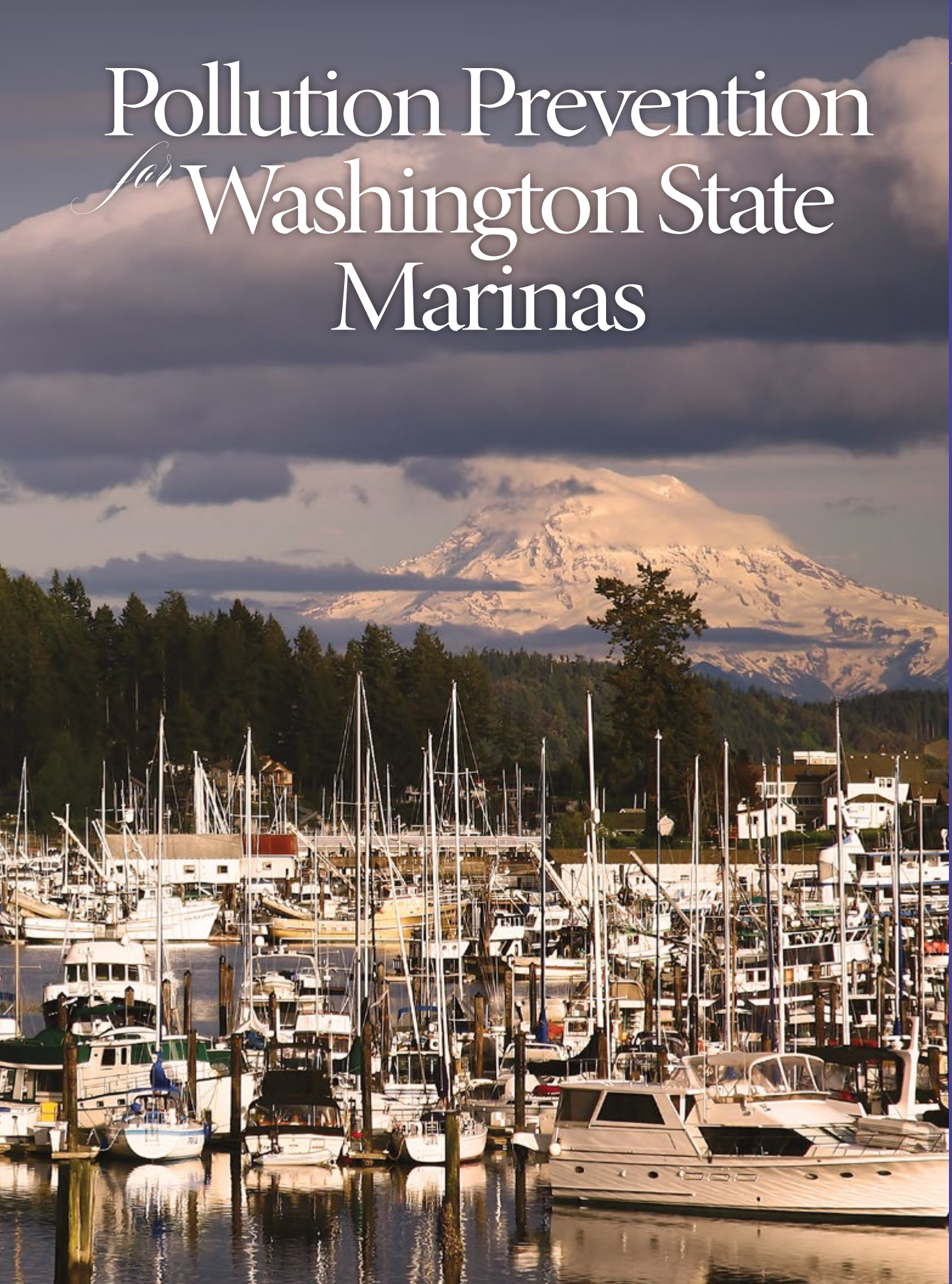
Pollution Prevention *for* Washington State Marinas



CLEAN MARINA WASHINGTON

Since inception of the Clean Marina program in 2005, its partners have been working directly with marina managers and staff to develop and implement best practices for preventing pollution in Washington State. With more than one-third of Washington marinas certified after 10 years, the program continues to grow, creating enhanced water quality protections and increased member benefits.

Clean Marina is a collaborative partnership between marina managers, state agencies, and nonprofits. Together, these partners are leading the way, pioneering new and innovative ways to prevent pollution, reduce waste, and communicate best practices to boaters.

This handbook provides a concise summary of the current laws, regulations, and best practices for the marina industry. Authored by members of the Clean Marina Partnership, it represents the collaborative approach required to preserve and steward our marine resources for future generations.

Becoming certified is free, easy, and helps to assure compliance with the laws and Best Management Practices (BMPs) found in this handbook. The application packet functions as an environmental self-audit and allows marina managers to evaluate systems, structures, policies, and procedures within their facility. The process is scalable from small private marinas to the largest public ports. Completing the certification process entails having a Clean Marina representative perform a confidential site visit to provide technical assistance and to distribute signs, brochures, spill prevention kits, and other tools to share BMP messages with boaters.

For more information on the certification process and to access clean boating tools and resources, please visit *CleanMarinaWashington.org*.

This document may be periodically updated. For the latest version, please go to *wsg.washington.edu/marina-handbook*.

ACKNOWLEDGMENTS

This handbook is a collaborative effort between the following organizations, as well as public and private marina managers. Thank you, everyone, for your patience, guidance, and willingness to spend hours on the phone and in meetings to pull this handbook together. It may only take one person to suggest we do this, but it takes a village to actually put together a well-researched, coherent, and usable handbook.

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Corps — U.S. Army Corps of Engineers

DNR — Washington Department of Natural Resources

DOL — Washington Department of Licensing

Ecology — Washington Department of Ecology

EPA — U.S. Environmental Protection Agency

NMTA — Northwest Marine Trade Association

NOAA — National Oceanic and Atmospheric Administration

Parks — Washington State Parks

RCW — Revised Code of Washington

USCG — U.S. Coast Guard

USFWS — U.S. Fish & Wildlife Service

WAC — Washington Administrative Code

WDFW — Washington Department of Fish & Wildlife

WSG — Washington Sea Grant

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INTRODUCTION

A marina manager or harbormaster's job is not easy. On any given day, you wear the hat of a property manager, hotel concierge, marketing executive, maintenance supervisor, dispute mediator, and environmental compliance officer. Your already dynamic world is made increasingly complicated by trying to stay current and in compliance with state, federal, and local laws and regulations.

This handbook is intended to help you to better understand what you need to do to operate a clean and safe marina. It is written and published by the agencies and organizations charged with protecting Washington's waters and aquatic resources, as well as those whose mission is to promote and expand recreational boating throughout Washington.

In the following pages, you will find resources for reducing waste streams, preparing for and responding to spills, and communicating best practices to tenants. We have highlighted the most pertinent laws, illuminated potential pollution sources, and provided resources for implementing best management practices (BMPs).

This handbook can be used as a reference and training tool for you and your staff.

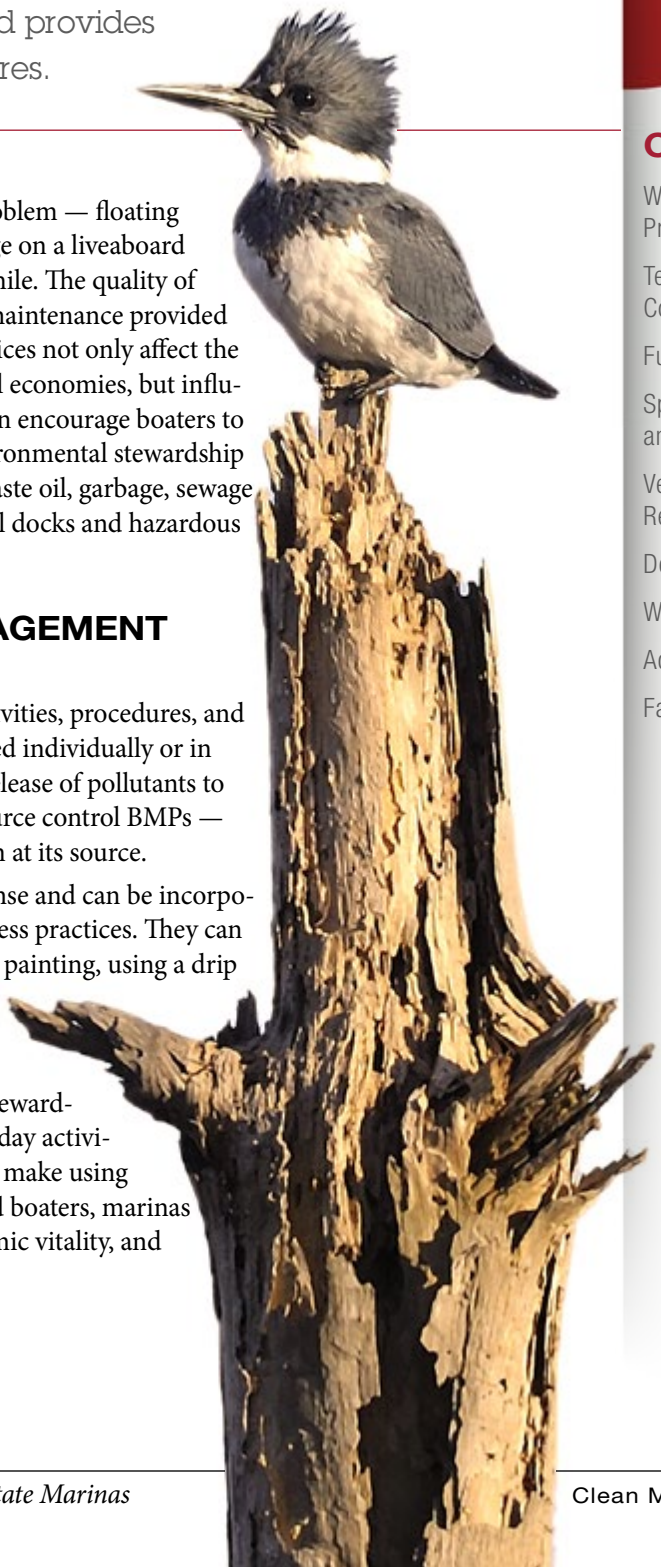
For additional information, representatives of Clean Marina Washington and its many partner organizations can provide direct technical assistance. Call 206.297.7002 for more information or to schedule a site visit.

In 1998 the Washington Department of Ecology published a Resource Manual for Pollution Prevention in Marinas. While much of the information in that manual is still relevant, much has changed in the nearly 20 years since its publication. This handbook is a comprehensive revision and update of the old manual.

BEST MANAGEMENT PRACTICES

1

Best Management Practices or "BMPs" are common sense, low-cost, practical solutions for preventing pollution. The key to implementing successful BMPs in your marina is communicating clearly with staff and tenants. The following covers the most likely sources of pollution within a marina facility and provides detailed prevention measures.



CONTENTS

Pollution in marinas is a common problem — floating trash, pet waste on the dock, or sewage on a liveaboard boat that hasn't been pumped for a while. The quality of a marina is reflected in the care and maintenance provided by management and staff. Daily practices not only affect the health of aquatic ecosystems and local economies, but influence the habits of boaters. Marinas can encourage boaters to practice good housekeeping and environmental stewardship by providing adequate facilities for waste oil, garbage, sewage pumpout, and properly managing fuel docks and hazardous materials.

WHAT ARE BEST MANAGEMENT PRACTICES (BMPS)?

Best management practices are activities, procedures, and structural facilities that, when used individually or in combination, prevent or reduce the release of pollutants to water. Marinas focus primarily on source control BMPs — the elimination/reduction of pollution at its source.

Most BMPs are based on common sense and can be incorporated into routine activities and business practices. They can be as simple as spreading a tarp when painting, using a drip pan when changing oil, or picking up after pets. The best way a marina can achieve pollution prevention is to establish a culture of environmental stewardship. By incorporating BMPs in everyday activities, installing or providing items that make using BMPs easy, and educating tenants and boaters, marinas can help protect water quality, economic vitality, and public health.

TEACH STAFF, TENANTS, AND CONTRACTORS ABOUT BMPS

Source control BMPs rely on the diligence and cooperation of managers, staff, and boaters in following management practices. BMPs cannot work if nobody knows about them. Staff should become completely familiar with the BMPs developed for your marina and how to recognize practices of tenants and contractors that cause pollution. Monitor BMP usage when allowing independent contractors and boat owners to work on boats.

Post BMP policies so everyone knows what is expected. Incorporate BMPs into moorage agreements. Consider having marine contractors sign an agreement that they have read and understand BMP expectations. Consider requiring contractors or tenants to provide environmental deposits to ensure they will not leave the marina and surrounding waters with a pollution problem — a situation for which the marina will ultimately be responsible. Should problems develop with particular tenants or contractors, bring these concerns to their attention and remind them of the BMP policies. Often that is not enough, so be prepared to explain why their actions are not permitted. If a problem persists, do not be afraid to terminate a tenant's lease, bar a contractor from working in your marina, or report the violation to the appropriate agency.

A clean marina increases the pleasure of boating experiences, is good for your business, and reinforces the public image that boating is clean and fun. Many boaters and customers have ideas that can improve or reduce problems but feel they may not have a voice. Ask for their help and ingenuity — it may be rewarding to discover how useful their suggestions can be.

Implementing BMPs

- **ESTABLISH A CLEAN-WATER CULTURE.**
- **KNOW YOUR BMPS, HOW THEY WORK, AND WHY THEY ARE IMPORTANT.**
- **TRAIN YOUR STAFF ABOUT BMPS AND HOW TO RECOGNIZE POLLUTION-GENERATING ACTIVITIES.**
- **TEACH YOUR TENANTS, BOATERS, AND MARINE CONTRACTORS HOW TO BE GOOD ENVIRONMENTAL STEWARDS.**
- **PROHIBIT PRACTICES THAT CAUSE POLLUTION.**
- **PUT YOUR RULES AND POLICIES IN WRITING.**
- **PROVIDE ADEQUATE FACILITIES FOR YOUR CUSTOMERS.**

This Section provides best management tips for the following areas.

FUELING: Prevent leaks, drips, and spills of fuel from fuel docks and portable containers.

SPILL REPORTING, RESPONSE, AND CLEAN-UP: Have a spill plan — know who to call in the event of a spill, how much training is needed, and how much equipment to have on hand.

VESSEL MAINTENANCE AND REPAIRS: Ensure tenant activities are legal, safe, and can be conducted in a marina versus a permitted boatyard.

WASTE MANAGEMENT: Provide tenants with reliable ways to dispose of solid, hazardous, and sewage waste.

AQUATIC INVASIVE SPECIES: Help your tenants prevent the spread of invasive species.

FACILITY MAINTENANCE: Reduce your impact to water quality by ensuring regular maintenance of docks, parking lots, landscaping, hazardous materials storage areas, and fuel storage tanks.

FUELING

With more than 2,000 commercial vessels and 200,000 recreational boats fueling at marinas on Washington waters, fuel spills are always a danger. Even small spills are a problem because their cumulative impact is significant. As little as a quart of spilled oil, diesel, or gasoline can contaminate 100,000 gallons of water and prove deadly to marine life — especially juvenile fishes, shellfish larvae, and other sensitive and essential sea life. To highlight the importance of protecting our water resources, Washington State has set the ambitious goal of "zero spills to water."

Fuel Docks

Most fuel dock spills are small and result from overfilling boat fuel tanks, burps from air vent lines, and drips from the pump nozzle as it is being returned to the pump. Paying close attention to the activities of boat operators, the marina's policies and procedures, and the available resources for spill prevention and response, is critical in reducing fuel spill impacts to water.

WHILE FUELING

- Have the boat operator place an absorbent pad or suction cup bottle under the vent(s) to capture fuel spurts from the vent.
- Never block open the fuel nozzle trigger and always disable hands-free clips to ensure the boater remains with the nozzle to prevent overfilling. Hands-free clips are not allowed in Washington, according to WAC 296-24-33015.
- Always keep the nozzle tip pointing up and hang the nozzle vertically when not in use.
- Discourage customers from "topping off" (no more than 90% capacity). Fuel expands and can slosh out of the vent when temperatures rise or waters become choppy.
- When handing over the nozzle, wrap an absorbent pad around the nozzle end or plug inside the nozzle end to prevent fuel in the nozzle from spilling.

POLICIES & PROCEDURES

- Create a regular inspection, maintenance, and replacement schedule for fuel hoses, pipes, and tanks. Have staff walk the dock fuel lines from dispenser to tank to look for signs of leakage at joints and determine hose condition from end to end.
- Train staff on proper fueling procedures.
- Make sure to post readable refueling directions, BMPs, and emergency protocols.
- Always have a "Spills Aren't Slick" sign with emergency spill reporting numbers clearly visible. Marinas on land leased from the Washington Department of Natural Resources (DNR) are required to post these signs.
- Using detergents to disperse a fuel spill is illegal and the fines are expensive. Ensure customers do not use soaps in the event of a spill. Use oil absorbent pads instead.
- Display "No Smoking" signs on fuel docks.

FUEL DOCK DESIGN AND RESOURCES

- Install personal watercraft floats at fuel docks to help boaters stabilize their vessel and refuel without spilling.
- Provide a spill containment equipment storage area where materials are easily accessible and clearly marked.
- Consider installing wired or wireless cameras and an intercom to communicate with customers on the dock and know what is happening on the dock at all times.
- Do not allow self-service on a marina dock without some means of controlling the dock activity. According to the 2012 NFPA Code 30A - 11.4.7 Fire Code, each facility must have an attendant on duty to supervise, observe, and "control" the operation when open for business. This can be done via camera, intercom, and shutoff abilities in the office. However, this can lead to complacency and nothing can replace having an attendant on the dock to attend to emergencies when they occur.
- Install a tank and leak detection monitoring system that shuts off the pump and fuel line when a leak is sensed.
- Per International Fire Code, make available a metal trash can for the disposal of oil-soaked pads, rags, etc.

CLASS 4 MARINAS

Marinas that transfer fuel to non-recreational vessels with a fuel capacity of less than 10,500 gallons may be considered a regulated Class 4 oil transfer facility, or a Class 4 marina. "Recreational vessel" means a vessel owned and operated only for pleasure with no monetary gain involved, and if leased, rented, or chartered to another for recreational use, is not used for monetary gain. This definition applies to vessels such as house boats, ski boats, and other small craft on a rental or lease agreement. For further information, see *apps.leg.wa.gov/WAC/default.aspx?cite=173-180-025*.

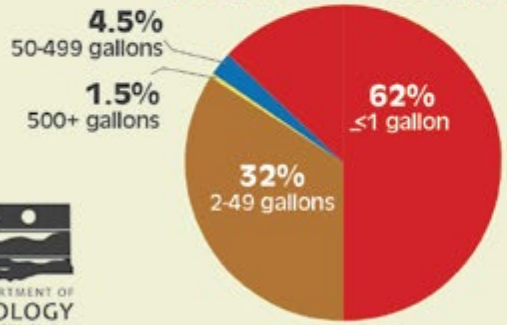
Class 4 marinas must comply with federal and state regulations, including regular inspections, and are strongly encouraged to develop a spill prevention, control and countermeasures plan. See Marinas with Fuel Docks (page 37) for information about the regulations and requirements for Class 4 marinas.

DIESEL AND GASOLINE SPILLS
FROM RECREATIONAL VESSELS IN WASHINGTON
2011 - 2015

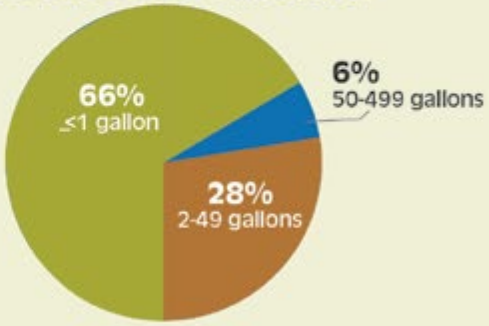
5960 GALLONS of **DIESEL & GASOLINE** were spilled by recreational vessels between 2011-2015. The majority of these spills were less than 1 gallon. Here's the breakdown:

68% diesel | **32% gasoline**

4,926 gallons of diesel spilled



1,034 gallons of gasoline spilled



DEPARTMENT OF ECOLOGY
State of Washington

Approximately 2/3 of diesel and gasoline spills in Washington are 1 gallon or less, threatening water quality. Spill prevention is critical to protecting our environment, economy, and public health resources.

*Based on incidents reported to USCG and/or Ecology.

Fueling by Portable Container

It is always preferable to have boats fuel on shore or at a fuel dock rather than transport fuel from an upland fueling facility to the boats. However, this is not always practical, and boaters will often use hand-held fueling containers or "jerry cans." This over-water transport, storage, and transfer of fuel presents risks for spills, personal injury, and combustion from static shock. It is important to closely monitor and enforce fueling BMPs.

WHILE FUELING*

- Always refill portable fuel containers on the pavement or dock to ensure a good electrical ground. While the bed of your truck or the deck of your boat may seem stable, static electricity can build up and cause a spark.
- On the dock, put an absorbent pad under the container and wrap an absorbent pad around the fuel fill — this can easily be done by putting a hole in the pad.
- Ensure the nozzle stays in contact with the tank opening.
- The best option for transferring fuel from a portable can is a fuel siphon with a shut-off feature. If a siphon is not available, a nozzle/spout with a shut off is a good alternative.
- Since fueling boats with a portable container can take time, make sure the container is comfortable to carry, hold, and balance.
- Use a high flow funnel. Funnels can help prevent spills by making a larger opening for fueling.
- Place a plug of absorbent pad or paper towel in the nozzle when not in use to capture any extra drops that accumulate.
- Because portable containers and jerry cans can be spill prone, go slowly, pour deliberately, and watch the container (especially the nozzle mechanism) for signs of wear.

POLICIES AND PROCEDURES*

- Always store portable fuel tanks out of direct sunlight and keep in a cool, dry place to minimize condensation.
- Six gallons is the maximum container size permitted to be filled at a fuel dock for transport, according to the International Fire Code.

*Source for many of the following BMPs is BoatUS Foundation, *boatus.org/clean-boating/fueling/tips/*.

SPILL REPORTING, RESPONSE, AND CLEANUP

Avoid the confusion, panic, and expense that can result from a spill by thinking ahead — meaning, prevent and prepare for spills. Being prepared for spills can not only decrease the amount of time needed to respond to a spill, but reduce impacts to the environment (which is the ultimate goal). Well-managed marinas have an ongoing equipment maintenance and inspection program, detailed emergency response procedures, consistent staff training, and adequate spill cleanup materials on hand. A great way to organize these programs, procedures, and activities is to create a spill prevention and response plan. Ideally, a spill plan should include these five important sections:

1. a site map,
2. emergency spill response procedures,
3. available spill response resources,
4. inspection and equipment maintenance program, and
5. staff training.

For a checklist of items to be included in a spill plan, see Resources (page 55).

Report a Spill

All spills must be reported! Federal and state laws require a spill to be reported no matter how big or small.

State law requires notification to both the Washington Department of Emergency Management (EMD) and the National Response Center (U.S. Coast Guard):

- Washington State at 1.800.OILS.911 *and*
- U.S. Coast Guard at 1.800.424.8802

The spiller is required to notify these agencies in the event of a spill. Reporting a spill does not necessarily mean a ticket will be issued. Immediate notification is required so that cleanup efforts can begin as soon as possible. However, anyone is encouraged to report a spill if they see one. A wallet card template providing information to employees about notification procedures is available in Resources (page 53).

Spill Response Requirements

Depending on a marina's activities, different equipment and training requirements may apply, but the following are general BMPs.

EQUIPMENT

- Marinas should always have enough spill response materials available to encircle the largest vessel in the marina.
- Class 4 marinas are required to have enough spill response equipment on standby to clean a spill of up to 25 gallons, and have at least 200 feet of absorbent boom or sweep.
- Response equipment should be regularly inspected, maintained, and replaced. Keeping a list of equipment on site, and its inspection/maintenance schedule, is a good way to ensure the marina is well prepared for spills.
- Staff should be trained on how to use the equipment.
- Make sure to provide petroleum-resistant gloves and splash protection for staff who handle fuels and other petroleum products.

STAFF TRAINING

All staff and tenants can call to report a spill, regardless of their level of training. However, a person's level of training will dictate their role in spill response.

- Employers are responsible for ensuring staff are adequately trained and can demonstrate the required competencies for participation.
- Washington State OSHA HAZWOPER training (1910.120) is divided into two standards: Hazardous Waste Cleanup Operations HAZWOP (WAC296-843) and Emergency Response ER (WAC 296-824).
- First responder awareness level is the first level of response, which includes persons likely to witness or discover a hazardous materials release. Employees are trained to initiate emergency response by notifying the proper authorities. They take no further action other than notification.
- For a complete description of all levels of training and response for the employees of your marina, we highly recommend that you refer to the "Training" section of Safety Standards for Emergency Response (WAC 296-824), *lni.wa.gov/Safety/Rules/Chapter/824/WAC296-824.pdf#WAC_296_824_300.*

For a comprehensive list of all Emergency Response Requirements, visit *lni.wa.gov/safety/rules/chapter/824/.*

FOR MORE INFORMATION

osha.gov/Publications/3172/3172.html

RESPONSE PROCEDURES

- Staff can respond to oil or diesel spills, but spilled gasoline is best left to evaporate as the explosion hazard is too high to recover. First, remove all sources of ignition and move people away from area until the fumes are gone. If the spill contains many gallons or there is risk of combustion, especially from gasoline vapors confined in a small space, call the local fire department immediately.
- Boaters should be informed that if they cause or see a spill, they are required to report it. Reporting a spill does not automatically mean fines will be given. There can be fines for not reporting a spill. It's always best to report a spill.
- The spilled material must be contained. Recover what you can, then wait for the U.S. Coast Guard or Washington Department of Ecology (Ecology) to respond. Gasoline spills must be reported, but if the spill is less than one-half gallon, remove all ignition sources; if it exceeds one-half gallon, remove all ignition sources, keep people out of the area, and let the gasoline disperse on its own.
- All materials used to pick up spilled oil should be disposed of safely. Kitty litter easily picks up spills on land. Absorbent pads can be used on water or land. Both can be aired out for re-use. Specific disposal requirements vary from county to county. Contact your local county to find out if absorbent pads can be thrown away with the regular trash or if they are considered hazardous waste.

FOR MORE INFORMATION

prolearning.boatus.org/catalog/

VESSEL MAINTENANCE AND REPAIRS

Next to fueling and spills, vessel maintenance and repairs are the most likely sources of pollution from boats to local waters. Activities including boat washing, topside repairs, and engine maintenance produce toxic or hazardous wastes that can go overboard. A drop of fuel, a little bit of dust from sanding, or a capful of soap might not seem like a big deal, but with hundreds or thousands of other boats in the marina, the cumulative effects can be detrimental for marine habitat and wildlife.

Marina managers not only share the responsibility with boat owners to find solutions to maintenance needs, they are also responsible for monitoring the activities of customers to ensure they are not violating the law. Allowing illegal activities to occur puts management, staff, and the facility at risk by encouraging others to participate in illegal and unsafe practices. Posting, promoting, and enforcing the BMPs discussed in this handbook will help to keep the marina and tenants in compliance with federal, state, and local laws.

Boat Washing

Keeping a vessel clean is critical in protecting its value. But, unlike a car, there aren't many places where a boat can reasonably be washed (like a carwash) and soaps, dirt, and exhaust can be captured and filtered to prevent discharge to local waters.

- Encourage boaters to rinse their boats often with fresh water and spot clean with non-toxic alternatives to common products.
- Provide handouts to boaters with information on non-toxic alternatives to common cleaning products. A printable list of alternatives can be found in Resources (pages 59-62). Many cleaning products on the market are advertised as being "biodegradable" or "environmentally friendly" but still contain toxic compounds that can kill fish, degrade water quality, and damage habitat.
- Stock and sell only "Safer Choice" products, approved by the U.S. Environmental Protection Agency (EPA), in the marina store (*epa.gov/saferchoice*).
- Clearly post signs that any discharge of soaps and other pollutants to water is illegal.
- Carefully observe the products and procedures used by mobile detailing businesses operating in the marina to ensure compliance with marina and government requirements.
- Require deep cleaning activities to be performed at a permitted boatyard, or for trailerable boats, at a DIY carwash.

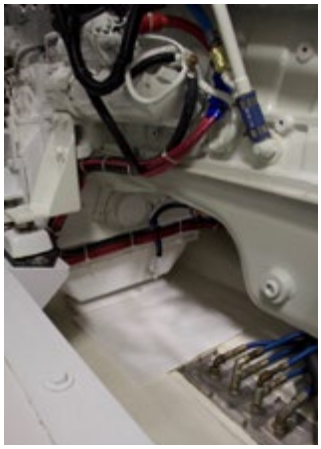
Hull Cleaning

Boats in saltwater marinas that do not frequently leave their slips are susceptible to growth of marine organisms, even when covered with an antifouling paint. When boat owners hire divers to scrub or remove growth from the boat bottom or use sling scrubbers to remove the growth themselves, the process can remove more than just the growth. Often, it results in the discharge of toxic bottom paints and biocides in the marina basin. This is not only illegal but environmentally damaging. Bottom paint flakes deposit heavy metals onto the seafloor and biocides harm organisms in the water column and sediments. Traditional bottom paints can contain upward of 60% copper. Newer formulas have less or no copper, and may be zinc-based. Zinc and copper, even in reduced amounts, are toxic and persistent in marine sediments for years to come. They can be toxic to both plants and animals in the water column and in and around sediment. Studies have shown that copper disrupts or kills aquatic life, especially salmon, in concentrations as low as 2 parts per billion (ppb).* These introduced toxins also enter the aquatic food chain, where they can harm marine organisms and humans that consume them. As a marina manager, it is important to closely monitor the activities of underwater contractors and specifically prohibit bottom paint discharges.

- Prohibit in-water cleaning of boat hulls that are coated with ablative or soft antifouling paints.
- Use pressure-wash haul out facilities at a permitted boatyard where wastewater can be collected and treated.
- Enforce a "no visible plume" rule and report all discharges to 1.800.OILS.911.

*Baldwin D, Tatara CP, Scholz NL (2011) Copper-induced olfactory toxicity in salmon and steelhead: extrapolation across species and rearing environments. Aquatic Toxicology 101:295-297.

Bilge Care



"A clean bilge is a happy bilge." This statement may be cliché, but holds true both for the operator of a vessel and for impacts to water quality. The bilge space of a boat is the final onboard resting place for rainwater, seawater and any fluids that have spilled or leaked out of machinery and containers. The presence of pumps located in bilge spaces provides a direct outlet for the discharge of this fluid mixture overboard and into the marine environment. To reduce the likeliness of a contaminated bilgewater spill in the marina, be sure to provide boaters the resources they need to deal with contaminated bilgewater.

- Consider installing a bilgewater collection facility at your marina. Matching funds are sometimes available to help offset the cost. Contact Clean Marina Washington to learn more (*CleanMarinaWashington.org*).
- Post contact information for bilge cleaning services in a prominent place for tenants.
- Provide notice that the discharge of contaminated bilgewater is illegal. Bilgewater cannot be discharged in parking lots, launch ramps, or directly to the water.
- Make absorbent supplies and equipment for removing fuel, and antifreeze from bilgewater accessible and free (or as inexpensive as possible).
- Educate boaters that oil absorbent pads, diapers, and pillows are made of a special material that repels water but absorbs oil.
- Direct boaters to dispose of oil-soaked absorbents as a household hazardous waste if possible. Otherwise, they can wrap the absorbents in newspaper, place in a plastic bag, and place into the garbage.
- If a bilge is severely contaminated with oil, recommend using a pumpout service and provide contact information to the boater.
- Do not allow the discharge of detergents or bilge cleaners from a contaminated bilge.
- Provide suction oil changers or pumps that attach to a drill head for your tenants' use.
- Recommend boaters take the following steps to care for their bilge:
  - Keep bilge area as clean and dry as possible.
  - Do not drain oil or other fluids into the bilge.
  - Fit a tray and absorbent pads underneath the engine to collect drips and drops, which can greatly reduce cleaning time later.
  - Fix all fuel, oil, and hydraulic leaks in a timely fashion.
  - Purchase a hydrocarbon sensor for the bilge pump.

FOR MORE INFORMATION

ecy.wa.gov/Programs/wq/permits/boatyard/moreinformation.html

Where to Work: Boatyard or Marina?

Hauling a boat can be expensive, but some activities are only suitable for a permitted boatyard, as they are furnished with special equipment and are required to follow procedures to minimize impact to the environment. Make sure staff know what activities are allowed in the marina and when it is best to refer a client to a permitted boatyard facility.

Marinas that allow tenants to conduct extensive repairs on vessels may be categorized as a boatyard. If the repair work affects greater than 25% of the vessel's surface area above the waterline within the calendar year, then the repair either needs a permit or the boat should be hauled out at the local permitted boatyard. If marina owners/operators wish to allow significant amounts of boat repair, they will need to apply for a Boatyard General Permit from Ecology and comply with all provisions for collecting and treating wastewater and stormwater. This is true regardless of the marina's Standard Industrial Classification (SIC) code. Consider posting Ecology's advisory about in-water hull cleaning, *ecy.wa.gov/programs/wq/nonpoint/CleanBoating/hull.html*.

BOATYARD GENERAL NPDES AND STATE WASTE DISCHARGE PERMIT

The Boatyard General Permit covers discharges of stormwater runoff and pressure-wash wastewater from boatyards statewide. When boatyard staff or boat owners build, repair, or paint boats, they create pollutants that may be carried by stormwater runoff into surface waters. The permit also prohibits discharge of pressure-wash wastewater to surface waters. It imposes benchmarks and limits on pollutants discharged in stormwater runoff from boatyards. If a mobile repair operator from a permitted boatyard comes to a marina to work on a boat, that operator must comply with the boatyard permit BMP requirements and will be the party held liable for permit violations if water quality violations occur.

OTHER PERMITS

Deconstruction activities on a floating vessel are prohibited without permit coverage under the Vessel Deconstruction General Permit. Marina owners should contact Ecology if they become aware of deconstruction activities in their marina.

PROJECTS SUITABLE IN A MARINA (IF ALLOWED BY THE MARINA BMPS)

Proper precautions, such as using vacuum sanders and plastic tarping, should be taken in a marina to prevent anything from entering the water. Providing tarps and vacuum sanders to rent or borrow from the marina encourages their use and makes it easy to do the right thing.

- **Light sanding to scuff up paint or varnish for touch up:** If sanding down to bare wood/fiberglass/metal is required, have the work done in a boatyard.
- **Touch up painting and yearly varnishing:** Any paint or varnish cans should be kept in secondary containment.
- **Cleaning, buffing, and waxing:** These can be done provided the finish on the boat is in good shape and doesn't flake off into the water.
- **Engine work that is constrained to the vessel:** Any fluids that are transported to or from the vessel should be in closed/sealed containers to prevent accidental spills.
- **Installing rails, hardware, and electronics:** Have a vacuum handy to catch dust and other particles generated by drilling or scraping.

PROJECTS REQUIRED TO BE CONDUCTED IN A BOATYARD

Major repairs must be conducted in a permitted boatyard. Repairs can include, but are not limited to, pressure washing; bottom and topside painting; engine, prop, shaft, and rudder repair and replacement; hull repair, joinery, bilge cleaning; fuel and lubrication system repair or replacement; welding and grinding on the hull; buffing and waxing; top-side cleaning; marine sanitation device (MSD) repair or replacement; and other activities necessary to maintain a vessel. Other examples include:

- **Replacing/repairing large sections of the hull:** It is difficult to prevent particles from drifting into water when performing this type of work.
- **Major engine replacement:** Removing engines safely and cleanly requires special equipment and is best suited for a boatyard.
- **Bottom work:** Not only is this difficult but any work done under water will inherently leave paint, particles, or products in the water. With the exception of changing anodes (commonly referred to as zincs) and propellers, all bottom work should be done in a boatyard.

- **Sanding/painting/varnishing that requires going to bare wood/fiberglass/metal:** Because of the quantity of particulates in dust, this work is best suited for a boatyard.

For detailed information on boatyard BMPs including interactive videos, please visit *cleanboatingfoundation.org/boat-owner-resources/best-management-practices*.

THINGS TO CONSIDER WHEN REFERRING A CUSTOMER TO A BOATYARD

- **Compliance with mandatory boatyard BMPs:** When referring a customer to a permitted boatyard, be sure to remind them that they must comply with mandatory boatyard BMPs. These are different from the marina BMPs found in this handbook and can be acquired from the staff of a permitted boatyard prior to commencing DIY work.
- **Clean Boatyard:** Consider referring them to a Certified Clean Boatyard or Leadership Clean Boatyard. They have gone above and beyond the legal requirements to reduce their impact on the environment. A current list of clean certified boatyards can be found at *cleanboatingfoundation.org*.
- **Non-copper and non-zinc bottom paint:** Washington requires all boats to use non-copper bottom paint by 2020. Several alternative bottom paint coatings on the market use biocides (in place of copper).
- **Aluminum anodes:** These have replaced zinc anodes as the best way to protect the metal components of a boat. They are light, work the same if not better, and cost the same if not less.

Sanding Copper Painted Hulls

Copper found in bottom paints is a major pollutant in stormwater runoff from boatyards and a contaminant of marinas. The safe copper levels for our waters are in the low parts per billion. The biggest problem is often the do-it-yourself boater that walks away from a sanding job and leaves the mess to be blown by the wind or washed away by the rain. Cleaning up the mess after-the-fact costs more money than containing the dust while working. Vacuum sanders put 98% of the dust immediately into a filter bag, out of the elements, and off other boats. Their use will keep your boatyard and marina a cleaner place.

DERELICT VESSELS

If maintenance is deferred for too long, a boat is at risk of becoming derelict. Neglected, derelict, and abandoned vessels cause various problems in and outside of marinas, including water quality degradation, pollution, and damage to public and private property when they sink or go adrift. In marinas, they take up valuable slip space and can be a source of rat infestation. They also decrease the aesthetic value of the area and create hazards for responsible boaters. Marinas can use various tools to address neglected, derelict, and abandoned vessels. For more information, see Resources (page 47).

- Inform tenant owners of poor condition or non-functioning vessels about the DNR-sponsored vessel turn-in program. Washington residents and businesses with a vessel less than 45 feet in length can turn their boat over to the State for disposal at no cost to the owner. Visit the following DNR webpage for more information about qualifications and restrictions: *dnr.wa.gov/programs-and-services/aquatics/derelict-vessels/vessel-turn-program*.
- If tenant owners do not qualify for the DNR vessel turn-in program but would like to get rid of their boat, let them know other options are available. They have several options:
  - Donate their vessel to charities that accept motorboats, sailboats, personal watercraft, and other vessels as tax-deductible contributions. The boat will generally need to be in decent condition to use as a donation. Let the tenants know they will need to file a report of sale with the Washington Department of Licensing if they donate the boat.
  - Call the local landfill to see if it will accept boats and what the requirements are. The owner will likely need to drain and remove engine blocks and fuel tanks prior to dropping off a vessel. Metals can be recycled.
  - Call the nearest boatyard or salvage company to see if the staff can dispose of the boat and what they will charge.
- Call DNR at 360.902.1574 if a boat appears to have become derelict and marina staff are unable to contact the owner. Call 911 if the boat is involved in an emergency. Signs of a derelict vessel include:
  - listing to one side;
  - expired registration;
  - unusual quantities of growth of algae, moss, grass, or other plant material covering the boat;
  - bilge pump that runs frequently to expel water from the hull;
  - leaking fluids such as oil, fuel, or waste;
  - severe external deterioration of wood, paint, or other materials;
  - owners or liveaboards who throw waste or other materials into the water;
  - drifting from moorage or docks;
  - appearance of being illegally moored; and
  - no movement in more than 30 days.

WASTE MANAGEMENT

Solid Waste Management

Throughout the day, whether on land or water, we generate solid wastes in one form or another. Common solid wastes include household trash, packaging, food waste, derelict fishing gear, debris from demolition or construction projects, or any other type of discarded material coming from a marina. Marine debris can result without proper management. This presents an aesthetic issue for marinas and local waters, and can harm fish and wildlife, damage vessels through hull impacts, or become entangled in engine propulsion or cooling systems.

The critical emphasis in waste management is to reduce wastes at their source and reuse as much as possible. The least preferred method of managing wastes is to dispose of them in a landfill.

SOURCE REDUCTION

Marina staff can evaluate and improve the marina's solid waste management system using the following BMPs.

- When developing a source reduction strategy, start by conducting a solid waste audit or inventory. Discovering the most commonly discarded items may help to identify key ways to reduce wastes.
- Reduce wastes at the source by focusing on durability, buying in bulk, minimizing packaging, and reducing product toxicity.
- Set source reduction goals and track their progress.
- Encourage tenants and contractors to participate in source reduction initiatives.
- Don't forget to promote your marina's source reduction activities and successes through marina newsletters or other communications.

RECYCLING AND COMPOSTING

Marinas have many opportunities to divert solid wastes from landfill or other disposal facilities. Recyclables such as cardboard, paper, aluminum, plastic, and glass are easily recycled, and many communities offer convenient curbside collection services. Recyclables are commonly managed in mixed or commingled recycling containers. Commingled containers provide greater conveniences for marina tenants by streamlining the sorting process and can often increase the marina's recycling volumes. Organic wastes including landscaping trimmings and food waste continue to make up a large percentage of solid wastes collected by municipalities.

- Use specialty waste containers for common contributors to marine debris litter, such as monofilament fishing line, cigarette butts, and Styrofoam.
- Establish recycling and composting expectations for staff, tenants, and contractors through marina policy and tenant agreements.

IF YOUR MARINA HAS MORE THAN 30 SLIPS and is located in a city or county that has adopted a waste reduction and recycling element of a solid waste management plan, **you are required to provide recycling receptacles on or adjacent to the facility** per RCW 70.93.095 (*app.leg.wa.gov/rcw/default.aspx?cite=70.93&full=true#70.93.095*).

- Ensure recycling and composting is convenient by providing easy access for tenants to stage and sort recyclables.
- Inform and educate tenants of recycling services through newsletters or other marina communications.
- Demonstrate the marina's commitment to recycling by purchasing and using materials that are made with recycled content.

TRASH DISPOSAL

Treatment and disposal of trash should also be considered when creating a solid waste management system.

- Provide an adequate number of trash containers and make them convenient for tenant use.
- Keep all trash containers and dumpsters closed and secured when not adding or removing wastes, and inspect them frequently.
- Be sure to report any containers that are damaged to your solid waste hauler, or municipality, as soon as a problem is identified.
- Make it a marina policy that throwing any solid wastes into the water or onto the land is explicitly prohibited.
- Provide boaters with information on proper onboard waste handling and disposal practices.
- Post signs that clearly state marina rules and regulations on trash disposal, including what items should not be placed in marina dumpsters.
- Make it a marina policy that throwing hazardous waste such as used oil, antifreeze, paints, solvents, varnishes, and automotive batteries into the garbage is prohibited.

- Many government and non-government organizations throughout the region offer volunteer opportunities that work to cleanup and restore local beaches, waterways, and shorelines. Consider providing direct support for these efforts, including promoting events to both marina tenants and customers.
- Clean waters and shorelines discourage littering. Make it a practice to regularly clean the marina of any litter.

Hazardous or Dangerous Waste

Washington State uses the term "dangerous waste." Federal law uses the term "hazardous waste." However, both are referring to waste that is potentially harmful to our health and environment. Washington's rules are more protective of the environment and cover some wastes not included in the federal definition. Examples of common marina-generated dangerous wastes include paint, solvents or solvent-soaked rags, paint thinners, waste oils, antifreeze, cleaners, disinfectants, fertilizers, and pesticides. Dangerous waste includes these examples and many other types. Products labeled "DANGER," "FLAMMABLE," "WARNING," or "POISON," even if mixed with water, might be dangerous waste.

Most businesses in Washington generate some type of dangerous waste. All businesses, including marinas, are required to determine whether the waste they generate is dangerous. For more information, visit the Ecology "Manage Dangerous Waste" webpage: *ecy.wa.gov/programs/hwtr/managewaste.html*.

HAZARDOUS WASTE

- Inventory and review chemical products used in the marina.
- Look for and encourage using less toxic product alternatives for janitorial, facility maintenance, and landscaping chemicals and services.
- Look for EPA's Safer Choice label when purchasing chemical products.
- Ensure hazardous waste is stored in separate, clearly labeled containers.
- Specify how waste oil is to be managed/recycled in your moorage agreement.
- Make it a marina policy that throwing hazardous waste such as used oil, antifreeze, paints, solvents, varnishes and automotive batteries into the garbage is prohibited.
- Post information identifying oils acceptable for recycling and wastes that will contaminate used oil and prevent it from being recycled.
- Advise tenants to puncture and drain oil filters.

THREE OF THE TOP FIVE MARINE DEBRIS ITEMS collected during the National Marine Debris Monitoring Program, a 5-year study of marine debris trends on U.S. beaches, were items that potentially could have been recycled: plastic bottles, plastic bags, and cans.

SOLID WASTE CAN PERSIST in the marine environment for hundreds of years.

worldoceanreview.com/en/comments/feed/wor-1/pollution/litter/

FOR MORE INFORMATION

ecy.wa.gov/Programs/wq/permits/boatyard/moreinformation.html

- If the marina does not accept hazardous waste from tenants, post information on how and where to manage these wastes, including:
  - Ecology's toll free number, 1-800-RECYCLE,
  - the location and hours of county-run household hazardous waste collection facilities, and
  - the dates and locations of county-sponsored hazardous waste collection events.
- Consider providing receptacles for waste oil recycling.
- Monitor the use of your oil collection facility, keep it locked after business hours, and maintain a contributor list.
- Test your waste oil collection tank(s) for chloride contamination on a regular basis with a commercially available screening test.
- Collect oil in smaller volumes and test it prior to transferring into a larger collection tank. If tests show contamination, isolate that volume and do not add any more oil.
- Carefully monitor dock boxes and prohibit their use for the storage of any hazardous materials.

Orphaned hazardous waste sometimes shows up near dumpsters. It should always be documented, carefully handled and stored, and properly disposed of at a hazardous waste facility.

Sewage Management

Sewage discharges from recreational boats are a major contributor to water quality impairment and are hazardous to human and environmental health. While individual boats may release only small amounts of treated and/or untreated sewage, there are more than 236,000 registered boats in Washington. The cumulative effect of boater sewage discharges, including greywater, can make a big difference to water quality. Human wastes contain disease-causing bacteria, viruses, and parasites. People who contact water contaminated with human wastes can become ill. More serious water-borne diseases include hepatitis, typhoid, and cholera. In addition, boater sewage discharges can contaminate shellfish beds, an important economic and natural resource for Washington State. When boaters discharge wastewater overboard in shellfish bed areas, these contaminated shellfish can cause disease outbreaks in humans, such as *Vibrio* bacteria or Norwalk virus. Sewage treated by onboard sanitation treatment systems is still prohibited from discharge because these systems do not remove disease-causing viruses and parasites.

- Provide notice that the discharge of sewage is illegal and prohibit the discharge of sewage in your tenant lease agreement.
- Prohibit the dumping or abandoning of hazardous materials and pet wastes in your tenant lease agreement.
- Provide a dedicated dog walking area, with a trash can and doggy bag station, to help prevent pet waste from entering the water.
- Talk to liveaboards who have obviously not moved their vessels to the pumpout facility in a very long time.
- Inform guests and tenants of risks to shellfish and shellfish consumers from raw marine sewage.
- Remind boaters and visitors not to harvest shellfish in marinas.
- Provide clean, adequate shore-side facilities and encourage tenants to use them for showering and laundry. And ask that your customers refrain from using onboard washing machines or heavy-duty dishwashing detergent while at the marina.
- Train staff to perform sewage pumpouts.
- Consider providing sewage pumpout as a free-of-charge service. Especially effective for liveaboards is rebating part of the moorage fee for demonstrated, consistent use of the pumpout.
- Advertise pumpout services, provide clear signage regarding times of operation and cost, and post a list of mobile pumpout services and emergency phone numbers.
- Make the pumpout systems readily accessible. Systems only available at high tide or on a difficult dock will not get used.

- Provide clear instructions in pumpout use (for example, a video such as *wsg.washington.edu/pumpout-video*).
- Become familiar with the Clean Vessel Act (CVA) matching grant program for pumpout equipment. Further information is available in Resources (page 46).
- Encourage use of threaded adapters, available through Washington Sea Grant or Washington State Parks. For more information, visit *pumpoutwashington.org*.
- Keep the pumpout nozzle accessible for threaded adapter fittings.
- Encourage tenants to use biodegradable, phosphate-free detergents on vessels.
- Encourage tenants to conserve water and use water-saving devices.
- Utilize the state's CVA grant operations and maintenance reimbursement program to pay for system upgrades and operations and maintenance.
- Test pumpout equipment regularly with a vacuum tester or bucket test.
- Consider slip-side points of pumpout.

AQUATIC INVASIVE SPECIES

Aquatic invasive species (AIS) pose the risk of harming or threatening the state's environmental and economic resources. This includes species that can disrupt our native species such as eelgrass, cripple water and power supply systems, and harm the shellfish aquaculture industry by introducing and spreading diseases and parasites. It is against the law to intentionally release non-native AIS into state waters. It is also illegal to fail to prevent AIS introduction — meaning a boat owner must actively prevent their spread. This includes aquatic plant and animal hitchhikers carried on or in boats or equipment. The most likely ways AIS can be transported into or away from marinas are by boats and marina equipment/infrastructure arriving or departing by land or water. These are considered "aquatic conveyances," which include boats, docks, mooring buoys, and anchors. Plants and animals can attach directly onto these conveyances, or they can hold raw water containing spores, seeds, larvae, or even adult aquatic organisms.

Photo by Greg Jensen

- To find out more about AIS, obtain information on free boat inspections, or to report an AIS sighting, call 1.888.933.9247 or visit the Washington Department of Fish and Wildlife's (WDFW) aquatic invasive species webpage, *wdfw.wa.gov/ais*.
- To best prevent the spread of AIS, clean all wetted surfaces of aquatic growth and drain any raw water from ballast tanks or fish holds before moving your aquatic conveyance to a new water body or location outside the immediate marina area.
- Provide notice to tenants that boat hulls with light marine growth consisting of only slime and algae may be cleaned using in-water techniques.
- Inform tenants that boats, motors, trailers, boots, personal gear, and equipment with heavier marine growth need to be cleaned of any plants, dirt, or animal life, then allowed to dry before launching or moving to another destination. Cleaning and draining watercraft immediately after use will prevent the accidental spread of invasive species, as well as avoid potential fines.
- Marina equipment scheduled to be moved to another location must also be cleaned of aquatic plants, dirt, or animal life and dried prior to departure.
- Ensure that boats with moderate to heavy aquatic growth accumulations that arrive by water from other marinas are immediately cleaned in an approved upland facility (for example, a boatyard). Boats that arrive overland with any aquatic growth (dead or alive) must be cleaned in an approved upland facility prior to launching.
- Immediately contact WDFW at 1.888.933.9247 (toll-free hotline) if staff suspect any aquatic hitchhikers to be invasive zebra or quagga mussels — regardless of whether the marina is in a fresh- or saltwater waterbody. Boats carrying or suspected of carrying prohibited AIS must be inspected and decontaminated by WDFW.

FACILITY MAINTENANCE

The quality of a marina is reflected in the care and maintenance provided by management and staff. Daily practices not only affect the health of aquatic ecosystems and local economies, but influence the habits of boaters. Nearly every activity conducted (or not conducted) at a marina can impact water quality. It is easy to overlook the impact marina infrastructure can have on water quality and just assume that pollutant sources come from cleaning products. This is why regular and timely maintenance of infrastructure and equipment is critical.

Docks

Docks are the central component to any marina. Regular maintenance can add years of life to the system. Maintenance actions can range from tightening hardware and pipes, adjusting floats, cleaning junction boxes, fixing dock surface problems, reinstalling hardware, and removing organic growth, which hastens the breakdown of the dock structure. In all these scenarios, the key environmental concern involves capturing items that could get into the water.

- Do an initial sweep or vacuum of the dock prior to a planned activity.
- Capture materials generated from maintenance activities such as sawdust, masonry-related materials, seal coat, and replaced hardware. Tarps, rags, lanyards, and dustless power tools can help with containment.
- Keep the dock and supporting structures clear of organic growth like moss and mold, and animal waste from birds and sea life, to protect against health-related issues that may harm humans.
- Thoroughly sweep, capture, and dispose of debris from the dock.
- Ensure employees regularly walk the dock fuel lines, from dispenser to tanks, to visually inspect any fuel lines running underneath or above the dock. Look for leaks, corrosion, loose hangers, or other wear and tear that might degrade the piping.
- Look into the fuel dispenser to check the condition of piping and filters. A sump should be placed underneath the dispenser to prevent any leaks from entering the water.
- Open all fuel dock line sumps monthly to check for leaks within these containment areas. Placing some absorbent pads in sump bottoms can make cleaning easier and highlight any leaks that occur.
- Open all dispensers at least monthly to check for water ingress or signs of leakage. Also place absorbent pads inside the dispenser to contain and identify leaks.
- Ensure a regular maintenance schedule is created for:
  - tightening bolts for cleats, thru-rods,
  - replacing decayed utility hangers,
  - unplugging and cleaning utility junction boxes,
  - seal-coating dock surfaces,
  - filling in spawls and chips on the dock surface,
  - tightening pile hoops and replacing the UHMW bumper pads, and
  - grinding down or adjusting flotation to mitigate elevation differences between floats.
- Staff should also routinely check:
  - pile hoops,
  - dock connections,
  - potable and fire water systems and alarms,
  - pedestal and electrical systems,
  - ramps and gates,
  - freeboard measurements,
  - rub strips and corner bumpers,
  - pump-out systems, and
  - phone and cable TV monitoring systems.

Fuel Storage Tanks

There are many types of storage tanks. Knowing what type you have can help shape your maintenance procedures and spill prevention and response plan. Storage tanks can be single or double walled and above or below ground. Because they tend to be overlooked, fuel storage tanks require more specific maintenance.

Aboveground storage tanks containing more than 1,320 gallons will likely require a spill prevention, control, and countermeasures (SPCC) plan. Facilities with underground storage tanks are not required to have an SPCC plan unless the site has more than 42,000 gallons of oil. However, an SPCC plan is a great tool to help organize and capture BMPs for marina operations, training, and spill prevention and response. See Class 4 Marinas with Fuel Docks (page 40) for further details.

- Provide spill pads at the fill location to easily clean up small spills near sump and fill locations.
- Keep the various tank fill locations free of debris and water that may accumulate from rain and wind events.
- Test your interstitial space (the space between tank or fuel line walls) and sump leak sensors at least twice per year to ensure proper function to detect a leak.
- Place pads in your sump bottom to identify when a leak or drip begins.
- Take a picture of your leak-free sumps to compare with any future changes that might occur.
- Conduct spill prevention and emergency response drills quarterly using different scenarios to test the readiness of staff. Afterward, discuss lessons learned.
- Record all maintenance, tests, and trainings you conduct in a central location to ensure an EPA or Ecology audit will go smoothly.
- Place a "How To" placard next to your electronic tank monitoring system and ensure the inventory printouts are accurate for inventory control and leak detection by checking against your records.
- Specifically train each employee on what to do and who to contact when alarms go off. Most systems are designed to shut off to prevent a spill. Do not silence the alarms or re-energize the system until you know for certain it was a false alarm. Malfunctions are very rare but spills are not.
- Make sure all new piping and dispensers are double-walled with a sump that includes leak detectors.

Cleaning Products

Soaps, detergents, and some solvents are referred to as "cleaners." Some types of cleaning agents, especially many solvents, are dangerous. Spent solvents may often be recycled. However, many are quite toxic or even flammable or explosive. These are generally insoluble in water. Some cleaners, like water-soluble soaps and detergents, are relatively safe before use, but become dangerous when they take on contaminants while cleaning. Even fairly benign cleaners can become toxic after washing a floor. The best alternative is to use the least-hazardous cleaner for the job. Not only will it protect staff from inhaling toxic fumes and potential burns on the skin, it will have less of an impact on the environment because of the lower concentrations of chemicals.

- Always try cleaning with water and a coarse cloth first, if applicable.
- Avoid or minimize the use of petroleum distillates, chlorinated solvents, and ammoniated cleaning agents.
- Sweep or vacuum floors often to minimize the need for chemical cleaners.
- For a list of less toxic alternative cleaners and other solutions, see Resources (pages 59-62).

Landscaping

Aesthetically pleasing and environmentally friendly, landscaped areas at the marina can not only add value to the marina but help filter pollutants.

- Do not plant invasive plant species. Though they grow rapidly, they often provide little to no environmental benefit for other plants and animals in the area and can increase the marina's reliance on fertilizers and pesticides.
- Use native plants that are adapted to the area and climate. They have ways to defend against local pests and weeds, so less herbicide, pesticide, and insecticide is needed. In addition, native plants require little to no extra watering.
- Reduce watering costs by irrigating, if necessary, in the early morning, late afternoon, or evening. This reduces water evaporation on hot days.
- Minimize fertilizer use.
- Compost organic waste — leaves, grass trimmings, branches, discarded food waste — and use the compost to add nutrients back to the soil and improve soil water retention.
- Reduce the need for herbicides by hand pulling weeds often. The more often it is done, the less time it takes. Try to pull weeds before they release their seeds.
- Do not apply pesticides near the water or just before a rainfall or windy day.
- Irrigate with greywater — or water used once for dishwashing or washing machines. Check with the local jurisdiction about greywater regulations and whether "purple pipes" are allowed to be used in the area.
- Contact the Washington State Conservation Commission (*scc.wa.gov*) to find a local expert on landscaping with native plants, as well as assistance in how to compost and maintain landscape to prevent pollution.

Storm Drains

Storm drains carry stormwater runoff from impervious areas like parking lots and maintenance areas directly into the nearest waterbody, often without filters or treatment. It's important to be aware of the storm drain inlets and the activities that are occurring around them. Maintenance areas can be a source of oil, grease, hydraulic fluid, paints, solvents, and other pollutants. These pollutants can fall onto the impervious surfaces within the maintenance area and be carried off by stormwater.

- Do not allow contaminated runoff from maintenance areas to flow to storm drains.
- Mark the storm drain inlets with wording such as "Dump No Waste. Drains to Puget Sound." Or, "Clean Marina. No Dumping." Many local governments offer free stencils, paint, and other supplies at no charge. These labels help raise awareness among staff, boaters, and marina visitors about the link between the storm drains and water quality.
- Locate maintenance areas as far away from the waterway as possible.
- Ensure all hazardous materials are stored in an area with containment, preferably double containment.
- Use dustless sanding equipment, like those for vessels, when sanding marina structures.
- If possible, reduce the introduction of pollutants to water by moving maintenance and repair work indoors, under roofs, or in a temporary work enclosure where the repair work is protected from rainfall.
- Maintain stormwater catch basins regularly. Typically this involves trash and sediment removal.
- Add filters to storm drains located near work areas to prevent discharge of solid materials.
- Place absorbent materials in drain inlets located in or near parking lots, maintenance areas, and oil storage areas to capture oil and grease.

Stormwater Treatment

Runoff treatment facilities are designed to remove pollutants within stormwater runoff, including sand, silt, copper, lead, zinc, oil, and grease. There are many stormwater treatment BMP solutions, including oil–water separators, presettling basins, detention or retention ponds; also, there are low impact development (LID) BMPs like bioretention, rain gardens, permeable pavements, and green roofs. During the past 20 years, LID strategies have gained in popularity because they allow for natural ground infiltration. This helps replenish groundwater (which is more important for inland areas than marinas) and provide slow-percolating water to vegetation instead of running off into storm drains. LID emphasizes conservation and use of on-site landscape features, distributes stormwater catch areas around the upland area of the marina, and offers an aesthetically pleasing alternative in stormwater treatment.

Refer to the 2012 Stormwater Management Manual for Western Washington (*https://fortress.wa.gov/ecy/publications/summarypages/1210030.html*) and the 2004 Stormwater Management Manual for Eastern Washington (*https://fortress.wa.gov/ecy/publications/publications/0410076.pdf*) for detailed information about treatment BMPs.

- Minimize impervious areas at the marina by paving only where absolutely necessary. Use porous pavements for parking lots and lightly traveled access roads, or other pervious materials like gravel.
- Direct roof runoff to drywells or position downspouts so they drain to vegetated areas. Avoid draining to concrete or asphalt.
- If interested in designing or constructing a stormwater treatment system, consult the local jurisdiction. Most cities and counties have design standards in place and can help in determining the best BMPs for the marina.
- Consider using LID if adding a treatment BMP at the marina or if the marina will undergo redevelopment.
- Unique conditions at marinas limit the usefulness of some treatment BMPs. For example, infiltration BMPs, which work by allowing stormwater to soak into the ground, may not work at marinas that typically have high groundwater tables. It's important to incorporate the marina's location, design, and pollution potential when considering treatment BMPs.
- When necessary, obtain a survey and soil report, completed by licensed professionals, before selecting BMPs.
- If the marina has a stormwater treatment BMP, ensure that regular inspections and repairs are conducted. Create an operations and maintenance manual for the stormwater treatment BMP if one does not exist.

NOTES

LAWS AND REGULATIONS

2

It is important for marina staff and especially managers to stay current and informed on the federal, state, and local laws and regulations that apply to a marina facility. In this section, the authors have tried to summarize and clearly state in layman's terms the most pertinent and important laws and regulations that apply to Washington State marinas.

CONTENTS

ENVIRONMENTAL REGULATIONS

Issues of water quality, spills, waste management, marine protection, development, and environmental cleanup are addressed under a variety of regulations, agencies, and programs. The following description of regulations is by no means exhaustive and is meant to be used only as an introduction for marina owners. In addition to the specific state and federal regulations discussed here, marina operators must comply with local and regional codes and regulations, which may be more stringent than state or federal regulations. Examples include solid and hazardous waste disposal restrictions; shoreline, fire, and building codes; and Seattle's "No Discharge While Moored" ordinance.

The "Environmental Regulations" section is intended to help you understand the laws and regulations that apply to your facility, but you shouldn't rely on its content alone. The information in this section is very basic and is not intended to be legal advice. For example, in the attempt to make this as easy to read and understand as possible, some important legal nuances may have been omitted.

Consult a legal professional to determine your duties and obligations under the laws and rules discussed in this section. Look up the official language of the federal, state, and local laws to ensure your marina is in compliance, and that you fully understand the information you seek.

If you have questions, many resources are available. For example, do not hesitate to contact the appropriate agency listed in Helpful Contacts (pages 67–69); call the Washington State Governor's Office for Regulatory Innovation and Assistance (ORIA) or visit the website at *oria.wa.gov*; or contact your representative. All the contributors to this handbook want to help you and your marina be successful and environmentally friendly — that's why we created this guide in the first place.

For simplicity's sake, several legal nuances may have been omitted and this section is strictly to be used as an introduction and general overview of the myriad laws and regulations that apply. You are responsible for referring to the laws and regulations directly on all matters and consulting with an attorney when necessary.

WATER QUALITY

Federal

CLEAN WATER ACT *(CWA)*

At a glance: The CWA brought about many of the initial improvements we have seen in our lakes, rivers, and bays since the 1970s. It set a national goal of making waters "fishable and swimmable" and established the structure for regulating discharges of pollutants into waters of the United States. The U.S. Environmental Protection Agency (EPA), the agency responsible for administering the CWA, develops water quality standards and discharge permits under the CWA's National Pollutant Discharge Elimination System (NPDES). The Washington Department of Ecology (Ecology) has authority from EPA and the Washington State Legislature to implement the NPDES program in Washington State. In a nutshell, it is unlawful to discharge pollutants into U.S. and state waters without authorization.

Marina-specific information: Marinas are regulated as a point source discharge for the purposes of the Industrial Stormwater General Permit (ISGP) in the Water Transportation category SIC #4493. A marina can also be considered an unpermitted boatyard if it conducts or allows certain activities to be conducted within the marina, including in-water hull cleaning, maintenance, or repairs of large portions of the external surface area of the boat, or boat building. Boatyards, shipyards, and other industries are considered point sources and are required to apply for and receive an NPDES permit from Ecology before they can discharge wastewater and stormwater to surface waters.

FOR MORE INFORMATION

epa.gov/laws-regulations/summary-clean-water-act

EPA and Ecology enforce this law. Citizens and organizations representing citizens also have enforcement authority.

State

WATER POLLUTION CONTROL *(REVISED CODE OF WASHINGTON (RCW) 90.48)*

At a glance: The Washington State Legislature enacted the Water Pollution Control Act (WPCA) to implement the federal NPDES program, enable Ecology to adopt water quality criteria and effluent standards, prohibit pollution, and impose environmental damage assessment for and reimbursement from polluters. According to WPCA, "waters of the state" include lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within Washington State. Furthermore, pollution means contamination or alteration of the physical, chemical, or biological properties of any waters of the state that will or is likely to create a nuisance or render such waters harmful, detrimental, or injurious to public health, safety, or welfare; or domestic, commercial, industrial, agricultural, recreational, or other beneficial uses; or livestock, wild animals, birds, fish, or other aquatic life.

Marina-specific information: WPCA provided the authority to prohibit underwater cleaning of hulls with soft toxic coatings, as well as discharge of soaps and detergents from boat washing activities. While the strict interpretation of WPCA does not allow soaps, detergents, and other pollutants to enter surface water, Ecology recommends an educational rather than enforcement approach about boat washing. Ecology urges marinas and local governments to approach boaters with patience and persistence to provide needed information about the unintended and often hidden impacts of pollutants like soaps, oils, and emulsifiers, and about alternatives that keep boats clean and still protect our rivers, lakes, and streams. Also, WPCA authorizes Ecology to impose environmental damage assessments on polluters. This means that the party(s) responsible for polluting an area must reimburse taxpayers for the cost of the environmental damage created. Reimbursements are used to fund restoration of impacted areas.

FOR MORE INFORMATION

app.leg.wa.gov/rcw/default.aspx?cite=90.48

Ecology enforces this regulation.

REGULATORY HELP

Sometimes it may seem that the different federal, state, and local laws overlap and conflict. Marina owners sometimes find it difficult to figure out which laws apply and which agencies have jurisdiction. The Washington State Governor's Office for Regulatory Innovation and Assistance (ORIA) can help you navigate Washington's regulatory processes. If they don't have the information you need, they will connect you with the right people in federal, state, or local agencies. Find out more or request assistance by visiting *oria.wa.gov*. In addition, contact information for most local governments in Washington State is available from the Municipal Research Services Center (MRSC), *mrsc.org/Home.aspx.*

FUELING AND SPILLS

Federal

OIL POLLUTION ACT *(OPA)* AND CLEAN WATER ACT *(CWA)*

At a glance: OPA amended the CWA to improve the nation's ability to prevent and respond to oil spills. The CWA is the primary federal law that prohibits water pollution from oil and requires the owner to clean up the spill and pay for the environmental damage caused by the oil.

Marina-specific information: The legal authority of CWA and OPA provides the basis for required the reporting and cleanup of oil spills from vessels and marina facilities. Spills must be reported to the federal government — either the U.S. Environmental Protection Agency (EPA) or U.S. Coast Guard (USCG). In addition, the Washington Oil and Hazardous Substance Spill Prevention and Response law (below) also requires spillers to contact the State Emergency Management Division (SEMD). This is why spillers and reporters must call two different phone numbers.

OPA also requires boats greater than 26 feet to display an "Oil discharge is prohibited" placard. USCG regulations state, "No person may intentionally drain oil or oil waste from any source into the bilge of any vessel."

FOR MORE INFORMATION

epa.gov/laws-regulations/summary-oil-pollution-act (OPA)

epa.gov/laws-regulations/summary-clean-water-act (CWA)

EPA, USCG, and Ecology enforce this law.

State

OIL AND HAZARDOUS SUBSTANCE SPILL PREVENTION AND RESPONSE *(RCW 90.56)*

At a glance: This act is the Washington State equivalent of the federal OPA. It requires oil spill contingency planning, spill prevention plans, and spill response. It gives the state authority to impose penalties, collect reimbursement for cleanup costs, and assess spillers for damages to the environment.

Marina-specific information: Small spills from inattentive or irresponsible fueling can permanently harm our waters and degrade the enjoyment of recreational boating and the productivity of commercial fishing. As described previously, this RCW requires spillers to immediately notify the SEMD and USCG when a spill occurs. The federal OPA — described previously — also requires spillers to report any spills. Calling both 1.800.OILS.911 and 1.800.424.8802 will fulfill the reporting requirements for *RCW 90.56* and OPA.

FOR MORE INFORMATION

apps.leg.wa.gov/RCW/default.aspx?cite=90.56

Ecology enforces this regulation.

ADOPTION OF THE INTERNATIONAL FIRE CODE *(IFC) (WAC 51-54A)*

At a glance: Washington State has adopted the 2012 edition of the IFC. Washington Administrative Codes (WAC) are detailed in Chapter 51 through 54A. IFC sets regulations and design standards to protect property, prevent fire and explosion hazards, and safeguard life. Topics include egress, sprinkler systems, alarms, and fuel storage.

Marina-specific information: *WAC 51-54A-3601* specifically refers to marinas that operate marine motor fuel-dispensing stations, allow application of flammable or combustible finishes, or conduct hot works. See Section 105.6 of the IFC for permit information.

FOR MORE INFORMATION

app.leg.wa.gov/wac/default.aspx?cite=51-54a

Local jurisdictions enforce the IFC.

FACILITIES OIL HANDLING STANDARDS, AKA OIL TRANSFER RULE *(WAC 173-180)*

At a glance: The Facilities Oil Handling Standards rule established the minimum standards for safe oil transfer operations to meet Washington's zero spills goal. The rule emphasizes the prevention of oil spills; provides protection of Washington waters and natural resources from the impacts of oil spills caused by operational errors, human errors, and improper oil-handling equipment design and operations; works to minimize the size and impacts of oil spills that do occur; and facilitates coordination of local, state, regional, tribal, and other prevention and preparedness plans.

Marina-specific information: The rule designates marinas as Class 4 oil handling facilities if they transfer oil to non-recreational vessels that have a maximum oil holding capacity of less than 10,500 gallons. A non-recreational vessel is defined by Ecology as a government vessel or any vessel owned and operated for monetary gain, and if leased, rented, or chartered to others for recreational use, then the vessel is considered commercially operated. Examples include houseboats, ski boats, chartered tour and fishing vessels, as well as other small crafts on a rental or lease agreement. Marinas that do not transfer oil to non-recreational boats are not subject to these regulations. Class 4 facilities have requirements for oil spill response equipment, regular inspections, creation of a spill prevention plan, recordkeeping, semi-annual reporting, training, pre-booming, secondary containment for above-ground storage tanks, and other activities.

FOR MORE INFORMATION

apps.leg.wa.gov/WAC/default.aspx?cite=173-180&full=true

ecy.wa.gov/programs/spills/Class_4_Facilities/Marinas.html

Ecology enforces the Oil Transfer Rule and regulates Class 4 facilities.

WASTE MANAGEMENT AND SEWAGE

International

ACT TO PREVENT POLLUTION FROM SHIPS *(APPS)*

At a glance: The International Convention for the Prevention of Pollution from Ships (MARPOL) is the primary international agreement for regulating and preventing pollution from vessels. It includes six annexes, covering six categories of vessel discharges: oil (Annex I), noxious liquid substances (Annex II), harmful packaged substances (Annex III), sewage (Annex IV), garbage (Annex V), and air emissions (Annex VI). The United States has ratified all annexes except Annex IV and most are implemented through regulations under APPS. Sewage discharges from ships (Annex IV) are regulated instead under Section 312 of the Clean Water Act.

Marina-specific information: Consistent with Annex V of MARPOL, APPS prohibitsthe dumping of any plastics from vessels anywhere in the ocean or in U.S. navigable waters. It also restricts the dumping of all other types of trash from boats. All vessels greater than 12 meters (39 feet) must display a durable placard explaining MARPOL Annex V disposal regulations. All ships of 100 gross tons and above and every ship certified to carry 15 persons or more must have a garbage management plan. The plan must include written procedures for the proper handling of refuse and must designate the person responsible for the plan. Additionally, ships may be required to have a garbage record book to document all disposal and incineration operations.

The ability of boat owners to comply with the discharge requirements of MARPOL mostly depends on adequate marina facilities. If marinas do not provide adequate disposal facilities, boaters and employees are more likely to throw their solid waste into surface waters. Marinas should provide convenient and proper disposal facilities because they are responsible for the contents of their dumpsters and the management of solid waste on their property.

FOR MORE INFORMATIONN

www.imo.org/en/About/Conventions/ListOfConventions/Pages/International-Convention-for-the-Prevention-of-Pollution-from-Ships-(MARPOL).aspx

The U.S. Coast Guard enforces this law.

Federal

CLEAN VESSEL ACT *(CVA)*

At a glance: The federal CVA provides funds to public and private sector boating facility operators to construct, renovate, and operate pumpout stations for boater waste. The goal is to help reduce pollution from recreational vessel sewage discharges into waters of the U.S. The program also provides boater education to promote public awareness about boat sewage and its proper disposal. These funds come from taxes on the sales of fishing equipment and on recreational boat fuel. By using CVA pumpout facilities, Washington boaters prevented 7.5 million gallons of sewage from contaminating Washington's waters in 2015, a 24% increase compared with 2013 (5.7 million gallons).

Marina-specific information: Marina management can apply for grants to build and maintain sewage pumpout stations. See Resources (page 46) for more information on the grant program.

FOR MORE INFORMATION

wsfrprograms.fws.gov/Subpages/GrantPrograms/CVA/CVA.htm

The U.S. Coast Guard regularly inspects vessels to ensure compliance with sewage discharge laws.

MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT *(MPRSA)*

At a glance: MPRSA, also known as the Ocean Dumping Act, prohibits the dumping of materials into the ocean that would unreasonably degrade or endanger human health or the marine environment. MPRSA implements the requirements of the London Convention — the international treaty governing ocean dumping. Ocean dumping cannot occur unless a permit is issued under MPRSA.

Marina-specific information: It is illegal to discharge untreated sewage in any inland waters or within three nautical miles of the U.S. shoreline.

FOR MORE INFORMATION

water.epa.gov/type/oceb/oceandumping/

The U.S. Environmental Protection Agency (EPA) is the primary permitting agency and Washington Department of Ecology (Ecology) enforces violations of state water quality standards.

NO DISCHARGE ZONE *(PROPOSED FOR PUGET SOUND)*

At a glance: A No Discharge Zone (NDZ) is a designated body of water where the discharge of treated and untreated sewage, or "blackwater," from boats is prohibited. More than 80 NDZs have been established in 26 states. Under current federal regulations, sewage treated by a USCG-approved marine sanitation device may be discharged anywhere in Puget Sound, and untreated sewage may be discharged if the boat is more than three nautical miles from shore.

Marina-specific information: To protect water quality and public health, Ecology has petitioned EPA to make all of Puget Sound an NDZ. This means that the discharge of sewage (treated or not) would be prohibited from recreational and commercial boats. All vessels would have to hold their sewage onboard until they could safely dispose of it at an onshore or mobile pumpout facility, or hold it until it can be discharged in the open ocean beyond three nautical miles from shore.

FOR MORE INFORMATION

water.epa.gov/polwaste/vwd/

epa.gov/vessels-marinas-and-ports/vessel-sewage-discharges-no-discharge-zones-ndzs

ecy.wa.gov/programs/wq/nonpoint/CleanBoating/nodischargezone.html

TOXIC SUBSTANCE CONTROL ACT *(TSCA)*

At a glance: TSCA is the regulatory program that establishes management standards for the generation, transport, incineration, and disposal of asbestos, radon, lead paint, and polychlorinated biphenyls (PCBs). PCBs were widely used before 1979 as insulating fluids in electrical equipment, such as transformers and capacitors. PCBs were also used in the ballasts of fluorescent light fixtures. Electrical cable and wiring, gaskets, and seals from older vessels are common sources of PCBs. PCBs were also present in the pigments of some paints. They have been shown to cause cancer as well as adverse reproductive and developmental effects in mammals and birds.

Marina-specific information: Marinas need to comply with TSCA for the proper disposal of PCB-contaminated equipment and oils.

FOR MORE INFORMATION

epa.gov/laws-regulations/summary-toxic-substances-control-act

www.ecy.wa.gov/programs/hwtr/demodebris/pages2/pcbsummary.html (for identification and disposal requirements)

EPA and Ecology can inspect facilities for TSCA compliance and enforce requirements.

State

WASTE REDUCTION, RECYCLING, AND MODEL LITTER CONTROL ACT *(RCW 70.93)*

At a glance: RCW 70.93, also known as the Solid Waste Management Act, prohibits any person from dumping or depositing any solid waste onto the surface of the ground or into the waters of the state without a permit. This act also delegates solid waste management to local city and county governments, including managing moderate risk waste and household hazardous waste.

Marina-specific information: This act prohibits throwing garbage or other solid waste into a water body, and requires marinas with more than 30 slips to provide recycling receptacles.

FOR MORE INFORMATION

apps.leg.wa.gov/rcw/default.aspx?cite=70.93

Ecology and local jurisdictions enforce this act.

HAZARDOUS WASTE MANAGEMENT ACT *(HWMA) (RCW 70.105)*

At a glance: The management of hazardous waste, also referred to as dangerous waste in Washington State, is regulated by HWMA. Dangerous waste regulations, *WAC 173-303-010*, gives Ecology the authority to develop and administer HWMA requirements through the waste designation process for businesses.

Marina-specific information: All Washington businesses are required to declare their dangerous waste generator status: small, medium, or large quantity. Refer to the hazardous waste management BMPs (page 17) for a quick overview.

FOR MORE INFORMATION

apps.leg.wa.gov/rcw/default.aspx?cite=70.105

ecy.wa.gov/programs/hwtr/manage_waste/which_rules_apply.html (generator status)

Ecology enforces HWMA.

HAZARDOUS WASTE REDUCTION ACT *(HWRA) (RCW 70.95C)*

At a glance: HWRA focuses on reducing the generation of commercial, residential, and governmental waste and hazardous substances whenever economically and technically practicable.

Marina-specific information: If the marina generates more than 2,640 pounds of dangerous waste per year, a pollution prevention plan must be developed. The plan is required to outline the marina's waste reduction and hazardous substance use reduction activities, goals, and an implementation schedule. Used oil to be re-refined or burned for energy or heat recovery cannot be used in the calculation of the 2,640 pounds of hazardous wastes generated.

FOR MORE INFORMATION

apps.leg.wa.gov/rcw/default.aspx?cite=70.95C

Ecology and local waste management agencies administer this regulation.

USED OIL RECYCLING ACT *(RCW 70.95I)*

At a glance: The Used Oil Recycling Act designates used oil as recyclable and requires waste oil to be handled in accordance with the dangerous waste regulations (established under the HWMA). "Used oil" is defined as lubricating oil that has been used in and removed from machinery, been contaminated with physical or chemical impurities through normal use, or is no longer usable to the original purchaser. "Waste oil" is defined as used oil to which hazardous waste has been added. Used oil is not counted as a waste, while contaminated waste oil must be handled by a permitted treatment, storage, and disposal facility.

Marina-specific information: A used oil generator is a person or business that first causes the oil to become used oil or waste oil. Marinas may accept used oil from boaters or contractors who have generated the used oil. Once the marina accepts used oil from boaters or contractors, or is in possession of its own used oil, it is considered a used oil generator. Since proper handling and disposal of waste is the responsibility of the generator, be sure that you hire a reputable recycler. Also, if the marina's oil is transported by a third party, that party must follow transport requirements. It is best practice to track all hazardous waste and used oil transferred offsite.

FOR MORE INFORMATION

apps.leg.wa.gov/rcw/default.aspx?cite=70.95I

Ecology and local jurisdictions enforce these requirements.

ANIMALS, PLANTS, AND INVASIVE SPECIES

Federal

ENDANGERED SPECIES ACT *(ESA)*

At a glance: The purpose of ESA is to protect and recover species with endangered or threatened populations and the ecosystems upon which they depend. ESA protections include freshwater organisms, plants, and marine wildlife (such as the Southern Resident Killer Whale and multiple salmon species). ESA protects these species and their habitats by prohibiting the "take" and the interstate or international trade in listed plants and animals, including their parts and products, except under federal permit. Take is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct." Take on the high seas is also prohibited, as is possessing, selling, delivering, carrying, transporting, or shipping any species taken illegally. "Harm" is defined as "an act which actually kills or injures wildlife and emphasizes that such acts may include significant habitat modification or degradation that significantly impairs essential behavioral patterns of fish or wildlife." Such an act may include significant habitat modification or degradation.

Marina-specific information: Section 10 of ESA may be used by landowners, including marinas, who want to develop property inhabited by listed species. Landowners may receive a permit to take such species provided they have developed an approved habitat conservation plan (HCP). HCPs include an assessment of the likely impacts on the species from the proposed action; the steps that the permit holder will take to avoid, minimize, and mitigate the impacts; and the funding available to carry out the steps.

FOR MORE INFORMATION

epa.gov/laws-regulations/summary-endangered-species-act

The U.S. Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration (NOAA) administer ESA.

MARINE MAMMAL PROTECTION ACT *(MMPA)*

At a glance: MMPA is similar to ESA in that it prohibits the take of all marine mammals, including cetaceans (whales, dolphins, and porpoises), pinnipeds (seals and sea lions), and sea otters within waters of the United States without a permit. MMPA also formalized a program for marine mammal health, stranding response, and unusual mortality events.

Marina-specific information: Call 1.866.767.6114 to report stranded/beached whales, dolphins, seals, and sea lions. Call 1.877.326.8837 to report stranded/beached sea otters. River otters are not covered by MMPA and need not be reported.

FOR MORE INFORMATION

nmfs.noaa.gov/pr/laws/mmpa/

MMPA is administered and enforced by NOAA and USFWS.

State

FISH AND WILDLIFE ENFORCEMENT CODE *(RCW 77.15)*

At a glance: It is illegal to release any non-native species into Washington State waters, whether intentionally or by failure to prevent unintentional introduction. This includes animals and plants hitchhiking on boats or field gear, aquarium or terrarium pets or plants, animals or plants used in research or education, or unused live fishing bait or live seafood purchased from a store. Also, transporting aquatic invasive species (AIS) from one water body to another is illegal in Washington State.

Marina-specific information: Boaters, kayakers, anglers, and anyone who plays or works in Washington's waters should take measures to help prevent the spread of AIS. There are two methods recommended to prevent the spread of invasives: the basic "Clean/Drain/Dry" and the more rigorous "Decontamination" protocols for known or suspected infested waters. See aquatic invasive BMPs (page 20) for more information. Immediately contact the Washington Department of Fish and Wildlife (WDFW) at 1.888.933.9247 (toll-free hotline) if staff suspect any aquatic hitchhikers to be invasive zebra or quagga mussels — regardless of whether the marina is in a fresh- or saltwater body. Boats carrying or suspected of carrying prohibited AIS must be inspected and decontaminated by WDFW.

FOR MORE INFORMATION

wdfw.wa.gov/ais/

apps.leg.wa.gov/rcw/default.aspx?cite=77.15

WDFW enforces this regulation.

DEVELOPMENT

Federal

RIVERS AND HARBORS ACT *(RHA) (SECTION 10)*

At a glance: Section 10 of the RHA requires a permit from the U.S. Army Corps of Engineers (the Corps) for structures and work in, over, under, or affecting navigable waters of the United States. Navigable waters of the U.S. are those that are subject to the ebb and flow of the tide or that are presently used, have been used, or may be susceptible for use to transport interstate or foreign commerce.

Marina-specific information: It is illegal to build a structure in navigable waters without permission from the Corps.

FOR MORE INFORMATION

usace.army.mil/Portals/2/docs/civilworks/regulatory/materials/rhsec10.pdf

The Corps enforces this law.

CLEAN WATER ACT *(CWA) (SECTION 404)*

At a glance: Section 404 of the CWA requires prior authorization from the Corps for the discharge of dredged or fill material into waters of the U.S., including wetlands. The term "discharge of dredged material" means any addition of dredged material into waters of the U.S., including redeposit of dredged material other than incidental fall back. The term "discharge of fill material" means the addition of fill material into waters of the U.S.

Marina-specific information: It is illegal to discharge dredged or fill material in waters of the U.S. without the permission of the Corps.

FOR MORE INFORMATION

water.epa.gov/cwa-404/section-permit-program

The Corps and the U.S. Environmental Protection Agency administer and enforce Section 404 of CWA.

State

SHORELINE MANAGEMENT ACT *(SMA) (RCW 90.58)*

At a glance: SMA manages appropriate uses of state shorelines. This act regulates construction and development near waterways. Under the act, local governments prepare a shoreline master program, which is essentially a land-use plan for shoreline areas with distinct environmental characteristics. More than 200 cities and all 39 counties have shoreline master programs. SMA permits are administered by the county or city where the project will take place. The Washington Department of Ecology (Ecology) reviews these permits for compliance with the intent of the SMA.

Each local government has established a system of permitting for shoreline development. Substantial Development Permits (SDPs) are needed for projects that cost more than $2,500 or that interfere with the public's use of waters. Some projects and activities are prohibited by local master programs or under SMA policy.

Marina-specific information: Construction or development projects at a marina may need a permit from the local jurisdiction with Ecology's approval.

FOR MORE INFORMATION

ecy.wa.gov/programs/sea/sma/st_guide/intro.html

app.leg.wa.gov/rcw/default.aspx?cite=90.58

Ecology and local jurisdictions administer and enforce SMA.

THE WASHINGTON STATE ENVIRONMENTAL POLICY ACT *(SEPA) (RCW 43.21)*

At a glance: SEPA requires government agencies to analyze the environmental impacts of projects or activities they are asked to approve. Under SEPA, project proponents are usually required to complete an environmental checklist. If information indicates the proposed project or activity is likely to have environmental impacts, SEPA requires that a neutral third party prepares an environmental impact statement that identifies alternatives. Training and guidance for local agencies and the public, forms, and a register of public records all are provided by Ecology. Public involvement, solicited by the lead agency, is essential for an effective environmental review process. All agencies involved have authority to condition or deny approval of activities under SEPA to protect the environment. In addition, SEPA requires consulting certain federal agencies. While federal, state, and local agencies are involved in implementing SEPA, local governments assume the primary administrative role and Ecology functions in a supporting role.

Marina-specific information: If a marina is planning to construct new facilities, demolish existing facilities, or undertake other major variations in operations and structure, various permits from government agencies will likely be required. The lead agency will probably ask the marina to submit a SEPA environmental checklist to describe the proposal, and help determine potential environmental impacts.

FOR MORE INFORMATION

ecy.wa.gov/programs/sea/sepa/e-review.html

apps.leg.wa.gov/rcw/default.aspx?cite=43.21C

Local agencies administer and enforce SEPA. Decisions may be appealed (administrative and judicial) by citizens.

HYDRAULIC CODE *(RCW 77.55.100-160)*

At a glance: The Washington Department of Fish & Wildlife (WDFW) has the responsibility to preserve, protect, and perpetuate all fish and shellfish resources of the state, including their habitat. All fish and shellfish have special habitat requirements related to water quality and quantity, and to the physical features of the stream or body of water in which they live. When these vital elements are degraded through construction activity, fish and shellfish can die, and their habitat can be permanently altered. To address these concerns, the Washington State Legislature passed the Hydraulic Code, requiring anyone wishing to conduct construction activities in or near state waters to operate under the terms of a Hydraulic Project Approval (HPA) issued by WDFW.

Marina-specific information: The major types of activities in freshwater requiring an HPA include streambank protection, bridge and dock construction, dredging, gravel removal, debris removal, and mineral prospecting. Major saltwater activities include construction of bulkheads, fills, boat launches, piers, pile driving, and dredging. The HPA is designed to consider some of the same water quality considerations that exist in the state's clean water program. To facilitate the application process, Ecology might allow the HPA to address these water quality issues rather than re-issue duplicative conditions in each permit.

FOR MORE INFORMATION

apps.leg.wa.gov/rcw/dispo.aspx?cite=77.55.100

WDFW is the enforcing agency.

WASHINGTON DEPARTMENT OF NATURAL RESOURCES *(DNR) (RCW 79.105)*

At a glance: DNR is the steward of Washington's 2.6 million acres of publicly owned aquatic lands. The Aquatic Resources Division of DNR is tasked with managing those lands with four goals: encouraging direct public use and access, fostering water-dependent uses, ensuring environmental protection, and utilizing renewable resources.

Marina-specific information: DNR works directly with marinas seeking to construct or develop (or both) on DNR-managed land. DNR works to ensure all four previously mentioned goals are met throughout project construction and operations to minimize impacts on state-owned aquatic lands. Each project is evaluated on a site-by-site basis to ensure it incorporates specific pollution prevention requirements, among other stewardship measures necessary for DNR authorizations. DNR understands that project applicants work with multiple agencies in a complex regulatory environment. To improve project coordination and prevent delays and wasted time and effort, DNR land managers are available to facilitate use authorizations and answer questions.

FOR MORE INFORMATION

dnr.wa.gov/programs-and-services/aquatics/leasing-and-land-transactions or call 360-943-2630

apps.leg.wa.gov/rcw/default.aspx?cite=79.105

The DNR Aquatic Resources Division functions more as a landlord to public-owned aquatic lands than an enforcement agency.

CONTAMINATED CLEAN-UP SITES

Federal

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT *(CERCLA)*

At a glance: CERCLA, commonly known as the "Superfund" Act, authorizes use of federal funds to clean up contaminated sites. The act calls for the U.S. Environmental Protection Agency (EPA) to become involved in cleanup in the event of an actual or threatened release of a hazardous substance or pollutant that may present an imminent or substantial danger to public health and welfare.

Marina-specific information: Past and present operating practices that allow hazardous materials to contaminate soils, sediments, surfaces, or receiving waters at marine businesses could create substantial liability for owners and operators. Liability includes all cleanup costs, damages to natural resources, costs of health-effect studies, environmental impact assessment studies, and up to three times the actual federal cleanup expenses. Potentially Responsible Parties (PRPs) include all current and former owners, operators, generators, transporters, lien holders, and financial institutions. Rarely will any small business be affected by CERCLA. Unless they are on Harbor Island or Commencement Bay, most marina owners will encounter Washington State's Model Toxics Control Act before they encounter CERCLA.

FOR MORE INFORMATION

epa.gov/superfund

State

MODEL TOXICS CONTROL ACT *(MTCA) (RCW 70.105D)*

At a glance: Modeled after CERCLA, MTCA authorizes the use of state funds to locate, assess, and clean up contaminated sites. *WAC 173-340* gives Ecology's Toxic Cleanup Program and Sediment Management Unit authority to identify areas of sediment contamination in Washington State and prioritize cleanup efforts.

Marina-specific information: Marinas cannot claim ignorance for tenant activities that may adversely affect sediment quality. Long after problem tenants are gone, the property owner will still be left liable for contaminated sediments. If marina operators discover contaminated sediments on newly acquired aquatic lands upland of docks, they have 90 days to notify Ecology. If marina operators discover leaking underground storage tanks, they have 24 hours to notify Ecology. Marina operators should contact their local Ecology regional office to report their findings.

FOR MORE INFORMATION

app.leg.wa.gov/rcw/default.aspx?cite=70.105D

OTHER

State

DERELICT VESSEL ACT *(DVA) (RCW 79.100)*

At a glance: DVA provides authority and guidance for public agencies and marinas to deal with derelict or abandoned vessels up to 200' in length. It also provides a consistent funding source for the program through recreational vessel registration fees and a fee on certain commercial vessels. The Department of Natural Resources (DNR) keeps an inventory of reported vessels in Washington. The program also provides guidance to public entities looking to remove a boat under the program.

Marina-specific information: The derelict vessel removal account funds the Derelict Vessels Removal Program (DVRP), an important resource for marinas to address unsightly and polluting derelict or abandoned boats. Marina operators should call 360.902.1574 or email *dvrp@dnr.wa.gov* to report derelict vessels. Under the act, public marinas are authorized to remove derelict vessels. Private marinas may contract with an authorized public entity. Owners can opt to turn in their derelict vessels to the state. If the owner(s) cannot be located, marinas can request an authorized public entity to perform an emergency removal of the boat.

FOR MORE INFORMATION

apps.leg.wa.gov/rcw/default.aspx?cite=79.100&full=true

dnr.wa.gov/programs-and-services/aquatics/derelict-vessels/legal-authorities-and-how-program-works

Also, see Resources (page 47).

MARINE TOURISM BILL *(SB 6057) (RCW 88.02.640)*

At a glance: Owners of out-of-state boats wishing to stay in Washington waters for more than 60 days in a calendar year can now get a cruising permit from the Washington Department of Revenue, county auditor, or subagent before their 61st day in Washington. This permit will extend vessel stays for an additional 60 days and can be renewed one time within the calendar year. This allows boat owners to stay up to six months per 12 month period. Boat owners can apply for the cruising permit once every three years.

Marina-specific information: This change in permitting and fees allows more out-of-state boaters to use marina and marina-related facilities for a longer period of time.

FOR MORE INFORMATION

apps.leg.wa.gov/rcw/default.aspx?cite=88.02.640

ValvTect Marine Gasoline
UNLEADED
87
87
SPECIALLY FORMULATED
FOR YOUR MARINE ENGINE
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MARINE FUEL
ValvTect Marine G

MARINAS WITH FUEL DOCKS

3

This section describes requirements for Class 4 marinas*, which also are important to implement for any marina with a fuel dock. These requirements address specific areas of spill prevention, training, and response activities that have proven to stop fuel spills and reduce potential injuries. Although the following section is worded as though everything is a requirement, only Class 4 marinas are required to implement these regulations. It is a good idea, however, if all marinas with a fuel dock incorporate these measures as standard policy.

CONTENTS

REGULATORY INFORMATION AND GOOD POLICIES

While most fuel dock spills result from boater fueling activities, improper maintenance and a general lack of understanding of marina equipment also lead to a large number of spills each year. In addition to supervising fueling activities, your marina staff must know the details of every piece of fueling-related equipment onsite, maintenance requirements, procedures for regular inspection, and training, if necessary.

Response Equipment

Enough spill response equipment should be on standby to clean a spill up to 25 gallons. In addition, at least 200 feet of absorbent boom or sweep must be available. The marina is required to inspect, maintain, and replace response equipment as needed, as well as keep a list of response equipment locations on site. For more information about response equipment requirements, contact the Washington Department of Ecology's (Ecology) Spill Program at 360.407.7455.

*Marinas that transfer fuel to non-recreational vessels — such as commercial or government vessels — with a fuel capacity of less than 10,500 gallons may be considered a regulated Class 4 oil transfer facility, better known as a Class 4 marina. These marinas must comply with federal and state regulations, including regular inspections, and may need to develop a spill prevention, containment, and control (SPCC) plan.

Oil Transfer Equipment

Oil transfer equipment must be properly inspected and maintained as detailed in WAC 173-180-205:

- Hoses or piping must be supported to avoid crushing or excessive strain. Flanges, joints, hoses, and piping must be visually checked prior to fuel transfer for cracks and signs of leakage.
- All hoses and loading arms must be long enough to allow the vessel to move to the limits of its moorings without placing strain on any component of the oil transfer equipment.
- Hoses cannot have loose covers, kinks, bulges, soft spots, or any other defect that could allow drips or leaks of oil or hazardous material through the hose material, and no gouges, cuts, or slashes that penetrate the first layer of hose reinforcement (reinforcement means the strength members of the hose, consisting of fabric, cord and/or metal).
- Hoses or piping cannot be allowed to chafe on the dock or vessel or be in contact with any source that might affect the hoses' integrity.
- Hose ends must be blanked tightly when hoses are moved into position for connection — also immediately after they are disconnected — and residue drained either into the vessel tanks or into suitable onshore containers before they are moved away from their connections.
- All oil transfer equipment must be regularly tested, including but not limited to pumps, valves, piping, manifolds, connections, and hoses. Testing must be done annually and be conducted either

  (a) in accordance with manufacturers' recommendations and industrial standards; or

  (b) using procedures detailed in 33 C.F.R. 156.170.

Staff Training

Annual training for employees involved in oil transfer operations must be provided. At a minimum the training should include:

- dangers and safe practices regarding the petroleum products transferred at that location,
- safe and effective use and handling of response and recovery equipment, and
- spill notification procedures.

All employees with oil transfer duties must be trained within 90 calendar days of the date they were hired. No employee may be in charge of an oil transfer operation at a Class 4 marina without proper training. The facility owner or operator must keep a record of oil transfer training at the marina and make the record available to Ecology upon request.

Spill Notification Information

Class 4 marinas must provide spill notification information printed on a wallet-sized card for each employee (see Resources, page 53, for a template) and posted at the dock for fueling customers. The notification information must include:

- required notifications to the Washington Emergency Management Division, 1.800.OILS.911, and to the U.S. Coast Guard, 1.800.424.8802; and
- a 24-hour phone number where someone designated by the owner or operator of the facility can be reached to start the spill response. The contact phone number must be posted on the dock or transfer location so that it is easy to read.

Advance Notice of Transfer

Class 4 marinas are required to submit an advance notice of transfer (ANT) to Ecology if fueling more than 3,000 gallons in a single transaction. Fueling transactions transferring less than 3,000 gallons of oil are exempt. For more information on submitting an ANT, visit Ecology's webpage: *ecy.wa.gov/programs/spills/prevention/antsystem.html*.

Semi-Annual Reporting

Class 4 marinas must report all bulk oil transfers conducted at the facility. The report must include the types of oil transferred and total volume of transfers by oil type. Reports must be submitted to Ecology by January 15 and July 15 of each year via postal mail or email (see oil transfer reporting form with complete instructions, page 58).

CLASS 4 MARINA DEFINITION

Marinas that transfer oil to commercial or government vessels with a capacity to hold less than 10,500 gallons of fuel are considered a regulated Class 4 oil transfer facility, more commonly referred to as a Class 4 marina, per WAC 173-180, oil handling facilities standards. All marinas must comply with federal and state regulations, but Class 4 marinas have additional requirements detailed in this section of the marina handbook. Marinas that transfer oil to commercial or government vessels with a capacity to hold more than 10,500 gallons of fuel are considered a regulated class 3 facility.

DEFINITION OF A RECREATIONAL VESSEL

Recreational vessel means a vessel owned and operated only for pleasure with no monetary gain involved, and if leased, rented, or chartered to another for recreational use, is not used for monetary gain. This definition applies to vessels such as house boats, ski boats, and other small craft on a rental or lease agreement. For further information, see *apps.leg.wa.gov/WAC/default.aspx?cite=173-180-025*.

FACILITY PLANS AND CHECKLISTS

Ecology uses the Marinas and Small Fueling Facilities Class 4 Inspection Checklist when conducting an inspection of a Class 4 marina: *https://fortress.wa.gov/ecy/publications/documents/ecy070313.pdf*. However, any Class 4 marina with a fuel dock can use the following checklist (page 41) to improve their best management practices, internal policies regarding maintenance and training, spill prevention plan, or spill prevention containment and countermeasures (SPCC) plan, as necessary or required.

Spill Prevention, Containment, and Countermeasures (SPCC) Plan

U.S. Environmental Protection Agency regulations require certain Class 4 marinas that have aboveground storage tanks that store more than 1,320 gallons of oil/fuel to develop an SPCC plan. An SPCC plan describes the measures a marina will take to prevent petroleum spills and what staff must do to contain and clean them. The plan further includes information about petroleum storage, containment, inspections, a site diagram with locations of tanks (above- and belowground), drainage, staff training, and other important details. An SPCC plan can be written by the marina owner, operator, or staff and be self-certified if the marina meets the following conditions:

- There are less than 10,000 gallons total of petroleum storage capacity.
- No oil spills exceeding 1,000 gallons have occurred onsite.
- The marina has not experienced two oil spills exceeding 42 U.S. gallons within a 12-month period.
- The marina has not experienced two oil spills exceeding 42 U.S. gallons three years prior to obtaining an SPCC certification.
- The marina has not been in operation for 3 years after being subject to 40 CFR Part 112.

If the marina does not meet the above conditions, its SPCC plan must be certified by a professional engineer. For an editable template SPCC plan, please visit Ecology's webpage: *ecy.wa.gov/programs/spills/Class_4_Facilities/Marinas.html.*

FUELING FACILITY CHECKLIST

MARINA INFORMATION

Marina name _____

Address _____

Number of covered slips _____

Number of uncovered slips _____

OIL TANKS, OTHER TANKS, TRANSFER LINES, AND DISPENSERS

GASOLINE

Aboveground tank? ☐ Volume:_____ # tanks: _____

Date installed: _____ Tank material:_____

Double wall tanks? Yes ☐ No ☐

If no, what type of secondary containment is used?

_____

How many dispensers?_____

Containment under each dispenser and hose reel? ☐

Underground tank? ☐ Volume:_____ # tanks: _____

Date installed: _____ Tank material:_____

Double wall tanks? Yes ☐ No ☐

If no, what type of secondary containment is used?

_____

How many dispensers?_____

Containment under each dispenser and hose reel? ☐

DIESEL

Aboveground tank? ☐ Volume:_____ # tanks: _____

Date installed: _____ Tank material:_____

Line size:_____ Double wall tanks? Yes ☐ No ☐

If no, what type of secondary containment is used?

_____

How many dispensers?_____

Containment under each dispenser and hose reel? ☐

Underground tank? ☐ Volume:_____ # tanks: _____

Date installed: _____ Tank material:_____

Line size:_____ Double wall tanks? Yes ☐ No ☐

If no, what type of secondary containment is used?

_____

How many dispensers?_____

Containment under each dispenser and hose reel? ☐

ALL TANKS & TRANSFER LINES

Date fueling lines installed:_____

Fueling lines aboveground? ☐ Double wall for piping? Yes ☐ No ☐ Length: _____

Fueling lines underground? ☐ Double wall for piping? Yes ☐ No ☐ Length: _____

Double wall for piping? Yes ☐ No ☐

How much for each:_____

Leak/liquid detectors for each sump/pan: ☐ Testing frequency: weekly ☐ monthly (min) ☐ yearly ☐

National Fire Protection Association (NFPA) Section 30A inspection passed?
(Usually conducted by local fire department official.) Yes ☐ No ☐

If yes, when?_____

Annual pressure testing of lines conducted? Yes ☐ No ☐

If yes, who conducts the testing?

Are there written procedures to meet industry/manufacturer standards for pressure testing? Yes ☐ No ☐

Regular inspection of all tank sides and lines to dispensers? Are inspection records kept? Yes ☐ No ☐

If no leak detectors, how often are interstitial spaces (tanks and lines) inspected? weekly ☐ monthly ☐ yearly ☐

OIL TANKS, OTHER TANKS, TRANSFER LINES, AND DISPENSERS

Shutoff valves marked and easy to access?	Yes ☐ No ☐
Emergency shutoff near dispensers?	Yes ☐ No ☐
Emergency shutoff near tank area?	Yes ☐ No ☐
Emergency shutoff near attended area?	Yes ☐ No ☐
Piping access marked and accessible?	Yes ☐ No ☐
Sumps and valves marked and accessible?	Yes ☐ No ☐
Is an automatic shutoff device installed?	Yes ☐ No ☐
Overfill alarm?	Yes ☐ No ☐
Continuous alarm system?	Yes ☐ No ☐
Ball float valve?	Yes ☐ No ☐
Auto flow restrictor?	Yes ☐ No ☐
Cathodic protections in place for underground tanks and lines?	Yes ☐ No ☐
Are they tested every 3 years?	Yes ☐ No ☐
Are the protections sacrificial anodes? ☐ Or impressed current? ☐	
Tank and pipeline material transitions have a containment sump to catch leaks?	Yes ☐ No ☐
Are the sumps checked regularly for liquids?	Yes ☐ No ☐
Are tanks/dispensers protected from strike damage onshore and on water?	Yes ☐ No ☐

SPILL PREVENTION/RESPONSE AND TRAINING

SPILL PREVENTION & RESPONSE

Do staff supervise/watch all fueling activities? (Unattended fueling is prohibited through NFPA 30A 9.4.2.)	Yes ☐ No ☐
Are nozzle rings or absorbent pads provided to customers to catch drips?	Yes ☐ No ☐
Are easy-to-read signs displayed explaining proper fueling and spill prevention procedures?	Yes ☐ No ☐

If no, indicate how the marina ensures boaters are fueling properly and minimizing spills, leaks, and drips.

_____

_____

Are fire extinguishers located near fuel dispensers?	Yes ☐ No ☐

TRAINING

Are employees regularly trained on written spill prevention, control, and response?	Yes ☐ No ☐
If yes, are training records available?	Yes ☐ No ☐
Are spill response training drills regularly performed?	Yes ☐ No ☐
Has the owner/operator/staff attended training on Class A/B/C underground storage tanks?	Yes ☐ No ☐ NA ☐

NOTES

RESOURCES

This section contains several useful tools for implementing the BMPs found in this handbook. Some pages can be removed and used as handouts for staff or tenants. Also included are checklists for BMP implementation and legal requirements.

4

VESSEL REPAIRS IN PERMITTED BOATYARDS VERSUS MARINAS

Marinas that allow tenants to conduct extensive repairs on vessels may also be categorized as a boatyard. If the repair work is greater than 25% of the vessel's surface area above the waterline, then the repair either needs to be permitted or the boat should be hauled out to the local boatyard (also permitted, of course). A marina owner or operator who wishes to allow significant amounts of boat repair needs to apply for a Boatyard General Permit from the Washington Department of Ecology (Ecology) and comply with all provisions for collecting/treating wastewater and stormwater. This is true regardless of the marina's Standard Industrial Classification (SIC) code. Consider posting the advisory about in-water hull cleaning from Ecology's webpage: *ecy.wa.gov/programs/wq/nonpoint/CleanBoating/hull.html*.

Repairs can include, but are not limited to, pressure washing; bottom- and topside painting; engine, prop, shaft, and rudder repair and replacement; hull repair and joinery; bilge cleaning; fuel and lubrication system repair or replacement; welding and hull grinding; buffing and waxing; topside cleaning; marine sanitation device (MSD) repair or replacement; and other activities necessary to maintain a vessel.

CONTENTS

Boatyard General Permit

The statewide Boatyard General Permit, issued by Ecology through the National Pollutant Discharge Elimination System, provides coverage for discharges of stormwater and pressure-wash water from boatyards. When boatyards build, repair, and paint boats, they create pollutants that are carried by stormwater into surface waters. The permit prohibits discharge of pressure-wash water to surface waters. The permit imposes benchmarks and limits on pollutants discharged in stormwater from boatyards. If a mobile repair operator from a permitted boatyard comes to a marina to work on a boat, the mobile operator must comply with the boatyard permit Best Management Practices requirements and will be the party held liable for permit violations if water quality violations occur.

Other Permits

Deconstruction activities on a floating vessel are prohibited without permit coverage under the Vessel Deconstruction General Permit: *ecy.wa.gov/programs/wq/permits/vesseldeconstruction/*.

Marina owners should contact Ecology if they become aware of deconstruction activities in their marina.

CLEAN VESSEL ACT (CVA) GRANT INFORMATION

In 1992, Congress passed the CVA to help reduce pollution from vessel sewage discharges into U.S. waters. The act established a grant program to provide funding for the construction, renovation, operation, and maintenance of waste disposal systems that service recreational vessels. The program also provides boater education programs that promote public awareness about boat sewage and its proper disposal. The Washington State Parks (Parks) Boating Program administers the grant program.

What the Grant Will Cover

The grant will reimburse recipients for up to 75% of the installed cost of stationary and portable pumpouts, dump stations, pumpout boats, and floating restrooms. This includes the cost of new equipment or the renovation of existing equipment, as well as necessary items such as pumps, piping, lift stations, on-site holding tanks, pier or dock modifications, signs, permits, planning, engineering, and miscellaneous equipment needed for a complete and efficient station. The grant can also be used to modify existing onshore facilities to accept boating waste. Floating restrooms cannot be connected to land or to any device that is connected to land such as floats, piers, or docks.

What the Grant Will Not Cover

The grant will not pay for the construction or renovation of upland restroom facilities or sewage treatment plants, including septic tanks, leach fields, private and municipal treatment plants, and other special treatment devices.

Reimbursement Specifics

Annual operation and maintenance (O&M) costs are eligible for 75% reimbursement one time annually following the close of the federal fiscal year (after September 30th). These costs include documented hours for staff salary and benefits for time spent pumping or working on pumpouts, replacement parts, repairs, sewage disposal costs, and any other cost directly associated with the operation and maintenance of the pumpout, floating restroom, or dump station. The annual reimbursements are good for 10 years or the usable life of the equipment, whichever is longer, as long as grant funds are available.

All items being requested for reimbursement will need documentation, such as copies of invoices for parts, septic pumping, and a breakdown of staff hours and hourly rates. Parks sends out an O&M Reimbursement Request form each year for grant recipients. Download the form at *parks.state.wa.us/DocumentCenter/View/2250*.

An annual report detailing how many gallons of sewage the marina prevented from discharge is also required. Parks uses this information in their yearly request to the U.S. Fish and Wildlife Service for funds to sustain the Washington grant program. The gallonage report must be received by Parks before the O&M reimbursement can be processed.

What It Will Cost You

As a grant recipient you are responsible for 25% of the installation costs of the pumpout and dump station facilities provided for under the grant. This 25% match can be the fair market value of any provided labor or materials, or both, but cannot come from federal funds.

Eligibility

These grants are available to public, private, tribal, and governmental marinas that allow public access to grant-funded amenities during normal business hours.

How to Apply

- Review the Clean Vessel Funding Boat Sewage Disposal Facility Program Instructions on the Parks webpage: *parks.state.wa.us/DocumentCenter/View/2253*.
- Complete the Application for Boat Sewage Disposal Facility: *parks.state.wa.us/DocumentCenter/View/5368*.
- Complete the Cost Estimate Worksheet: *parks.state.wa.us/DocumentCenter/View/2254*.
- Mail both the application and the worksheet to WDPR as follows:

  Washington State Parks
  Clean Vessel Program
  P.O. Box 42650
  Olympia, WA 98504-2650

For more information, please contact Parks:

360.902.8555

boatpumpouts@parks.wa.gov

DERELICT VESSEL REMOVAL PROGRAM RESOURCES

The Derelict Vessel Act authorizes public agencies to deal with derelict or abandoned vessels up to 200' in length. It also provides a consistent funding source for the program through recreational vessel registration fees and a fee on certain commercial vessels. This money can be used to cover 90% of an authorized public entity's removal and disposal costs. The 10% match can be monetary or in-kind services. The Washington Department of Natural Resources (DNR) keeps an inventory of reported vessels in Washington. The program also provides guidance to public entities seeking to remove a boat under the program. For more detailed information, please see the Derelict Vessel Removal Program guidelines on the DNR website: *dnr.wa.gov/programs-and-services/aquatics/recovering-derelict-vessels*.

Information for Public Port Marinas

A public/port marina is a marina owned by a city, town, county, port, or other agency listed as an authorized public entity in *RCW 79.100.010*.

DOES THE MARINA HAVE A POTENTIAL OR ACTUAL DERELICT VESSEL?

If the marina has a problem or a potential problem and needs a path forward, it may help to ask the following questions:

- Is the vessel owner current on rent but the vessel's condition causes the marina concern? If yes, DNR suggests the marina manager talk with the owner about options for vessel disposal. If the owner can't afford disposal and the vessel is in poor condition, the vessel may be eligible for DNR's Vessel Turn-in Program (VTIP). Information and applications for the VTIP can be found at *dnr.wa.gov/programs-and-services/aquatics/derelict-vessels/vessel-turn-program*.
- Is the vessel a problem only because the owner is behind on rent? Or is the vessel on land? Or if the marina moved the vessel to land to prevent sinking, has it been more than 7 days since it was moved to land? If the answer is yes to any of these questions, the federal maritime lien process can provide potential assistance. As well, under *RCW 53.08* the marina may have some powers as a public entity.
- Is the vessel in danger of sinking or is it otherwise a public nuisance? If yes, the marina can seize a vessel, dispose of it, and get reimbursed for the disposal; or contract with a private company to dispose of a vessel, board it, or turn it in. For further information, read *RCW 79.100*.

SEIZING A VESSEL

Make sure to have the answer to one of the following:

- Is the vessel state-titled and registered (WN number; OR; AK)? Smaller recreational vessels generally fall into this category.
- Is the vessel U.S. Coast Guard (USGC) documented/titled (six digit number)? Commercial vessels are required to be documented with the USCG and active commercial vessels are required to display a Washington Department of Revenue sticker.
- Is the vessel both registered with the state and titled with the USCG? Recreational vessels weighing more than 5 tons have the option to be documented/titled with the USCG but they still must be registered with the state. They are not required to display a WN number but are required to display a registration sticker.

This information is important to make sure you are providing notice to the persons or entities as required by law. Note that the owner on record with the state or federal agency may not be the same as the person claiming to be in control of the vessel or the person who has been paying rent. If seizing a vessel, disposing of a vessel, getting reimbursed for the disposal of a vessel, contracting with a private company to dispose of a vessel, boarding a vessel, or turning in a vessel, the marina must mail notice to the previous owner to register the vessel with a state or federal agency. However, it's also a good idea to send notice to anyone else that might have an ownership interest in the vessel.

If the vessel is titled or registered with Washington State, obtain the vessel registration information from the Department of Licensing (DOL). After you have the information, look at the "registered owner" and the "legal owner" (i.e., the lienholder). Both require notice. Also, check the "remarks" section on the DOL information. If it states that there is a "seller's report on file," you will need to get a copy of the seller's report from DOL as well. Both parties on the seller's report should be contacted to verify the correct owner.

If the vessel is documented or titled with the USCG, purchase an Abstract of Title from the National Vessel Document Center at *uscg.mil/hq/cg5/nvdc/*. The Abstract of Title will show the titled owner and if there are any lien holders on the vessel. Any outstanding lien holders are entitled to notification. For quick reference, you can look up current documented owners: *st.nmfs.noaa.gov/st1/CoastGuard/VesselByName.html*. However, documents on this website will not show lienholders. Furthermore, if the vessel's documentation is expired the "Owner" field will be blank. The "Owner," for purposes of notification, should be the first entity listed in the "Previous Vessel Owners" field.

CUSTODY PROCESS

If the marina is planning to take custody of a vessel and request reimbursement from DNR, submit a Vessel of Concern reporting form to DNR so that the agency will have a record of the vessel in its system: *wa-dnr.s3.amazonaws.com/publications/aqr_dv_vessels_concern_reporting_form.pdf*.

Follow the notification procedures and allow for the time requirements in the RCW that you have chosen, or follow the federal maritime lien process. To take custody of a vessel under the Derelict Vessel Act, follow these procedures:

- Post notice on the vessel for 30 days.
- Mail notice to the owner and lienholders on record with a state or federal agency. It is generally a good idea to also mail it to anyone with a potential interest such as the person claiming ownership, the person who signed the moorage agreement, and so forth.
- Send the notice to *DVRP@dnr.wa.gov* requesting that the notice be posted on DNR's website. Check the following webpage to make sure that the notice got posted: *dnr.wa.gov/programs-and-services/aquatics/derelict-vessels/notices-intent*.
- Publish notice in a newspaper of general circulation for the county in which the vessel is located at least once between 10 and 20 days prior to the custody date. Notices are required to have specific content. See *RCW 79.100.040(2)* for more information. Contact DNR to obtain templates.

VESSEL DISPOSAL

Once notifications, posting, and time requirements have been met, the marina can sell or dispose of the vessel in accordance with the statute being used. Note that if the documented vessel has liens on it, the liens must be cleared before the new owner can title or register the vessel. The lien amount should be included in the minimum bid amount.

Public agencies may be able to use the Department of Enterprise Services' State Surplus webpage to auction the vessel if desired: *des.wa.gov/services/Surplus/Pages/default.aspx*.

To dispose of a vessel, agencies can use State Contract 05511 to procure a contractor from the vendor pool or use their own contracting process. If the vessel is more than 40 years old, a historical review may be required prior to disposal if the agency will be requesting reimbursement from DNR. Proceeds from the sale of the vessel or its parts under RCW 79.100 are applied in the following order:

1. Administrative expenses incurred by the moorage facility during the notification procedures set forth in *RCW 79.100.040*.
2. Costs for removal and disposal of the vessel.
3. Costs associated with environmental damages directly or indirectly caused by the vessel.
4. Satisfaction of registered liens, if any.
5. Derelict Vessel Removal Account (DNR).

Proceeds from the sale of the vessel or its parts under *RCW 53.08.320(c)* are applied in the following order:

1. Port charges
2. Vessel owner or Derelict Vessel Removal Account if the owner can't be found within a year.

REPORTING THE VESSEL'S DISPOSITION TO THE TITLING AGENCY

- If the vessel was registered with the State, file a seller's report with the DOL within 5 days of the sale or disposal at the webpage: *dol.wa.gov/vehicleregistration/reportsaleboat.html*. Include a letter giving notice of the RCW that authorized you to seize and sell or dispose of the vessel.
- If the vessel was documented by the USCG and the vessel is being sold to a new owner, you will need to send the information described below to the USCG National Vessel Documentation Center. If you fail to do so, the new owner will be unable to insure it, sell it, or register it with the State, which will increase the likelihood of the vessel becoming a problem in the future. You will need to provide the following information to the USCG as described in *CFR Title 46, Chapter 1, Part 67, Subpart 67.91*, titled "Passage of title pursuant to operation of State law":
  - A copy of the statute permitting transfer of title to the vessel and setting forth procedures to be followed in disposing of the vessel.
  - An affidavit from the party acting against the vessel, setting forth the basis for selling the vessel, and the steps taken to comply with the requirements of the statute under which the title passes.
  - Evidence of substantial compliance with the relevant statute(s).
  - A bill of sale that meets the criteria for filing and recording set forth in subpart P of this part from the acting party as agent for the owner(s) of record.

State law authorizing a marina to dispose of abandoned vessels is an example of passage of title by operation of law described in §67.91.

REIMBURSEMENT

Marinas may bill the owner for the costs incurred associated with their vessel. If the owner does not respond or does not pay within 30 days, the marina may request reimbursement from DNR. Reimbursement requests must be received by DNR within four months of the vessel's disposal.

Port moorage facilities are required to be insured and must require their moorage tenants to be insured, except transient moorage tenants. If a port moorage facility does not have insurance or does not require its moorage tenants to have insurance, in accordance with *RCW 53.08.480*, it is not eligible for reimbursement, regardless of the statute used to seize the vessel. A marina's ineligibility for funding does not interfere with its authority to seize derelict vessels.

Information for Private Moorage Facilities

A privately owned moorage facility is a marina on public or private land, as defined in *RCW 88.26*, which is not a public moorage facility.

DOES THE MARINA HAVE A POTENTIAL OR ACTUAL DERELICT VESSEL?

If the marina has a problem or a potential problem and needs a path forward, it may help to ask the following questions:

- Was the vessel brought into the marina by the USCG or local law enforcement agency because it was the nearest safe harbor and the vessel was adrift? If yes, DNR will generally take the lead on the vessel removal if the local government is unwilling or unable to do so, provided that DNR has the staff time, jurisdiction, and funding to tackle the project.
- Is the vessel owner current on rent but the vessel's condition causes the marina concern? If yes, DNR suggests that the marina manager talk with the owner about options for vessel disposal. If the owner can't afford disposal, and the vessel is in poor condition, the vessel may be eligible for DNR's Vessel Turn-in Program (VTIP). Information and applications for the VTIP can be found at *dnr.wa.gov/programs-and-services/aquatics/derelict-vessels/vessel-turn-program*.
  If the marina staff are concerned that the vessel is a pollution risk, they should contact the Department of Ecology Spills Program at 360.407.7455. If the marina already has title to the vessel, the vessel can be turned over to DNR provided the vessel and marina meet the criteria for the VTIP.
- Is the vessel a problem only because the owner is behind on rent? Or is the vessel on dry land? If yes to either question, *RCW 88.26* (Private Moorage Facilities) or the federal maritime lien process provides potential remedies. The private moorage facility statute *RCW 88.26.010-030* allows for seizure of a vessel for nonpayment of rent, and it details the procedure for the moorage facility to auction the vessel. A minimum bid may be set to reduce the likelihood of future abandonment. If the vessel does not sell at auction, title reverts to the facility. If moorage facilities obtain title to a junk vessel that they cannot afford to get rid of, they may be able to turn the vessel over to DNR through the VTIP. Also, local law enforcement may be able to help encourage owners into action by ticketing them if a vessel's registration is expired.
- Is the vessel in danger of sinking or spilling, or is the vessel otherwise a public nuisance that meets the definition of an abandoned or derelict vessel in *RCW 79.100.010*? Or did the owner dump the vessel at the marina's dock without signing a contract? If yes to any of these, you can use the authorities described previously or you may be able to contract with your local government or with DNR to seize the vessel. If you use either of these options, your facility would be liable for a minimum of 10% of vessel's disposal costs plus any administrative costs incurred by the agency. To be eligible under *RCW 79.100.130*, the marina must have insurance and must require its tenants to have insurance. The marina must sign a contract with the agency in advance. DNR and all local governments have complete discretion on whether to enter into contracts. DNR will only enter into a contract if local government first declines to do so.

CONTRACTING WITH DNR

If the marina wishes to contract with DNR, it must:

- demonstrate to DNR that they have the insurance required in *RCW 88.26.030*,
- be located on or adjacent to state-owned aquatic land, and
- if on state-owned aquatic land, have a lease that
  - is not currently in default and has not had more than two defaults in the last two years (even if cured),
  - is not behind in rent payments, and
  - shows what steps were taken to proactively intervene prior to the vessel becoming an emergency, such as contacting the owner in a timely manner, and so forth.

Private moorage facilities are required to be insured and must require their resident moorage tenants to be insured. If a private moorage facility does not have insurance, or does not require its moorage tenants to have insurance, it is secondarily liable for costs associated with any vessel that meets the definition of derelict vessel or abandoned vessel (see RCW 88.26.030(5)).

ELIGIBILITY FOR THE CLEAN MARINA PROGRAM

This checklist determines your eligibility for the Clean Marina Program. The items below are derived from state and federal regulations. This checklist is neither complete nor a guarantee of environmental compliance. You should be able to check Yes or N/A for all the following items to meet Clean Marina Washington standards. To download the full application packet, go to: *cleanmarinawashington.org/wp-content/uploads/2016/08/Clean-Marina-Application.pdf*. Legend: L = law; P = program requirement.

Operations

Most marinas are like small cities, with many challenges given the variety of activities and the proximity to the water. A comprehensive approach is necessary to cover all aspects of marina operations.

	Type	Yes	No	N/A	Future
We are in compliance with all known land-use laws and permits for our marina facility, including over-water and upland areas (for example: Shoreline Development Permit).	L				
We do not allow in-water hull scraping or any process that occurs underwater that removes paint from the boat hull. We prohibit all cleaning of underwater portions of boat hulls coated with anti-fouling paint.	L				
We limit in-water repairs and refinishing of boats to decks and superstructures only. This work will entail an annual maximum of 25% of the area of the boat, in which case tarps and dust, drip, and spill control measures are mandatory to ensure zero discharge to waterways. Refinishing work from temporary floats is prohibited.	L				
We collect and treat pressure-wash water used at our haul-out or boat ramp (or disallow pressure-wash activities for boats out of the water).	L				
We regularly inspect and repair fuel transfer and storage equipment.	L				

Hazardous Materials and Waste

Many marine-grade products are highly toxic and represent a significant threat to the environment even in very small quantities. Proper management of hazardous materials and waste is an essential step to ensuring an environmentally sound marina.

Washington Administrative Code 173-303-070, Section 8 relates to small quantity generators; see the Washington Department of Ecology (Ecology) website: *ecy.wa.gov/programs/hwtr/manage_waste/rules_for_sqgs.html*.

	Type	Yes	No	N/A	Future
Our marina is a small quantity generator (SQG) of hazardous waste. SQGs generate less than 220 pounds per month (or about 27 gallons/half a drum of hazardous waste per month) and accumulate no more than 2,200 pounds (or about 5 drums) of hazardous waste on site at any time.	P				

Note: Some recycled materials such as oil and antifreeze aren't counted when determining your generator status, which increases your chances of being an exempt small quantity generator.

We store hazardous materials and waste in containers that are compatible with the waste, kept closed when not in use, kept indoors or under cover, not in direct contact with soil, and not located over a drain.	P				
We contain hazardous materials and waste with secondary containment made of durable and leak-proof material (such as a bermed room, containment pallet, sump, or steel trough), compatible with the waste it is meant to hold, and capable of holding the largest potential spill.	P				
We label each hazardous waste container with the name and description of the waste, its hazards (toxic, flammable, etc.), and the words "Hazardous Waste" clearly marked on the label.	L				

We have a fuel dock for which	Type	Yes	No	N/A	Future
• we have implemented all of Ecology's requirements for Class 4 Fueling Facilities, and	L				
• we have a Spill Prevention Control and Countermeasures (SPCC) Plan on file with the U.S. Environmental Protection Agency (EPA) (required for aboveground storage tanks).	L				

Note: aboveground tanks are inspected by EPA and belowground tanks are inspected by Ecology. For more information regarding requirements, see the Ecology webpage: ecy.wa.gov/programs/spills/Class_4_Facilities/Marinas.html.

Documentation	Type	Yes	No	N/A	Future
We have posted a Spill Response Plan in visible and appropriate location(s).	P				
We have Material Safety Data Sheets (MSDS) for hazardous products stored in a binder on site.	L				
We have documents (receipts, manifests, self-log, bills of lading, DOT shipping papers, vendor certificates) for all hazardous wastes being transferred off-site. Please ask a representative for a sample self-log if you need one.	P				

Hazardous Waste Handling	Type	Yes	No	N/A	Future
We either recycle solvents, thinners, and paint wastes or handle them as hazardous waste. (Small amounts of latex paint can be dried and put in solid waste.)	L				
We either recycle fluorescent lamps or handle them as hazardous waste.	L				

If you have checked "Yes" or "N/A" to each item above, you are eligible for Clean Marina certification. Please contact *info@cleanmarinawashington.org* or call 206.297.7002 to schedule a site visit.

SPILLS RESPONSE WALLET CARDS

SPILLS AND EMERGENCY RESPONSE

Cause or see a spill? IMMEDIATELY report it to
U.S. Coast Guard: 1.800.424.8802
WA Emergency Management Division: *1.800.OILS*.911
Local 911 dispatch
City/county spill reporting number: ___________________
Marina office:____________________ Fuel dock is located:
Latitude ___________ degrees __________ minutes North
Longitude _________ degrees __________ minutes West

SPILLS AND EMERGENCY RESPONSE

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Marina office:______________________________________
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Latitude ___________ degrees __________ minutes North
Longitude _________ degrees __________ minutes West

SPILL RESPONSE AND CLEANUP PLAN

Complete this form, print or photocopy it single-sided, and post all three pages in a visible location.

Company name _____

Site address _____ Number of employees _____

_____ Phone number (___) _____

Outdoor runoff drains to* _____

**i.e. Duwamish River, Soos Creek, Cedar River, city storm drain*

OUTDOOR FACILITY ACTIVITIES (Check all that apply)

- ☐ Fueling & fuel transfer
- ☐ Outdoor manufacturing
- ☐ Outside drum or container storage
- ☐ Vehicle, equipment & building washing
- ☐ Loading/unloading of products
- ☐ Landscape construction/maintenance
- ☐ Outside storage of uncovered materials
- ☐ Other: _____

OUTSIDE AND INSIDE LIQUID STORAGE (Check all that apply)

Cleaning Products	**Solvents & Paints**	**Petrochemicals**
☐ Bleach	☐ Solvents, Citra Solv, degreasers	☐ Antifreeze
☐ Drain cleaners	☐ Dry cleaning fluids	☐ Brake fluid, transmission fluid
☐ Sanitizers	☐ Paint thinner, turpentine	☐ Gasoline
☐ Soaps	☐ Paint, coatings, oil based	☐ Machine oil, cutting oils
☐ Other liquids	☐ Paint latex	☐ Motor oil
	☐ Sealers	☐ Hydraulic fluids
	☐ Wood preservatives	☐ Other liquids
	☐ Other liquids	
Food Preparation/Waste	**Acids, bases, chemicals**	**Other**
☐ Cooking oil	☐ Acid	☐ Fertilizers
☐ Grease	☐ Ammonia	☐ Inks, dyes
☐ Other liquids	☐ Caustic, base, lye	☐ Other liquids
	☐ Photographic chemicals	☐ Pesticides, herbicides

CONTACTS (mark N/A, if none)

Title	**Name**	**Phone Numbers**
Site Manager		
Environmental Officer		
Onsite Spill Cleanup Coordinator		
Backup Spill Cleanup Coordinator		
Business Owner		
Cleanup Contractor		

Agency Contacts

Department of Ecology: (800) 258-5990

Call this number to report all spills of hazardous material or oil unless there is no chance the spilled material will leak out of the building, get into a storm or sewer drain, or endanger employees, customers, or neighbors.

911

If the spill is dangerous call this number to alert the appropriate agencies.

U.S. Coast Guard: (800) 424-8802

All spills to water **must** be reported to the National Response Center **as well as** the Department of Ecology.

ACTIONS

The following are the steps to take in the event of a spill:

Notification

1. Alert manager/owner of spill.
2. Immediately alert area occupants and supervisor, and evacuate the area, if necessary.
3. Call 911 if there is a fire or medical attention is needed.
4. Evaluate if you are trained, knowledgeable and equipped to handle the incident.
5. If spill gets into storm drain or other water body, call the Department of Ecology then the National Response Center.

Spill Clean Up

1. Obtain personal protective equipment, as appropriate to the hazards. Refer to the Material Safety Data Sheet or other references for information.
2. Stop source of spill (upright container, plug leak, etc).
3. Seal off storm drain with berms or drain cover and stop any spread of the spill.
4. Protect floor drains or other means for environmental release. Spill socks and absorbents may be placed around drains, as needed.
5. Use pads and/or granular sorbent to clean up spilled material.
6. Let pads sit on spill to absorb spilled material.

Spill & Clean Up Material Disposal

1. Loose spill control materials should be distributed over the entire spill area, working from the outside, circling to the inside. This reduces the chance of splash or spread of the spilled chemical.
2. When spilled materials have been absorbed, use brush and scoop to place materials in an appropriate container.
3. Remove spent pads and/or sorbent and dispose of properly.
4. Call spill cleanup contractor if necessary.

Spill Material & Spill Kit Locations (list all locations)

1. _____
2. _____
3. _____
4. _____

Provide a description of any additional emergency cleanup and disposal procedures not listed above that you will use at your site, or any special conditions that exist:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

PLAN MUST BE POSTED IN A VISIBLE LOCATION

OIL TRANSFER REPORTING

Photocopy or scan this form and fill out, and then send to Ecology.

WASHINGTON STATE
Department of Ecology
Spill Prevention, Preparedness, and Response Program
Prevention Section
P.O. Box 47600, Olympia, WA 98504-7600

Office Phone:
360.407.7455,
Fax: 360.407.7288 or
toll free 1.800.664.9184

Email
oiltransfernotifications@ecy.wa.gov
Please use the subject heading "Class 4 Facility Transfer Report"

Class 4 facilities must report bulk oil transfer operations involving non-recreational vessels to Ecology semi-annually every January 15th and July 15th. Class 4 facilities may use this form to meet the requirements found in WAC 173-180-210 (6). This rule does not apply to marinas or fueling stations that transfer exclusively to recreational vessels.

NOTE: Class 4 facilities may include recreational vessel transfers in the total if that information is not separated.

Mail or email the completed form to the addresses on the left.

Time Period Covered: January 1 - June 30 ☐ July 1 - December 31 ☐ Year_____(YYYY)

Company Name _____

Mailing Address _____

Physical Location of Transfers (if different) _____

Contact Person _____

Phone Number _____

Types and Volume of All Oil Transferred

Gasoline _____ Diesel _____

Lube _____ Hydraulic _____

Aviation Gas _____ Other _____

Additional Comments_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

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Original printed on recycled paper.

If you need this publication in an alternate format, call the Spills Program at 360.407.7455. Persons with hearing loss, call 711 for Washington Relay Service. Persons with speech disability, call 877.833.6341.

Tips for Cleaner/Safer Maintenance Practices

Sweep/vacuum your boat before you wash it	This will help catch things that don't belong in the water.
Pressure wash using light pressure	This uses less water and decreases the need for soap and scrubbing when washing a boat; do not use excessive pressure, which may risk damaging the boat or send flakes of paint and other material into the water.
If you need a cleaner, mix it in a bucket and use to scrub down only the areas that need extra attention	Dispose of the dirty bucket water on shore.
Start with vinegar and baking soda and move to (boat) soaps as needed	If harsher cleaning products are needed, spot clean using a rag.
Keep cleaners in sealed containers	Be sure containers are closed securely when transporting between shore and the boat.
When doing engine work, be sure to have plenty of oil absorbent pads on hand	When changing oil filters, use plastic bags and/or oil absorbent pads to catch oil before it gets to the bilge of the boat.
Inspect all shore power connections	This requires unplugging the cord from the boat to look for any discoloration.
Wax the boat	A good coat of wax on a fiberglass hull prevents surface dirt from becoming engrained. This will reduce the need for detergents when you wash your boat. Pollen, dust, spores, or salt occur naturally and will do no harm when they are washed into the water.
Reduce cleaning	Reduce the need for boat soaps by scrubbing and rinsing with freshwater after each trip. Also, boat covers will help keep the boat clean between trips and reduce the amount of boat cleaning.
Commercially available products	If you must use cleaning products, use only the minimum amount needed to clean and avoid discharge into marine waters. Also, use only products that are • labeled accurately with all ingredients, not just active ingredients, • derived from plants and minerals, • free of petroleum-derived ingredients or petrochemicals, • non-toxic, and • phosphate free and biodegradable.

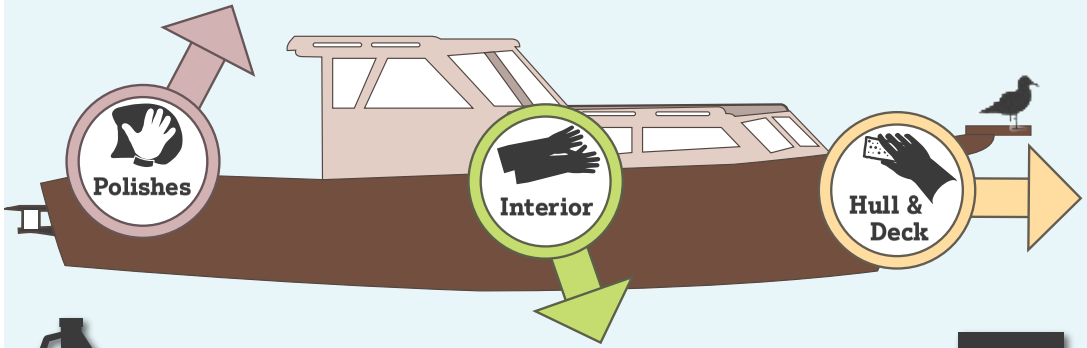
LESS TOXIC ALTERNATIVE CLEANING PRODUCTS

Product/Application	*Alternative*
Detergent and soap	Apply elbow grease.
Scouring powder	Use baking soda.
Fiberglass	Use baking soda paste.
Floor	Mix 1 cup vinegar in 2 gallons water.
Aluminum	Mix 2 tablespoons cream of tartar in 1 quart of hot water.
Window and mirror cleaning	Mix 1 cup of white vinegar with 1 quart of warm water. Apply with a damp cloth and buff dry.
Mildew	Make a paste using equal parts of either lemon juice and salt or vinegar and salt.
Wood polish	Mix three parts white vinegar and one part olive oil; almond or olive oil (use on interior, unvarnished wood only).
Varnish	Wipe with a mix of ½ cup vinegar and ½ cup water.
Copper	Apply lemon juice and salt.
Brass	Use Worcestershire sauce or paste made of equal parts salt, vinegar, and water; rinse thoroughly.
Head	Pour in baking soda and use a brush.
Shower	Wet surfaces, sprinkle on baking soda, and rub surface with scouring cloth.
Carpet stains	Mix equal parts white vinegar and water in a spray bottle. Spray directly on stain, let sit for several minutes, and clean with a brush or sponge using warm soapy water. For fresh grease spots, sprinkle corn starch onto spot and wait 15–30 minutes before vacuuming. For a heavy duty carpet cleaner, mix 1/4 cup each of salt, borax, and vinegar. Rub paste into carpet and leave for a few hours. Vacuum.
Rust	Sprinkle a little salt on the rust, squeeze a lemon over the salt until it is well soaked. Leave the mixture on for 2–3 hours. Use leftover rind to scrub residue.
Plugged drain	Disassemble or use a plunger or a plumber's snake (or both) — toxic substances like drain cleaners should not be used if they could be introduced into marine waters.
Hard-water stains and rings	Mix 1 tablespoon baking soda with 1 tablespoon toothpaste. Make a paste and scrub with a damp cloth.
Hull (brightener)	Mix ¼-cup baking soda with 1 gallon water. Add solution to rinse water after cleaning.
Stainless steel	Use baking soda or mineral oil for polishing, vinegar to remove spots.
Chrome	Rub straight apple cider vinegar on chrome and wipe off with a clean, dry rag.
Fuel oil stain	Pour baking soda on the stain and wait about 20 minutes. Rinse with clean water.
Teak (deodorizer)	Rub baking soda on the teak and let it set for about 20 minutes. Rinse well.
Metal (polish)	Dip a clean sponge in undiluted lemon oil and apply. Rinse well.
Vinyl	Mix 1 teaspoon baking soda and 1 teaspoon toothpaste. Apply with a rag and rinse well.
Plastic surfaces	Mix one part white vinegar and two parts warm water.
Deck	Mix one part white vinegar and eight parts warm water.

LESS-TOXIC Alternative Cleaning Products

VINEGAR

- Use vinegar to remove spots from stainless steel. Polish with mineral oil.
- Polish wood with three parts white vinegar and one part olive oil (unvarnished wood only).
- Undiluted apple cider vinegar makes a great chrome cleaner. Wipe off with a clean, dry rag.
- One part vinegar and two parts water is a great mixture for cleaning plastic surfaces.
- Brass can be cleaned with a paste of one part water, one part salt, one part vinegar. Apply with a clean rag and rinse well. Also, try Worcestershire sauce.



VINEGAR

- To clean floors, use one cup of vinegar in two gallons of water.
- Mix one cup of vinegar with one quart of warm water to clean windows and mirrors. Use a damp cloth and buff dry.
- Remove carpet stains by mixing equal parts white vinegar and water. Put directly on stain. Let sit for several minutes and clean with a brush or sponge using warm soapy water. For fresh grease spots, sprinkle corn starch onto spot and wait 15-30 minutes before vacuuming.

BAKING SODA

- Use baking soda and a brush to clean your head.
- Clean your shower by sprinkling baking soda on wet surfaces and rubbing with scouring cloth.
- Hard water and ring stains can be removed by scrubbing the stains with a paste made of one tablespoon of baking soda with one tablespoon of toothpaste. Scrub with a damp cloth.

LEMON JUICE & SALT

- Clean copper by using a paste of lemon juice and salt. Remove with a clean rag.

BAKING SODA

- Use baking soda as a scouring powder.
- Clean fiberglass with baking soda and water. Mix into a paste.
- After cleaning, add 1/4 cup baking soda per one gallon of rinse water to brighten your hull.
- Pour baking soda over a fuel oil stain on the deck and wait 20 minutes. Rinse with clean water.
- Deodorize teak by rubbing it with baking soda; let it sit for 20 minutes, then rinse with clean water.
- Mix 1 teaspoon of baking soda with 1 teaspoon of toothpaste to clean vinyl. Use a rag and rinse well.

VINEGAR

- Use equal parts vinegar and water to clean varnish.
- Clean your deck using one part vinegar and eight parts warm water.

LEMON JUICE & SALT

- Get rid of mildew and clean copper by applying a paste using equal parts of lemon juice and salt.
- To remove rust, sprinkle salt on the rust, and squeeze a lemon over the salt until well-soaked. Leave mixture on rust for two-three hours. Use the lemon rind to scrub off residue.

LESS TOXIC ALTERNATIVE CLEANING PRODUCTS

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Plastic surfaces	Mix one part white vinegar and two parts warm water.
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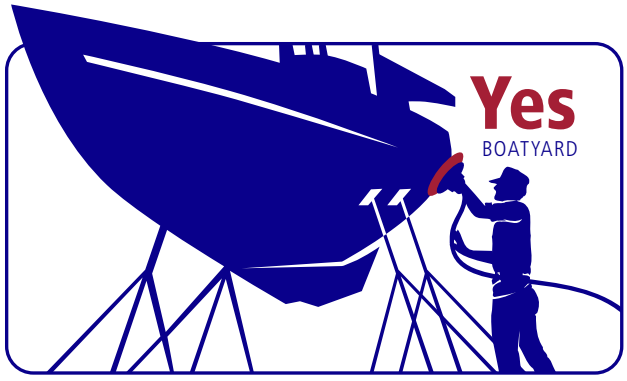
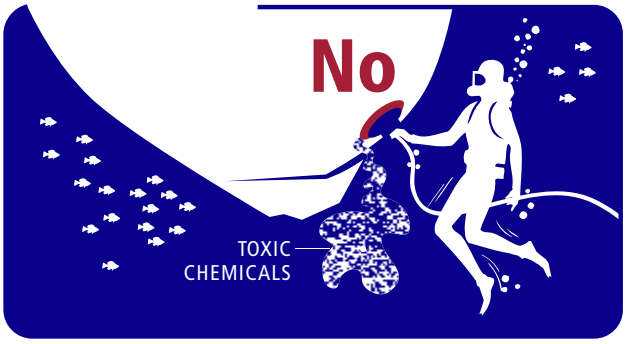
Attention Boat Owners

No In-Water Hull Cleaning





Most boats used in marine waters have hulls coated with soft, toxic paints (ablative and sloughing) to keep aquatic organisms from attaching. These coatings contain toxic chemicals that are poisonous to salmon and aquatic life. **Toxic chemicals are released when you disturb or clean these hull paints.**

- Know your hull's surface before you clean it. If it has soft, toxic paint, take your boat out of water to a facility that collects all discharges and debris.
- If your boat hull has soft, toxic paint, do NOT clean it in or near the water, or near a stormdrain.

To do this work yourself on land, use a tarp and vacuum sander to collect all debris, and dispose of it properly.

What's the alternative?

New, hard-coatings and epoxy-based hard paints are now available for boat hulls. They provide a slick surface and they are safe for in-water cleaning. The surfaces discourage organism growth, last longer, and minimize harm to the environment. Best of all, these surfaces can improve your boat's performance and save fuel costs. One of these coatings could be right for your boat.

It is illegal to perform underwater cleaning of hulls that have soft, toxic coatings. You can face a fine of up to $10,000.

Visit Clean, Green Boating at: www.ecy.wa.gov/CleanGreenBoating

WASHINGTON STATE Natural Resources

DEPARTMENT OF ECOLOGY State of Washington

CLEAN MARINA WASHINGTON

PUGET SOUNDKEEPER ALLIANCE

NOTES

CONTACTS

HELPFUL CONTACTS

5

The authors have tried to make the information contained in this handbook as straightforward and user-friendly as possible, but you the reader may have questions that were not adequately addressed. Don't wait until you have a problem, be proactive — pick up the phone and contact any of the following resourses, including state and federal agencies as well as NGOs, which can help clarify any confusion. In the process of developing this handbook, marina managers emphasized how helpful it has been to develop relationships with agency and NGO representatives over the years. We're here to help you!

FEDERAL

FEDERAL/ INTERNATIONAL LAWS AND STANDARDS

MARPOL
imo.org/en/About/Conventions/ListOfConventions/Pages/International-Convention-for-the-Prevention-of-Pollution-from-Ships-%28MARPOL%29.aspx

NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION

noaa.gov

Marine Mammal Protection Act
nmfs.noaa.gov/pr/laws/mmpa/

Office of Response and Restoration, Oil Spills
response.restoration.noaa.gov/oil-and-chemical-spills

Vessel Documentation Search by Name
st.nmfs.noaa.gov/st1/CoastGuard/VesselByName.html
24-hour emergency response
206.526.6317
erd.webmaster@noaa.gov
Western Regional Center ORR's Assessment and Restoration Division
206.526.6317
ard.webmaster@noaa.gov

Western Regional Center
wrc.noaa.gov

U.S. ARMY CORPS OF ENGINEERS

usace.army.mil

Emergency Planning and Response, Seattle Office
206.764.3406
Seattle office
paoteam@nws02.usace.army.mil

Seattle District website
nws.usace.army.mil/

Seattle regulatory branch
nws.usace.army.mil/Missions/CivilWorks/Regulatory.aspx

Section 10 of the Rivers and Harbors Act
usace.army.mil/Portals/2/docs/civilworks/regulatory/materials/rhsec10.pdf
206.764.3742

U.S. COAST GUARD

uscg.mil

National Pollution Funds Center
uscg.mil/npfc/default.asp

National Vessel Documentation Center
uscg.mil/hq/cg5/nvdc/
National Pollution Funds Center Regional Manager for Washington State
202.795.6073,
Gregory.W.Buie@uscg.mil

Seattle Coast Guard base
206.217.6001
Report a spill
1.800.424.8802

U.S. ENVIRONMENTAL PROTECTION AGENCY

epa.gov

CERCLA (Superfund)
epa.gov/superfund
epa-seattle@epa.gov

Clean Water Act
epa.gov/laws-regulations/summary-clean-water-act

Clean Water Act, Section 404 Permit Program
epa.gov/cwa-404/section-404-permit-program

Endangered Species Act
epa.gov/laws-regulations/summary-endangered-species-act

EPA Region 10
epa.gov/aboutepa/epa-region-10-pacific-northwest Puget Sound

No Discharge Zone
epa.gov/vessels-marinas-and-ports/vessel-sewage-discharges-no-discharge-zones-ndzs

Ocean Dumping Act
epa.gov/ocean-dumping

Oil Pollution Act
epa.gov/laws-regulations/summary-oil-pollution-act

Safer Choice
epa.gov/saferchoice
206.553.1200 or
1.800.424.4372
saferchoice@epa.gov

Toxic Substances Control Act
epa.gov/laws-regulations/summary-toxic-substances-control-act

U.S. FISH & WILDLIFE SERVICE

fws.gov
Washington office
fws.gov/wafwo/

Clean Vessel Act
wsfrprograms.fws.gov/Subpages/GrantPrograms/CVA/CVA.htm
Western Washington
360.753.9440
Central Washington
509.665.3508
Eastern Washington
509.891.6839
Endangered Species for Pacific Office
503.231.6151

Endangered Species Pacific Office
fws.gov/pacific/ecoservices/#

Spill Response
fws.gov/ecological-services/habitat-conservation/spill.html

STATE

WASHINGTON DEPARTMENT OF ECOLOGY

ecy.wa.gov

Activities that Require a Boatyard Permit
ecy.wa.gov/Programs/wq/permits/boatyard/moreinformation.html
360.407.6000
Spills Program Manager
360.407.7450
Underground Storage Tank Information
1.800.826.7716

Class 4 Fueling Facilities
ecy.wa.gov/programs/spills/Class_4_Facilities/Marinas.html

Clean Boating
ecy.wa.gov/programs/wq/nonpoint/CleanBoating/index.html

In-Water Hull Cleaning
ecy.wa.gov/programs/wq/nonpoint/CleanBoating/hull.html

Manage Dangerous Waste Program
ecy.wa.gov/programs/hwtr/managewaste.html
Generator Status
ecy.wa.gov/programs/hwtr/managewaste.html

Manage Dangerous Waste
ecy.wa.gov/programs/hwtr/manage_waste/which_rules_apply.html

No Discharge Zone
ecy.wa.gov/programs/wq/nonpoint/CleanBoating/no-dischargezone.html

PCBs in Demolition Debris
ecy.wa.gov/programs/hwtr/demodebris/pages2/pcb-summary.html

Shoreline Management Act
ecy.wa.gov/programs/sea/sma/st_guide/intro.html

Small Quantity Waste Generators
ecy.wa.gov/programs/hwtr/manage_waste/rules_for_sqgs.html

Spills Program
ecy.wa.gov/programs/spills/spills.html

Vessel Deconstruction General Permit
ecy.wa.gov/programs/wq/permits/vesseldeconstruction/index.html

WA State Environmental Policy Act
ecy.wa.gov/programs/sea/sepa/e-review.html

WASHINGTON DEPARTMENT OF FISH & WILDLIFE

wdfw.wa.gov

Aquatic Invasive Species (AIS)
wdfw.wa.gov/ais/
Reporting Aquatic Invasive Species
1.888.WDFW.AIS
AIS Coordinator
360.902.2724

WASHINGTON DEPARTMENT OF NATURAL RESOURCES

dnr.wa.gov

Derelict Vessels
dnr.wa.gov/programs-and-services/aquatics/recovering-derelict-vessels
360.902.1574
dvrp@dnr.wa.gov

Derelict Vessels: How the Program Works
dnr.wa.gov/programs-and-services/aquatics/derelict-vessels/legal-authorities-and-how-program-works

Derelict Vessels Turn In Program
dnr.wa.gov/programs-and-services/aquatics/derelict-vessels/vessel-turn-program

Leasing and Land Transactions
dnr.wa.gov/programs-and-services/aquatics/leasing-and-land-transactions
360.902.1000
Aquatic Resources Division
360.902.1100
Sinking Boat or Oil Spill Hotline
1.800.258.5990

WASHINGTON SEA GRANT

wsg.washington.edu

Boating Program
wsg.washington.edu/community.outreach/boating

WASHINGTON DEPARTMENT OF LICENSING

Reporting the sale of a boat
dol.wa.gov/vehicleregistration/reportsaleboat.html

WASHINGTON STATE LEGISLATURE RCWs

Aquatic Lands
app.leg.wa.gov/rcw/default.aspx?cite=79.105

Facility Oil Handling Standards
apps.leg.wa.gov/WAC/default.aspx?cite=173-180&full=true

Fish and Wildlife Enforcement Code
apps.leg.wa.gov/rcw/default.aspx?cite=77.15

Hazardous Waste Management
apps.leg.wa.gov/rcw/default.aspx?cite=70.105

Hazardous Waste Reduction Act
apps.leg.wa.gov/rcw/default.aspx?cite=70.95C

International Fire Code
app.leg.wa.gov/WAC/default.aspx?cite=51-54A

Marine Tourism Bill
apps.leg.wa.gov/rcw/default.aspx?cite=88.02.640

Model Toxics Control Act
app.leg.wa.gov/rcw/default.aspx?cite=70.105D

Oil and Hazardous Substance Spill Prevention and Response
apps.leg.wa.gov/RCW/default.aspx?cite=90.56

Shoreline Management Act
app.leg.wa.gov/rcw/default.aspx?cite=90.58

Solid Waste Reduction Act
apps.leg.wa.gov/rcw/default.aspx?cite=70.93

State Hydraulic Code
apps.leg.wa.gov/rcw/dispo.aspx?cite=77.55.100

WA State Derelict Vessel Act
apps.leg.wa.gov/rcw/default.aspx?cite=79.100&full=true

WA State Environmental Policy Act
apps.leg.wa.gov/rcw/default.aspx?cite=43.21C

Waste Reduction, Recycling, and Model Litter Control Act (Marinas and Airports — Recycling)
app.leg.wa.gov/rcw/default.aspx?cite=70.93&full=true#70.93.095

Water Pollution Control
app.leg.wa.gov/rcw/default.aspx?cite=90.48

WASHINGTON STATE PARKS

parks.wa.gov

Pumpout Program
parks.state.wa.us/657/pumpout

Boating Info Portal
boat.wa.gov/

Clean Vessel Program
360.902.8555
boating@parks.wa.gov, boatpumpouts@parks.wa.gov, launchpermits@parks.wa.gov

NON-GOVERNMENTAL RESOURCES

BOATUS FOUNDATION

boatus.org/clean.boating/fueling/tips/
1.800.245.2628
smartboating@boatus.com

CLEAN MARINA WASHINGTON

CleanMarinaWashington.org
206.297.7002
info@CMW.org

ENVIROSTARS

envirostars.org

County Reps
envirostars.org/contact.aspx#rep
206.263.8899

NORTHWEST MARINE TRADE ASSOCIATION

nmta.net/home.asp
206.634.0911

PUGET SOUNDKEEPER

pugetsoundkeeper.org
206.297.7002

PUMPOUT WASHINGTON

pumpoutwashington.org
206.543.6600
206.616.8929
pumpouts@uw.edu

WASHINGTON CLEAN BOATING FOUNDATION

cleanboatingfoundation.org
206.612.8919
info@cleanboatingfoundation.org

CLEANMARINAWASHINGTON.ORG

ENVIROSTARS.ORG

NMTA.NET

PUGETSOUNDKEEPER.ORG

ECY.WA.GOV

DNR.WA.GOV

WSG.WASHINGTON.EDU

PARKS.WA.GOV

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wsg.washington.edu/marina-handbook