

ing groups reporting to the Energy Research Advisory Board.

(d) Review and recommendations

The Technical Panel shall review and may make recommendations on the following items, among others:

- (1) implementation and conduct of the programs established by this chapter;
- (2) definition of ocean thermal energy conversion system performance requirements for various user applications; and
- (3) economic, technological, and environmental consequences of the deployment of ocean thermal energy conversion systems.

(e) Report

The Technical Panel shall submit to the Energy Research Advisory Board on at least an annual basis a written report of its findings and recommendations with regard to the program. Such report, shall include at a minimum—

- (1) a summary of the Panel's activities for the preceding year;
- (2) an assessment and evaluation of the status of the programs mandated by this chapter; and
- (3) comments on and recommendations for improvements in the comprehensive program management plan required under section 9002 of this title.

(f) Submittal of report to Secretary of Energy

After consideration of the Technical Panel report, the Energy Research Advisory Board shall submit such report, together with any comments such Board deems appropriate, to the Secretary.

(g) Cooperation by agency heads

The heads of the departments, agencies, and instrumentalities of the executive branch of the Federal Government shall cooperate with the Technical Panel in carrying out the requirements of this section and shall furnish to the Technical Panel such information as the Technical Panel deems necessary to carry out this section.

(h) Staff, funds, and other support from Secretary of Energy

The Secretary shall provide sufficient staff, funds, and other support as necessary to enable the Technical Panel to carry out the functions described in this section.

(Pub. L. 96-310, § 8, July 17, 1980, 94 Stat. 945.)

TERMINATION OF ADVISORY PANELS

Advisory panels established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a panel established by the President or an officer of the Federal Government, such panel is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a panel established by the Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 9005 of this title.

§ 9008. Definitions

As used in this chapter, the term—

(1) “ocean thermal energy conversion” means a method of converting part of the heat from the Sun which is stored in the surface layers of a body of water into electrical energy or energy product equivalent;

(2) “energy product equivalent” means an energy carrier including, but not limited to, ammonia, hydrogen, or molten salts or an energy-intensive commodity, including, but not limited to, electrometals, fresh water, or nutrients for aquaculture; and

(3) “Secretary” means the Secretary of Energy.

(Pub. L. 96-310, § 9, July 17, 1980, 94 Stat. 946.)

§ 9009. Authorization of appropriations

(a) There is hereby authorized to be appropriated to carry out the purposes of this chapter the sum of \$20,000,000 for operating expenses for the fiscal year ending September 30, 1981, in addition to any amounts authorized to be appropriated in the fiscal year 1981 Authorization Act pursuant to section 7270 of this title.

(b) There is hereby authorized to be appropriated to carry out the purposes of this chapter the sum of \$60,000,000 for operating expenses for the fiscal year ending September 30, 1982.

(c) Funds are hereby authorized to be appropriated for fiscal year 1981 to carry out the purposes of section 9004 of this title for plant and capital equipment as follows:

Project 81-ES-1, ocean thermal energy conversion demonstration plants with a combined capacity of at least one hundred megawatts electrical or the energy product equivalent, sites to be determined, conceptual and preliminary design activities only \$5,000,000.

(d) Funds are hereby authorized to be appropriated for fiscal year 1982 to carry out the purposes of section 9004 of this title for plant and capital equipment as follows:

Project 81-ES-1, ocean thermal energy conversion demonstration plants with a combined capacity of at least one hundred megawatts electrical or the energy product equivalent, sites to be determined, conceptual and preliminary design activities only \$25,000,000.

(Pub. L. 96-310, § 10, July 17, 1980, 94 Stat. 946.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 9005 of this title.

CHAPTER 99—OCEAN THERMAL ENERGY CONVERSION

- Sec.
9101. Congressional declaration of policy.
9102. Definitions.

SUBCHAPTER I — REGULATION OF OCEAN THERMAL ENERGY CONVERSION FACILITIES AND PLANTSHIPS

9111. License for ownership, construction, and operation of ocean thermal energy conversion facilities or plantships.
 - (a) License requirement.
 - (b) Documented plantships; documented facilities; facilities located in territorial sea; facilities connected to United States by pipeline or cable.
 - (c) License issuance prerequisites.
 - (d) Issuance conditions; written agreement of compliance; disposal or removal requirements.

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| <p>Sec.</p> <p>9112. Procedure.</p> <p>9113. Protection of submarine electric transmission cables and equipment.</p> <p>9114. Antitrust review.</p> <p>9115. Adjacent coastal States.</p> <p>9116. Diligence requirements.</p> <p>9117. Protection of the environment.</p> <p>9118. Marine environmental protection and safety of life and property at sea.</p> <p>9119. Prevention of interference with other uses of high seas.</p> <p>9120. Monitoring of licensees' activities.</p> <p>9121. Suspension, revocation, and termination of licenses.</p> <p>9122. Recordkeeping and public access to information.</p> | <p>(e) License transfer.</p> <p>(f) License eligibility.</p> <p>(g) License term and renewal.</p> <p>(a) Rules and regulations.</p> <p>(b) Site evaluation and preconstruction testing.</p> <p>(c) Expertise or statutory responsibility descriptions.</p> <p>(d) Application.</p> <p>(e) Area description; additional license applications.</p> <p>(f) Copies of application to other agencies.</p> <p>(g) Notice, comments, and hearing.</p> <p>(h) Administrative fee.</p> <p>(i) Approval or denial of application; applications for same area; factors determinative of facility selection.</p> <p>(a) Prohibited acts; misdemeanor; penalty and fine.</p> <p>(b) Culpable negligence; misdemeanor; penalty and fine.</p> <p>(c) Exceptions.</p> <p>(d) Suits for damages.</p> <p>(e) Indemnity.</p> <p>(f) Repair costs.</p> <p>(a) Review of applications by Attorney General.</p> <p>(b) Issuance of license as constituting no defense for antitrust violations.</p> <p>(a) Designation of adjacent coastal State.</p> <p>(b) State coastal zone management program.</p> <p>(c) Agreements and compacts between States.</p> <p>(a) Rules and regulations.</p> <p>(b) Termination of license.</p> <p>(a) Environmental assessment program.</p> <p>(b) Program purposes.</p> <p>(c) Plan submittal to Congress.</p> <p>(d) Reduction of program to minimum necessary level.</p> <p>(e) Environmental impact statement.</p> <p>(f) Discharge of pollutants.</p> <p>(a) Coast Guard operations.</p> <p>(b) Promotion of safety of life and property.</p> <p>(c) Marking components for protection of navigation.</p> <p>(d) Safety zones.</p> <p>(e) Rules and regulations; vessels; "ocean thermal energy conversion facility" defined.</p> <p>(f) Protection of navigation.</p> <p>(a) License conditions.</p> <p>(b) Rules and regulations.</p> <p>(c) Coast Guard operations.</p> <p>(a) Filing of action by Attorney General; automatic suspension.</p> <p>(b) Immediate suspension of construction or operation pending completion of proceedings.</p> <p>(a) Records and reports.</p> | <p>Sec.</p> <p>9123. Relinquishment or surrender of license.</p> <p>9124. Civil actions.</p> <p>9125. Judicial review.</p> <p>9126. Exempt operations.</p> <p>9127. Periodic review and revision of regulations.</p> <p>SUBCHAPTER II—MARITIME FINANCING FOR OCEAN THERMAL ENERGY CONVERSION</p> <p>9141. Determinations under Merchant Marine Act, 1936.</p> <p>SUBCHAPTER III—ENFORCEMENT</p> <p>9151. Prohibited acts.</p> <p>9152. Remedies and penalties.</p> <p>9153. Enforcement.</p> <p>SUBCHAPTER IV—MISCELLANEOUS PROVISIONS</p> <p>9161. Law of the sea treaty.</p> <p>9162. International negotiations.</p> <p>9163. Relationship to other laws.</p> <p>9164. Submarine electric transmission cable and equipment safety.</p> <p>9165. Annual report.</p> <p>9166. Authorization of appropriations.</p> <p>9167. Severability.</p> <p>9168. Report to Congress on promotion and enhancement of export potential of ocean thermal energy conversion components, facilities, and plantships.</p> | <p>(b) Confidential information.</p> <p>(a) Relinquishment or surrender authority; continuation of liability.</p> <p>(b) Transfer of right of way.</p> <p>(a) Jurisdiction.</p> <p>(b) Notice.</p> <p>(c) Right of Administrator or Attorney General to intervene.</p> <p>(d) Award of costs.</p> <p>(e) Other remedies not restricted.</p> <p>(a) Test platforms.</p> <p>(b) Commercial demonstration ocean thermal energy conversion facilities or plantships.</p> <p>(a) Issuance and enforcement of orders.</p> <p>(b) Civil actions by Attorney General; equitable relief.</p> <p>(c) Civil penalties.</p> <p>(d) Criminal penalties.</p> <p>(e) In rem liability of vessels.</p> <p>(a) Enforcement responsibility of Administrator of National Oceanic and Atmospheric Administration; Coast Guard.</p> <p>(b) Enforcement activities of authorized officers.</p> <p>(c) Jurisdiction; venue.</p> <p>(d) Definitions.</p> <p>(a) Facilities and plantships as comparable to areas of exclusive Federal jurisdiction located within a State.</p> <p>(b) Responsibilities and authorities of States or United States within territorial seas; applicability of State law to facilities located beyond territorial seas.</p> <p>(c) Customs laws.</p> <p>(a) Standards and regulations.</p> <p>(b) Report to Congress on appropriation and staffing needs.</p> |
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- § 9101. Congressional declaration of policy**
- (a) It is declared to be the purposes of the Congress in this chapter to—
- (1) authorize and regulate the construction, location, ownership, and operation of ocean thermal energy conversion facilities connected to the United States by pipeline or