

AMENDMENTS

1978—Pub. L. 95-302 inserted “, the protocol,” after “convention”.

EFFECTIVE DATE OF 1978 AMENDMENT

For effective date of amendment by Pub. L. 95-302, see section 2 of Pub. L. 95-302, set out as a note under section 1487 of this title.

§ 1485. Rules and regulations

The Secretary may issue reasonable rules and regulations which he considers appropriate and necessary for the effective implementation of this chapter.

(Pub. L. 93-248, § 16, Feb. 5, 1974, 88 Stat. 10.)

§ 1486. Oil Spill Liability Trust Fund

The Oil Spill Liability Trust Fund shall be available to the Secretary for actions taken under sections 1474 and 1476 of this title.

(Pub. L. 93-248, § 17, Feb. 5, 1974, 88 Stat. 10; Pub. L. 101-380, title II, § 2001, Aug. 18, 1990, 104 Stat. 506.)

AMENDMENTS

1990—Pub. L. 101-380 amended section generally. Prior to amendment, section read as follows: “The revolving fund established under section 1321(k) of this title shall be available to the Secretary for Federal actions and activities under section 1474 of this title.”

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-380 applicable to incidents occurring after Aug. 18, 1990, see section 1020 of Pub. L. 101-380, set out as an Effective Date note under section 2701 of this title.

§ 1487. Effective date

This chapter shall be effective upon February 5, 1974, or upon the date the convention becomes effective as to the United States, whichever is later.

(Pub. L. 93-248, § 18, Feb. 5, 1974, 88 Stat. 10.)

REFERENCES IN TEXT

The date the convention became effective as to the United States, referred to in text, is May 6, 1975.

EFFECTIVE DATE OF 1978 AMENDMENT

Pub. L. 95-302, § 2, June 26, 1978, 92 Stat. 345, provided that: “This Act [amending sections 1471 to 1473, 1479, 1482, and 1484 of this title] shall be effective upon the date of enactment [June 26, 1978], or upon the date the protocol becomes effective as to the United States, whichever is later.” [The protocol was adopted by the United States on Sept. 7, 1978, to be effective as to the United States upon its adoption by 15 countries. The protocol became effective as to the United States Mar. 30, 1983.]

CHAPTER 29—DEEPWATER PORTS

Sec.

- 1501. Congressional declaration of policy.
- 1502. Definitions.
- 1503. License for ownership, construction, and operation of deepwater port.
 - (a) Requirement.
 - (b) Issuance, transfer, amendment, or reinstatement.
 - (c) Conditions for issuance.
 - (d) Application for license subject to examination and comparison of economic, social, and environmental effects of deepwater port facility and deep draft channel and harbor; finality of determination.

Sec.

1504.

1505.

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1508.

- (e) Additional conditions; removal requirements; waiver; Outer Continental Shelf Lands Act applicable to utilization of components upon waiver of removal requirements.
- (f) Amendments, transfers, and reinstatements.
- (g) Eligible citizens.
- (h) Term of license.
- Procedure.
 - (a) Regulations; issuance, amendment, or rescission; scope.
 - (b) Additional regulations; criteria for site evaluation and preconstruction testing.
 - (c) Plans; submittal to Secretary of Transportation; publication in Federal Register; application contents; exemption.
 - (d) Application area; publication in Federal Register; “application area” defined; submission of other applications; notice of intent and submission of completed applications; denial of pending application prior to consideration of other untimely applications.
 - (e) Recommendations to Secretary of Transportation; application for all Federal authorizations; copies of application to Federal agencies and departments with jurisdiction; recommendation of approval or disapproval and of manner of amendment to comply with laws or regulations.
 - (f) NEPA compliance.
 - (g) Public notice and hearings; evidentiary hearing in District of Columbia; decision of Secretary based on evidentiary record; consolidation of hearings.
 - (h) Nonrefundable application fee; processing costs; State fees; “land-based facilities directly related to a deepwater port facility” defined; fair market rental value, advance payment.
 - (i) Application approval; period for determination; priorities; criteria for determination of application best serving national interest.
- Environmental review criteria.
 - (a) Establishment; evaluation of proposed deepwater ports.
 - (b) Review and revision.
 - (c) Concurrent development of criteria and regulations.
- Repealed.
- Common carrier status.
 - (a) Status of deepwater ports and storage facilities.
 - (b) Discrimination prohibition; exceptions.
 - (c) Enforcement, suspension, or termination proceedings.
 - (d) Managed access.
 - (e) Jurisdiction.
- Adjacent coastal States.
 - (a) Designation; direct pipeline connections; mileage; risk of damage to coastal environment, time for designation.
 - (b) Applications; submittal to Governors for approval or disapproval; consistency of Federal licenses and State programs; views of other interested States.
 - (c) Reasonable progress toward development of coastal zone management program; planning grants.