

Compliance with Federal Boat Sewage Laws

What is the law?

Congress enacted the Clean Water Act of 1972 (amended in 1987) which addresses a wide spectrum of water pollution problems, including marine sewage from boats in navigable U.S. waters including coastal waters from a distance of 3 miles offshore. The law further provides for "no discharge" by boats operated in enclosed lakes and reservoirs or in rivers not capable of interstate navigation. **States may apply to the EPA to have certain other waters declared "no discharge zones" if discharge of treated sewage would be harmful. Since August 10, 1998 all RI waters including those within 3 miles from the RI shoreline (including the Block Island shoreline) have been designated as a "no discharge zone".** More information on RI's requirements can be found here: www.dem.ri.gov/nodischarge. In short, boats with installed toilets must have an operable Coast Guard approved MSD designed to either hold sewage for pumpout ashore or for discharge in the ocean beyond the three-mile limit, or to treat the sewage to Federal standards prior to discharge.

Why should you comply with this law?

First of all, it is the law! All boats built since 1977 with installed toilets must have an operable approved type MSD. Since 1980, all boats (including those built before 1977) with installed toilets must have an operable MSD. Nevertheless, boaters often bypass these systems and discharge untreated sewage directly overboard. If you flush your boat's toilet in violation of the law, you can assume others do too.

The basis for arguments that boat sewage is "peanuts" compared to other sources of pollution, that holding tanks "stink," that there's no place to pump out, and that the law isn't being enforced anyway, is weakening fast in these changing times. These facts are clear:

- Growth in boating is placing an additional environmental strain on crowded recreational waters.
- Government and citizens' groups are working aggressively to contain and prevent all forms of water pollution.
- The Clean Vessel Act Program has and continues to provide grants for the installation and maintenance of pumpout facilities which has greatly increased the number of available pumpout facilities.
- Advancing technology has given a wide range of "user friendly" sanitation system options.

Clearly, it's time for all boaters to "do the right thing."

What can you do to comply with the law?

Boaters share a common desire to play in and on sparkling clean waters. We can choose to pollute or not to pollute. We can do the right thing now, take action, and obey the law! Good environmental citizenship will help ensure our continued delight in clean waters. Use this information in choosing a marine sanitation device that best fits your needs.

What are your choices for compliance?

There are three types of Coast Guard approved marine sanitation devices (MSDs):

- Type I MSDs treat sewage so that the discharged effluent meets specified standards for bacteria content and contains no visible floating solids.
- Type II MSDs are similar, but must meet a higher standard of sewage treatment.
- Type III MSDs retain sewage for shore based disposal and some have the option to discharge overboard which is only allowed beyond the three mile offshore limit.

Boats 65 feet in length or less may install a type I, II, or III device. Vessels over 65 feet must install a type II or III MSD.

An approved system (Type I or II) will have a label verifying that it meets the Coast Guard regulations for design and construction and the Environmental Protection Agency (EPA) regulations and standards as required by the Clean Water Act. Holding tanks (Type III) do not require a certification label if they simply store sewage at ambient temperatures and pressures.

What system should you install?

If the boat is operated in waters designated as a "no discharge zone" (designated for "No Discharge"), there is only one type of MSD that can be used...you must retain all sewage, treated or not, for disposal ashore. When in a no discharge zone Type I or II MSD must be rendered in operable using one of the following methods: closing the seacock and either padlocking it or affixing a non-releasable wire tie, removing the seacock handle (with the seacock closed) or locking the door to the toilet.

Choosing the system that works best will depend on several factors. The answer to a few questions about how the boat is used should help you narrow the choices and determine optimal holding tank capacity:

- How many people are usually on board for a trip?
 - Is the boat usually used for day trips or for longer periods and overnight cruises? Usually day trips do not generate much solid waste. Overnighting virtually guarantees it.
 - Does the boat anchor out overnight or tie up at a marina? When dockside, will you use the marina toilets?
 - Are pumpout facilities located nearby?
 - What are the boats design and space limitations for MSD installation?
 - Is the electric power supply adequate for an electrically operated system?
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