

that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

(b) The Director shall provide public notice and an opportunity for public comment in accordance with the procedures in §124.10 of the intent to approve or deny a petition. The final decision on a petition will be published in the FEDERAL REGISTER.

(c) If an exemption is granted it will apply only to the underground injection of the specific restricted waste or wastes identified in the petition into a Class I hazardous waste injection well or wells specifically identified in the petition (unless the exemption is modified or reissued pursuant to §148.20(e) or (f)).

(d) Upon request by any petitioner who obtains an exemption for a well under this subpart, the Director shall initiate and reasonably expedite the necessary procedures to issue or reissue a permit or permits for the hazardous waste well or wells covered by the exemption for a term not to exceed ten years.

§ 148.23 Review of exemptions granted pursuant to a petition.

(a) When considering whether to reissue a permit for the operation of a Class I hazardous waste injection well, the Director shall review any petition filed pursuant to §148.20 and require a new demonstration if information shows that the basis for granting the exemption may no longer be valid.

(b) Whenever the Director determines that the basis for approval of a petition may no longer be valid, the Director shall require a new demonstration in accordance with §148.20.

§ 148.24 Termination of approved petition.

(a) The Director may terminate an exemption granted under §148.20 for the following causes:

(1) Noncompliance by the petitioner with any condition of the exemption;

(2) The petitioner's failure in the petition or during the review and approval to disclose fully all relevant facts, or the petitioner's misrepresentation of any relevant facts at any time; or

(3) A determination that new information shows that the basis for approval of the petition is no longer valid.

(b) The Director shall terminate an exemption granted under §148.20 for the following causes:

(1) The petitioner's willful withholding during the review and approval of the petition of facts directly and materially relevant to the Director's decision on the petition;

(2) A determination that there has been migration from the injection zone or the well that is not in accordance with the terms of the exemption, except that the Director may at his discretion decide not to terminate where:

(i) The migration resulted from a mechanical failure of the well that can be corrected promptly through a repair to the injection well itself or from an undetected well or conduit that can be plugged promptly; and

(ii) The requirements of §146.67(i) are satisfied.

(c) The Director shall follow the procedures in §124.5 in terminating any exemption under this section.

PART 149—SOLE SOURCE AQUIFERS

Subpart A—Criteria for Identifying Critical Aquifer Protection Areas

Sec.

- 149.1 Purpose.
- 149.2 Definitions.
- 149.3 Critical Aquifer Protection Areas.

Subpart B—Review of Projects Affecting the Edwards Underground Reservoir, A Designated Sole Source Aquifer in the San Antonio, Texas Area

- 149.100 Applicability.
- 149.101 Definitions.
- 149.102 Project review authority.
- 149.103 Public information.
- 149.104 Submission of petitions.
- 149.105 Decision to review.
- 149.106 Notice of review.
- 149.107 Request for information.
- 149.108 Public hearing.
- 149.109 Decision under section 1424(e).
- 149.110 Resubmittal of redesigned projects.
- 149.111 Funding to redesigned projects.

AUTHORITY: Sec. 1424(e), Safe Drinking Water Act (42 U.S.C. 300h-3(e)); sec. 1427 of the Safe Drinking Water Act, (42 U.S.C. 300h-6).