

**PART 223—CONTENTS OF PERMITS;
REVISION, REVOCATION OR LIM-
ITATION 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, emer-
gency, general and research permits;
posting requirements.

**Subpart B—Procedures for Revision, Rev-
ocation or Limitation of Ocean Dump-
ing 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 mate-
rials 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 mate-
rials 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 envi-
ronment at the disposal site as the Ad-
ministrator 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 develop-
ment of alternatives to ocean dumping.

(b) General permits shall contain
such terms and conditions as the Ad-
ministrator deems necessary or appro-
priate.

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

**Subpart B—Procedures for Revi-
sion, 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 gov-
ern all proceedings under section 104(d)
of the Marine Protection, Research,
and Sanctuaries Act of 1972, as amend-
ed (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 transpor-
tation for dumping, or for the dumping,
or both of specified materials or classes
of materials, where he finds that such