



Notice to all Boaters Regarding:

Rhode Island's No-Discharge Compliance Program

October 2006

This notice summarizes Rhode Island's new No-Discharge Compliance Program, which took effect on June 1, 2006 after being modified by several important legislative changes. The crux is that all boats subject to the program must get inspected and obtain and display a decal by June 1, 2007.

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 RI waters for less than 30 days.

Requirements

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

Effective Dates

The program has been operational since April 2006 and formally took effect on June 1, 2006. The penalty and enforcement provisions of the program take effect on June 1, 2007. After June 1, 2007, any boat subject to the program that fails to display a decal may be subject to enforcement action, including a fine of up to \$100.

Inspection Fees

Certification agents may charge up to \$35 per boat for each inspection and decal. For boats with more than one marine toilet, agents 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. Generally, this means that the wye valve and/or seacock must be closed and secured in the closed position. Such boats, upon inspection, are issued a yellow decal.

Obtaining an Inspection

Inspections must be performed by an authorized certification agent. A list of all such agents is available on DEM’s website – www.dem.ri.gov – under “Topics” → “Water” → “No Discharge Program.” The list will continue to be updated as more agents become authorized to conduct inspections.

Additional Notes/Recommendations

- All boaters subject to the program are encouraged to get their inspections done prior to next spring, if possible. Vessels do not need to be in the water at the time of inspection, so it may be convenient to have inspections performed when boats are hauled out for the winter, while they are in winter storage, or as they are being readied for launching in the spring. Those choosing to wait until next May, just prior to the deadline, may have to contend with workload delays during the busiest time of year for marinas, harbor masters, and other certification agents.
- 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 – in effect since 1998 – 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 new inspection program.
- As an option, any boats falling under any of the three exemption categories may still get inspected and obtain a decal if the owner or operator wishes to do so. For example, a boat with a self-contained port-a-potty can obtain a (green) decal, showing that it is in compliance with the State’s No-Discharge Law, even though it is not subject to the decal requirement.
- Municipalities may deny mooring permits for boats that have not been inspected, but they are under no obligation to do so. It is up to each city and town to decide how they want to handle this issue.

Further Information

For further information on the program, go to DEM’s website – dem.ri.gov – or contact Robert Ballou (Robert.Ballou@dem.ri.gov 401-222-4700 x4420) or Crystal Glass (crystal.glass@dem.ri.gov 401-222-4700 x2416)

Got a toilet on your boat?

Get it inspected. It's the Law.

What you need to know about RI's No-Discharge Compliance Program:

- 1** All boats subject to the new inspection law must obtain and display a decal issued by an authorized certification agent.
- 2** All inspections must be **completed before June 1st, 2007.**
- 3** Boats that fail to display a decal by this date may be subject to a **fine of up to \$100.00.**
- 4** **To learn more** about this program and how it affects you as a boat owner, please see the enclosed information packet.
- 5** Find a local marina or harbor master and **get inspected today - go to:** www.ri.gov/DEM/marineseptic/finder/ .



RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

www.dem.ri.gov