

the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5, United States Code.

“(c) REPORT.—Within 2 years after the date of the enactment of this Act [Oct. 31, 1992], the Task Force shall submit to Congress a report stating the findings and recommendations of the Task Force.”

AUTHORIZATION OF APPROPRIATIONS

Pub. L. 102-580, title V, § 509(b), Oct. 31, 1992, 106 Stat. 4870, provided that: “There is authorized to be appropriated to the Administrator to carry out sections 502 and 503 [enacting this section and provisions set out above] such sums as may be necessary.”

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 3 of Pub. L. 102-580, set out as a note under section 2201 of this title.

§ 1271a. Research and development program

(a) In general

In coordination with other Federal, State, and local officials, the Administrator of the Environmental Protection Agency may conduct research on the development and use of innovative approaches, technologies, and techniques for the remediation of sediment contamination in areas of concern that are located wholly or partially in the United States.

(b) Authorization of appropriations

(1) In general

In addition to any amounts authorized under other provisions of law, there is authorized to be appropriated to carry out this section \$3,000,000 for each of fiscal years 2004 through 2010.

(2) Availability

Funds appropriated under paragraph (1) shall remain available until expended.

(Pub. L. 107-303, title I, § 106, Nov. 27, 2002, 116 Stat. 2358; Pub. L. 110-365, § 4, Oct. 8, 2008, 122 Stat. 4023.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Great Lakes Legacy Act of 2002, and also as part of the Great Lakes and Lake Champlain Act of 2002, and not as part of the Federal Water Pollution Control Act which comprises this chapter.

AMENDMENTS

2008—Subsec. (b)(1). Pub. L. 110-365 added par. (1) and struck out former par. (1). Prior to amendment, text read as follows: “In addition to amounts authorized under other laws, there is authorized to be appropriated to carry out this section \$3,000,000 for each of fiscal years 2004 through 2008.”

§ 1272. Environmental dredging

(a) Operation and maintenance of navigation projects

Whenever necessary to meet the requirements of the Federal Water Pollution Control Act [33 U.S.C. 1251 et seq.], the Secretary, in consultation with the Administrator of the Environmental Protection Agency, may remove and remediate, as part of operation and maintenance

of a navigation project, contaminated sediments outside the boundaries of and adjacent to the navigation channel.

(b) Nonproject specific

(1) In general

The Secretary may remove and remediate contaminated sediments from the navigable waters of the United States for the purpose of environmental enhancement and water quality improvement if such removal and remediation is requested by a non-Federal sponsor and the sponsor agrees to pay 35 percent of the cost of such removal and remediation.

(2) Maximum amount

The Secretary may not expend more than \$50,000,000 in a fiscal year to carry out this subsection.

(c) Joint plan requirement

The Secretary may only remove and remediate contaminated sediments under subsection (b) in accordance with a joint plan developed by the Secretary and interested Federal, State, and local government officials. Such plan must include an opportunity for public comment, a description of the work to be undertaken, the method to be used for dredged material disposal, the roles and responsibilities of the Secretary and non-Federal sponsors, and identification of sources of funding.

(d) Disposal costs

Costs of disposal of contaminated sediments removed under this section shall be a¹ shared as a cost of construction.

(e) Limitation on statutory construction

Nothing in this section shall be construed to affect the rights and responsibilities of any person under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 [42 U.S.C. 9601 et seq.].

(f) Priority work

In carrying out this section, the Secretary shall give priority to work in the following areas:

- (1) Brooklyn Waterfront, New York.
- (2) Buffalo Harbor and River, New York.
- (3) Ashtabula River, Ohio.
- (4) Mahoning River, Ohio.
- (5) Lower Fox River, Wisconsin.
- (6) Passaic River and Newark Bay, New Jersey.
- (7) Snake Creek, Bixby, Oklahoma.
- (8) Willamette River, Oregon.

(g) Nonprofit entities

Notwithstanding section 1962d-5b of title 42, for any project carried out under this section, a non-Federal sponsor may include a nonprofit entity, with the consent of the affected local government.

(Pub. L. 101-640, title III, § 312, Nov. 28, 1990, 104 Stat. 4639; Pub. L. 104-303, title II, § 205, Oct. 12, 1996, 110 Stat. 3679; Pub. L. 106-53, title II, § 224, Aug. 17, 1999, 113 Stat. 297; Pub. L. 106-541, title II, § 210(a), Dec. 11, 2000, 114 Stat. 2592.)

¹ So in original. The word “a” probably should not appear.

Editorial Notes

REFERENCES IN TEXT

The Federal Water Pollution Control Act, referred to in subsec. (a), is act June 30, 1948, ch. 758, as amended generally by Pub. L. 92-500, §2, Oct. 18, 1972, 86 Stat. 816, which is classified generally to this chapter (§1251 et seq.). For complete classification of this Act to the Code, see Short Title note set out under section 1251 of this title and Tables.

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, referred to in subsec. (e), is Pub. L. 96-510, Dec. 11, 1980, 94 Stat. 2767, which is classified principally to chapter 103 (§9601 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 9601 of Title 42 and Tables.

CODIFICATION

Section was formerly set out as a note under section 1252 of this title.

Section was enacted as part of the Water Resources Development Act of 1990, and not as part of the Federal Water Pollution Control Act which comprises this chapter.

AMENDMENTS

2000—Subsec. (g). Pub. L. 106-541 added subsec. (g).
1999—Subsec. (b)(1). Pub. L. 106-53, §224(1)(A), substituted “35 percent” for “50 percent”.

Subsec. (b)(2). Pub. L. 106-53, §224(1)(B), substituted “\$50,000,000” for “\$20,000,000”.

Subsec. (d). Pub. L. 106-53, §224(2), substituted “shared as a cost of construction” for “non-Federal responsibility”.

Subsec. (f)(6) to (8). Pub. L. 106-53, §224(3), added pars. (6) to (8).

1996—Subsec. (a). Pub. L. 104-303, §205(1), inserted “and remediate” after “remove”.

Subsec. (b)(1). Pub. L. 104-303, §205(1), (2)(A), inserted “and remediate” after “remove” and inserted “and remediation” after “removal” in two places.

Subsec. (b)(2). Pub. L. 104-303, §205(2)(B), substituted “\$20,000,000” for “\$10,000,000”.

Subsec. (c). Pub. L. 104-303, §205(1), inserted “and remediate” after “remove”.

Subsec. (f). Pub. L. 104-303, §205(3), added subsec. (f) and struck out heading and text of former subsec. (f). Text read as follows: “This section shall not be effective after the last day of the 5-year period beginning on November 28, 1990; except that the Secretary may complete any project commenced under this section on or before such last day.”

§ 1273. Lake Pontchartrain Basin**(a) Establishment of restoration program**

The Administrator shall establish within the Environmental Protection Agency the Lake Pontchartrain Basin Restoration Program.

(b) Purpose

The purpose of the program shall be to restore the ecological health of the Basin by developing and funding restoration projects and related scientific and public education projects.

(c) Duties

In carrying out the program, the Administrator shall—

(1) provide administrative and technical assistance to a management conference convened for the Basin under section 1330 of this title;

(2) assist and support the activities of the management conference, including the imple-

mentation of recommendations of the management conference;

(3) support environmental monitoring of the Basin and research to provide necessary technical and scientific information;

(4) develop a comprehensive research plan to address the technical needs of the program;

(5) coordinate the grant, research, and planning programs authorized under this section;

(6) collect and make available to the public publications, and other forms of information the management conference determines to be appropriate, relating to the environmental quality of the Basin; and

(7) ensure that the comprehensive conservation and management plan approved for the Basin under section 1330 of this title is reviewed and revised in accordance with section 1330 of this title not less often than once every 5 years, beginning on December 23, 2022.

(d) Grants

The Administrator may make grants to pay not more than 75 percent of the costs—

(1) for restoration projects and studies identified in the comprehensive conservation and management plan approved for the Basin under section 1330 of this title; and

(2) for public education projects recommended by the management conference.

(e) Definitions

In this section, the following definitions apply:

(1) Basin

The term “Basin” means the Lake Pontchartrain Basin, a 10,000 square mile watershed encompassing 16 parishes in the State of Louisiana and 4 counties in the State of Mississippi.

(2) Program

The term “program” means the Lake Pontchartrain Basin Restoration Program established under subsection (a).

(f) Authorization of appropriations**(1) In general**

There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2001 through 2012 and the amount appropriated for fiscal year 2009 for each of fiscal years 2013 through 2017. Such sums shall remain available until expended.

(2) Public education projects

Not more than 15 percent of the amount appropriated pursuant to paragraph (1) in a fiscal year may be expended on grants for public education projects under subsection (d)(2).

(3) Administrative expenses

Not more than 5 percent of the amounts appropriated to carry out this section may be used for administrative expenses.

(June 30, 1948, ch. 758, title I, §121, as added Pub. L. 106-457, title V, §502, Nov. 7, 2000, 114 Stat. 1973; amended Pub. L. 109-392, §1, Dec. 12, 2006, 120 Stat. 2703; Pub. L. 112-237, §1, Dec. 28, 2012, 126 Stat. 1628; Pub. L. 117-263, div. H, title LXXXV, §8501(c), Dec. 23, 2022, 136 Stat. 3856.)