

## Responsible Official (RO) Definitions for Air and Watershed Protection

The definition of Responsible Official used by the Air Protection Branch is from 40 CFR 70.2:

Responsible official means one of the following:

- 1) For a corporation: a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:
    - i. The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or
    - ii. The delegation of authority to such representatives is approved in advance by the permitting authority;
  - 2) For a partnership or sole proprietorship: a general partner or the proprietor, respectively;
  - 3) For a municipality, State, Federal, or other public agency: Either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of EPA); or
  - 4) For affected sources:
    - i. The designated representative in so far as actions, standards, requirements, or prohibitions under title IV of the Act or the regulations promulgated thereunder are concerned; and
    - ii. The designated representative for any other purposes under part 70.
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The definition of Responsible Official used by the Water Protection Branch is from 40 CFR 122.22:

Responsible official means one of the following:

- 1) For a corporation. By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
  - i. a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or
  - ii. the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- 2) For a partnership or sole proprietorship: a general partner or the proprietor, respectively;
- 3) For a municipality, State, Federal, or other public agency: Either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes:
  - i. the chief executive officer of the agency, or
  - ii. a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA)

## Definitions of Responsible Party for Land Protection Branch

**Solid Waste Management Program Responsible Official (RO) means one of the following:**

Tire Management Unit

Owner/Operator/Consultant/CPA/Designee

Surface Mining Unit

Owner/Operator/Consultant

Solid Waste Permitting, Environmental Monitoring, and Recovered Materials

- 1) For a corporation. By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
  - i. president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or
  - ii. the manager of one or more regulated facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- 2) For a partnership or sole proprietorship: a general partner or the proprietor, respectively;
- 3) For a municipality, State, Federal, or other public agency: Either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a municipality, State, Federal or other public agency includes, but is not limited to:
  - i. the chief executive officer of the entity, or
  - ii. a senior executive officer having responsibility for the overall operations of a principal Departmental unit of the entity (e.g., Director of Public Works, Director of Sanitation, etc.)
- 4) The designated representative delegated with such authority and approved in advance by the Division.

**Underground Storage Tank Program Responsible Official (RO) Means:**

The UST Responsible Official is the individual or company responsible for registering their tank system, maintaining compliance of their UST system, and conducting corrective action in the case of a release. In most cases, the responsible official will be a current or former UST owner or operator. However, when the owner or operator is not viable or unable, the RO can be any individual or company (state contractor, project officer, property owner, etc.) the Program acknowledges to submit electronic documents on behalf of the tank owner or operator.