

gheny and Monongahela Rivers at Pittsburgh, Pennsylvania, at RM 981.

(21) Ouachita-Black Rivers: From the mouth of the Black River at its junction with the Red River at RM 0 to RM 351 at Camden, Arkansas.

(22) Pearl River: From junction of West Pearl River with the Rigolets at RM 0 to Bogalusa, Louisiana, RM 58.

(23) Red River: From RM 0 to the mouth of Cypress Bayou at RM 236.

(24) Tennessee River: From junction with Ohio River at RM 0 to confluence with Holstein and French Rivers at RM 652.

(25) White River: From RM 9.8 to RM 255 at Newport, Arkansas.

(26) Willamette River: From RM 21 upstream of Portland, Oregon, to Harrisburg, Oregon, at RM 194.

(27) Tennessee-Tombigbee Waterway: From its confluence with the Tennessee River to the Warrior River at Demopolis, Alabama.

(Pub. L. 95-502, title II, §206, Oct. 21, 1978, 92 Stat. 1700; Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 99-662, title XIV, §1404(b), Nov. 17, 1986, 100 Stat. 4270.)

REFERENCES IN TEXT

Section 1802 of this title, referred to in text, was repealed by Pub. L. 99-662, title XIV, §1405(b), Nov. 17, 1986, 100 Stat. 4271.

AMENDMENTS

1986—Pub. L. 99-514, in introductory provisions, substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954”, which for purposes of codification was translated as “title 26” thus requiring no change in text.

Par. (27). Pub. L. 99-662 added par. (27).

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-662 effective Jan. 1, 1987, see section 1404(c) of Pub. L. 99-662 set out as a note under section 4042 of Title 26, Internal Revenue Code.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 26 sections 4042, 9506.

CHAPTER 33—PREVENTION OF POLLUTION FROM SHIPS

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| 1904. | Certificates. | 1906. Incidents involving ships. |
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CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 1913, 1914, 1915 of this title; title 16 sections 2403, 2405; title 18 section 1956.

§ 1901. Definitions

(a) Unless the context indicates otherwise, as used in this chapter—

(1) “Antarctica” means the area south of 60 degrees south latitude;

(2) “Antarctic Protocol” means the Protocol on Environmental Protection to the Antarctic Treaty, signed October 4, 1991, in Madrid, and all annexes thereto, and includes any future amendments thereto which have entered into force;

(3) “MARPOL Protocol” means the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973, and includes the Convention;

(4) “Convention” means the International Convention for the Prevention of Pollution from Ships, 1973, including Protocols I and II and Annexes I, II, and V thereto, including any modification or amendments to the Convention, Protocols, or Annexes which have entered into force for the United States;

(5) “discharge” and “garbage” and “harmful substance” and “incident” shall have the meanings provided in the Convention;

(6) “owner” means any person holding title to, or in the absence of title, any other indicia of ownership of, a ship or terminal, but does not include a person who, without participating in the management or operation of a ship or terminal, holds indicia of ownership primarily to protect a security interest in the ship or terminal;

(7) “operator” means—

(a) in the case of a ship, a charterer by demise or any other person, except the owner, who is responsible for the operation, manning, victualing, and supplying of the vessel, or

(b) in the case of a terminal, any person, except the owner, responsible for the operation of the terminal by agreement with the owner;

(8) “person” means an individual, firm, public or private corporation, partnership, association, State, municipality, commission, political subdivision of a State, or any interstate body;

(9) “Secretary” means the Secretary of the department in which the Coast Guard is operating;

(10) “ship” means a vessel of any type whatsoever, including hydrofoils, air-cushion vehicles, submersibles, floating craft whether self-

propelled or not, and fixed or floating platforms;

(11) “submersible” means a submarine, or any other vessel designed to operate under water; and

(12) “terminal” means an onshore facility or an offshore structure located in the navigable waters of the United States or subject to the jurisdiction of the United States and used, or intended to be used, as a port or facility for the transfer or other handling of a harmful substance.

(b) For purposes of this chapter, the requirements of Annex V shall apply to the navigable waters of the United States, as well as to all other waters and vessels over which the United States has jurisdiction.

(c) For the purposes of this chapter, the requirements of Annex IV to the Antarctic Protocol shall apply in Antarctica to all vessels over which the United States has jurisdiction.

(Pub. L. 96-478, §2, Oct. 21, 1980, 94 Stat. 2297; Pub. L. 100-220, title II, §2101, Dec. 29, 1987, 101 Stat. 1460; Pub. L. 103-160, div. A, title X, §1003(f), Nov. 30, 1993, 107 Stat. 1748; Pub. L. 104-227, title II, §201(a), Oct. 2, 1996, 110 Stat. 3042.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 96-478, Oct. 21, 1980, 94 Stat. 2297, known as the “Act to Prevent Pollution from Ships”. For complete classification of this Act to the Code, see Short Title note below and Tables.

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-227, §201(a)(1), (2), added pars. (1) and (2) and redesignated former pars. (1) to (10) as (3) to (12), respectively.

Subsec. (c). Pub. L. 104-227, §201(a)(3), added subsec. (c).

1993—Subsec. (a)(9), (10). Pub. L. 103-160 added par. (9) and redesignated former par. (9) as (10).

1987—Subsec. (a). Pub. L. 100-220, §2101(1), designated existing provisions as subsec. (a).

Subsec. (a)(1). Pub. L. 100-220, §2101(2), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “‘MARPOL Protocol’ means the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships, 1973, done at London on February 17, 1978. This Protocol incorporates and modifies the International Convention for the Prevention of Pollution from Ships, 1973, done at London on November 2, 1973;”.

Subsec. (a)(2). Pub. L. 100-220, §2101(3), substituted “Annexes I, II, and V thereto, including any modification or amendments to the Convention, Protocols, or Annexes which have entered into force for the United States” for “Annexes I and II attached thereto”.

Subsec. (a)(3). Pub. L. 100-220, §2101(4), inserted “and ‘garbage’”.

Subsec. (b). Pub. L. 100-220, §2101(5), added subsec. (b).

EFFECTIVE DATE OF 1987 AMENDMENT

Section 2002 of title II of Pub. L. 100-220 provided that:

“(a) IN GENERAL.—Except as provided in subsections (b) and (c), this title [enacting sections 1912 to 1915 of this title, amending this section and sections 1902, 1903, 1905, and 1907 to 1909 of this title, and enacting provisions set out as notes under this section, section 2267 of this title, and section 6981 of Title 42, The Public Health and Welfare] shall be effective on the date on which Annex V to the International Convention for the Prevention of Pollution from Ships, 1973, enters into