

Greetings:

FYI: Important proposed federal bill H.2550 known as the “Recreational Boating Act of 2007”, if approved, would place into law an “exemption for recreational vessels’ engine cooling water, gray water, bilge water and deck runoff”. The news item below from Boating Industry (June 22, 2007) provides an overview on the bill. H.2550 will be reviewed at the RBOC Board meeting this week with more information to follow.

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Regulatory Review

NMMA responds to EPA notice

Boating Industry
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WASHINGTON – Following an announcement by the U.S. Environmental Protection Agency (EPA) two days ago regarding the development of a water permit program for boat pollutant discharges, the National Marine Manufacturers Association is emphasizing the importance of the passage of H.R. 2550, otherwise known as the Recreational Boating Act of 2007.

That bill, introduced by Representatives Gene Taylor (D-Miss.) and Candice Miller (R-Mich.), if enacted, “will enshrine into law the permitting exemption for recreational vessels’ engine cooling water, gray water, bilge water, and deck runoff,” according to NMMA.

“H.R. 2550 is straight forward, specific, responsible legislation designed to protect recreational boats from being caught up in an onerous and unnecessary permitting scheme which the original court case intended as a way to address ballast water discharges from large ocean-going ships which introduce damaging aquatic invasive species into U.S. waters,” said NMMA President Thom Dammrich in a statement today.

He added that the bill is gaining support in Congress.

EPA to develop permitting program?

The EPA reported in its statement earlier this week that it’s seeking information as it considers how to develop a water permit program for pollutant discharges incidental to the normal operation of commercial vessels and recreational boats. Discharges may include ballast water, bilge water, deck runoff and gray water.

“As a result of a court ruling currently under appeal, vessel owners or operators whose discharges previously

have been exempt from Clean Water Act requirements will require a permit on Sept. 30, 2008,” stated the EPA. “In developing this program, EPA will seek to ensure that control technologies or management practices enhance environmental protection and are practical to implement.

The changes are the result of a recent U.S. district court ruling that found EPA exceeded its authority by excluding discharges incidental to the normal operation of a vessel from existing permitting requirements. The agency said it’s appealing that ruling.

“While EPA’s position is that an exemption from Clean Water Act permitting is proper, we also share concerns about the significant impacts of aquatic invasive species,” said Assistant Administrator for Water Benjamin H. Grumbles. “We will continue working with other federal agencies to identify the most effective, protective, and practical strategies for controlling invasive species from ballast water under existing laws.”

EPA is seeking public comments and data to help the agency develop a permitting framework that recognizes various vessel characteristics and types of discharges. Specifically, EPA needs information about vessel identification and operations, owner notification, discharge impacts, pollution control equipment and practices, and commercial and recreational vessel traffic patterns, it stated. Comments and data are due within 45 days of publication of the notice. The agency will identify and categorize: the universe of vessels, their discharge characteristics, and pollution control equipment or best management practices.

“The EPA’s announcement underscores the very real nature of this issue,” concluded Dammrich. “The looming deadline for this permitting scheme emphasizes the need to pass this important legislation as Congress addresses the larger issue of ballast water in the months ahead.”