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TITLE 33--NAVIGATION AND NAVIGABLE WATERS

CHAPTER 40--OIL POLLUTION

SUBCHAPTER I--OIL POLLUTION LIABILITY AND COMPENSATION

Sec. 2714. Designation of source and advertisement

(a) Designation of source and notification

When the President receives information of an incident, the President shall, where possible and appropriate, designate the source or sources of the discharge or threat. If a designated source is a vessel or a facility, the President shall immediately notify the responsible party and the guarantor, if known, of that designation.

(b) Advertisement by responsible party or guarantor

(1) If a responsible party or guarantor fails to inform the President, within 5 days after receiving notification of a designation under subsection (a) of this section, of the party's or the guarantor's denial of the designation, such party or guarantor shall advertise the designation and the procedures by which claims may be presented, in accordance with regulations promulgated by the President. Advertisement under the preceding sentence shall begin no later than 15 days after the date of the designation made under subsection (a) of this section. If advertisement is not otherwise made in accordance with this subsection, the President shall promptly and at the expense of the responsible party or the guarantor involved, advertise the designation and the procedures by which claims may be presented to the responsible party or guarantor. Advertisement under this subsection shall continue for a period of no less than 30 days.

(2) An advertisement under paragraph (1) shall state that a claimant may present a claim for interim, short-term damages representing less than the full amount of damages to which the claimant ultimately may be entitled and that payment of such a claim shall not preclude recovery for damages not reflected in the paid or settled partial claim.

(c) Advertisement by President

If--

(1) the responsible party and the guarantor both deny a designation within 5 days after receiving notification of a designation under subsection (a) of this section,

(2) the source of the discharge or threat was a public vessel,
or
(3) the President is unable to designate the source or sources
of the discharge or threat under subsection (a) of this section,

the President shall advertise or otherwise notify potential claimants
of
the procedures by which claims may be presented to the Fund.

(Pub. L. 101-380, title I, Sec. 1014, Aug. 18, 1990, 104 Stat. 501;
Pub.
L. 104-324, title XI, Sec. 1142(c), Oct. 19, 1996, 110 Stat. 3991.)

Amendments

1996--Subsec. (b). Pub. L. 104-324 designated existing provisions
as
par. (1) and added par. (2).

Delegation of Functions

Functions of President under this section delegated to Secretary of
Department in which Coast Guard is operating by section 7(d)(2) of Ex.
Ord. No. 12777, Oct. 18, 1991, 56 F.R. 54768, set out as a note under
section 1321 of this title.