

CHAPTER VII—ENVIRONMENTAL PROTECTION  
AGENCY AND DEPARTMENT OF DEFENSE;  
UNIFORM NATIONAL DISCHARGE STANDARDS  
FOR VESSELS OF THE ARMED FORCES

---

<i>Part</i>		<i>Page</i>
1700	Uniform National Discharge Standards for vessels of the Armed Forces .....	949



**PART 1700—UNIFORM NATIONAL DISCHARGE STANDARDS FOR VESSELS OF THE ARMED FORCES**

**Subpart A—Scope**

- Sec.  
1700.1 Applicability.  
1700.2 Effect.  
1700.3 Definitions.

**Subpart B—Discharge Determinations**

- 1700.4 Discharges requiring control.  
1700.5 Discharges not requiring control.

**Subpart C—Effect on States**

- 1700.6 Effect on State and local statutes and regulations.

**NO-DISCHARGE ZONES**

- 1700.7 No-discharge zones.  
1700.8 Discharges for which no-discharge zones can be established.  
1700.9 No-discharge zones by State prohibition.  
1700.10 No-discharge zones by EPA prohibition.

**STATE PETITION FOR REVIEW**

- 1700.11 State petition for review of determinations or standards.  
1700.12 Petition requirements.  
1700.13 Petition decisions.

**Subpart D—Marine Pollution Control Device (MPCD) Performance Standards**

- 1700.14 Marine Pollution Control Device (MPCD) Performance Standards. [Reserved]

AUTHORITY: 33 U.S.C. 1322, 1361.

SOURCE: 64 FR 25134, May 10, 1999, unless otherwise noted.

**Subpart A—Scope**

**§ 1700.1 Applicability.**

(a) This part applies to the owners and operators of Armed Forces vessels, except where the Secretary of Defense finds that compliance with this part is not in the interest of the national security of the United States. This part does not apply to vessels while they are under construction, vessels in drydock, amphibious vehicles, or vessels under the jurisdiction of the Department of Transportation other than those of the Coast Guard.

(b) This part also applies to States and political subdivisions of States.

**§ 1700.2 Effect.**

(a) This part identifies those discharges, other than sewage, incidental to the normal operation of Armed Forces vessels that require control within the navigable waters of the United States and the waters of the contiguous zone, and those discharges that do not require control. Discharges requiring control are identified in §1700.4. Discharges not requiring control are identified in §1700.5. Federal standards of performance for each required Marine Pollution Control Device are listed in §1700.14. This part is not applicable beyond the contiguous zone.

(b) This part prohibits States and their political subdivisions from adopting or enforcing State or local statutes or regulations controlling the discharges from Armed Forces vessels listed in §§1700.4 and 1700.5 according to the timing provisions in §1700.6, except to establish a no-discharge zone by State prohibition in accordance with §1700.9, or to apply for a no-discharge zone by EPA prohibition in accordance with §1700.10. This part also provides a mechanism for States to petition the Administrator and the Secretary to review a determination of whether a discharge requires control, or to review a Federal standard of performance for a Marine Pollution Control Device, in accordance with §§1700.11 through 1700.13.

**§ 1700.3 Definitions.**

*Administrator* means the Administrator of the United States Environmental Protection Agency or that person's authorized representative.

*Armed Forces vessel* means a vessel owned or operated by the United States Department of Defense or the United States Coast Guard, other than vessels that are time or voyage chartered by the Armed Forces, vessels of the U.S. Army Corps of Engineers, or vessels that are memorials or museums.

*Discharge incidental to the normal operation of a vessel* means a discharge, including, but not limited to: graywater, bilgewater, cooling water, weather deck runoff, ballast water, oil water