

(Pub. L. 101-380, title VII, § 7001, Aug. 18, 1990, 104 Stat. 559; Pub. L. 101-537, title II, § 2002, Nov. 8, 1990, 104 Stat. 2375; Pub. L. 101-646, title IV, § 4002, Nov. 29, 1990, 104 Stat. 4788; Pub. L. 104-324, title XI, §§ 1102(c)(2), 1108, Oct. 19, 1996, 110 Stat. 3966, 3968; Pub. L. 104-332, § 2(h)(1), (2), Oct. 26, 1996, 110 Stat. 4091; Pub. L. 108-426, § 2(c)(5), Nov. 30, 2004, 118 Stat. 2424; Pub. L. 109-241, title VI, § 605(a)(1), title IX, § 902(l)(3), (4), July 11, 2006, 120 Stat. 555, 568.)

REFERENCES IN TEXT

This Act, referred to in subsec. (c)(8)(G), is Pub. L. 101-380, Aug. 18, 1990, 104 Stat. 484, as amended, known as the Oil Pollution Act of 1990, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2701 of this title and Tables.

AMENDMENTS

2006—Subsec. (a). Pub. L. 109-241, § 902(l)(3), added pars. (3) and (4) and struck out former par. (3) and concluding provisions which read as follows:

“MEMBERSHIP.—The Interagency Committee shall include representatives from the Department of Commerce (including the National Oceanic and Atmospheric Administration and the National Institute of Standards and Technology), the Department of Energy, the Department of the Interior (including the Minerals Management Service and the United States Fish and Wildlife Service), the Department of Transportation (including the United States Coast Guard, the Maritime Administration, and the Pipeline and Hazardous Materials Safety Administration), the Department of Defense (including the Army Corps of Engineers and the Navy), the Environmental Protection Agency, the National Aeronautics and Space Administration, and the United States Fire Administration in the Federal Emergency Management Agency, as well as such other Federal agencies as the President may designate.

A representative of the Department of Transportation shall serve as Chairman.”

Subsec. (c)(4)(B). Pub. L. 109-241, § 605(a)(1), substituted “RIVERA and the T/V ATHOS I,” for “RIVERA,”.

Subsec. (c)(6). Pub. L. 109-241, § 902(l)(4), substituted “such agencies as the President may designate,” for “other such agencies in the Department of Transportation as the Secretary of Transportation may designate,”.

2004—Subsec. (a)(3). Pub. L. 108-426, § 2(c)(5)(A), substituted “Pipeline and Hazardous Materials Safety Administration” for “Research and Special Projects Administration”.

Subsec. (c)(11). Pub. L. 108-426, § 2(c)(5)(B), substituted “Pipeline and Hazardous Materials Safety Administration” for “Research and Special Programs Administration”.

1996—Subsec. (c)(2)(D). Pub. L. 104-324, § 1108, inserted “, and the Center for Marine Training and Safety in Galveston, Texas” before semicolon at end.

Subsec. (c)(6). Pub. L. 104-332, § 2(h)(1), made technical amendment to Pub. L. 101-646, § 4002(1). See 1990 Amendment note below.

Subsec. (c)(9). Pub. L. 104-324, § 1102(c)(2), inserted “until the authorization for funding under section 2736(b) of this title expires” before period at end.

Subsec. (f). Pub. L. 104-332 made technical amendment to Pub. L. 101-646, § 4002(2). See 1990 Amendment note below.

1990—Subsec. (c)(6). Pub. L. 101-537, § 2002(1), and Pub. L. 101-646, § 4002(1), as amended by Pub. L. 104-332, § 2(h)(1), made substantially identical amendments, substituting “4” for “3” and inserting cl. (D).

Subsec. (f). Pub. L. 101-537, § 2002(2), and Pub. L. 101-646, § 4002(2), as amended by Pub. L. 104-332, amended subsec. (f) identically, substituting “\$22,000,000” for

“\$21,250,000” in introductory provisions and “\$3,000,000” for “\$2,250,000” in par. (2).

TRANSFER OF FUNCTIONS

The Minerals Management Service was abolished and functions divided among the Office of Natural Resources Revenue, the Bureau of Ocean Energy Management, and the Bureau of Safety and Environmental Enforcement. See Secretary of the Interior Orders No. 3299 of May 19, 2010, and No. 3302 of June 18, 2010, and chapters II, V, and XII of title 30, Code of Federal Regulations, as revised by final rules of the Department of the Interior at 75 F.R. 61051 and 76 F.R. 64432.

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal Emergency Management Agency, including the functions of the Under Secretary for Federal Emergency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of Title 6, Domestic Security.

DELEGATION OF FUNCTIONS

Functions of President under subsec. (a)(3) of this section delegated to Secretary of the Department in which the Coast Guard is operating by section 8(h) of Ex. Ord. No. 12777, Oct. 18, 1991, 56 F.R. 54769, as amended, set out as a note under section 1321 of this title.

§ 2762. Submerged oil program

(a) Program

(1) Establishment

The Under Secretary of Commerce for Oceans and Atmosphere, in conjunction with the Commandant of the Coast Guard, shall establish a program to detect, monitor, and evaluate the environmental effects of submerged oil in the Delaware River and Bay region. The program shall include the following elements:

(A) The development of methods to remove, disperse, or otherwise diminish the persistence of submerged oil.

(B) The development of improved models and capacities for predicting the environmental fate, transport, and effects of submerged oil.

(C) The development of techniques to detect and monitor submerged oil.

(2) Report

Not later than 3 years after July 11, 2006, the Secretary of Commerce shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the activities carried out under this subsection and activities proposed to be carried out under this subsection.

(b) Demonstration project

(1) Removal of submerged oil

The Commandant of the Coast Guard, in conjunction with the Under Secretary of Commerce for Oceans and Atmosphere, shall conduct a demonstration project for the purpose of developing and demonstrating technologies and management practices to remove submerged oil from the Delaware River and other navigable waters.

(2) Funding

There is authorized to be appropriated to the Commandant of the Coast Guard \$2,000,000 for

each of fiscal years 2006 through 2010 to carry out this subsection.

(Pub. L. 101-380, title VII, § 7002, as added Pub. L. 109-241, title VI, § 605(a)(2), July 11, 2006, 120 Stat. 555.)

CHAPTER 41—NATIONAL COASTAL MONITORING

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§ 2801. Purposes

The purposes of this chapter are to—

(1) establish a comprehensive national program for consistent monitoring of the Nation's coastal ecosystems;

(2) establish long-term water quality assessment and monitoring programs for high priority coastal waters that will enhance the ability of Federal, State, and local authorities to develop and implement effective remedial programs for those waters;

(3) establish a system for reviewing and evaluating the scientific, analytical, and technological means that are available for monitoring the environmental quality of coastal ecosystems;

(4) establish methods for identifying uniform indicators of coastal ecosystem quality;

(5) provide for periodic, comprehensive reports to Congress concerning the quality of the Nation's coastal ecosystems;

(6) establish a coastal environment information program to distribute coastal monitoring information;

(7) provide state¹ programs authorized under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) with information necessary to design land use plans and coastal zone regulations that will contribute to the protection of coastal ecosystems; and

(8) provide certain water pollution control programs authorized under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) with information necessary to design and implement effective coastal water pollution controls.

(Pub. L. 92-532, title V, § 501, as added Pub. L. 102-567, title V, § 501, Oct. 29, 1992, 106 Stat. 4293.)

REFERENCES IN TEXT

The Coastal Zone Management Act of 1972, referred to in par. (7), is title III of Pub. L. 89-454 as added by Pub. L. 92-583, Oct. 27, 1972, 86 Stat. 1280, as amended, which is classified generally to chapter 33 (§1451 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 1451 of Title 16 and Tables.

The Federal Water Pollution Control Act, referred to in par. (8), 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 chapter 26 (§1251 et seq.) of this title. For complete classification of this Act to

the Code, see Short Title note set out under section 1251 of this title and Tables.

SHORT TITLE

Title V of Pub. L. 92-532, which comprises this chapter, is popularly known as the “National Coastal Monitoring Act”.

§ 2802. Definitions

For the purposes of this chapter, the term—

(1) “Administrator” means the Administrator of the Environmental Protection Agency;

(2) “coastal ecosystem” means a system of interacting biological, chemical, and physical components throughout the water column, water surface, and benthic environment of coastal waters;

(3) “coastal water quality” means the physical, chemical and biological parameters that relate to the health and integrity of coastal ecosystems;

(4) “coastal water quality monitoring” means a continuing program of measurement, analysis, and synthesis to identify and quantify coastal water quality conditions and trends to provide a technical basis for decisionmaking;

(5) “coastal waters” means waters of the Great Lakes, including their connecting waters and those portions of rivers, streams, and other bodies of water having unimpaired connection with the open sea up to the head of tidal influence, including wetlands, intertidal areas, bays, harbors, and lagoons, including waters of the territorial sea of the United States and the contiguous zone¹; and

(6) “Under Secretary” means Under Secretary of Commerce for Oceans and Atmosphere.

(Pub. L. 92-532, title V, § 502, as added Pub. L. 102-567, title V, § 501, Oct. 29, 1992, 106 Stat. 4294.)

TERRITORIAL SEA AND CONTIGUOUS ZONE OF UNITED STATES

For extension of territorial sea and contiguous zone of United States, see Proc. No. 5928 and Proc. No. 7219, respectively, set out as notes under section 1331 of Title 43, Public Lands.

§ 2803. Comprehensive Coastal Water Quality Monitoring Program

(a) Authority; joint implementation

(1) The Administrator and the Under Secretary, in conjunction with other Federal, State, and local authorities, shall jointly develop and implement a program for the long-term collection, assimilation, and analysis of scientific data designed to measure the environmental quality of the Nation's coastal ecosystems pursuant to this section. Monitoring conducted pursuant to this section shall be coordinated with relevant monitoring programs conducted by the Administrator, Under Secretary, and other Federal, State, and local authorities.

(2) Primary leadership for the monitoring program activities conducted by the Environmental Protection Agency pursuant to this section shall

¹ So in original. Probably should be capitalized.

¹ So in original. The closing quotation marks preceding the semicolon probably should not appear.