

(two years in the case of a violation of paragraph (1) or (2), or both. If the conviction is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than \$50,000 per day of violation, or by imprisonment for not more than two years, or by both.”

Subsec. (d)(1). Pub. L. 98-616, §232(a)(1), inserted “or causes to be transported” and substituted “this subchapter” for “section 6925 of this title (or section 6926 of this title in case of a State program)”.

Subsec. (d)(2). Pub. L. 98-616, §232(a)(2)(A), struck out “either” after “subchapter” in provision preceding subpar. (A).

Subsec. (d)(2)(A). Pub. L. 98-616, §232(a)(2)(B), (c), substituted “this subchapter” for “section 6925 of this title (or section 6926 of this title in the case of a State program)” and struck out “having obtained” before “a permit under”.

Subsec. (d)(2)(C). Pub. L. 98-616, §232(a)(2)(C), added subpar. (C).

Subsec. (d)(3) to (5). Pub. L. 98-616, §232(a)(3), in amending pars. (3) and (4) generally, expanded par. (3) by providing criminal penalties for one who knowingly omits material information from documents required to be filed, maintained or used under this subchapter, expanded par. (4) by providing criminal penalties for one who knowingly fails to file required material under this subchapter, and added par. (5).

Subsec. (d)(6). Pub. L. 98-616, §245(c), added par. (6).

Subsec. (e). Pub. L. 98-616, §232(b), in amending subsec. (e) generally, struck out provisions referring to violations of interim status standards and omission of material information from permit applications, struck out provision requiring proof of “unjustifiable and inexcusable disregard for human life” or “extreme indifference to human life” for conviction under this subsection, and inserted provision increasing maximum prison sentence to fifteen years for violation of subsec. (d)(1) through (6) of this section by one who knowingly places another person in imminent danger of death or serious bodily injury, replacing former provision calling for maximum imprisonment of two years, or five years in cases evidencing extreme indifference to human life.

Subsec. (h). Pub. L. 98-616, §233(a), added subsec. (h).

1980—Subsec. (a)(1). Pub. L. 96-482, §13(1), (2), struck out “the Administrator shall give notice to the violator of his failure to comply with such requirement. If such violation extends beyond the thirtieth day after the Administrator’s notification” before “the Administrator may issue” and substituted “compliance immediately or within a specified time period” for “compliance within a specified time period”.

Subsec. (a)(2). Pub. L. 96-482, §13(2), struck out “thirty days” after “violation has occurred”.

Subsec. (b). Pub. L. 96-482, §13(3), substituted “order shall become final unless, no later than thirty days after the order is served” for “order or any suspension or revocation of a permit shall become final unless, no later than thirty days after the order or notice of the suspension or revocation is served”.

Subsec. (c). Pub. L. 96-482, §13(4), authorized orders for suspension or revocation of permits.

Subsec. (d). Pub. L. 96-482, §13(5), in par. (2), designated existing provisions as subpar. (A) and added subpar. (B), in par. (3), inserted provision requiring the statement or representation to be material, added par. (4), and in provisions following par. (4), inserted provision authorizing a fine of \$50,000 and a two year imprisonment for violation of par. (1) or (2).

Subsecs. (e) to (g). Pub. L. 96-482, §13(5), added subsecs. (e) to (g).

1978—Subsec. (d)(1). Pub. L. 95-609, §7(k)(1), inserted provision relating to title I of the Marine Protection, Research, and Sanctuaries Act.

Subsec. (d)(2). Pub. L. 95-609, §7(k)(2), inserted provisions relating to treatment or storage of hazardous wastes and relating to title I of the Marine Protection, Research, and Sanctuaries Act.

Executive Documents

TRANSFER OF FUNCTIONS

For transfer of certain enforcement functions of Administrator or other official of Environmental Protection Agency under this chapter to Federal Inspector, Office of Federal Inspector for the Alaska Natural Gas Transportation System, and subsequent transfer to Secretary of Energy, then to Federal Coordinator for Alaska Natural Gas Transportation Projects, see note set out under section 6903 of this title.

§ 6929. Retention of State authority

Upon the effective date of regulations under this subchapter no State or political subdivision may impose any requirements less stringent than those authorized under this subchapter respecting the same matter as governed by such regulations, except that if application of a regulation with respect to any matter under this subchapter is postponed or enjoined by the action of any court, no State or political subdivision shall be prohibited from acting with respect to the same aspect of such matter until such time as such regulation takes effect. Nothing in this chapter shall be construed to prohibit any State or political subdivision thereof from imposing any requirements, including those for site selection, which are more stringent than those imposed by such regulations. Nothing in this chapter (or in any regulation adopted under this chapter) shall be construed to prohibit any State from requiring that the State be provided with a copy of each manifest used in connection with hazardous waste which is generated within that State or transported to a treatment, storage, or disposal facility within that State.

(Pub. L. 89-272, title II, §3009, as added Pub. L. 94-580, §2, Oct. 21, 1976, 90 Stat. 2812; amended Pub. L. 96-482, §14, Oct. 21, 1980, 94 Stat. 2342; Pub. L. 98-616, title II, §213(b), Nov. 8, 1984, 98 Stat. 3242.)

Editorial Notes

AMENDMENTS

1984—Pub. L. 98-616 inserted “Nothing in this chapter (or in any regulation adopted under this chapter) shall be construed to prohibit any State from requiring that the State be provided with a copy of each manifest used in connection with hazardous waste which is generated within that State or transported to a treatment, storage, or disposal facility within that State.”

1980—Pub. L. 96-482 prohibited construction of this chapter as barring a State from imposing more stringent requirements than provided in Federal regulations.

§ 6930. Effective date

(a) Preliminary notification

Not later than ninety days after promulgation of regulations under section 6921 of this title identifying by its characteristics or listing any substance as hazardous waste subject to this subchapter, any person generating or transporting such substance or owning or operating a facility for treatment, storage, or disposal of such substance shall file with the Administrator (or with States having authorized hazardous waste permit programs under section 6926 of this title) a notification stating the location and general description of such activity and the