

(4) provide States, and through States, local governments, which are impacted by Outer Continental Shelf oil and gas exploration, development, and production with comprehensive assistance in order to anticipate and plan for such impact, and thereby to assure adequate protection of the human environment;

(5) assure that States, and through States, local governments, have timely access to information regarding activities on the Outer Continental Shelf, and opportunity to review and comment on decisions relating to such activities, in order to anticipate, ameliorate, and plan for the impacts of such activities;

(6) assure that States, and through States, local governments, which are directly affected by exploration, development, and production of oil and natural gas are provided an opportunity to participate in policy and planning decisions relating to management of the resources of the Outer Continental Shelf;

(7) minimize or eliminate conflicts between the exploration, development, and production of oil and natural gas, and the recovery of other resources such as fish and shellfish;

(8) establish an oilspill liability fund to pay for the prompt removal of any oil spilled or discharged as a result of activities on the Outer Continental Shelf and for any damages to public or private interests caused by such spills or discharges;

(9) insure that the extent of oil and natural gas resources of the Outer Continental Shelf is assessed at the earliest practicable time; and

(10) establish a fishermen's contingency fund to pay for damages to commercial fishing vessels and gear due to Outer Continental Shelf activities.

(Pub. L. 95-372, title I, §102, Sept. 18, 1978, 92 Stat. 631.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in opening provision, was in the original "this Act", meaning Pub. L. 95-372, Sept. 18, 1978, 92 Stat. 629, known as the Outer Continental Shelf Lands Act Amendments of 1978, which enacted this chapter, sections 1344 to 1356 of this title, and section 237 of Title 30, Mineral Lands and Mining, amended sections 1331 to 1334, 1337, 1340, and 1343 of this title, sections 1456, 1456a, and 1464 of Title 16, Conservation, and section 6213 of Title 42, The Public Health and Welfare, and enacted provisions set out as notes under sections 1348 and 1811 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1801 of this title and Tables.

SUBCHAPTER I—OFFSHORE OIL SPILL POLLUTION FUND

§§ 1811 to 1824. Repealed. Pub. L. 101-380, title II, § 2004, Aug. 18, 1990, 104 Stat. 507

Section 1811, Pub. L. 95-372, title III, §301, Sept. 18, 1978, 92 Stat. 670, defined terms used in this subchapter.

Section 1812, Pub. L. 95-372, title III, §302, Sept. 18, 1978, 92 Stat. 672; Pub. L. 101-239, title IX, §9001(a), Dec. 19, 1989, 103 Stat. 2470, established Offshore Oil Pollution Compensation Fund.

Section 1813, Pub. L. 95-372, title III, §303, Sept. 18, 1978, 92 Stat. 674, provided for asserting claims for economic loss from oil pollution.

Section 1814, Pub. L. 95-372, title III, §304, Sept. 18, 1978, 92 Stat. 675, set scope of liability of owners and operators of vessels and offshore facilities.

Section 1815, Pub. L. 95-372, title III, §305, Sept. 18, 1978, 92 Stat. 677; Pub. L. 100-610, title I, §§2, 3, Nov. 5, 1988, 102 Stat. 3176, required owners and operators of offshore facilities and vessels using offshore facilities to provide evidence of financial responsibility to cover liability for oil pollution.

Section 1816, Pub. L. 95-372, title III, §306, Sept. 18, 1978, 92 Stat. 678, provided for notification, designation, and advertisement of incidents involving vessels or offshore facilities.

Section 1817, Pub. L. 95-372, title III, §307, Sept. 18, 1978, 92 Stat. 679, related to presentment of claims to owners, operators, guarantors, or Offshore Oil Pollution Compensation Fund.

Section 1818, Pub. L. 95-372, title III, §308, Sept. 18, 1978, 92 Stat. 682, provided for subrogation of any person or governmental entity which paid compensation for an economic loss to all rights, claims, and causes of action which claimant had under this subchapter.

Section 1819, Pub. L. 95-372, title III, §309, Sept. 18, 1978, 92 Stat. 683, provided for jurisdiction and venue of controversies arising under this subchapter.

Section 1820, Pub. L. 95-372, title III, §310, Sept. 18, 1978, 92 Stat. 684, outlined relationship of this subchapter to other State or Federal laws.

Section 1821, Pub. L. 95-372, title III, §311, Sept. 18, 1978, 92 Stat. 684, prohibited harmful discharge of oil from any offshore facility or vessel.

Section 1822, Pub. L. 95-372, title III, §312, Sept. 18, 1978, 92 Stat. 684, set civil and criminal penalties for violations of provisions of this subchapter.

Section 1823, Pub. L. 95-372, title III, §313, Sept. 18, 1978, 92 Stat. 685, authorized appropriations for administration of this subchapter.

Section 1824, Pub. L. 95-372, title III, §314, Sept. 18, 1978, 92 Stat. 685, directed Secretary of Transportation to submit report annually to Congress on operation of this subchapter.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal 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 Title 33, Navigation and Navigable Waters.

EFFECTIVE DATE

Pub. L. 95-372, title III, §315, Sept. 18, 1978, 92 Stat. 685, which provided that such section, section 1814(e) of this title, section 1815(d) of this title, and all provisions of this subchapter authorizing the delegation of authority or the promulgation of regulations were to be effective Sept. 18, 1978, and that all other provisions of this subchapter, and rules and regulations promulgated pursuant to such provisions, were to be effective on the one hundred and eightieth day after Sept. 18, 1978, was repealed by Pub. L. 101-380, title II, §2004, Aug. 18, 1990, 104 Stat. 507.

OFFSHORE OIL POLLUTION COMPENSATION FUND

Amounts remaining in the Offshore Oil Pollution Compensation Fund established under former section 1812 of this title to be deposited in the Oil Spill Liability Trust Fund established under section 9509 of Title 26, Internal Revenue Code, with that Fund to assume all liability incurred by the Offshore Oil Pollution Compensation Fund, see section 2004 of Pub. L. 101-380, set out as a note under section 9509 of Title 26.

SUBCHAPTER II—FISHERMEN'S CONTINGENCY FUND

§ 1841. Definitions

As used in this subchapter, the term—

(1) "area affected by Outer Continental Shelf activities" means any geographic area:

(A) which is under oil or gas lease on the Outer Continental Shelf;