

40 C.F.R. § 125.122

Determination of unreasonable degradation of the marine environment.

- (a) The director shall determine whether a discharge will cause unreasonable degradation of the marine environment based on consideration of:
- (1) The quantities, composition and potential for bioaccumulation or persistence of the pollutants to be discharged;
 - (2) The potential transport of such pollutants by biological, physical or chemical processes;
 - (3) The composition and vulnerability of the biological communities which may be exposed to such pollutants, including the presence of unique species or communities of species, the presence of species identified as endangered or threatened pursuant to the Endangered Species Act, or the presence of those species critical to the structure or function of the ecosystem, such as those important for the food chain;

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