

compliance with this chapter through other appropriate documentation considered acceptable by the Secretary.

(Pub. L. 111–281, title X, §1021, Oct. 15, 2010, 124 Stat. 3025.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (e), was in the original “this title”, meaning title X of Pub. L. 111–281, Oct. 15, 2010, 124 Stat. 3023, which enacted this chapter and repealed chapter 37 (§2401 et seq.) of this title. For complete classification of title X to the Code, see Tables.

§ 3822. Declaration

(a) Requirements

On entry into force of the Convention for the United States, a vessel of at least 24 meters in length, but less than 400 gross tons engaged on an international voyage (except fixed or floating platforms, FSUs, and FPSOs) must carry a declaration described in subsection (b) that is signed by the owner or owner’s authorized agent. That declaration shall be accompanied by appropriate documentation, such as a paint receipt or a contractor invoice, or contain an appropriate endorsement.

(b) Content of declaration

The declaration must contain a clear statement that the antifouling system on the vessel complies with the Convention. The Secretary may prescribe the form and other requirements of the declaration.

(Pub. L. 111–281, title X, §1022, Oct. 15, 2010, 124 Stat. 3026.)

§ 3823. Other compliance documentation

In addition to the requirements under sections 3821 and 3822 of this title, the Secretary may require vessels to hold other documentation considered necessary to verify compliance with this chapter.

(Pub. L. 111–281, title X, §1023, Oct. 15, 2010, 124 Stat. 3026.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title X of Pub. L. 111–281, Oct. 15, 2010, 124 Stat. 3023, which enacted this chapter and repealed chapter 37 (§2401 et seq.) of this title. For complete classification of title X to the Code, see Tables.

§ 3824. Process for considering additional controls

(a) Actions by Administrator

The Administrator may—

(1) participate in the technical group described in Article 7 of the Convention, and in any other body convened pursuant to the Convention for the consideration of new or additional controls on antifouling systems;

(2) evaluate any risks of adverse effects on nontarget organisms or human health presented by a given antifouling system such that the amendment of annex 1 of the Convention may be warranted;

(3) undertake an assessment of relevant environmental, technical, and economic considerations necessary to evaluate any proposals

for new or additional controls of antifouling systems under the Convention, including benefits in the United States and elsewhere associated with the production and use in the United States and elsewhere, of the subject antifouling system; and

(4) develop recommendations based on that assessment.

(b) Referrals to technical group

(1) Convening of Shipping Coordinating Committee

On referral of any antifouling system to the technical group described in article 7 of the Convention for consideration of new or additional controls, the Secretary of State shall convene a public meeting of the Shipping Coordinating Committee for the purpose of receiving information and comments regarding controls on such antifouling system. The Secretary of State shall publish advance notice of such meeting in the Federal Register and on the State Department’s Web site. The Administrator shall assemble and maintain a public docket containing notices pertaining to that meeting, any comments responding to those notices, the minutes of that meeting, and materials presented at that meeting.

(2) Report by technical group

The Administrator shall promptly make any report by the technical group described in the Convention available to the public through the docket established pursuant to subsection (b) and announce the availability of that report in the Federal Register. The Administrator shall provide an opportunity for public comment on the report for a period of not less than 30 days from the time the availability of the report is announced in the Federal Register.

(3) Consideration of comments

To the extent practicable, the Administrator shall take any comments into consideration in developing recommendations under subsection (a).

(Pub. L. 111–281, title X, §1024, Oct. 15, 2010, 124 Stat. 3026.)

§ 3825. Scientific and technical research and monitoring; communication and information

The Secretary, the Administrator, and the Administrator of the National Oceanic and Atmospheric Administration may each undertake scientific and technical research and monitoring pursuant to article 8 of the Convention and to promote the availability of relevant information concerning—

(1) scientific and technical activities undertaken in accordance with the Convention;

(2) marine scientific and technological programs and their objectives; and

(3) the effects observed from any monitoring and assessment programs relating to antifouling systems.

(Pub. L. 111–281, title X, §1025, Oct. 15, 2010, 124 Stat. 3027.)