

neers, including research, design, and development of systems and frameworks for—

- (1) response to flood and earthquake events;
- (2) predisaster mitigation measures;
- (3) lengthening the useful life of the infrastructure; and
- (4) identifying risks due to sea level rise.

**(b) Consultation and considerations**

In developing the program under subsection (a), the Secretary shall—

- (1) consult with academic and other experts; and
- (2) consider models for maintenance and repair information, the development of degradation models for real-time measurements and environmental inputs, and research on qualitative inspection data as surrogate sensors.

(Pub. L. 114-322, title I, § 1151, Dec. 16, 2016, 130 Stat. 1661.)

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 2016, and also as part of the Water Infrastructure Improvements for the Nation Act, also known as the WIIN Act, and not as part of the Water Resources Development Act of 1986 which comprises this chapter.

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 1002 of Pub. L. 114-322, set out as a note under section 2201 of this title.

**§ 2354. Easements for electric, telephone, or broadband service facilities**

**(a) Definition of water resources development project**

In this section, the term “water resources development project” means a project under the administrative jurisdiction of the Corps of Engineers that is subject to part 327 of title 36, Code of Federal Regulations (or successor regulations).

**(b) No consideration for easements**

The Secretary may not collect consideration for an easement across water resources development project land for the electric, telephone, or broadband service facilities of nonprofit organizations eligible for financing under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.).

**(c) Administrative expenses**

Nothing in this section affects the authority of the Secretary under section 2695 of title 10 or under section 9701 of title 31 to collect funds to cover reasonable administrative expenses incurred by the Secretary.

(Pub. L. 114-322, title I, § 1172, Dec. 16, 2016, 130 Stat. 1671.)

REFERENCES IN TEXT

The Rural Electrification Act of 1936, referred to in subsec. (b), is act May 20, 1936, ch. 432, 49 Stat. 1363, which is classified generally to chapter 31 (§901 et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see section 901 of Title 7 and Tables.

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 2016, and also as part of the Water

Infrastructure Improvements for the Nation Act, also known as the WIIN Act, and not as part of the Water Resources Development Act of 1986 which comprises this chapter.

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 1002 of Pub. L. 114-322, set out as a note under section 2201 of this title.

**§ 2355. Prior project authorization**

In any case in which a project under the jurisdiction of the Secretary is budgeted under a different business line than the business line under which the project was originally authorized, the Secretary shall ensure that the project is carried out in accordance with any requirements that apply to the business line under which the project was originally authorized.

(Pub. L. 115-270, title I, § 1127, Oct. 23, 2018, 132 Stat. 3780.)

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 2018, and also as part of the America’s Water Infrastructure Act of 2018, and not as part of the Water Resources Development Act of 1986 which comprises this chapter.

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 102 of Pub. L. 115-270, set out as a note under section 2201 of this title.

**CHAPTER 37—ORGANOTIN ANTIFOULING PAINT CONTROL**

**§§ 2401 to 2410. Repealed. Pub. L. 111-281, title X, § 1048, Oct. 15, 2010, 124 Stat. 3032**

Section 2401, Pub. L. 100-333, § 2, June 16, 1988, 102 Stat. 605, provided findings and purposes for chapter.

Section 2402, Pub. L. 100-333, § 3, June 16, 1988, 102 Stat. 605, provided definitions for chapter.

Section 2403, Pub. L. 100-333, § 4, June 16, 1988, 102 Stat. 606, prohibited, with exceptions, application of antifouling paint containing organotin to any vessel less than 25 meters in length.

Section 2404, Pub. L. 100-333, § 5, June 16, 1988, 102 Stat. 606, prohibited certain organotin paints and additives.

Section 2405, Pub. L. 100-333, § 6, June 16, 1988, 102 Stat. 607, related to certification of antifouling paints containing organotin.

Section 2406, Pub. L. 100-333, § 7, June 16, 1988, 102 Stat. 607; Pub. L. 104-106, div. A, title X, § 1064(f), Feb. 10, 1996, 110 Stat. 445, related to monitoring and research of ecological effects.

Section 2407, Pub. L. 100-333, § 8, June 16, 1988, 102 Stat. 608, provided for alternative antifouling research.

Section 2408, Pub. L. 100-333, § 9, June 16, 1988, 102 Stat. 608, related to issuance of a final water quality criteria document.

Section 2409, Pub. L. 100-333, § 10, June 16, 1988, 102 Stat. 608, provided for civil and criminal penalties for violations of certain sections of chapter.

Section 2410, Pub. L. 100-333, § 11, June 16, 1988, 102 Stat. 608, related to other authorities and State laws.

EFFECTIVE DATE; USE OF EXISTING STOCKS

Pub. L. 100-333, § 12, June 16, 1988, 102 Stat. 609, which provided that this chapter would take effect on June 16, 1988, and provided for a limited amount of time after that date to sell and use existing stocks of organotin paints and additives, was repealed by Pub. L. 111-281, title X, § 1048, Oct. 15, 2010, 124 Stat. 3032.

SHORT TITLE

Pub. L. 100-333, §1, June 16, 1988, 102 Stat. 605, which provided that this chapter could be cited as the “Organotin Antifouling Paint Control Act of 1988”, was repealed by Pub. L. 111-281, title X, §1048, Oct. 15, 2010, 124 Stat. 3032.

**CHAPTER 38—DUMPING OF MEDICAL WASTE BY PUBLIC VESSELS**

Sec.	
2501.	Findings.
2502.	Definitions.
2503.	Prohibition.
2504.	Guidance.

**§ 2501. Findings**

The Congress finds the following:

- (1) The washing ashore of potentially infectious medical wastes from public vessels of the United States may pose serious and widespread risks to public health and to the welfare of coastal communities.
- (2) Current Federal law provides inadequate protections against the disposal of such wastes from such vessels into ocean waters.
- (3) Operators of such vessels must take immediate action to stop disposing of such wastes into ocean waters.

(Pub. L. 100-688, title III, §3102, Nov. 18, 1988, 102 Stat. 4152.)

SHORT TITLE

Pub. L. 100-688, title III, §3101, Nov. 18, 1988, 102 Stat. 4152, provided that: “This subtitle [subtitle A (§§3101-3105) of title III of Pub. L. 100-688, enacting this chapter] may be cited as the ‘United States Public Vessel Medical Waste Anti-Dumping Act of 1988’.”

**§ 2502. Definitions**

For the purposes of this chapter:

**(1) Potentially infectious medical waste**

The term “potentially infectious medical waste” includes isolation wastes; infectious agents; human blood and blood products; pathological wastes; sharps; body parts; contaminated bedding; surgical wastes; and other disposable medical equipment and material that may pose a risk to the public health, welfare or the marine environment.

**(2) Public vessel**

The term “public vessel” means a vessel of any type whatsoever (including hydrofoils, air-cushion vehicles, submersibles, floating craft whether propelled or not, and fixed or floating platforms) that is owned, or demise chartered, and operated by the United States Government, and is not engaged in commercial service.

(Pub. L. 100-688, title III, §3103, Nov. 18, 1988, 102 Stat. 4152.)

**§ 2503. Prohibition**

After 6 months after November 18, 1988, no public vessel shall dispose of potentially infectious medical waste into ocean waters unless—

- (1)(A) the health or safety of individuals on board the vessel is threatened; or
- (B) during time of war or a declared national emergency;

(2) the waste is disposed of beyond 50 nautical miles from the nearest land; and

(3)(A) in the case of a public vessel which is not a submersible, the waste is sterilized, properly packaged, and sufficiently weighted to prevent the waste from coming ashore after disposal; and

(B) in the case of a public vessel which is a submersible, the waste is properly packaged and sufficiently weighted to prevent the waste from coming ashore after disposal.

(Pub. L. 100-688, title III, §3104, Nov. 18, 1988, 102 Stat. 4152.)

**§ 2504. Guidance**

Not later than 3 months after November 18, 1988, the Secretary of Defense and the head of each affected agency, in consultation with the Administrator of the Environmental Protection Agency, shall each issue guidance for public vessels under the jurisdiction of their agency regarding implementation of section 2503 of this title.

(Pub. L. 100-688, title III, §3105, Nov. 18, 1988, 102 Stat. 4153.)

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

SUBCHAPTER I—SHORE PROTECTION

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2601.	Definitions.
2602.	Vessel permits and numbers.
2603.	Waste handling practices.
2604.	Suspension, revocation, and injunctions.
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2607.	Fees.
2608.	Civil penalty procedures.
2609.	Penalties.

SUBCHAPTER II—RELATED PROVISIONS

2621.	Study and recommendations.
2622.	Relation to other laws.
2623.	Authorization of appropriations.

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;