§ 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) of this section, 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).

Amendments


New York Bight Apex Not Suitable for Dumping

Section 1172(a) of Pub. L. 99–662 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.