

115TH CONGRESS
1ST SESSION

H. R. 1504

To amend the Act popularly known as the Rivers and Harbors Appropriation Act of 1915 to prohibit the establishment of certain anchorage grounds within five miles of a nuclear power plant, a location on the national register of historic places, a superfund site, or critical habitat of an endangered species, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2017

Mr. SEAN PATRICK MALONEY of New York (for himself and Mr. ENGEL) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hudson River Protec-
5 tion Act”.

1 **SEC. 2. PROHIBITION ON ESTABLISHMENT OF CERTAIN AN-**
2 **CHORAGE GROUNDS WITHIN FIVE MILES OF**
3 **CERTAIN LOCATIONS.**

4 (a) IN GENERAL.—Section 7 of the Act of March 4,
5 1915 (chapter 142; 33 U.S.C. 471), popularly known as
6 the Rivers and Harbors Appropriation Act of 1915, is
7 amended—

8 (1) by striking “The Secretary” and inserting
9 “Except as provided in subsection (b), the Sec-
10 retary”;

11 (2) by redesignating subsection (b) as sub-
12 section (c);

13 (3) in subsection (c), as so redesignated—

14 (A) by striking “(c) DEFINITION.—As
15 used in this section” and inserting the fol-
16 lowing:

17 “(c) DEFINITIONS.—As used in this section—

18 “(1) the term”;

19 (B) by striking the period at the end and
20 inserting a semicolon; and

21 (C) by adding at the end the following:

22 “(2) the term ‘nuclear power plant’ means an
23 electric generating facility that uses a nuclear reac-
24 tor as its heat source to provide steam to a turbine
25 generator; and

1 “(3) the term ‘superfund site’ means a site that
2 is—

3 “(A) included on the National Priorities
4 List developed by the President in accordance
5 with section 105(a)(8)(B) of the Comprehensive
6 Environmental Response, Compensation, and
7 Liability Act of 1980 (42 U.S.C.
8 9605(a)(8)(B)); or

9 “(B) the subject of an ongoing or planned
10 remedial action carried out in accordance with
11 such Act.”; and

12 (4) by inserting after subsection (a) the fol-
13 lowing:

14 “(b) RESTRICTION.—The Secretary may not estab-
15 lish as anchorage grounds for vessels carrying hazardous
16 or flammable material as cargo any area that is located
17 within five miles of—

18 “(1) a nuclear power plant;

19 “(2) a location on the national register of his-
20 toric places;

21 “(3) a superfund site; or

22 “(4) a critical habitat of an endangered species
23 designated under the Endangered Species Act of
24 1973 (16 U.S.C. 1531 et seq.).”.

1 (b) LIMITATION ON APPLICATION.—The amendment
2 made by subsection (a) shall not apply with respect to an-
3 chorage grounds established before the date of the enact-
4 ment of this Act for vessels carrying hazardous or flam-
5 mable material as cargo.

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