



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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## **Rhode Island's No-Discharge Compliance Program**

### *Notice to Boaters*

This notice summarizes Rhode Island's No-Discharge Compliance Program, which took effect in 2006.

### **Purpose of the Program**

The program is aimed at bolstering compliance with Rhode Island's No-Discharge Law by ensuring that all boaters have taken the steps necessary to prevent overboard discharges of sewage when operating or moored in Rhode Island waters.

### **Applicability**

The program applies to all boats with permanently installed marine toilets.

### **Exemptions**

There are three categories of boats that are exempt from the program:

1. Boats with self-contained port-a-potties, or no toilet at all.
2. Boats already subject to mandatory U.S. Coast Guard inspection, as demonstrated by a valid USCG-issued certificate of inspection.
3. Transient boats that are operated or moored in Rhode Island waters for less than 30 days.

Note, however, that these exemption categories pertain *only* to the inspection program. All boats, including transient boats and boats equipped with port-a-potties, are subject to Rhode Island's No-Discharge Law.

### **Requirements**

All boats subject to the program must obtain and display an inspection decal issued by a Trained Inspector working on behalf of an authorized Certification Agent. Decals are issued after an inspection to verify that the boat is in compliance with Rhode Island's No-Discharge Law. All decals are valid for a period of four years.

### **Inspection Fees**

Inspectors may charge up to \$35 per boat for each inspection and decal. For boats with more than one marine toilet, inspectors may charge up to \$25 for each additional toilet.

### **Inspection Process**

The inspection process is essentially twofold: determining that each boat with a marine toilet has a proper Marine Sanitation Device (MSD), and determining that the MSD is properly configured and/or secured.

1. Type of MSD – Every boat that has a permanently installed marine toilet must have a Type I, Type II, or Type III MSD.
2. Status of MSD – Boats that have a Type III MSD (i.e., holding tank) and no through-hull fitting that would allow the overboard discharge of sewage are automatically in compliance with RI's No-Discharge law. Such boats, upon inspection, are issued a green decal. Boats that have a Type I or Type II MSD, or a Type III MSD with a through-hull fitting that would allow the overboard discharge of sewage, must have their MSDs properly secured and/or configured to prevent a discharge whenever the boat is moored or operating in RI waters. Such boats, upon inspection, are issued a yellow decal.

### **Obtaining an Inspection**

Inspections must be performed by a Trained Inspector, working on behalf of an authorized Certification Agent. A list of all such agents is available on DEM's website at [dem.ri.gov/nodischarge](http://dem.ri.gov/nodischarge).

### **Penalties for Non-Compliance**

- Any boat subject to the program that fails to display a decal may be found in violation of Rhode Island General Law Section 46-12-39.1 and be subject to a fine of up to \$100.
- Note: The penalty and enforcement provisions, including the exemption categories, relate solely to the inspection program. ***All boats, including those that are exempt from the inspection program, are subject to the State's No-Discharge Law whenever they are in RI waters.*** As such, no boat, under any circumstances, is allowed to discharge boat sewage from any source into RI waters, irrespective of the provisions of the inspection program.
- Any boat found to be discharging sewage in Rhode Island waters shall be found in violation of Rhode Island General Law Section 46-12-39 and be subject to fines ranging from \$500 to \$1,000 and/or imprisonment.

### **Further Information**

For further information on the program, go to [dem.ri.gov/nodischarge](http://dem.ri.gov/nodischarge). Or call DEM's Office of Water Resources at 401-222-4700 and ask to speak with someone in the Shellfish Program.