

115TH CONGRESS  
1ST SESSION

# H. R. 1504

To amend the Act popularly known as the Rivers and Harbors Appropriation Act of 1915 to prohibit the establishment of certain anchorage grounds within five miles of a nuclear power plant, a location on the national register of historic places, a superfund site, or critical habitat of an endangered species, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2017

Mr. SEAN PATRICK MALONEY of New York (for himself and Mr. ENGEL) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend the Act popularly known as the Rivers and Harbors Appropriation Act of 1915 to prohibit the establishment of certain anchorage grounds within five miles of a nuclear power plant, a location on the national register of historic places, a superfund site, or critical habitat of an endangered species, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hudson River Protec-  
5 tion Act”.

1 **SEC. 2. PROHIBITION ON ESTABLISHMENT OF CERTAIN AN-**  
2 **CHORAGE GROUNDS WITHIN FIVE MILES OF**  
3 **CERTAIN LOCATIONS.**

4 (a) IN GENERAL.—Section 7 of the Act of March 4,  
5 1915 (chapter 142; 33 U.S.C. 471), popularly known as  
6 the Rivers and Harbors Appropriation Act of 1915, is  
7 amended—

8 (1) by striking “The Secretary” and inserting  
9 “Except as provided in subsection (b), the Sec-  
10 retary”;

11 (2) by redesignating subsection (b) as sub-  
12 section (c);

13 (3) in subsection (c), as so redesignated—

14 (A) by striking “(c) DEFINITION.—As  
15 used in this section” and inserting the fol-  
16 lowing:

17 “(c) DEFINITIONS.—As used in this section—

18 “(1) the term”;

19 (B) by striking the period at the end and  
20 inserting a semicolon; and

21 (C) by adding at the end the following:

22 “(2) the term ‘nuclear power plant’ means an  
23 electric generating facility that uses a nuclear reac-  
24 tor as its heat source to provide steam to a turbine  
25 generator; and

1 “(3) the term ‘superfund site’ means a site that  
2 is—

3 “(A) included on the National Priorities  
4 List developed by the President in accordance  
5 with section 105(a)(8)(B) of the Comprehensive  
6 Environmental Response, Compensation, and  
7 Liability Act of 1980 (42 U.S.C.  
8 9605(a)(8)(B)); or

9 “(B) the subject of an ongoing or planned  
10 remedial action carried out in accordance with  
11 such Act.”; and

12 (4) by inserting after subsection (a) the fol-  
13 lowing:

14 “(b) RESTRICTION.—The Secretary may not estab-  
15 lish as anchorage grounds for vessels carrying hazardous  
16 or flammable material as cargo any area that is located  
17 within five miles of—

18 “(1) a nuclear power plant;

19 “(2) a location on the national register of his-  
20 toric places;

21 “(3) a superfund site; or

22 “(4) a critical habitat of an endangered species  
23 designated under the Endangered Species Act of  
24 1973 (16 U.S.C. 1531 et seq.).”.

1       (b) LIMITATION ON APPLICATION.—The amendment  
2 made by subsection (a) shall not apply with respect to an-  
3 chorage grounds established before the date of the enact-  
4 ment of this Act for vessels carrying hazardous or flam-  
5 mable material as cargo.

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