



## Application Form for State Certification of Activities Requiring a Federal License or Permit

### Instructions for Using this Form:

This form is for State Certification (§ 401 water quality certification) of Activities Requiring a Federal License or Permit (not for use with a USACE Permit). Please note the new information required for a § 401 certification request below. The requirements on this form should be completed and submitted to ADEQ.

### 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:
  1. Identify the project proponent(s) and a point of contact;
  2. Identify the proposed project;
  3. Identify the applicable federal license or permit;
  4. Identify the location and nature of any potential discharge that may result from the proposed project and the location of receiving waters;
  5. Include a description of any methods and means proposed to monitor the discharge and the equipment or measures planned to treat, control, or manage the discharge;
  6. Include a list of all other federal, interstate, tribal, state, territorial, or local agency authorizations required for the proposed project, including all approvals or denials already received;
  7. Include documentation that a pre-filing meeting request was submitted to the certifying authority at least 30 days prior to submitting the certification request;
  8. 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
  9. 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: \_\_\_\_\_

Please complete the following. Additional documentation may be submitted to fulfill the requirements, however, please reference the document(s) name and date in the appropriate spaces below.

Identify the proposed project:

Identify the applicable federal license or permit:

Identify the location and nature of any potential discharge that may result from the proposed project and the location of receiving waters:

Include a description of any methods and means proposed to monitor the discharge and the equipment or measures planned to treat, control, or manage the discharge:

Include a list of all other federal, interstate, tribal, state, territorial, or local agency authorizations required for the proposed project, including all approvals or denials already received:

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: \_\_\_\_\_