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# 40 C.F.R. § 1043.30

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## General obligations.

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- (a) 33 U.S.C. 1907 prohibits any person from violating any provisions of the MARPOL Protocol, whether or not they are a manufacturer, owner or operator. For manufacturers, owners and operators of vessels subject to this part, it is the responsibility of such manufacturers, owners and operators to ensure that all employees and other agents operating on their behalf comply with these requirements.
- (b) Manufacturers of engines to be installed on U.S. vessels subject to this part must obtain an EIAPP certificate for an engine prior to it being installed in a vessel.
- (c) Engines with power output of more than 130 kW that are listed in this paragraph (c) must be covered by a valid EIAPP certificate, certifying the engine meets the applicable emission standards of Annex VI, unless the engine is excluded under § 1043.10 or paragraph (d) of this section. An EIAPP certificate is valid for a given engine only if it certifies compliance with the tier of standards applicable to that engine and the vessel into which it is being installed (or a later tier). Note that none of the requirements of this paragraph (c) are limited to new engines.
- (1) Engines meeting any of the following criteria must be covered by a valid EIAPP certificate:
- (i) Engines installed (or intended to be installed) on vessels that were constructed on or after January 1, 2000. This includes engines that met the definition of “new marine engine” in 40 CFR 1042.901 at any time on or after January 1, 2000, unless such engines are installed on vessels that were constructed before January 1, 2000.

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