

1980—Subsec. (a). Pub. L. 96-381 inserted provision including within the responsibilities of the Secretary the scientific assessment of damages to natural resources from spills of petroleum or petroleum products.

Subsec. (c). Pub. L. 96-470 inserted provision requiring the Secretary to include in his annual report the report on activities of the Department of Commerce under section 665 of title 16.

1975—Subsec. (c). Pub. L. 94-62 substituted “March” for “January”.

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 1443. Research program respecting ocean dumping and other methods of waste disposal

(a) Cooperation with public authorities, agencies, and institutions, private agencies and institutions, and individuals

The Administrator of the Environmental Protection Agency shall—

(1) conduct research, investigations, experiments, training, demonstrations, surveys, and studies for the purpose of—

(A) determining means of minimizing or ending, as soon as possible after October 6, 1980, the dumping into ocean waters, or waters described in section 1411(b) of this title, of material which may unreasonably degrade or endanger human health, welfare, or amenities, or the marine environment, ecological systems, or economic potentialities, and

(B) developing disposal methods as alternatives to the dumping described in subparagraph (A); and

(2) encourage, cooperate with, promote the coordination of, and render financial and other assistance to appropriate public authorities, agencies, and institutions (whether Federal, State, interstate, or local) and appropriate private agencies, institutions, and individuals in the conduct of research and other activities described in paragraph (1).

(b) Termination date for ocean dumping of sewage sludge not affected

Nothing in this section shall be construed to affect in any way the December 31, 1981, termination date, established in section 1412a of this title, for the ocean dumping of sewage sludge.

(c) Regional management plans for waste disposal

The Administrator, in cooperation with the Secretary, the Secretary of Commerce, and other officials of appropriate Federal, State, and local agencies, shall assess the feasibility in coastal areas of regional management plans for the disposal of waste materials. Such plans should integrate where appropriate Federal, State, regional, and local waste disposal activities into a comprehensive regional disposal

strategy. These plans should address, among other things—

(1) the sources, quantities, and types of materials that require and will require disposal;

(2) the environmental, economic, social, and human health factors (and the methods used to assess these factors) associated with disposal alternatives;

(3) the improvements in production processes, methods of disposal, and recycling to reduce the adverse effects associated with such disposal alternatives;

(4) the applicable laws and regulations governing waste disposal; and

(5) improvements in permitting processes to reduce administrative burdens.

(d) Report on sewage disposal in New York metropolitan area

The Administrator, in cooperation with the Secretary of Commerce, shall submit to the Congress and the President, not later than one year after April 7, 1986, a report on sewage sludge disposal in the New York City metropolitan region. The report shall—

(1) consider the factors listed in subsection (c) as they relate to landfilling, incineration, ocean dumping, or any other feasible disposal or reuse/recycling option;

(2) include an assessment of the cost of these alternatives; and

(3) recommend such regulatory or legislative changes as may be necessary to reduce the adverse impacts associated with sewage sludge disposal.

(Pub. L. 92-532, title II, § 203, Oct. 23, 1972, 86 Stat. 1061; Pub. L. 96-381, § 1, Oct. 6, 1980, 94 Stat. 1523; Pub. L. 99-272, title VI, § 6063, Apr. 7, 1986, 100 Stat. 131.)

Editorial Notes

CODIFICATION

In subsec. (a)(1)(A), October 6, 1980, was substituted for “the date of the enactment of this section”, which has been translated to reflect the probable intent of Congress as meaning the date of enactment of Pub. L. 96-381 which amended this section generally and which was approved Oct. 6, 1980.

AMENDMENTS

1986—Subsecs. (c), (d). Pub. L. 99-272 added subsecs. (c) and (d).

1980—Pub. L. 96-381 substituted provision authorizing the Administrator of the Environmental Protection Agency to conduct research, etc., and to encourage and cooperate with public authorities, etc., for the purpose of determining means of minimizing or ending, as soon as possible after Oct. 6, 1980, dumping in ocean waters, or waters described in section 1411(b) of this title, of materials which may unreasonably degrade or endanger human health or the marine environment and to develop disposal methods as alternatives to dumping for provision authorizing the Secretary of Commerce to conduct research, etc., and to encourage and cooperate with public authorities, etc., for the purpose of minimizing or ending all dumping of materials within five years after the effective date of Pub. L. 92-532, which was approved Oct. 23, 1972, and inserted provision directing that nothing in this section be construed to affect in any way the Dec. 31, 1981, termination date, established by section 1412a of this title for ocean dumping of sewage sludge.

§ 1444. Annual reports**(a) Report by Secretary of Commerce**

In March of each year, the Secretary of Commerce shall report to the Congress on his activities under this subchapter during the previous fiscal year. The report shall include—

(1) the Secretary's findings made under section 1441 of this title, including an evaluation of the short-term ecological effects and the social and economic factors involved with the dumping;

(2) the results of activities undertaken pursuant to section 1442 of this title;

(3) with the concurrence of the Administrator and after consulting with officials of other appropriate Federal agencies, an identification of the short- and long-term research requirements associated with activities under subchapter I, and a description of how Federal research under this subchapter and subchapter I will meet those requirements; and

(4) activities of the Department of Commerce under section 665 of title 16.

(b) Report by Administrator

In March of each year, the Administrator shall report to the Congress on his activities during the previous fiscal year under section 1443 of this title.

(c) Report by Under Secretary

On October 31 of each year, the Under Secretary shall report to the Congress the specific programs that the National Oceanic and Atmospheric Administration and the Environmental Protection Agency carried out pursuant to this subchapter in the previous fiscal year, specifically listing the amount of funds allocated to those specific programs in the previous fiscal year.

(Pub. L. 92-532, title II, § 204, formerly § 205, as added Pub. L. 96-572, § 5, Dec. 22, 1980, 94 Stat. 3345; renumbered § 204 and amended Pub. L. 99-272, title VI, § 6065, Apr. 7, 1986, 100 Stat. 132; Pub. L. 100-627, title I, § 102, Nov. 7, 1988, 102 Stat. 3213.)

Editorial Notes**PRIOR PROVISIONS**

A prior section 204 of Pub. L. 92-532, which was classified to this section, was renumbered section 205 and is classified to section 1445 of this title.

AMENDMENTS

1988—Subsec. (c). Pub. L. 100-627 added subsec. (c).

1986—Pub. L. 99-272 amended section generally. Prior to amendment, section read as follows: "The Administrator of the Environmental Protection Agency is authorized to conduct a study to assist the city of New York in evaluating the technological options available for the removal of heavy metals and other toxic organic materials from the sewage sludge of the city of New York. The study shall also examine options available to reduce the amount of such pollutants entering the sewage system. The study is to be completed by July 1, 1981."

§ 1445. Authorization of appropriations

There are authorized to be appropriated for the first fiscal year after October 23, 1972, and for the next two fiscal years thereafter such

sums as may be necessary to carry out this subchapter, but the sums appropriated for any such fiscal year may not exceed \$6,000,000. There are authorized to be appropriated not to exceed \$1,500,000 for the transition period (July 1 through September 30, 1976), not to exceed \$5,600,000 for fiscal year 1977, and not to exceed \$6,500,000 for fiscal year 1978, not to exceed \$11,396,000 for fiscal year 1981, not to exceed \$12,000,000 for fiscal year 1982, not to exceed \$10,635,000 for fiscal year 1986, not to exceed \$11,114,000 for fiscal year 1987, not to exceed \$13,500,000 for fiscal year 1989, and not to exceed \$14,500,000 for fiscal year 1990.

(Pub. L. 92-532, title II, § 205, formerly § 204, Oct. 23, 1972, 86 Stat. 1061; Pub. L. 94-62, § 3, July 25, 1975, 89 Stat. 303; Pub. L. 94-326, § 3, June 30, 1976, 90 Stat. 725; Pub. L. 95-153, § 2, Nov. 4, 1977, 91 Stat. 1255; Pub. L. 96-381, § 2, Oct. 6, 1980, 94 Stat. 1523; renumbered § 205 and amended Pub. L. 99-272, title VI, § 6064, Apr. 7, 1986, 100 Stat. 132; Pub. L. 100-627, title I, § 103, Nov. 7, 1988, 102 Stat. 3213.)

Editorial Notes**PRIOR PROVISIONS**

A prior section 205 of Pub. L. 92-532, which was classified to this section, was renumbered section 204 and is classified to section 1444 of this title.

AMENDMENTS

1988—Pub. L. 100-627 inserted provision authorizing appropriations not to exceed \$13,500,000 for fiscal year 1989 and not to exceed \$14,500,000 for fiscal year 1990.

1986—Pub. L. 99-272 inserted provision authorizing appropriations not to exceed \$10,635,000 for fiscal year 1986 and not to exceed \$11,114,000 for fiscal year 1987.

1980—Pub. L. 96-381 inserted provision authorizing appropriations not to exceed \$11,396,000 for fiscal year 1981 and not to exceed \$12,000,000 for fiscal year 1982.

1977—Pub. L. 95-153 inserted provision authorizing appropriations not to exceed \$6,500,000 for fiscal year 1978.

1976—Pub. L. 94-326 inserted provision authorizing appropriations not to exceed \$5,600,000 for fiscal year 1977.

1975—Pub. L. 94-62 inserted provision authorizing appropriations not to exceed \$1,500,000 for the transition period (July 1, through Sept. 30, 1976).

CHAPTER 28—POLLUTION CASUALTIES ON THE HIGH SEAS: UNITED STATES INTERVENTION

Sec.

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Definitions.

Grave and imminent danger from oil pollution casualties to coastline or related interests of United States; Federal nonliability for Federal preventive measures on the high seas.

Consultations and determinations respecting creation of hazards to human health, etc.; criteria for determinations respecting grave and imminent dangers of major harmful consequences to United States coastline or related interests.

Federal intervention actions.

Consultation procedure.

Emergencies.

Reasonable measures; considerations.

Personal, flag state, and foreign state considerations.

Federal liability for unreasonable damages.

Notification by Secretary of State.

Violations; penalties.