

EPA and DOD

§ 1700.14

(d) EPA will notify the State of its decision on the no-discharge zone application in writing. If EPA approves the no-discharge zone application, EPA will by regulation establish the no-discharge zone by modification to this part. A no-discharge zone established by EPA prohibition will not go into effect until the effective date of the regulation.

STATE PETITION FOR REVIEW

§ 1700.11 State petition for review of determinations or standards.

The Governor of any State may submit a petition requesting that the Administrator and Secretary review a determination of whether a Marine Pollution Control Device is required for any discharge listed in §1700.4 or §1700.5, or review a Federal standard of performance for a Marine Pollution Control Device. A State may submit a petition only where there is new, significant information not considered previously by the Administrator and Secretary.

§ 1700.12 Petition requirements.

A petition for review of a determination or standard must include:

(a) The discharge from §1700.4 or §1700.5 for which a change in determination is requested, or the performance standard from §1700.14 for which review is requested.

(b) The scientific and technical information on which the petition is based.

(c) A detailed explanation of why the State believes that consideration of the new information should result in a

change to the determination or the standard on a nationwide basis, and an explanation of how the new information is relevant to one or more of the following factors:

- (1) The nature of the discharge.
- (2) The environmental effects of the discharge.
- (3) The practicability of using a Marine Pollution Control Device.
- (4) The effect that installation or use of the Marine Pollution Control Device would have on the operation or operational capability of the vessel.
- (5) Applicable United States law.
- (6) Applicable international standards.
- (7) The economic costs of the installation and use of the Marine Pollution Control Device.

§ 1700.13 Petition decisions.

The Administrator and the Secretary will evaluate the petition and grant or deny the petition no later than two years after the date of receipt of the petition. If the Administrator and Secretary grant the petition, they will undertake rulemaking to amend this part. If the Administrator and Secretary deny the petition, they will provide the State with a written explanation of why they denied it.

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

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