



DEP FACT SHEET

DEP Boat Holding Tank Pumpout Program

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What is the “Boat Holding Tank Pumpout Program”?

The “Boat Holding Tank Pumpout Program” is a combination grant and regulatory program administered by the DEP. The goal of the program is to ensure boaters have the facilities they need to properly dispose of the sewage from their boats.

Why is it important to properly manage sewage from boats?

All sewage has the potential to carry pathogens that can make people sick and impair water quality. Improper sewage management will directly impact waterbodies where boats are used. To protect water quality and human health, there are Federal and State laws that dictate how boat sewage must be managed.

What are the laws that regulate boat sewage in Maine?

Federal law prohibits discharges of untreated sewage (toilet waste) to waters within three miles of the coast; requires the use of marine sanitation devices (MSDs) to treat all sewage generated from boats; and provides a process for a State to create No Discharge Areas.¹ The specifications for MSDs are also set in Federal law.² In contrast, a boat may discharge graywater (water from sinks and showers) unless the boat is a large commercial passenger vessel like a cruise ship.

Maine law prohibits the discharge of sewage from a vessel into inland waters, such rivers and lakes, and requires pumpout stations at “marinas”.³ A marina is defined as any facility on coastal or inland waters that provides services and has 18 or more slips or moorings for boats greater than 24’ in length. Each marina must provide an easily accessible pumpout station that is functional during normal working hours and at all stages of tide or water level. The fee the marina can charge is limited to a maximum of \$10, as long as the State supplies the facility with a grant to cover a portion of the cost for installation and maintenance of the system. The DEP is required to apply for grants from the Federal Clean Vessel Act Grant Program to fund pumpout installation through the Maine Pumpout Grant Program.

Are any of these laws new?

The Maine law regulating pumpout requirements was amended in 2009 to require great accessibility to pumpouts and to limit the fees that marinas can collect for pumpout service. The new provisions take effect July 12, 2010.

Who enforces these laws?

In Maine, the US Coast Guard has delegated regulatory authority for boat sewage and MSDs to State and local law enforcement personnel; otherwise the State is not allowed to regulate boat sewage except by the establishment of No Discharge Areas.

¹ 40 CFR Part 140 <http://www.epa.gov/region01/eco/nodiscrg/index.html>

² 33 CFR Part 159 http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title33/33cfr159_main_02.tpl

³ 38 MRSA §423-B

What does the grant program do?

The Pumpout Grant Program's goal is to reduce the pollution from boats by encouraging use of holding tanks (type III marine sanitation device) and by helping to provide convenient pumpout stations along the Maine coast. To do this, the PGP provides 75% (90% for municipalities) grants for pumpout system installation, and 75% (90% for municipalities) grants for operations and maintenance.

What kinds of costs are eligible for grant money?

All costs of system installation are eligible, including: equipment purchase; installation labor and materials; sewer connection fees; holding tank equipment and installation; and grant oversight and management.

All costs of operation and maintenance are eligible, including: waste disposal fees to sewer or septage hauler; electricity; personnel (salary + overhead) to operate the pumpout system; and any repair that is not covered under warranty as long as the cost is not due to negligence or misuse

Who is eligible for grant money?

Any facility that provides waterfront services to boats may apply. The grant program is not competitive.

What does the regulatory program do?

The regulatory portion of the program is responsible for: ensuring that all marinas are in compliance with State law; educating boaters on proper sewage management; guiding and supporting enforcement of the boat discharge laws; and planning, applying for, and implementing No Discharge Areas.

What are the special requirements of a No Discharge Area?

All boats with installed toilets operating in a No Discharge Area must use a holding tank to hold sewage until it is pumped out at a pumpout facility or until it is more that 3 miles offshore from the near land mass. Please see the Maine DEP Fact Sheet on no discharge areas for more information, see contact information below.

Are there any NDAs in Maine right now?

Yes. There are five approved NDAs in Maine. The NDAs are the Kennebunk-Wells NDA, Casco Bay, the Boothbay Region NDA, West Penobscot Bay NDA and the Southern Mount Desert NDA.

Where can I get more information on the pumpout program or NDAs?

Pumpout Grant Program applications are available upon request. The Department of Environmental Protection's web site has a lot of information and links.

<http://www.maine.gov/dep/water/wd/vessel/pumpout/index.html>

For questions about the pumpout grant program, no discharge areas or boat sewage in general, call Pam Parker at 207-485-3038

Or e-mail her at pamela.d.parker@maine.gov

or write her at:

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If you have questions about NDAs in general call Ann Rodney, USEPA, Region 1 at 617-918-1538 or write her at:

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