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# The Rendezvous

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## Special Interest Articles:

- Action Alert.
- Problem Defined.

## What can you do?

*To take action and help protect the rights of recreational boaters and the recreational marine manufacturing industry that provides hundreds of thousands of American jobs, please visit [BoatBlue.org](http://BoatBlue.org).*



## Tell Congress to Schedule a Vote

It's time to tell Congress to Schedule a Vote on Clean Boating Act

H.R. 5949/ S, 2766 Must Pass by Sept. 30, 2008 to Avoid New Regulations on Boaters

Unless Congress passes the Clean Boating Act before September 30, 2008, every recreational boater in the country will have to obtain a federal or state permit just to operate their boat.

Without passage of the Clean Boating Act (H.R. 5949/S. 2766) before Sept. 2008, boaters will face yearly fees, bureaucratic red tape, confusing and potential state-by-state regulations, citizen lawsuits and \$32,000 per day penalties for non-compliance. These permits would apply to deck run-off, bilge water, engine cooling water and any other water-based, operational discharge from a recreational boat, which have never been considered pollutants in 35 years of the Clean Water Act. The Environmental Protection Agency, due to a sweeping court order, is already writing this unprecedented new regulation for these everyday overboard water discharges.

**Tell Congress to quickly schedule and pass the S. 2766/H.R. 5949, the Clean Boating Act of 2008, TODAY to prevent this new regulation!**

The bill passed out of the House and Senate Committees unanimously in May 2008. Boaters need to encourage their elected officials to bring the bill for a vote in the full House and Senate NOW!!

**To You It's a Dream Boat. To EPA, It's a Supertanker.**

The Problem-In September 2006 a U.S. District Court ruling nullified EPA

regulation 40 CFR 122.3(a) under the Clean Water Act exempting effluent discharges incidental to the normal operation of vessels, including recreational boats.

The ruling resulted from a lawsuit brought by environmentalists and states to halt the introduction in U.S. waters of invasive species through commercial ballast water. Included under the exemption for recreational boats are:

- \* Engine cooling water
- \* Gray water
- \* Bilge water
- \* Deck runoff

The court ruled EPA didn't have the authority to enact this exemption.

The Impact: New Regulations For You!

Under the court order, EPA will have to devise new regulations and establish permit requirements for the normal discharge of every recreational boat by September 2008

EPA has already started working on a rulemaking project in order to meet the court deadline.

The EPA and the states will have to create a new and unprecedented enforcement and permit regime, leading to many questions:

- \* Who has jurisdiction?
- \* What of boats titled in one state, but docked in another?
- \* Will there be different permits? Will states honor each other's permit?
- \* Who funds this? (Nation's water infrastructure and boating programs are already woefully underfunded)

The Impact Will Ripple Across Boating...

Family boaters will encounter new fees and bureaucratic red tape in trying to

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## Tell Congress from page one

obtain a permit before they can even leave the dock.

There will be a chilling effect on sales as boating becomes more arduous and encumbered by DMV-style processes for permitting eating up consumers' time and money...and trying their patience.

Every boater becomes a target for a lawsuit: The Clean Water Act lets citizens and environmentalists act as citizen attorneys general, to bring suit against violators.

**The Facts:** Today's Boats Are Clean And Adequately Regulated

Boating is clean and adequately regulated by an array of federal and state regulations now. Forcing boaters to obtain costly permits for water-based, incidental discharges makes no sense and will have negligible environmental impact.

Section 312 of the Clean Water Act established federal standards of performance for marine sanitation

### ***What is The Clean Boating Act?***

About The Clean Boating Act: The Clean Boating Act would fully and permanently restore a longstanding regulation that excludes recreational boaters and anglers from the federal and state permitting requirements under the Clean Water Act designed for land-based industrial facilities and ocean-going commercial ships. This exemption was overturned by a federal court

devices and required a state to demonstrate that there are adequate pump-out facilities prior to EPA approval of black water no discharge zones.

Oil pollution (Including fuel, oil, sludge, oil refuse, and oil mixed with wastes) is regulated by the Oil Pollution Act (OPA) and discharge is already prohibited. The OPA prohibits the discharge of oil, holding a boater responsible for the results of any oil spills and liable for removal costs and damages.

For more info visit...

<http://www.boatblue.org/takeaction.aspx>

Fact Sheet on the Clean Vessel Act

[http://www.nmma.org/lib/docs/nmma/gr/policy/Clean\\_Vessel\\_Act\\_Fact\\_Sheet.pdf](http://www.nmma.org/lib/docs/nmma/gr/policy/Clean_Vessel_Act_Fact_Sheet.pdf)

Fact Sheet on the Oil Pollution control laws.

[http://www.nmma.org/lib/docs/nmma/gr/policy/Oil\\_Pollution\\_Laws\\_Fact\\_Sheet.pdf](http://www.nmma.org/lib/docs/nmma/gr/policy/Oil_Pollution_Laws_Fact_Sheet.pdf)

Fact Sheet on Garbage Disposal laws.

[http://www.nmma.org/lib/docs/nmma/gr/policy/Garbage\\_Disposal\\_Laws\\_Fact\\_Sheet.pdf](http://www.nmma.org/lib/docs/nmma/gr/policy/Garbage_Disposal_Laws_Fact_Sheet.pdf)

in 2006 in a case focused exclusively on ballast water from commercial vessels. The Clean Boating Act has the support of the \$37 billion recreational marine industry, the nation's 59 million adult recreational boaters and more than 50 organizations involved in outdoor recreation, sport fishing, hunting and conservation.

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