

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (b), was in the original “this Act”, meaning Pub. L. 95-620, Nov. 9, 1978, 92 Stat. 3289, known as the Powerplant and Industrial Fuel Use Act of 1978, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 8301 of this title and Tables.

PART B—INFORMATION AND REPORTING

§ 8421. Information**(a) Authority of Secretary**

For purposes of carrying out his responsibilities under this chapter, the Secretary may require, under the authority of this chapter or any other authority administered by him, any person owning, operating or controlling any electric powerplant, or any other person otherwise subject to this chapter to submit such information and reports of any kind or nature directly to the Secretary necessary to implement the provisions of this chapter, and insure compliance with the provisions of this chapter, and any rule or order thereunder. The provisions of section 796(d) of title 15 shall apply with respect to information obtained under this section to the same extent and in the same manner as it applies with respect to energy information obtained under section 796 of title 15.

(b) Authority of President and Federal Energy Regulatory Commission

In the case of responsibilities expressly given by this chapter to the President or the Federal Energy Regulatory Commission, subsection (a) of this section shall be applied as if the references to the Secretary were references to the President or the Federal Energy Regulatory Commission, as the case may be.

(c) Natural gas usage by electric utilities

(1) For purposes of section 8374(b) of this title and other emergency authorities, the Secretary shall obtain data necessary to determine—

(A) within 6 months after August 13, 1981, the total quantities of natural gas used as a primary energy source by each electric utility during calendar year 1977, and

(B) on a semiannual basis, the total quantities of natural gas used as a primary energy source during the previous 6-month period by each electric utility.

(2) Repealed. Pub. L. 104-66, title I, §1051(e), Dec. 21, 1995, 109 Stat. 716.

(Pub. L. 95-620, title VII, §711, Nov. 9, 1978, 92 Stat. 3332; Pub. L. 97-35, title X, §1021(b), Aug. 13, 1981, 95 Stat. 615; Pub. L. 100-42, §1(c)(17), May 21, 1987, 101 Stat. 313; Pub. L. 104-66, title I, §1051(e), Dec. 21, 1995, 109 Stat. 716.)

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AMENDMENTS

1995—Subsec. (c)(2). Pub. L. 104-66 struck out par. (2) which read as follows: “The Secretary shall include in

each annual report to the Congress under section 8482 of this title a summary of information received by the Secretary under this subsection.”

1987—Subsec. (a). Pub. L. 100-42 struck out “or major fuel-burning installation” after “powerplant”.

1981—Subsec. (c). Pub. L. 97-35 added subsec. (c).

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-35 effective Aug. 13, 1981, see section 1038 of Pub. L. 97-35, set out as a note under section 6240 of this title.

§ 8422. Compliance report**(a) Generally**

Any person owning, operating, or proposing to operate one or more existing electric powerplants required to come into compliance with the prohibitions of this chapter shall on or before January 1, 1980, and annually thereafter, submit to the Secretary a report identifying all such existing electric powerplants owned or operated by such person. Such report shall—

(1) set forth the anticipated schedule for compliance with the applicable requirements and prohibitions by each such electric powerplant;

(2) indicate proposed or existing contracts or other commitments or good faith negotiations for such contracts or commitments for coal or another alternate fuel, equipment, or combinations thereof, which would enable such powerplant to comply with such prohibitions; and

(3) identify those electric powerplants, if any, for which application for temporary or permanent exemption from the prohibitions of this chapter may be filed.

(b) Report on implementation of section 8484 plan

Any electric utility required to submit a conservation plan under section 8484 of this title shall annually submit to the Secretary a report identifying the steps taken during the preceding year to implement such plan.

(Pub. L. 95-620, title VII, §712, Nov. 9, 1978, 92 Stat. 3332; Pub. L. 97-35, title X, §1023(b), Aug. 13, 1981, 95 Stat. 617.)

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AMENDMENTS

1981—Pub. L. 97-35 designated existing provisions as subsec. (a) and added subsec. (b).

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-35 effective Aug. 13, 1981, see section 1038 of Pub. L. 97-35, set out as a note under section 6240 of this title.

PART C—ENFORCEMENT

§ 8431. Notice of violation; other general provisions**(a) Notice of violation**

(1) Whenever, on the basis of any information available, the Secretary finds that any person is