12, 2009	Statutory civil penalties for violations after January 30, 1997 through March 15, 2004	Statutory civil penalties, as enacted
7 U.S.C. 136/(a)(1)	FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA).	\$7,500	\$7,500	\$6,500	\$5,500	\$5,000
7 U.S.C. 136/(a)(2)	FIFRA .....	750/1,100	750/1,100	650/1,100	550/1,000	500/1,000
15 U.S.C. 2615(a)(1).	TOXIC SUBSTANCES CONTROL ACT (TSCA).	37,500	37,500	32,500	27,500	25,000
15 U.S.C. 2647(a)	TSCA .....	7,500	7,500	6,500	5,500	5,000
15 U.S.C. 2647(g)	TSCA .....	7,500	7,500	5,500	5,000	5,000
31 U.S.C. 3802(a)(1).	PROGRAM FRAUD CIVIL REMEDIES ACT (PFCRA).	7,500	7,500	6,500	5,500	5,000
31 U.S.C. 3802(a)(2).	PFCRA .....	7,500	7,500	6,500	5,500	5,000
33 U.S.C. 1319(d)	CLEAN WATER ACT (CWA).	37,500	37,500	32,500	27,500	25,000
33 U.S.C. 1319(g)(2)(A).	CWA .....	16,000/37,500	16,000/37,500	11,000/32,500	11,000/27,500	10,000/25,000
33 U.S.C. 1319(g)(2)(B).	CWA .....	16,000/187,500	16,000/177,500	11,000/157,500	11,000/137,500	10,000/125,000
33 U.S.C. 1321(b)(6)(B)(i).	CWA .....	16,000/37,500	16,000/37,500	11,000/32,500	11,000/27,500	10,000/25,000
33 U.S.C. 1321(b)(6)(B)(ii).	CWA .....	16,000/187,500	16,000/177,500	11,000/157,500	11,000/137,500	10,000/125,000
33 U.S.C. 1321(b)(7)(A).	CWA .....	37,500/2,100	37,500/1,100	32,500/1,100	27,500/1,100	25,000/1,000
33 U.S.C. 1321(b)(7)(B).	CWA .....	37,500	37,500	32,500	27,500	25,000
33 U.S.C. 1321(b)(7)(C).	CWA .....	37,500	37,500	32,500	27,500	25,000
33 U.S.C. 1321(b)(7)(D).	CWA .....	150,000/5,300	140,000/4,300	130,000/4,300	110,000/3,300	100,000/3,000
33 U.S.C. 1414b(d)(1) <sup>1</sup> .	MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT (MPRSA).	860	860	760	660	600
33 U.S.C. 1415(a)	MPRSA .....	75,000/187,500	70,000/177,500	65,000/157,500	55,000/137,500	50,000/125,000
33 U.S.C. 1901 note (see 1409(a)(2)(A)).	CERTAIN ALASKAN CRUISE SHIP OPERATIONS (CACSO).	11,000/27,500	11,000/27,500	10,000/25,000	10,000/ <sup>2</sup> 25,000	10,000/25,000
33 U.S.C. 1901 note (see 1409(a)(2)(B)).	CACSO .....	11,000/147,500	11,000/137,500	10,000/125,000	10,000/125,000	10,000/125,000
33 U.S.C. 1901 note (see 1409(b)(1)).	CACSO .....	27,500	27,500	25,000	25,000	25,000
42 U.S.C. 300g–3(b).	SAFE DRINKING WATER ACT (SDWA).	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 300g–3(g)(3)(A).	SDWA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 300g–3(g)(3)(B).	SDWA .....	7,000/32,500	7,000/32,500	6,000/27,500	5,000/25,000	5,000/25,000
42 U.S.C. 300g–3(g)(3)(C).	SDWA .....	32,500	32,500	27,500	25,000	25,000

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TABLE 2 OF § 19.4—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS—Continued

U.S. Code citation	Environmental statute	Statutory civil penalties for violations after December 6, 2013 through November 2, 2015, or assessed before August 1, 2016	Statutory civil penalties for violations after January 12, 2009 through December 6, 2013	Statutory civil penalties for violations after March 15, 2004 through January 12, 2009	Statutory civil penalties for violations after January 30, 1997 through March 15, 2004	Statutory civil penalties, as enacted
42 U.S.C. 300h-2(b)(1).	SDWA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 300h-2(c)(1).	SDWA .....	16,000/ 187,500	16,000/ 177,500	11,000/ 157,500	11,000/ 137,500	10,000/ 125,000
42 U.S.C. 300h-2(c)(2).	SDWA .....	7,500/187,500	7,500/177,500	6,500/157,500	5,500/137,500	5,000/125,000
42 U.S.C. 300h-3(c).	SDWA .....	7,500/16,000	7,500/16,000	6,500/11,000	5,500/11,000	5,000/10,000
42 U.S.C. 300i(b) ..	SDWA .....	21,500	16,500	16,500	15,000	15,000
42 U.S.C. 300i-1(c)	SDWA .....	120,000/ 1,150,000	110,000/ 1,100,000	100,000/ 1,000,000	22,000/ <sup>3</sup> 55,000	20,000/50,000
42 U.S.C. 300j(e)(2).	SDWA .....	3,750	3,750	2,750	2,750	2,500
42 U.S.C. 300j-4(c)	SDWA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 300j-6(b)(2).	SDWA .....	32,500	32,500	27,500	25,000	25,000
42 U.S.C. 300j-23(d).	SDWA .....	7,500/75,000	7,500/70,000	6,500/65,000	5,500/55,000	5,000/50,000
42 U.S.C. 4852d(b)(5).	RESIDENTIAL LEAD-BASED PAINT HAZARD REDUCTION ACT OF 1992.	16,000	16,000	11,000	11,000	10,000
42 U.S.C. 4910(a)(2).	NOISE CONTROL ACT OF 1972.	16,000	16,000	11,000	11,000	10,000
42 U.S.C. 6928(a)(3).	RESOURCE CONSERVATION AND RECOVERY ACT (RCRA).	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 6928(c)	RCRA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 6928(g)	RCRA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 6928(h)(2).	RCRA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 6934(e)	RCRA .....	7,500	7,500	6,500	5,500	5,000
42 U.S.C. 6973(b)	RCRA .....	7,500	7,500	6,500	5,500	5,000
42 U.S.C. 6991e(a)(3).	RCRA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 6991e(d)(1).	RCRA .....	16,000	16,000	11,000	11,000	10,000
42 U.S.C. 6991e(d)(2).	RCRA .....	16,000	16,000	11,000	11,000	10,000
42 U.S.C. 7413(b)	CLEAN AIR ACT (CAA).	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 7413(d)(1).	CAA .....	37,500/ 320,000	37,500/ 295,000	32,500/ 270,000	27,500/ 220,000	25,000/ 200,000
42 U.S.C. 7413(d)(3).	CAA .....	7,500	7,500	6,500	5,500	5,000
42 U.S.C. 7524(a)	CAA .....	3,750/37,500	3,750/37,500	2,750/32,500	2,750/27,500	2,500/25,000
42 U.S.C. 7524(c)(1).	CAA .....	320,000	295,000	270,000	220,000	200,000
42 U.S.C. 7545(d)(1).	CAA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 9604(e)(5)(B).	COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA).	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 9606(b)(1).	CERCLA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 9609(a)(1).	CERCLA .....	37,500	37,500	32,500	27,500	25,000

TABLE 2 OF § 19.4—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS—Continued

U.S. Code citation	Environmental statute	Statutory civil penalties for violations after December 6, 2013 through November 2, 2015, or assessed before August 1, 2016	Statutory civil penalties for violations after January 12, 2009 through December 6, 2013	Statutory civil penalties for violations after March 15, 2004 through January 12, 2009	Statutory civil penalties for violations after January 30, 1997 through March 15, 2004	Statutory civil penalties, as enacted
42 U.S.C. 9609(b)	CERCLA .....	37,500/ 117,500	37,500/ 107,500	32,500/97,500	27,500/82,500	25,000/75,000
42 U.S.C. 9609(c)	CERCLA .....	37,500/ 117,500	37,500/ 107,500	32,500/97,500	27,500/82,500	25,000/75,000
42 U.S.C. 11045(a)	EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA).	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 11045(b)(1)(A) <sup>4</sup> .	EPCRA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 11045(b)(2).	EPCRA .....	37,500/ 117,500	37,500/ 107,500	32,500/97,500	27,500/82,500	25,000/75,000
42 U.S.C. 11045(b)(3).	EPCRA .....	37,500/ 117,500	37,500/ 107,500	32,500/97,500	27,500/82,500	25,000/75,000
42 U.S.C. 11045(c)(1).	EPCRA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 11045(c)(2).	EPCRA .....	16,000	16,000	11,000	11,000	10,000
42 U.S.C. 11045(d)(1).	EPCRA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 14304(a)(1).	MERCURY-CONTAINING AND RECHARGEABLE BATTERY MANAGEMENT ACT (BATTERY ACT).	16,000	16,000	11,000	10,000	10,000
42 U.S.C. 14304(g)	BATTERY ACT .....	16,000	16,000	11,000	10,000	10,000

<sup>1</sup>Note that 33 U.S.C. 1414b (d)(1)(B) contains additional penalty escalation provisions that must be applied to the penalty amounts set forth in this Table 2. The amounts set forth in this Table 2 reflect an inflation adjustment to the calendar year 1992 penalty amount expressed in section 104B(d)(1)(A), which is used to calculate the applicable penalty amount under MPRSA section 104B(d)(1)(B) for violations that occur in any subsequent calendar year.

<sup>2</sup>CACSO was passed on December 21, 2000 as part of Title XIV of the Consolidated Appropriations Act of 2001, Public Law 106-554, 33 U.S.C. 1901 note.

<sup>3</sup>The original statutory penalty amounts of \$20,000 and \$50,000 under section 1432(c) of the SDWA, 42 U.S.C. 300i-1(c), were subsequently increased by Congress pursuant to section 403 of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, Public Law 107-188 (June 12, 2002), to \$100,000 and \$1,000,000, respectively. The EPA did not adjust these new penalty amounts in its 2004 Civil Monetary Penalty Inflation Adjustment Rule ("2004 Rule"), published on February 13, 2004, because they had gone into effect less than two years prior to the 2004 Rule.

<sup>4</sup>Consistent with how the EPA's other penalty authorities are displayed under this section, this Table 2 now delineates, on a subpart-by-subpart basis, the penalty authorities enumerated under section 325(b) of EPCRA, 42 U.S.C. 11045(b) (i.e., 42 U.S.C. 11045(b)(1)(A), (b)(2), and (b)(3)).

[85 FR 1753, Jan. 13, 2020, as amended at 85 FR 83820, Dec. 23, 2020; 87 FR 1678, Jan. 12, 2022; 88 FR 988, Jan. 6, 2023]

20.8 Requirements for certification.  
20.9 Cost recovery.  
20.10 Revocation.

**PART 20—CERTIFICATION OF FACILITIES**

APPENDIX A TO PART 20—GUIDELINES FOR CERTIFICATION

AUTHORITY: Secs. 301, 704, 80 Stat. 379, 83 Stat. 667; 5 U.S.C. 301, 26 U.S.C. 169.

SOURCE: 36 FR 22382, Nov. 25, 1971, unless otherwise noted.

- Sec.
- 20.1 Applicability.
- 20.2 Definitions.
- 20.3 General provisions.
- 20.4 Notice of intent to certify.
- 20.5 Applications.
- 20.6 State certification.
- 20.7 General policies.

**§ 20.1 Applicability.**

The regulations of this part apply to certifications by the Administrator of water or air pollution control facilities