



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 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

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. 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: dem.ri.gov. Type "No Discharge Agent" in the search box at the top, then click on the "Certified Agent Finder" link.

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 42-12-39.1 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 42-12-39 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's website – dem.ri.gov – type "Marine Pump Outs" in the search box, then click on the first link. Or call DEM's Office of Water Resources at 401-222-3961 and ask to speak with someone in the Shellfish Program.