

Upon incorporation into the Code, the words “Secretary of Commerce” were substituted for “Secretary of Commerce and Labor” to conform to act Mar. 4, 1913, which provided that the Secretary of Commerce and Labor should be called the Secretary of Commerce.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1234, 1236 of this title.

§ 1236. Penalties for violations of regulations

For any violation of regulations issued pursuant to sections 1233 to 1235 of this title the following penalties shall be incurred:

(a) A licensed officer shall be liable to suspension or revocation of license in the manner now prescribed by law for incompetency or misconduct.

(b) Any person in charge of the navigation of a vessel other than a licensed officer shall be liable to a penalty of \$5,000.

(c) The owner of a vessel (including any corporate officer of a corporation owning the vessel) actually on board shall be liable to a penalty of \$5,000, unless the violation of regulations shall have occurred without his knowledge.

(d) Any other person shall be liable to a penalty of \$2,500.

The Commandant of the Coast Guard is authorized and empowered to mitigate or remit any penalty herein provided for in the manner prescribed by law for the mitigation or remission of penalties for violation of the navigation laws.

(Apr. 28, 1908, ch. 151, § 4, 35 Stat. 69; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736; 1946 Reorg. Plan No. 3, §§ 101–104, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1097; Pub. L. 101–380, title IV, § 4302(k), Aug. 18, 1990, 104 Stat. 539.)

REFERENCES IN TEXT

The navigation laws, referred to in text, are classified generally to this title.

CODIFICATION

Section was not enacted as part of the Ports and Waterways Safety Act which comprises this chapter.

Section was formerly classified to section 457 of former Title 46, Shipping.

AMENDMENTS

1990—Subsecs. (b) to (d). Pub. L. 101–380 substituted “\$5,000” for “\$500” in subsecs. (b) and (c) and “\$2,500” for “\$250” in subsec. (d).

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101–380 applicable to incidents occurring after Aug. 18, 1990, see section 1020 of Pub. L. 101–380, set out as an Effective Date note under section 2701 of this title.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

Coast Guard transferred to Department of Transportation, and all functions, powers, and duties relating to Coast Guard of Secretary of the Treasury and of other

officers and offices of Department of the Treasury transferred to Secretary of Transportation by Pub. L. 89–670, § 6(b)(1), Oct. 15, 1966, 80 Stat. 938. Section 6(b)(2) of Pub. L. 89–670, however, provided that notwithstanding such transfer of functions, Coast Guard shall operate as part of Navy in time of war or when President directs as provided in section 3 of Title 14, Coast Guard. See section 108 of Title 49, Transportation.

For transfer of functions of other officers, employees, and agencies of Department of the Treasury, with certain exceptions, to Secretary of the Treasury with power to delegate, see Reorg. Plan No. 26 of 1950, §§ 1, 2, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, 1281, set out in the Appendix to Title 5, Government Organization and Employees. Functions of Coast Guard, and Commandant of Coast Guard, were excepted from transfer when Coast Guard is operating as part of Navy under sections 1 and 3 of Title 14.

“Commandant of the Coast Guard” substituted for “Secretary of Commerce” on authority of Reorg. Plan No. 3 of 1946, §§ 101–104, set out in the Appendix to Title 5.

Upon incorporation into the Code, the words “Secretary of Commerce” were substituted for “Secretary of Commerce and Labor” to conform to act Mar. 4, 1913, which provided that the Secretary of Commerce and Labor should be called the Secretary of Commerce.

CHAPTER 26—WATER POLLUTION PREVENTION AND CONTROL

SUBCHAPTER I—RESEARCH AND RELATED PROGRAMS

- Sec. 1251. Congressional declaration of goals and policy.
  - (a) Restoration and maintenance of chemical, physical and biological integrity of Nation’s waters; national goals for achievement of objective.
  - (b) Congressional recognition, preservation, and protection of primary responsibilities and rights of States.
  - (c) Congressional policy toward Presidential activities with foreign countries.
  - (d) Administrator of Environmental Protection Agency to administer chapter.
  - (e) Public participation in development, revision, and enforcement of any regulation, etc.
  - (f) Procedures utilized for implementing chapter.
  - (g) Authority of States over water.
- 1252. Comprehensive programs for water pollution control.
  - (a) Preparation and development.
  - (b) Planning for reservoirs; storage for regulation of streamflow.
  - (c) Basins; grants to State agencies.
- 1252a. Reservoir projects, water storage; modification; storage for other than for water quality, opinion of Federal agency, committee resolutions of approval; provisions inapplicable to projects with certain prescribed water quality benefits in relation to total project benefits.
- 1253. Interstate cooperation and uniform laws.
- 1254. Research, investigations, training, and information.
  - (a) Establishment of national programs; cooperation; investigations; water quality surveillance system; reports.
  - (b) Authorized activities of Administrator.
  - (c) Research and studies on harmful effects of pollutants; cooperation with Secretary of Health and Human Services.

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	(d) Sewage treatment; identification and measurement of effects of pollutants; augmented streamflow.		(g) Reallotment of unpaid allotments.
	(e) Field laboratory and research facilities.	1257.	Mine water pollution control demonstrations. (a) Comprehensive approaches to elimination or control of mine water pollution. (b) Consistency of projects with objectives of subtitle IV of title 40. (c) Watershed selection. (d) Conditions upon Federal participation. (e) Authorization of appropriations.
	(f) Great Lakes water quality research.		
	(g) Treatment works pilot training programs; employment needs forecasting; training projects and grants; research fellowships; technical training; report to the President and transmittal to Congress.	1257a.	State demonstration programs for cleanup of abandoned mines for use as waste disposal sites; authorization of appropriations.
	(h) Lake pollution.		
	(i) Oil pollution control studies.	1258.	Pollution control in the Great Lakes. (a) Demonstration projects. (b) Conditions of Federal participation. (c) Authorization of appropriations. (d) Lake Erie demonstration program. (e) Authorization of appropriations for Lake Erie demonstration program.
	(j) Solid waste disposal equipment for vessels.		
	(k) Land acquisition.	1259.	Training grants and contracts.
	(l) Collection and dissemination of scientific knowledge on effects and control of pesticides in water.	1260.	Applications; allocation.
	(m) Waste oil disposal study.	1261.	Scholarships.
	(n) Comprehensive studies of effects of pollution on estuaries and estuarine zones.	1262.	Definitions and authorizations.
	(o) Methods of reducing total flow of sewage and unnecessary water consumption; reports.	1263.	Alaska village demonstration projects. (a) Central community facilities for safe water; elimination or control of pollution. (b) Utilization of personnel and facilities of Department of Health and Human Services. (c) Omitted. (d) Authorization of appropriations. (e) Study to develop comprehensive program for achieving sanitation services; report to Congress. (f) Technical, financial, and management assistance. (g) "Village" and "sanitation services" defined.
	(p) Agricultural pollution.		
	(q) Sewage in rural areas; national clearinghouse for alternative treatment information; clearinghouse on small flows.		
	(r) Research grants to colleges and universities.		
	(s) River Study Centers.		
	(t) Thermal discharges.		
	(u) Authorization of appropriations.		
	(v) Studies concerning pathogen indicators in coastal recreation waters.		
1254a.	Research on effects of pollutants.		
1255.	Grants for research and development. (a) Demonstration projects covering storm waters, advanced waste treatment and water purification methods, and joint treatment systems for municipal and industrial wastes. (b) Demonstration projects for advanced treatment and environmental enhancement techniques to control pollution in river basins. (c) Research and demonstration projects for prevention of water pollution by industry. (d) Accelerated and priority development of waste management and waste treatment methods and identification and measurement methods. (e) Research and demonstration projects covering agricultural pollution and pollution from sewage in rural areas; dissemination of information. (f) Limitations. (g) Maximum grants. (h) Authorization of appropriations. (i) Assistance for research and demonstration projects. (j) Assistance for recycle, reuse, and land treatment projects.	1263a.	Grants to Alaska to improve sanitation in rural and Native villages. (a) In general. (b) Federal share. (c) Administrative expenses. (d) Consultation with State of Alaska. (e) Authorization of appropriations.
		1264.	Omitted.
		1265.	In-place toxic pollutants.
		1266.	Hudson River reclamation demonstration project.
		1267.	Chesapeake Bay. (a) Definitions. (b) Continuation of Chesapeake Bay Program. (c) Interagency agreements. (d) Technical assistance and assistance grants. (e) Implementation and monitoring grants. (f) Federal facilities and budget coordination. (g) Chesapeake Bay Program. (h) Study of Chesapeake Bay Program. (i) Special study of living resource response. (j) Authorization of appropriations.
1256.	Grants for pollution control programs. (a) Authorization of appropriations for State and interstate programs. (b) Allotments. (c) Maximum annual payments. (d) Limitations. (e) Grants prohibited to States not establishing water quality monitoring procedures or adequate emergency and contingency plans. (f) Conditions.	1268.	Great Lakes. (a) Findings, purpose, and definitions. (b) Great Lakes National Program Office. (c) Great Lakes management. (d) Great Lakes research. (e) Research and management coordination. (f) Interagency cooperation. (g) Relationship to existing Federal and State laws and international treaties.

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| <p>Sec.</p> <p>1269. Long Island Sound.</p> <p>1270. Lake Champlain Basin Program.</p> <p>1271. Sediment survey and monitoring.</p> <p>1271a. Research and development program.</p> <p>1272. Environmental dredging.</p> <p>1273. Lake Pontchartrain Basin.</p> <p>1274. Wet weather watershed pilot projects.</p> <p style="text-align: center;">SUBCHAPTER II—GRANTS FOR CONSTRUCTION OF TREATMENT WORKS</p> <p>1281. Congressional declaration of purpose.</p> | <p>Sec.</p> <p>(h) Authorizations of Great Lakes appropriations.</p> <p>(a) Office of Management Conference of the Long Island Sound Study.</p> <p>(b) Administration and staffing of Office.</p> <p>(c) Duties of Office.</p> <p>(d) Grants.</p> <p>(e) Assistance to distressed communities.</p> <p>(f) Authorizations.</p> <p>(a) Establishment.</p> <p>(b) Membership.</p> <p>(c) Technical Advisory Committee.</p> <p>(d) Research program.</p> <p>(e) Pollution prevention, control, and restoration plan.</p> <p>(f) Grant assistance.</p> <p>(g) Definitions.</p> <p>(h) No effect on certain authority.</p> <p>(i) Authorization.</p> <p>(a) Survey.</p> <p>(b) Monitoring.</p> <p>(a) In general.</p> <p>(b) Authorization of appropriations.</p> <p>(a) Operation and maintenance of navigation projects.</p> <p>(b) Nonproject specific.</p> <p>(c) Joint plan requirement.</p> <p>(d) Disposal costs.</p> <p>(e) Limitation on statutory construction.</p> <p>(f) Priority work.</p> <p>(g) Nonprofit entities.</p> <p>(a) Establishment of restoration program.</p> <p>(b) Purpose.</p> <p>(c) Duties.</p> <p>(d) Grants.</p> <p>(e) Definitions.</p> <p>(f) Authorization of appropriations.</p> <p>(a) In general.</p> <p>(b) Administration.</p> <p>(c) Funding.</p> <p>(d) Report to Congress.</p> <p>(a) Development and implementation of waste treatment management plans and practices.</p> <p>(b) Application of technology: confined disposal of pollutants; consideration of advanced techniques.</p> <p>(c) Waste treatment management area and scope.</p> <p>(d) Waste treatment management construction of revenue producing facilities.</p> <p>(e) Waste treatment management integration of facilities.</p> <p>(f) Waste treatment management "open space" and recreational considerations.</p> <p>(g) Grants to construct publicly owned treatment works.</p> <p>(h) Grants to construct privately owned treatment works.</p> <p>(i) Waste treatment management methods, processes, and techniques to reduce energy requirements.</p> <p>(j) Grants for treatment works utilizing processes and techniques of guidelines under section 1314(d)(3) of this title.</p> | <p>(k) Limitation on use of grants for publicly owned treatment works.</p> <p>(l) Grants for facility plans, or plans, specifications, and estimates for proposed project for construction of treatment works; limitations, allotments, advances, etc.</p> <p>(m) Grants for State of California projects.</p> <p>(n) Water quality problems; funds, scope, etc.</p> <p>(o) Capital financing plan.</p> <p>(p) Time limit on resolving certain disputes.</p> <p>1281a. Total treatment system funding.</p> <p>1281b. Availability of Farmers Home Administration funds for non-Federal share.</p> <p>1282. Federal share.</p> <p>(a) Amount of grants for treatment works.</p> <p>(b) Amount of grants for construction of treatment works not commenced prior to July 1, 1971.</p> <p>(c) Availability of sums allotted to Puerto Rico.</p> <p>1283. Plans, specifications, estimates, and payments.</p> <p>(a) Submission; contractual nature of approval by Administrator; agreement on eligible costs; single grant.</p> <p>(b) Periodic payments.</p> <p>(c) Final payments.</p> <p>(d) Projects eligible.</p> <p>(e) Technical and legal assistance in administration and enforcement of contracts; intervention in civil actions.</p> <p>(f) Design/build projects.</p> <p>1284. Limitations and conditions.</p> <p>(a) Determinations by Administrator.</p> <p>(b) Additional determinations; issuance of guidelines; approval by Administrator; system of charges.</p> <p>(c) Applicability of reserve capacity restrictions to primary, secondary, or advanced waste treatment facilities or related interceptors.</p> <p>(d) Engineering requirements; certification by owner and operator; contractual assurances, etc.</p> <p>1285. Allotment of grant funds.</p> <p>(a) Funds for fiscal years during period June 30, 1972, and September 30, 1977; determination of amount.</p> <p>(b) Availability and use of funds allotted for fiscal years during period June 30, 1972, and September 30, 1977; reallotment.</p> <p>(c) Funds for fiscal years during period October 1, 1977, and September 30, 1981; funds for fiscal years 1982 to 1990; determination of amount.</p> <p>(d) Availability and use of funds; reallotment.</p> <p>(e) Minimum allotment; additional appropriations; ratio of amount available.</p> <p>(f) Omitted.</p> <p>(g) Reservation of funds; State management assistance.</p> <p>(h) Alternate systems for small communities.</p> <p>(i) Set-aside for innovative and alternative projects.</p> <p>(j) Water quality management plan; reservation of funds for nonpoint source management.</p> <p>(k) New York City Convention Center.</p> <p>(l) Marine estuary reservation.</p> |
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| <p>Sec.</p> <p>1286.</p> <p>1287.</p> <p>1288.</p> <p>1289.</p> <p>1290.</p> <p>1291.</p> <p>1292.</p> <p>1293.</p> <p>1293a.</p> | <p>(m) Discretionary deposits into State water pollution control revolving funds.</p> <p>Reimbursement and advanced construction.</p> <p>(a) Publicly owned treatment works construction initiated after June 30, 1966, but before July 1, 1973; reimbursement formula.</p> <p>(b) Publicly owned treatment works construction initiated between June 30, 1956, and June 30, 1966; reimbursement formula.</p> <p>(c) Application for reimbursement.</p> <p>(d) Allocation of funds.</p> <p>(e) Authorization of appropriations.</p> <p>(f) Additional funds.</p> <p>Authorization of appropriations.</p> <p>Areawide waste treatment management.</p> <p>(a) Identification and designation of areas having substantial water quality control problems.</p> <p>(b) Planning process.</p> <p>(c) Regional operating agencies.</p> <p>(d) Conformity of works with area plan.</p> <p>(e) Permits not to conflict with approved plans.</p> <p>(f) Grants.</p> <p>(g) Technical assistance by Administrator.</p> <p>(h) Technical assistance by Secretary of the Army.</p> <p>(i) State best management practices program.</p> <p>(j) Agricultural cost sharing.</p> <p>Basin planning.</p> <p>(a) Preparation of Level B plans.</p> <p>(b) Reporting requirements.</p> <p>(c) Authorization of appropriations.</p> <p>Annual survey.</p> <p>Sewage collection systems.</p> <p>(a) Existing and new systems.</p> <p>(b) Use of population density as test.</p> <p>(c) Pollutant discharges from separate storm sewer systems.</p> <p>Definitions.</p> <p>Loan guarantees.</p> <p>(a) State or local obligations issued exclusively to Federal Financing Bank for publicly owned treatment works; determination of eligibility of project by Administrator.</p> <p>(b) Conditions for issuance.</p> <p>(c) Fees for application investigation and issuance of commitment guarantee.</p> <p>(d) Commitment for repayment.</p> <p>Contained spoil disposal facilities.</p> <p>(a) Construction, operation, and maintenance; period; conditions; requirements.</p> <p>(b) Time for establishment; consideration of area needs; requirements.</p> <p>(c) Written agreement requirement; terms of agreement.</p> <p>(d) Waiver of construction costs contribution from non-Federal interests; findings of participation in waste treatment facilities for general geographical area and compliance with water quality standards; waiver of payments in event of written agreement before occurrence of findings.</p> <p>(e) Federal payment of costs for disposal of dredged spoil from project.</p> <p>(f) Title to lands, easements, and rights-of-way; retention by non-Federal interests; conveyance of facilities; agreement of transferee.</p> <p>(g) Federal licenses or permits; charges; remission of charge.</p> | <p>Sec.</p> <p>(h) Provisions applicable to Great Lakes and their connecting channels.</p> <p>(i) Research, study, and experimentation program relating to dredged spoil extended to navigable waters, etc.; cooperative program; scope of program; utilization of facilities and personnel of Federal agency.</p> <p>(j) Period for depositing dredged materials.</p> <p>(k) Study and monitoring program.</p> <p>1294. Public information and education on recycling and reuse of wastewater, use of land treatment, and reduction of wastewater volume.</p> <p>1295. Requirements for American materials.</p> <p>1296. Determination of priority of projects.</p> <p>1297. Guidelines for cost-effectiveness analysis.</p> <p>1298. Cost effectiveness.</p> <p>(a) Congressional statement of policy.</p> <p>(b) Determination by Administrator as prerequisite to approval of grant.</p> <p>(c) Value engineering review.</p> <p>(d) Projects affected.</p> <p>1299. State certification of projects.</p> <p>1300. Pilot program for alternative water source projects.</p> <p>(a) Policy.</p> <p>(b) In general.</p> <p>(c) Eligible entity.</p> <p>(d) Selection of projects.</p> <p>(e) Committee resolution procedure.</p> <p>(f) Uses of grants.</p> <p>(g) Cost sharing.</p> <p>(h) Reports.</p> <p>(i) Definitions.</p> <p>(j) Authorization of appropriations.</p> <p>1301. Sewer overflow control grants.</p> <p>(a) In general.</p> <p>(b) Prioritization.</p> <p>(c) Financially distressed community.</p> <p>(d) Cost-sharing.</p> <p>(e) Administrative reporting requirements.</p> <p>(f) Authorization of appropriations.</p> <p>(g) Allocation of funds.</p> <p>(h) Administrative expenses.</p> <p>(i) Reports.</p> <p>SUBCHAPTER III—STANDARDS AND ENFORCEMENT</p> <p>1311. Effluent limitations.</p> <p>(a) Illegality of pollutant discharges except in compliance with law.</p> <p>(b) Timetable for achievement of objectives.</p> <p>(c) Modification of timetable.</p> <p>(d) Review and revision of effluent limitations.</p> <p>(e) All point discharge source application of effluent limitations.</p> <p>(f) Illegality of discharge of radiological, chemical, or biological warfare agents, high-level radioactive waste, or medical waste.</p> <p>(g) Modifications for certain nonconventional pollutants.</p> <p>(h) Modification of secondary treatment requirements.</p> <p>(i) Municipal time extensions.</p> <p>(j) Modification procedures.</p> <p>(k) Innovative technology.</p> <p>(l) Toxic pollutants.</p> <p>(m) Modification of effluent limitation requirements for point sources.</p> <p>(n) Fundamentally different factors.</p> <p>(o) Application fees.</p> <p>(p) Modified permit for coal reining operations.</p> |
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| <p>Sec.<br/>1312. Water quality related effluent limitations.<br/>         (a) Establishment.<br/>         (b) Modifications of effluent limitations.<br/>         (c) Delay in application of other limitations.</p> <p>1313. Water quality standards and implementation plans.<br/>         (a) Existing water quality standards.<br/>         (b) Proposed regulations.<br/>         (c) Review; revised standards; publication.<br/>         (d) Identification of areas with insufficient controls; maximum daily load; certain effluent limitations revision.<br/>         (e) Continuing planning process.<br/>         (f) Earlier compliance.<br/>         (g) Heat standards.<br/>         (h) Thermal water quality standards.<br/>         (i) Coastal recreation water quality criteria.</p> <p>1313a. Revised water quality standards.</p> <p>1314. Information and guidelines<br/>         (a) Criteria development and publication.<br/>         (b) Effluent limitation guidelines.<br/>         (c) Pollution discharge elimination procedures.<br/>         (d) Secondary treatment information; alternative waste treatment management techniques; innovative and alternative wastewater treatment processes; facilities deemed equivalent of secondary treatment.<br/>         (e) Best management practices for industry.<br/>         (f) Identification and evaluation of nonpoint sources of pollution; processes, procedures, and methods to control pollution.<br/>         (g) Guidelines for pretreatment of pollutants.<br/>         (h) Test procedures guidelines.<br/>         (i) Guidelines for monitoring, reporting, enforcement, funding, personnel, and manpower.<br/>         (j) Lake restoration guidance manual.<br/>         (k) Agreements with Secretaries of Agriculture, Army, and the Interior to provide maximum utilization of programs to achieve and maintain water quality; transfer of funds; authorization of appropriations.<br/>         (l) Individual control strategies for toxic pollutants.<br/>         (m) Schedule for review of guidelines.</p> <p>1315. State reports on water quality.</p> <p>1316. National standards of performance.<br/>         (a) Definitions.<br/>         (b) Categories of sources; Federal standards of performance for new sources.<br/>         (c) State enforcement of standards of performance.<br/>         (d) Protection from more stringent standards.<br/>         (e) Illegality of operation of new sources in violation of applicable standards of performance.</p> <p>1317. Toxic and pretreatment effluent standards.<br/>         (a) Toxic pollutant list; revision; hearing; promulgation of standards; effective date; consultation.<br/>         (b) Pretreatment standards; hearing; promulgation; compliance period; revision; application to State and local laws.<br/>         (c) New sources of pollutants into publicly owned treatment works.<br/>         (d) Operation in violation of standards unlawful.</p> | <p>Sec.<br/>1318. Records and reports; inspections.<br/>         (a) Maintenance; monitoring equipment; entry; access to information.<br/>         (b) Availability to public; trade secrets exception; penalty for disclosure of confidential information.<br/>         (c) Application of State law.<br/>         (d) Access by Congress.</p> <p>1319. Enforcement.<br/>         (a) State enforcement; compliance orders.<br/>         (b) Civil actions.<br/>         (c) Criminal penalties.<br/>         (d) Civil penalties; factors considered in determining amount.<br/>         (e) State liability for judgments and expenses.<br/>         (f) Wrongful introduction of pollutant into treatment works.<br/>         (g) Administrative penalties.</p> <p>1320. International pollution abatement.<br/>         (a) Hearing; participation by foreign nations.<br/>         (b) Functions and responsibilities of Administrator not affected.<br/>         (c) Hearing board; composition; findings of fact; recommendations; implementation of board's decision.<br/>         (d) Report by alleged polluter.<br/>         (e) Compensation of board members.<br/>         (f) Enforcement proceedings.</p> <p>1321. Oil and hazardous substance liability.<br/>         (a) Definitions.<br/>         (b) Congressional declaration of policy against discharges of oil or hazardous substances; designation of hazardous substances; study of higher standard of care incentives and report to Congress; liability; penalties; civil actions: penalty limitations, separate offenses, jurisdiction, mitigation of damages and costs, recovery of removal costs, alternative remedies, and withholding clearance of vessels.<br/>         (c) Federal removal authority.<br/>         (d) National Contingency Plan.<br/>         (e) Civil enforcement.<br/>         (f) Liability for actual costs of removal.<br/>         (g) Third party liability.<br/>         (h) Rights against third parties who caused or contributed to discharge.<br/>         (i) Recovery of removal costs.<br/>         (j) National Response System.<br/>         (k) Repealed.<br/>         (l) Administration.<br/>         (m) Administrative provisions.<br/>         (n) Jurisdiction.<br/>         (o) Obligation for damages unaffected; local authority not preempted; existing Federal authority not modified or affected.<br/>         (p) Repealed.<br/>         (q) Establishment of maximum limit of liability with respect to onshore or offshore facilities.<br/>         (r) Liability limitations not to limit liability under other legislation.<br/>         (s) Oil Spill Liability Trust Fund.</p> <p>1322. Marine sanitation devices.<br/>         (a) Definitions.<br/>         (b) Federal standards of performance.<br/>         (c) Initial standards; effective dates; revision; waiver.<br/>         (d) Vessels owned and operated by the United States.<br/>         (e) Pre-promulgation consultation.</p> |
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| Sec.  | <ul style="list-style-type: none"> <li>(f) Regulation by States or political subdivisions thereof; complete prohibition upon discharge of sewage.</li> <li>(g) Sales limited to certified devices; certification of test device; record-keeping; reports.</li> <li>(h) Sale and resale of properly equipped vessels; operability of certified marine sanitation devices.</li> <li>(i) Jurisdiction to restrain violations; contempts.</li> <li>(j) Penalties.</li> <li>(k) Enforcement authority.</li> <li>(l) Boarding and inspection of vessels; execution of warrants and other process.</li> <li>(m) Enforcement in United States possessions.</li> <li>(n) Uniform national discharge standards for vessels of Armed Forces.</li> </ul>   | Sec.  | <ul style="list-style-type: none"> <li>(d) Utilization of existing data.</li> <li>(e) Period of conference.</li> <li>(f) Approval and implementation of plans.</li> <li>(g) Grants.</li> <li>(h) Grant reporting.</li> <li>(i) Authorization of appropriations.</li> <li>(j) Research.</li> <li>(k) Definitions.</li> </ul>   |
|       |  |       | SUBCHAPTER IV—PERMITS AND LICENSES  |
| 1323. | Federal facilities pollution control.  | 1341. | Certification. <ul style="list-style-type: none"> <li>(a) Compliance with applicable requirements; application; procedures; license suspension.</li> <li>(b) Compliance with other provisions of law setting applicable water quality requirements.</li> <li>(c) Authority of Secretary of the Army to permit use of spoil disposal areas by Federal licensees or permittees.</li> <li>(d) Limitations and monitoring requirements of certification.</li> </ul>   |
| 1324. | Clean lakes. <ul style="list-style-type: none"> <li>(a) Establishment and scope of program.</li> <li>(b) Financial assistance to States.</li> <li>(c) Maximum amount of grant; authorization of appropriations.</li> <li>(d) Demonstration program.</li> </ul>   | 1342. | National pollutant discharge elimination system. <ul style="list-style-type: none"> <li>(a) Permits for discharge of pollutants.</li> <li>(b) State permit programs.</li> <li>(c) Suspension of Federal program upon submission of State program; withdrawal of approval of State program; return of State program to Administrator.</li> <li>(d) Notification of Administrator.</li> <li>(e) Waiver of notification requirement.</li> <li>(f) Point source categories.</li> <li>(g) Other regulations for safe transportation, handling, carriage, storage, and stowage of pollutants.</li> <li>(h) Violation of permit conditions; restriction or prohibition upon introduction of pollutant by source not previously utilizing treatment works. <ul style="list-style-type: none"> <li>(i) Federal enforcement not limited.</li> <li>(j) Public information.</li> <li>(k) Compliance with permits.</li> <li>(l) Limitation on permit requirement.</li> <li>(m) Additional pretreatment of conventional pollutants not required.</li> <li>(n) Partial permit program.</li> <li>(o) Anti-backsliding.</li> <li>(p) Municipal and industrial stormwater discharges.</li> <li>(q) Combined sewer overflows.</li> </ul> </li> </ul> |
| 1325. | National Study Commission. <ul style="list-style-type: none"> <li>(a) Establishment.</li> <li>(b) Membership; chairman.</li> <li>(c) Contract authority.</li> <li>(d) Cooperation of departments, agencies, and instrumentalities of executive branch.</li> <li>(e) Report to Congress.</li> <li>(f) Compensation and allowances.</li> <li>(g) Appointment of personnel.</li> <li>(h) Authorization of appropriation.</li> </ul>   |       |   |
| 1326. | Thermal discharges. <ul style="list-style-type: none"> <li>(a) Effluent limitations that will assure protection and propagation of balanced, indigenous population of shellfish, fish, and wildlife.</li> <li>(b) Cooling water intake structures.</li> <li>(c) Period of protection from more stringent effluent limitations following discharge point source modification commenced after October 18, 1972.</li> </ul>   |       |   |
| 1327. | Omitted.   |       |   |
| 1328. | Aquaculture. <ul style="list-style-type: none"> <li>(a) Authority to permit discharge of specific pollutants.</li> <li>(b) Procedures and guidelines.</li> <li>(c) State administration.</li> </ul>  |       |   |
| 1329. | Nonpoint source management programs. <ul style="list-style-type: none"> <li>(a) State assessment reports.</li> <li>(b) State management programs.</li> <li>(c) Administrative provisions.</li> <li>(d) Approval or disapproval of reports and management programs.</li> <li>(e) Local management programs; technical assistance.</li> <li>(f) Technical assistance for States.</li> <li>(g) Interstate management conference.</li> <li>(h) Grant program.</li> <li>(i) Grants for protecting groundwater quality.</li> <li>(j) Authorization of appropriations.</li> <li>(k) Consistency of other programs and projects with management programs.</li> <li>(l) Collection of information.</li> <li>(m) Reports of Administrator.</li> <li>(n) Set aside for administrative personnel.</li> </ul> | 1343. | Ocean discharge criteria. <ul style="list-style-type: none"> <li>(a) Issuance of permits.</li> <li>(b) Waiver.</li> <li>(c) Guidelines for determining degradation of waters.</li> </ul>  |
| 1330. | National estuary program. <ul style="list-style-type: none"> <li>(a) Management conference.</li> <li>(b) Purposes of conference.</li> <li>(c) Members of conference.</li> </ul>  | 1344. | Permits for dredged or fill material. <ul style="list-style-type: none"> <li>(a) Discharge into navigable waters at specified disposal sites.</li> <li>(b) Specification for disposal sites.</li> <li>(c) Denial or restriction of use of defined areas as disposal sites.</li> <li>(d) "Secretary" defined.</li> <li>(e) General permits on State, regional, or nationwide basis.</li> <li>(f) Non-prohibited discharge of dredged or fill material.</li> <li>(g) State administration.</li> <li>(h) Determination of State's authority to issue permits under State program; approval; notification; transfers to State program.</li> <li>(i) Withdrawal of approval.</li> <li>(j) Copies of applications for State permits and proposed general permits to be transmitted to Administrator.</li> </ul>   |

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|---------------------------------|--|--------|---|
| Sec.                            |  | Sec.   |   |
|                                 | (k) Waiver.  |        | (h) Civil action by State Governors.  |
|                                 | (l) Categories of discharges not subject to requirements.  | 1366.  | Appearance.   |
|                                 | (m) Comments on permit applications or proposed general permits by Secretary of the Interior acting through Director of United States Fish and Wildlife Service. | 1367.  | Employee protection.  |
|                                 | (n) Enforcement authority not limited.   |        | (a) Discrimination against persons filing, instituting, or testifying in proceedings under this chapter prohibited.   |
|                                 | (o) Public availability of permits and permit applications.  |        | (b) Application for review; investigation; hearing; review.   |
|                                 | (p) Compliance.  |        | (c) Costs and expenses.   |
|                                 | (q) Minimization of duplication, needless paperwork, and delays in issuance; agreements.   |        | (d) Deliberate violations by employee acting without direction from his employer or his agent.  |
|                                 | (r) Federal projects specifically authorized by Congress.  | 1368.  | (e) Investigations of employment reductions.  |
|                                 | (s) Violation of permits.  |        | Federal procurement.  |
|                                 | (t) Navigable waters within State jurisdiction.  |        | (a) Contracts with violators prohibited.  |
| 1345.                           | Disposal or use of sewage sludge.  |        | (b) Notification of agencies.   |
|                                 | (a) Permit.  |        | (c) Omitted.  |
|                                 | (b) Issuance of permit; regulations.   |        | (d) Exemptions.   |
|                                 | (c) State permit program.  |        | (e) Annual report to Congress.  |
|                                 | (d) Regulations.   |        | (f) Contractor certification or contract clause in acquisition of commercial items.   |
|                                 | (e) Manner of sludge disposal.   | 1369.  | Administrative procedure and judicial review.   |
|                                 | (f) Implementation of regulations.   |        | (a) Subpenas.   |
|                                 | (g) Studies and projects.  |        | (b) Review of Administrator's actions; selection of court; fees.  |
| 1346.                           | Coastal recreation water quality monitoring and notification.  |        | (c) Additional evidence.  |
|                                 | (a) Monitoring and notification.   | 1370.  | State authority.  |
|                                 | (b) Program development and implementation grants.   | 1371.  | Authority under other laws and regulations.   |
|                                 | (c) Content of State and local government programs.  |        | (a) Impairment of authority or functions of officials and agencies; treaty provisions.  |
|                                 | (d) Federal agency programs.   |        | (b) Discharges of pollutants into navigable waters.   |
|                                 | (e) Database.  |        | (c) Action of the Administrator deemed major Federal action; construction of the National Environmental Policy Act of 1969.   |
|                                 | (f) Technical assistance for monitoring floatable material.  |        | (d) Consideration of international water pollution control agreements.  |
|                                 | (g) List of waters.  | 1372.  | Labor standards.  |
|                                 | (h) EPA implementation.  | 1373.  | Public health agency coordination.  |
|                                 | (i) Authorization of appropriations.   | 1374.  | Effluent Standards and Water Quality Information Advisory Committee.  |
| SUBCHAPTER V—GENERAL PROVISIONS |  |        | (a) Establishment; membership; term.  |
| 1361.                           | Administration.  |        | (b) Action on proposed regulations.   |
|                                 | (a) Authority of Administrator to prescribe regulations.   |        | (c) Secretary; legal counsel; compensation.   |
|                                 | (b) Utilization of other agency officers and employees.  |        | (d) Quorum; special panel.  |
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|                                 | (e) Awards for outstanding technological achievement or innovative processes, methods, or devices in waste treatment and pollution abatement programs.           |        | (a) Implementation of chapter objectives; status and progress of programs.  |
|                                 | (f) Detail of Environmental Protection Agency personnel to State water pollution control agencies.   |        | (b) Detailed estimates and comprehensive study on costs; State estimates, survey form.  |
| 1362.                           | Definitions.   |        | (c) Status of combined sewer overflows in municipal treatment works operations.   |
| 1363.                           | Water Pollution Control Advisory Board.  |        | (d) Legislative recommendations on program requiring coordination between water supply and wastewater control plans as condition for construction grants; public hearing. |
|                                 | (a) Establishment; composition; terms of office.   |        | (e) State revolving fund report.  |
|                                 | (b) Functions.   | 1375a. | Report on coastal recreation waters.  |
|                                 | (c) Clerical and technical assistance.   |        | (a) In general.   |
| 1364.                           | Emergency powers.  |        | (b) Coordination.   |
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| 1365.                           | Citizen suits.   |        | (a) Policy.   |
|                                 | (a) Authorization; jurisdiction.   |        | (b) Assessment of sewage treatment needs; report.   |
|                                 | (b) Notice.  |        | (c) Reservation of funds.   |
|                                 | (c) Venue; intervention by Administrator; United States interests protected.   |        | (d) Cooperative agreements.   |
|                                 | (d) Litigation costs.  |        |   |
|                                 | (e) Statutory or common law rights not restricted.   |        |   |
|                                 | (f) Effluent standard or limitation.   |        |   |
|                                 | (g) "Citizen" defined.   |        |   |