

mentation to the House of Representatives and the Senate.

(Pub. L. 92-532, title I, § 104, Oct. 23, 1972, 86 Stat. 1056; Pub. L. 97-424, title IV, § 424(a), Jan. 6, 1983, 96 Stat. 2165; Pub. L. 100-17, title I, § 133(c)(1), Apr. 2, 1987, 101 Stat. 172; Pub. L. 102-580, title V, § 507, Oct. 31, 1992, 106 Stat. 4869.)

REFERENCES IN TEXT

This Act and the Marine Protection, Research, and Sanctuaries Act of 1972, referred to in subsec. (i)(4)(B), (D), is Pub. L. 92-532, Oct. 23, 1972, 86 Stat. 1052, as amended, which is classified generally to this chapter, chapter 41 (§ 2801 et seq.) of this title, and chapters 32 (§ 1431 et seq.) and 32A (§ 1447 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 1401 of this title and Tables.

AMENDMENTS

1992—Subsec. (a). Pub. L. 102-580, § 507(b), inserted at end “Permits issued under this subchapter shall be issued for a period of not to exceed 7 years.”

Pub. L. 102-580, § 507(a), amended cl. (4) generally. Prior to amendment, cl. (4) read as follows: “the length of time for which the permits are valid and their expiration date;”.

Subsec. (d). Pub. L. 102-580, § 507(c), inserted “, based upon monitoring data from the dump site and surrounding area,” after “where he finds”.

1987—Subsec. (i)(4)(D). Pub. L. 100-17 inserted “to ” after “grant a permit”.

1983—Subsecs. (h), (i). Pub. L. 97-424 added subsecs. (h) and (i).

EFFECTIVE DATE

Section effective 6 months after Oct. 23, 1972, see section 110(a) of Pub. L. 92-532, set out as a note under section 1411 of this title.

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.

ABOLITION OF HOUSE COMMITTEE ON MERCHANT MARINE AND FISHERIES

Committee on Merchant Marine and Fisheries of House of Representatives abolished and its jurisdiction transferred by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995. For treatment of references to Committee on Merchant Marine and Fisheries, see section 1(b)(3) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

§ 1414a. Special provisions regarding certain dumping sites

(a) New York Bight Apex

(1) For purposes of this subsection—

(A) The term “Apex” means the New York Bight Apex consisting of the ocean waters of the Atlantic Ocean westward of 73 degrees 30 minutes west longitude and northward of 40 degrees 10 minutes north latitude.

(B) The term “Apex site” means that site within the Apex at which the dumping of municipal sludge occurred before October 1, 1983.

(C) The term “eligible authority” means any sewerage authority or other unit of State or

local government that on November 2, 1983, was authorized under court order to dump municipal sludge at the Apex site.

(2) No person may apply for a permit under this subchapter in relation to the dumping of, or the transportation for purposes of dumping, municipal sludge within the Apex unless that person is an eligible authority.

(3) The Administrator may not issue, or renew, any permit under this subchapter that authorizes the dumping of, or the transportation for purposes of dumping, municipal sludge within the Apex after the earlier of—

(A) December 15, 1987; or

(B) the day determined by the Administrator to be the first day on which municipal sludge generated by eligible authorities can reasonably be dumped at a site designated under section 1412 of this title other than a site within the Apex.

(b) Restriction on use of 106-mile site

The Administrator may not issue or renew any permit under this subchapter which authorizes any person, other than a person that is an eligible authority within the meaning of subsection (a)(1)(C), to dump, or to transport for the purposes of dumping, municipal sludge within the site designated under section 1412(c) of this title by the Administrator and known as the “106-Mile Ocean Waste Dump Site” (as described in 49 F.R. 19005).

(Pub. L. 92-532, title I, § 104A, as added Pub. L. 99-662, title XI, § 1172(b), Nov. 17, 1986, 100 Stat. 4259; Pub. L. 100-4, title V, § 508(b), Feb. 4, 1987, 101 Stat. 79; Pub. L. 100-688, title I, § 1002, Nov. 18, 1988, 102 Stat. 4139.)

AMENDMENTS

1988—Pub. L. 100-688 repealed the second of two identical sections 104A of Pub. L. 92-532, both classified to this section and enacted by Pub. L. 99-662 and Pub. L. 100-4, thereby involving no change in text.

NEW YORK BIGHT APEX NOT SUITABLE FOR DUMPING

Pub. L. 99-662, title XI, § 1172(a), Nov. 17, 1986, 100 Stat. 4259, provided that: “The Congress finds that the New York Bight Apex is no longer a suitable location for the ocean dumping of municipal sludge.”

An identical provision was enacted by Pub. L. 100-4, title V, § 508(a), Feb. 4, 1987, 101 Stat. 79.

§ 1414b. Ocean dumping of sewage sludge and industrial waste

(a) Termination of dumping

(1) Prohibitions on dumping

Notwithstanding any other provision of law—

(A) on and after the 270th day after November 18, 1988, no person (including a person described in section 1414a(a)(1)(C) of this title) shall dump into ocean waters, or transport for the purpose of dumping into ocean waters, sewage sludge or industrial waste, unless such person—

(i) has entered into a compliance agreement or enforcement agreement which meets the requirements of subsection (c)(2) or (3), as applicable; and

(ii) has obtained a permit issued under section 1412 of this title which authorizes such transportation and dumping; and