

**§ 401.118**

**§ 401.118 Disclosure in administrative or court proceedings.**

Data and information otherwise exempt from public disclosure may be revealed in Commission administrative or court proceedings where the data or information are relevant. The Commission will request that the data or information be held in camera and that any other appropriate measures be taken to reduce disclosure to the minimum necessary under the circumstances.

**§ 401.119 Disclosure to Congress.**

All records of the Commission shall be disclosed to Congress upon an authorized request.

**Subpart I—General Provisions**

SOURCE: 40 FR 14059, Mar. 28, 1975; 40 FR 17987, Apr. 24, 1975, unless otherwise noted. Redesignated at 52 FR 37602, Oct. 8, 1987.

**§ 401.121 Definitions.**

For the purposes of this part, except as the context may otherwise require:

(a) All words and phrases which are defined by section 1.2 of the Compact shall have the same meaning herein.

(b) Words and phrases which are defined by part I of the Administrative Manual (section 1-3) shall have the same meaning for the purposes of this part 401.

(c) *Application* shall mean a request for action by the Commission in any written form, including without limitation thereto, a letter, referral by any agency of a signatory party, or an official form prescribed by the Commission; provided that whenever an official form of application has been duly required, an application shall not be deemed to be pending before the Commission until such time as such form, together with the information required thereby, has been completed and filed.

(d) *Applicant* shall mean any sponsor or other person who has submitted an application to the Commission.

(e) *Sponsor* shall mean any person authorized to initiate, construct or administer a project.

**§ 401.122 Supplementary details.**

Forms, procedures and supplementary information, to effectuate

**18 CFR Ch. III (4-1-01 Edition)**

these regulations, may be provided or required by the Executive Director as to any hearing, project or class of projects.

**§ 401.123 Waiver of rules.**

The Commission may, for good cause shown, waive rules or require additional information in any case.

**§ 401.124 Construction.**

This part is promulgated pursuant to section 14.2 of the Compact and shall be construed and applied subject to all of the terms and conditions of the Compact and of the provisions of section 15.1 of Pub. L. 87-328, 75 Stat. 688.

**PART 410—BASIN REGULATIONS; WATER CODE AND ADMINISTRATIVE MANUAL—PART III WATER QUALITY REGULATIONS**

AUTHORITY: Delaware River Basin Compact, 75 Stat. 688.

**§ 410.1 Basin regulations—Water Code and Administrative Manual—Part III Water Quality Regulations.**

(a) The Water Code of the Delaware River Basin is a codification of regulations of the Delaware River Basin Commission concerning the policies and standards applicable to public and private water projects and programs within the Delaware River Basin. Article I of the water code sets forth general policies of the Commission. Article II concerns the conservation, development and utilization of Delaware River Basin water resources. Article III sets forth the water quality standards and guidelines for the Delaware River Basin. The Commission's Administrative Manual—Part III, Water Quality Regulations, apply to all waste dischargers, public and private, using the waters of the Delaware River Basin. The regulations contained within the Water Code and within the Administrative Manual—Part III Water Quality Regulations of the Delaware River Basin Commission are hereby incorporated in and made a part of this Part 410 and include all amendments to the Water Code and the Administrative Manual—Part III Water Quality Regulations adopted through May 28, 1986.

## Delaware River Basin Commission

## §415.2

(b) The Water Code and the Administrative Manual—Part III and the regulations contained therein and information about them may be obtained from the Delaware River Basin Commission, P.O. Box 7360, West Trenton, New Jersey 08628.

(c) The regulations may be amended from time to time by the Commission after due notice and public hearing. An official file of changes will be kept for public inspection in the offices of the Commission.

[51 FR 20960, June 10, 1986]

### PART 415—BASIN REGULATIONS— FLOOD PLAIN REGULATIONS

#### GENERALLY

Sec.

- 415.1 Short title.
- 415.2 Definitions.
- 415.3 Purpose and findings.

#### TYPES OF PROJECTS AND JURISDICTION

- 415.20 Class I projects.
- 415.21 Class II projects.

#### STANDARDS

- 415.30 Regulations generally.
- 415.31 Prohibited uses.
- 415.32 Permitted uses generally.
- 415.33 Uses by special permit.

#### ADMINISTRATION

- 415.40 Administrative agency.
- 415.41 Special permits.

- 415.42 Technical standards.
- 415.43 Mapped and unmapped delineations.

#### ENFORCEMENT

- 415.50 General conditions.
- 415.51 Prior non-confirming structures.
- 415.52 Violations.

AUTHORITY: Pub. L. 87-328 (75 Stat. 688).

SOURCE: 42 FR 13541, Mar. 11, 1977, unless otherwise noted.

#### GENERALLY

##### §415.1 Short title.

This part shall be known and may be cited as the “Flood Plain Regulations.”

##### §415.2 Definitions.

For the purposes of this part, except as otherwise required by the context:

*Project* means the same word as defined by section 1.2(g) of the Delaware River Basin Compact.

*Floodway* means the channel of the watercourse and those portions of the adjoining flood plains which are reasonably required to carry and discharge the regulatory flood. For this purpose the limit of the floodway shall be established by allowing not more than a one-foot rise of the water surface elevation of the regulatory flood as a result of encroachment. Wherever practical, equal conveyance reduction from each side of the flood plain shall be used. (See Figure 1.)