



Application Form for State Certification of Activities Requiring a U.S. Army Corps of Engineers General or Nationwide Permit

Instructions for Using this Form:

This form is for State Certification (§ 401 water quality certification) of Activities Requiring a U.S. Army Corps of Engineers (USACE) General or Nationwide Permit. Please note the new information required for a § 401 certification request below. The items that are greyed-out are found on the USACE Pre-Construction Notification (PCN) Form or a Regional General Permit Concurrence Form and should be completed before submitting to ADEQ. The rest of the requirements on this form should be completed and submitted to ADEQ with the completed USACE PCN Form.

Certification Request [Title 40 Part 121.5]:

- a. A certification request shall be submitted to the certifying authority and to the Federal agency concurrently.
- b. A certification request for an individual license or permit shall...
- c. A certification request for issuance of a general license or permit shall:
 1. Identify the project proponent(s) and a point of contact;
 2. Identify the proposed categories of activities to be authorized by the general license or permit for which certification is requested;
 3. Include the draft or proposed general license or permit;
 4. Estimate the number of discharges expected to be authorized by the proposed general license or permit each year;
 5. Include documentation that a pre-filing meeting request was submitted to the certifying authority at least 30 days prior to submitting the certification request;
 6. Contain the following statement: *'The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief';* and
 7. Contain the following statement: *'The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.'*

§121.1 Definitions:

- a. *Administrator* means the Administrator of the Environmental Protection Agency or an authorized representative.
- b. *Certification* means a water quality certification issued in accordance with Clean Water Act section 401 and this part.
- c. *Certification request* means a written, signed, and dated communication that satisfies the requirements of §121.5(b) or (c).
- d. *Certified project* means a proposed project that has received a certification or for which the certification requirement has been waived.
- e. *Certifying authority* means the agency responsible for certifying compliance with applicable water quality requirements in accordance with Clean Water Act section 401.
- f. *Discharge* for purposes of this part means a discharge from a point source into a water of the United States.
- g. *Federal agency* means any agency of the Federal Government to which application is made for a license or permit that is subject to Clean Water Act section 401.
- h. *License or permit* means any license or permit granted by an agency of the Federal Government to conduct any activity which may result in a discharge.
- i. *Neighboring jurisdiction* means any other state or authorized tribe whose water quality the Administrator determines may be affected by a discharge for which a certification is granted pursuant to Clean Water Act section 401 and this part.
- j. *Project proponent* means the applicant for a license or permit or the entity seeking certification.
- k. *Proposed project* means the activity or facility for which the project proponent has applied for a license or permit.
- l. *Reasonable period of time* means the time period during which a certifying authority may act on a certification request, established in accordance with §121.6 of this part.
- m. *Receipt* means the date that a certification request is documented as received by a certifying authority in accordance with applicable submission procedures.
- n. *Water quality requirements* means applicable provisions of § 301, 302, 303, 306, and 307 of the Clean Water Act, and state or tribal regulatory requirements for point source discharges into waters of the United States.



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Date: Date of 30-Day Pre-Filing Meeting Request:
Project Name: Note - the applicant must request a pre-filing meeting with ADEQ 30-days before submitting an application. ADEQ is not obligated to attend a meeting. See 40 CFR 121.4.
Project Proponent Company Name: Was a Pre-Filing Meeting Held: Yes No
Project Proponent Contact Name: Date of Pre-Filing Meeting:

Identify the proposed categories of activities to be authorized by the general license or permit for which certification is requested:

Nationwide Permit No.:
Regional General Permit No.:
Other General License or Permit:

Is the draft or proposed general license or permit included with this form? Yes No

If no, what is the reason?

Estimate the number of discharges expected to be authorized by the proposed general license or permit each year:

Certification Request Signature:

The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief; and

The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.

Project Proponent Signature: Date: