

**§ 2609. Penalties****(a) General penalty**

Except as provided in subsection (b) of this section, a person violating this chapter is liable to the United States Government for a civil penalty of not more than \$25,000. Each day of a continuing violation is a separate violation. A vessel involved in the violation also is liable in rem for the penalty.

**(b) Operating without a permit**

A person violating section 2602 of this title is liable to the United States Government for a civil penalty of not more than \$10,000. Each day of a continuing violation is a separate violation. A vessel involved in the violation also is liable in rem for the penalty.

**(c) Criminal penalty**

Any person that knowingly violates, or that knowingly aids, abets, authorizes, or instigates a violation of this chapter, shall be fined under title 18, imprisoned for not more than 3 years, or both.

**(d) Payments for information**

The court, the Secretary of Transportation, or the Administrator, as the case may be, may pay up to one-half of a fine or penalty to any person giving information leading to the assessment of the fine or penalty.

(Pub. L. 100-688, title IV, §4109, Nov. 18, 1988, 102 Stat. 4158.)

## SUBCHAPTER II—RELATED PROVISIONS

**§ 2621. Study and recommendations****(a) Study**

The Administrator, in consultation with the Secretary of Transportation, shall conduct a study to determine the need for, and effectiveness of additional tracking systems for vessels to assure that municipal or commercial waste is not deposited in coastal waters. In conducting this study, the Administrator shall use the data collected from its permitting and enforcement activities under this chapter. In determining the effectiveness of tracking systems, the Administrator shall rely on the information provided by the Secretary under subsection (b) of this section. The report shall include a recommendation whether additional tracking systems are needed. This study shall be submitted to Congress within 24 months after November 18, 1988.

**(b) Recommendations**

The Secretary shall provide recommendations to the Administrator concerning the various tracking systems that might be applicable to vessels transporting municipal or commercial waste which the Secretary currently is studying. The Secretary shall consider the relative effectiveness of various systems and the relative costs of the systems both to the United States Government and to the vessel owner.

(Pub. L. 100-688, title IV, §4201, Nov. 18, 1988, 102 Stat. 4159.)

**§ 2622. Relation to other laws****(a) Effect on Federal and State laws**

This chapter does not affect the application of any other Federal or State law, statutory or

common, including the Marine Protection, Research, and Sanctuaries Act of 1972 [16 U.S.C. 1431 et seq., 1447 et seq.; 33 U.S.C. 1401 et seq., 2801 et seq.] and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

**(b) Effect on foreign vessels**

This chapter shall be carried out with respect to foreign vessels consistent with the obligations of the United States under international law.

(Pub. L. 100-688, title IV, §4202, Nov. 18, 1988, 102 Stat. 4159.)

## REFERENCES IN TEXT

The Marine Protection, Research, and Sanctuaries Act of 1972, referred to in subsec. (a), is Pub. L. 92-532, Oct. 23, 1972, 86 Stat. 1052, as amended, which is classified generally to chapters 27 (§1401 et seq.) and 41 (§2801 et seq.) of this title and chapters 32 (§1431 et seq.) and 32A (§1447 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 1401 of this title and Tables.

The Solid Waste Disposal Act, referred to in subsec. (a), is title II of Pub. L. 89-272, Oct. 20, 1965, 79 Stat. 997, as amended generally by Pub. L. 94-580, §2, Oct. 21, 1976, 90 Stat. 2795, which is classified generally to chapter 82 (§6901 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 6901 of Title 42 and Tables.

**§ 2623. Authorization of appropriations**

There are authorized to be appropriated \$1,500,000 for each of the fiscal years 1989 and 1990, to carry out this chapter.

(Pub. L. 100-688, title IV, §4203, Nov. 18, 1988, 102 Stat. 4160.)

## CHAPTER 40—OIL POLLUTION

## SUBCHAPTER I—OIL POLLUTION LIABILITY AND COMPENSATION

Sec.	
2701.	Definitions.
2702.	Elements of liability.
2703.	Defenses to liability.
2704.	Limits on liability.
2705.	Interest; partial payment of claims.
2706.	Natural resources.
2707.	Recovery by foreign claimants.
2708.	Recovery by responsible party.
2709.	Contribution.
2710.	Indemnification agreements.
2711.	Consultation on removal actions.
2712.	Uses of Fund.
2713.	Claims procedure.
2714.	Designation of source and advertisement.
2715.	Subrogation.
2716.	Financial responsibility.
2716a.	Financial responsibility civil penalties.
2717.	Litigation, jurisdiction, and venue.
2718.	Relationship to other law.
2719.	State financial responsibility.
2720.	Differentiation among fats, oils, and greases.

## SUBCHAPTER II—PRINCE WILLIAM SOUND PROVISIONS

2731.	Oil Spill Recovery Institute.
2732.	Terminal and tanker oversight and monitoring.
2733.	Bligh Reef light.
2734.	Vessel traffic service system.
2735.	Equipment and personnel requirements under tank vessel and facility response plans.