

HR 802

Maritime Pollution Prevention Act of 2008

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Transportation and Public Works

Introduced: Feb 5, 2007

Current Status: Became Public Law No: 110-280.

Latest Action: Became Public Law No: 110-280. (Jul 21, 2008)

Law: 110-280 (Enacted Jul 21, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/802>

Sponsor

Name: Rep. Oberstar, James L. [D-MN-8]

Party: Democratic • **State:** MN • **Chamber:** House

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		Feb 5, 2007

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Reported By	Jun 23, 2008
Transportation and Infrastructure Committee	House	Reported By	Mar 20, 2007

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

No related bills are listed.

(This measure has not been amended since it was passed by the Senate on June 26, 2008. The summary of that version is repeated here.)

Maritime Pollution Prevention Act of 2008 - (Sec. 3) Amends the Act to Prevent Pollution from Ships (Act) to provide for the adoption of Annex VI (Prevention of Air Pollution From Ships Enforcement) of the International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL Convention, which includes any Protocols or Annexes entered into force for the United States). Makes the Act, with respect to Annex VI, applicable to: (1) ships in a port, shipyard, offshore terminal, or U.S. internal waters; (2) a ship that is bound for, or departing from, a port, shipyard, offshore terminal, or the internal waters of the United States and is in navigable U.S. waters or the U.S. Exclusive Economic Zone (EEZ), an emission control, or other specified area; (3) a ship that is entitled to fly the flag of, or operating under the authority of, a party to Annex VI and is in navigable U.S. waters or the EEZ, an emission control, or other specified area; and (4) any other ship to the extent that, and in the same manner as, such ship may be boarded to implement or enforce any other U.S. law or Annex I, II, or V of the Convention, and that is in the EEZ or an emission control or other specified area. Authorizes, but does not require with respect to Annex VI, federal agency heads to determine that some or all Act requirements apply regarding vessel air emissions for public vessels operated under an agency's authority. Prohibits construing provisions relating to ships that are subject to preventive measures to restrict in a manner inconsistent with international law navigational rights and freedoms as defined by U.S. law, treaty, convention, or customary international law.

(Sec. 5) Permits only the Administrator (the Administrator) of the Environmental Protection Agency (EPA), and no other person, to issue Engine International Air Pollution Prevention certificates in accordance with Annex VI and the International Maritime Organization's Technical Code on Control of Emissions of Nitrogen Oxides from Marine Diesel Engines, on behalf of the United States for a documented U.S. vessel.

(Sec. 6) Gives a certificate issued by a country that is a party to the MARPOL Protocol of 1978 (MARPOL Protocol, which includes the Convention) the same validity as a certificate issued by the Secretary of the department in which the Coast Guard (the Secretary) is operating (currently) or the Administrator.

(Sec. 7) Requires the Secretary and the Administrator, after consulting with appropriate federal agencies, jointly to prescribe regulations setting criteria for determining the adequacy of reception facilities for receiving ozone depleting substances, equipment containing such substances, and exhaust gas cleaning residues at a port or terminal, and stating any additional measures and requirements as are appropriate to ensure such adequacy. Permits denial of entry to a ship to a port without adequate reception facilities to receive such substances and residues.

(Sec. 8) Authorizes the Secretary to inspect a ship to which the Act applies to verify whether the ship is in compliance with Annex VI to the Convention and the Act and permits either the Secretary or the Administrator to undertake enforcement actions if an inspection or any other information indicates that there is a violation.

(Sec. 9) Authorizes the Secretary of State, after consulting with the Secretary (currently) or the Administrator, to act for the United States on Protocol and related amendments, including proposed amendments to Annex VI to the Protocol.

(Sec. 10) Permits the Administrator (currently, only the Secretary) to assess civil penalties.

(Sec. 12) Allows any person having an interest which is, or can be, adversely affected to bring an action on his own behalf against the Administrator for a failure to perform any nondiscretionary act or duty.

Actions Timeline

- **Jul 21, 2008:** Signed by President.
- **Jul 21, 2008:** Became Public Law No: 110-280.
- **Jul 10, 2008:** Presented to President.
- **Jul 8, 2008:** Mr. Oberstar moved that the House suspend the rules and agree to the Senate amendment.
- **Jul 8, 2008:** DEBATE - The House proceeded with forty minutes of debate on the motion to suspend the rules and agree to the Senate amendment to H.R. 802.
- **Jul 8, 2008:** Resolving differences -- House actions: On motion that the House suspend the rules and agree to the Senate amendment Agreed to by voice vote.(consideration: CR H6191-6196; text as House agreed to Senate amendment: CR H6191-6192)
- **Jul 8, 2008:** On motion that the House suspend the rules and agree to the Senate amendment Agreed to by voice vote. (consideration: CR H6191-6196; text as House agreed to Senate amendment: CR H6191-6192)
- **Jul 8, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 8, 2008:** Cleared for White House.
- **Jun 27, 2008:** Message on Senate action sent to the House.
- **Jun 26, 2008:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(consideration: CR S6303-6304; text as passed Senate: CR S6303-6304)
- **Jun 26, 2008:** Passed Senate with an amendment by Unanimous Consent. (consideration: CR S6303-6304; text as passed Senate: CR S6303-6304)
- **Jun 23, 2008:** Committee on Commerce, Science, and Transportation. Reported by Senator Inouye with an amendment in the nature of a substitute. With written report No. 110-394.
- **Jun 23, 2008:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 828.
- **Apr 24, 2008:** Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Mar 28, 2007:** Read twice and referred to the Committee on Commerce, Science, and Transportation.
- **Mar 27, 2007:** Received in the Senate.
- **Mar 26, 2007:** Mr. Cummings moved to suspend the rules and pass the bill, as amended.
- **Mar 26, 2007:** Considered under suspension of the rules. (consideration: CR H3025-3028)
- **Mar 26, 2007:** DEBATE - The House proceeded with forty minutes of debate on H.R. 802.
- **Mar 26, 2007:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Mar 26, 2007:** Considered as unfinished business. (consideration: CR H3053)
- **Mar 26, 2007:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 359 - 48 (Roll no. 187).(text: CR H3025-3026)
- **Mar 26, 2007:** On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 359 - 48 (Roll no. 187). (text: CR H3025-3026)
- **Mar 26, 2007:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 26, 2007:** The title of the measure was amended. Agreed to without objection.
- **Mar 20, 2007:** Reported (Amended) by the Committee on Transportation. H. Rept. 110-54.
- **Mar 20, 2007:** Placed on the Union Calendar, Calendar No. 25.
- **Feb 7, 2007:** Committee Consideration and Mark-up Session Held.
- **Feb 7, 2007:** Ordered to be Reported (Amended) by Voice Vote.
- **Feb 5, 2007:** Introduced in House
- **Feb 5, 2007:** Sponsor introductory remarks on measure. (CR E257-258)
- **Feb 5, 2007:** Referred to the House Committee on Transportation and Infrastructure.

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