

§ 670.30 [Reserved]

Subpart G—Import Into and Export From the United States**§ 670.31 Specific issuance criteria for imports.**

Subject to compliance with other applicable law, any person who takes a native mammal, bird, or plant under a permit issued under the regulations in this part may import it into the United States unless the Director finds that the importation would not further the purpose for which it was taken. If the importation is for a purpose other than that for which the native mammal, bird, or plant was taken, the Director may permit importation upon a finding that importation would be consistent with the purposes of the Act, the regulations in this part, or the permit under which they were taken.

§ 670.32 Specific issuance criteria for exports.

The Director may permit export from the United States of any native mammal, bird, or native plants taken within Antarctica upon a finding that exportation would be consistent with the purposes of the Act, the regulations in this part, or the permit under which they were taken.

§ 670.33 Content of permit applications.

In addition to the information required in subpart C of this part, an applicant seeking a permit to import into or export from the United States a native mammal, a native bird, or native plants taken within Antarctica shall include the following in the application:

- (a) Information demonstrating that the import or export would further the purposes for which the species was taken;
- (b) Information demonstrating that the import or export is consistent with the purposes of the Act or the regulations in this part;
- (c) A statement as to which U.S. port will be used for the import or export, and
- (d) Information describing the intended ultimate disposition of the imported or exported item.

§ 670.34 Entry and exit ports.

(a) Any native mammal, native bird, or native plants taken within Antarctica that are imported into or exported from the United States must enter or leave the United States at ports designated by the Secretary of Interior in 50 CFR part 14. The ports currently designated are:

- (1) Los Angeles, California.
- (2) San Francisco, California.
- (3) Miami, Florida.
- (4) Honolulu, Hawaii.
- (5) Chicago, Illinois.
- (6) New Orleans, Louisiana.
- (7) New York, New York.
- (8) Seattle, Washington.
- (9) Dallas/Fort Worth, Texas.
- (10) Portland, Oregon.
- (11) Baltimore, Maryland.
- (12) Boston, Massachusetts.
- (13) Atlanta, Georgia.

(b) Permits to import or export at non-designated ports may be sought from the Secretary of Interior pursuant to subpart C, 50 CFR part 14.

§ 670.35 [Reserved]

Subpart H—Introduction of Non-Indigenous Plants and Animals**§ 670.36 Specific issuance criteria.**

For purposes consistent with the Act, only the following plants and animals may be considered for a permit allowing their introduction into Antarctica:

- (a) Domestic plants; and
- (b) Laboratory animals and plants including viruses, bacteria, yeasts, and fungi.

Living non-indigenous species of birds shall not be introduced into Antarctica.

§ 670.37 Content of permit applications.

Applications for the introduction of plants and animals into Antarctica must describe:

- (a) The species, numbers, and if appropriate, the age and sex, of the animals or plants to be introduced into Antarctica;
- (b) The need for the plants or animals;
- (c) What precautions the applicant will take to prevent escape or contact with native fauna and flora; and

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(d) How the plants or animals will be removed from Antarctica or destroyed after they have served their purpose.

§ 670.38 Conditions of permits.

All permits allowing the introduction of non-indigenous plants and animals will require that the animal or plant be kept under controlled conditions to prevent its escape or contact with native fauna and flora and that after serving its purpose the plant or animal shall be removed from Antarctica or be destroyed in manner that protects the natural system of Antarctica.

§ 670.39 [Reserved]

PART 671—WASTE REGULATION

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AUTHORITY: 16 U.S.C. 2405.

SOURCE: 58 FR 34719, June 29, 1993, unless otherwise noted.

45 CFR Ch. VI (10–1–05 Edition)

Subpart A—Introduction

§ 671.1 Purpose of regulations.

The purposes of these regulations in part 671 are to protect the Antarctic environment and dependent and associated ecosystems, to preserve Antarctica's value as an area for the conduct of scientific research, and to implement the Antarctic Conservation Act of 1978, Public Law 95-541, consistent with the provisions of the Protocol on Environmental Protection to the Antarctic Treaty, signed in Madrid, Spain, on October 4, 1991.

§ 671.2 Scope.

These regulations in part 671 apply to any U.S. citizen's use or release of a banned substance, designated pollutant or waste in Antarctica.

[58 FR 34719, June 29, 1993, as amended at 59 FR 37438, July 22, 1994]

§ 671.3 Definitions.

(a) *Definitions.* In this part:

Act means the Antarctic Conservation Act of 1978, Public Law 95-541, 92 Stat. 2048 (16 U.S.C. 2401 et seq.)

Antarctic hazardous waste means any waste consisting of or containing one or more designated pollutants.

Antarctica means the area south of 60 degrees south latitude.

Banned substance means any polychlorinated biphenyls (PCBs), non-sterile soil, polystyrene beads, plastic chips or similar loose polystyrene packing material, pesticides (other than those required for scientific, medical or hygiene purposes) or other substance designated as such under subpart E of this part.

Designated pollutant means any substance designated as such by the Director pursuant to subpart E of this part; any pesticide, radioactive substance, or substance consisting of or containing any chemical listed by source, generic or chemical name at 40 CFR 61.01, Table 116.4A of 40 CFR 116.4; subpart D of 40 CFR part 261, 40 CFR 302.4, part 355, and part 372; and any substance which exhibits a hazardous waste characteristic as defined in subparts B and C of 40 CFR part 261; but shall not include any banned substance.