

**PART 223—CONTENTS OF PERMITS; REVISION, REVOCATION OR LIMITATION OF OCEAN DUMPING PERMITS UNDER SECTION 104(d) OF THE ACT**

**Subpart A—Contents of Ocean Dumping Permits Issued Under Section 102 of the Act**

Sec.

223.1 Contents of special, interim, emergency, general and research permits; posting requirements.

**Subpart B—Procedures for Revision, Revocation or Limitation of Ocean Dumping Permits Under Section 104(d) of the Act**

223.2 Scope of these rules.

223.3 Preliminary determination; notice.

223.4 Request for, scheduling and conduct of public hearing; determination.

223.5 Request for, scheduling and conduct of adjudicatory hearing; determination.

AUTHORITY: Secs. 102, 104, 107, 108, Marine Protection Research, and Sanctuaries Act of 1972, as amended (33 U.S.C. 1412, 1414, 1417, 1418)

SOURCE: 42 FR 60702, Nov. 28, 1977, unless otherwise noted.

**Subpart A—Contents of Ocean Dumping Permits Issued Under Section 102 of the Act**

**§ 223.1 Contents of special, interim, emergency, general and research permits; posting requirements.**

(a) All special, interim, emergency and research permits shall be displayed on the vessel engaged in dumping and shall include the following:

- (1) Name of permittee;
- (2) Means of conveyance and methods and procedures for release of the materials to be dumped;
- (3) The port through or from which such material will be transported for dumping;
- (4) A description of relevant physical and chemical properties of the materials to be dumped;
- (5) The quantity of the material to be dumped expressed in tons;
- (6) The disposal site;
- (7) The times at which the permitted dumping may occur and the effective date and expiration date of the permit;

(8) Special provisions which, after consultation with the Coast Guard, are deemed necessary for monitoring or surveillance of the transportation or dumping;

(9) Such monitoring relevant to the assessment of the impact of permitted dumping activities on the marine environment at the disposal site as the Administrator or Regional Administrator, as the case may be, determine to be necessary or appropriate; and

(10) Any other terms and conditions determined by the Administrator, or Regional Administrator, as the case may be, to be necessary or appropriate, including, without limitation, release procedures and requirements for the continued investigation or development of alternatives to ocean dumping.

(b) General permits shall contain such terms and conditions as the Administrator deems necessary or appropriate.

(c) Interim permits shall, in addition to the information required or permitted to be included in the permit pursuant to paragraph (a) of this section, include terms and conditions which satisfy the requirements of §§ 220.3(d) and 227.8.

**Subpart B—Procedures for Revision, Revocation or Limitation of Ocean Dumping Permits Under Section 104(d) of the Act**

**§ 223.2 Scope of these rules.**

(a) These rules of practice shall govern all proceedings under section 104(d) of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended (33 U.S.C. 1414(d)), to revise, revoke or limit the terms and conditions of any permit issued pursuant to section 102 of the Act. Section 104(d) provides that "the Administrator \* \* \* may limit or deny the issuance of permits, or he may alter or revoke partially or entirely the terms of permits issued by him under this title, for the transportation for dumping, or for the dumping, or both of specified materials or classes of materials, where he finds that such