



The Clean Vessel Act of 1992

What is the Clean Vessel Act?

Congress passed the Clean Vessel Act (Public Law 102-587, subtitle F) in 1992 to help reduce pollution from vessel sewage discharges. The Act establishes a five-year federal grant program administered by the U.S. Fish and Wildlife Service. A total of \$40 million is available to states on a competitive basis for the construction, renovation, operation and maintenance of pumpout and waste reception facilities (dump stations) and for related educational programs. Funding for the program comes from the Sport Fish Restoration Account of the Aquatic Resources Trust Fund, commonly known as the Wallop-Breaux Fund.

In 1993, California received a first-year federal grant of \$636,000, with \$450,000 available to the public and private sectors for pumpout installations. A local match of 25% is required.

Why is the Clean Vessel Act needed?

The nation's lakes, estuaries and waterways have become polluted by a variety of contaminants. Congress identified vessel sewage discharges -- although just one of many pollution sources -- as a "substantial contributor to localized degradation of water quality in the United States." Fecal matter from vessel discharges can introduce bacteria and viruses into the water. People can become ill when they swim in or eat shellfish taken from contaminated water bodies.

Federal law prohibits the discharge of untreated vessel sewage in all navigable U.S. waters, but some recreational boaters still dump raw sewage into coastal and inland waters. Efforts to control boat pollution have been hindered by an inadequate number of pumpout and dump stations. The Clean Vessel Act addresses this need.

Does California need more pumpout facilities?

California's mild climate, thousands of miles of navigable inland waterways and nearly 1,072 miles of Pacific Ocean coastline make it one of the nation's most popular boating states, with 841,000 registered boats. But there are only 150 pumpout facilities to accommodate boats with holding tanks and a fewer number of dump stations for boaters with port-a-potties.

Over the next five years, the California Department of Boating and Waterways intends to use Clean Vessel Act funds to build an additional 250 pumpout stations.

What about San Francisco Bay and the Delta?

San Francisco Bay and the Delta support an extraordinarily diverse and productive ecosystem that sustains rich communities of clams, mussels, fish, birds and other aquatic life. The region serves as a wintering site for migrating waterfowl and a spawning site for migrating fish. The Bay's open waters attract thousands of sports enthusiasts from sailing buffs to windsurfers. Boaters, waterskiers and anglers delight in the Delta's 700 miles of navigable waterways. But pollution threatens the health of the San Francisco Bay-Delta Estuary. Many people blame industry, but direct discharges from industrial facilities and sewage treatment plants are no longer the primary sources of pollution in the Bay-Delta. Instead, pollutants from nonpoint sources, such as urban runoff, agricultural runoff and failing septic tank systems, contribute the most contaminants to the Estuary. Boat sewage is one of these nonpoint sources.

In the Bay-Delta region, about 80 pumpout facilities and 13 dump stations must accommodate over 240,000 registered boats. During the next few years, more facilities will be built to meet boaters' needs.

Are Marine Sanitation Devices required?

Boaters are not required to have an installed marine toilet, but if there is one, it must be equipped with one of three types of Coast Guard-approved Marine Sanitation Devices (MSDs). Type I and Type II MSDs treat the effluent prior to discharge. A Type III MSD is a holding tank designed to store sewage until it can be pumped out at a shore-based pumpout station. Boaters without installed marine toilets may use a port-a-potty and dispose of wastes at a dump station onshore.

It is legal to discharge treated wastes into state and coastal waters except in a "No-Discharge Area." (Marin County's Richardson Bay is the only "No-Discharge Area" in the Bay-Delta region.) Even treated wastes can harm aquatic life and affect septic tank pumpout facilities if toxic chemicals are used. The preferred alternative is to use environmentally safe toilet additives.

How will the Clean Vessel Act funds be used?

The grant funds will be used for construction, renovation, operation or maintenance of pumpout stations and waste reception facilities (dump stations). Special consideration will be given to requests for facilities in waters most likely to be affected by vessel discharges and requests that encourage public/private partnerships.

Who can apply for funding?

All government-owned and private boating facilities whose pumpout/ dump stations are open to the public may apply. Any facility built with Clean Vessel Act funds must be available to the boating public, who may not be charged pumpout fees that are higher than those charged to private patrons.

For more information and guidelines, contact Kevin Atkinson (916-322-1804) or Marinda Isley (916-322-1832) at the California Department of Boating and Waterways, 1629 S Street, Sacramento, CA 95814.

Glossary

Port-a-potty: A toilet that is not installed. It is designed to be removed from a vessel, and its contents emptied into a shoreside receptacle.

Pumpout station: A facility that pumps or receives sewage from a Type III Marine Sanitation Device installed on board a vessel.

Type I Marine Sanitation Device: Equipment for installation on board a vessel that is designed to receive and treat sewage prior to discharge and whose treated effluent has a fecal coliform bacterial count not greater than 1,000 per 100 milliliters and no visible floating solids.

Type II Marine Sanitation Device: Equipment for installation on board a vessel that is designed to receive and treat sewage prior to discharge and whose treated effluent has a fecal coliform bacterial count of less than 200 per 100 milliliters and suspended solids not greater than 150 milligrams per liter.

Type III Marine Sanitation Device (holding tank): Any equipment for installation on board a vessel that is specifically designed to receive, retain and discharge human body wastes.

Waste reception facility (dump station): An upland or floating facility specifically designed to receive sewage from portable toilets carried on vessels. Dump stations do not include lavatories or restrooms.

This fact sheet was produced by the San Francisco Estuary Project in cooperation with the California Department of Boating and Waterways under a grant from the Clean Vessel Act. The San Francisco Estuary Project is a cooperative federal/state program whose primary goal is to restore and protect water quality and natural resources while promoting effective management of the Bay and Delta. The Estuary Project has developed and published a variety of publications, including boater education materials, pumpout maps, technical reports, information sheets, pollution prevention guides and other materials that are available free or for a nominal charge by calling (510)286-0460.

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