

**CHAPTER 39—SHORE PROTECTION FROM MUNICIPAL OR COMMERCIAL WASTE**

SUBCHAPTER I—SHORE PROTECTION

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SUBCHAPTER I—SHORE PROTECTION

**§ 2601. Definitions**

In this chapter—

(1) “Administrator” means the Administrator of the Environmental Protection Agency.

(2) “coastal waters” means—

(A) the territorial sea of the United States;  
(B) the Great Lakes and their connecting waters;

(C) the marine and estuarine waters of the United States up to the head of tidal influence; and

(D) the Exclusive Economic Zone as established by Presidential Proclamation Number 5030, dated March 10, 1983.

(3) “municipal or commercial waste” means solid waste (as defined in section 6903 of title 42) except—

(A) solid waste identified and listed under section 6921 of title 42;

(B) waste generated by the vessel during normal operations;

(C) debris solely from construction activities;

(D) sewage sludge subject to regulation under title I of the Marine Protection, Research, and Sanctuaries Act of 1972 [33 U.S.C. 1411 et seq.]; and

(E) dredged or fill material subject to regulation under title I of the Marine Protection, Research, and Sanctuaries Act of 1972 [33 U.S.C. 1411 et seq.], the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), or the Rivers and Harbors Appropriation Act of 1899 (33 U.S.C. 401 et seq.).

(4) “person” means an individual, trust, firm, joint stock company, corporation (including a government corporation), partnership, association, State, municipality, commission, political subdivision of a State, or any interstate body.

(5) “receiving facility” means a facility or operation where municipal or commercial waste is unloaded from a vessel.

(6) “United States”, when used in a geographic sense, means the States of the United States, Puerto Rico, the District of Columbia, the Virgin Islands, American Samoa, Guam, the Northern Mariana Islands, and any other territory or possession of the United States.

(7) “waste source” means a facility or vessel from which municipal or commercial waste is loaded onto a vessel, including any rolling stock or motor vehicles from which that waste is directly loaded.

(Pub. L. 100-688, title IV, §4101, Nov. 18, 1988, 102 Stat. 4154.)

REFERENCES IN TEXT

Presidential Proclamation Number 5030, referred to in par. (2)(D), is set out under section 1453 of Title 16, Conservation.

The Marine Protection, Research, and Sanctuaries Act of 1972, referred to in par. (3)(D) and (E), is Pub. L. 92-532, Oct. 23, 1972, 86 Stat. 1052, as amended. Title I of that Act is classified generally to subchapter I (§1411 et seq.) of chapter 27 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1401 of this title and Tables.

The Federal Water Pollution Control Act, referred to in par. (3)(E), is act June 30, 1948, ch. 758, as amended generally by Pub. L. 92-500, §2, Oct. 18, 1972, 86 Stat. 816, which is classified generally to chapter 26 (§1251 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1251 of this title and Tables.

The Rivers and Harbors Appropriation Act of 1899, referred to in par. (3)(E), is act Mar. 3, 1899, ch. 425, 30 Stat. 1151, as amended, which enacted sections 401, 403, 404, 406 to 409, 411 to 416, 418, 502, 549, 686, and 687 of this title. For complete classification of this Act to the Code, see Tables.

SHORT TITLE

Pub. L. 100-688, title IV, §4001, Nov. 18, 1988, 102 Stat. 4154, provided that: “This title [enacting this chapter] may be cited as the ‘Shore Protection Act of 1988’.”

TERRITORIAL SEA OF UNITED STATES

For extension of territorial sea of United States, see Proc. No. 5928, set out as a note under section 1331 of Title 43, Public Lands.

**§ 2602. Vessel permits and numbers**

**(a) In general**

A vessel (except a public vessel as defined in section 2101 of title 46) may not transport municipal or commercial waste in coastal waters without—

(1) a permit for that vessel from the Secretary of Transportation; and

(2) displaying a number or other marking on the vessel as prescribed by the Secretary under chapter 123 or section 12502(b) of title 46.

**(b) Permit applications**

Application for a permit required by subsection (a) of this section shall be made by the vessel owner or operator and include—

(1) the name, address, and telephone number of the vessel owner and operator;

(2) the vessel’s name and identification number;

(3) the vessel’s area of operation;

(4) the vessel’s transport capacity;

(5) a history of the types of cargo transported by that vessel during the previous year, including identifying the type of municipal or commercial waste transported as—

(A) municipal waste;

(B) commercial waste;

(C) medical waste; or

(D) waste of another character.