



DEP FACT SHEET

Antifouling Paint Contaminated Wash Water General Permit

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Contact: (207) 485-3038

Why is antifouling paint contaminated wash water a problem?

Because antifouling paint is a pesticide formulated to prevent marine organisms from growing on boats, it contains a number of compounds that are toxic to marine life. When antifouling paint is washed off, those compounds are concentrated in the wash water resulting in levels of pesticides in the wash water that are much higher than the levels approved by the regulatory agencies as part of the normal use of the antifouling paint on the hulls of boats in the water.

The contaminated wash water is often allowed to run back into the water or soak into the ground at the location where the boat is hauled. This results in significant levels of pesticides being discharged into the water and the groundwater, potentially harming the marine environment or contaminating drinking water.

What is a general permit?

A general permit is a “one size fits all” permitting tool enabling dischargers with similar waste streams, locations, or industries to get regulatory coverage without going through individual permitting processes, resulting in faster responses and less cost. The Maine Department of Environmental Protection (DEP) has issued the antifouling paint contaminated wash water general permit to cover approximately 100 separate facilities.

Who is required to be covered by this general permit?

Any boatyard or marina that currently discharges, or plans to discharge, antifouling paint contaminated wash water to the ocean or the ground must obtain permit coverage via the general permit or an individual permit.

Who is not required to be covered by this general permit?

Any boatyard or marina who chooses not to wash antifouling painted boats, collects and recycles the wash water for off site disposal or is connected to the public sewer, is not required to be covered by a permit.

Who cannot be covered by the general permit?

Any boatyard or marina that discharges to fresh water, Class SA waters, the Saco River Estuary, or who otherwise cannot meet the requirements of the general permit cannot be legally covered by the permit. However, the facility may be eligible for an individual permit.

What is required in the general permit?

The permit requires a facility to:

- Collect and treat all antifouling paint contaminated wash water.
- Discharge the treated wash water to the surface water body via an outfall pipe submerged by 5 feet at mean low water.
- Monitor the effluent quality by monthly sampling and laboratory analysis and report the results to the DEP.
- Maintain the collection and treatment system in good working order.

How much will compliance with the permit cost?

The cost of collection pad and treatment system will vary by the type of facility and the amount of infrastructure in place. If there is currently no wash pad or collection system, a properly designed permanent concrete or asphalt pad with a collection trench or basin will cost between \$2,000 and \$50,000. The cost of the pad will depend on the size of the boats serviced at the facility. The treatment system cost is variable. Commercially available units generally range from \$5,000 to \$15,000. Monitoring costs will be approximately \$500 annually. There is also a \$230 annual general permit fee.

Is there any grant money available to help be pay for the collection and treatment systems?

The DEP and other organizations are looking into possible grant funds that may be used to help offset some of the compliance costs, but there is no grant or loan program established yet.

Are there any alternatives to the general permit and its requirements?

It may not be necessary to wash antifouling painted boats in a manner that will release contaminated wash water. If operations at the boatyard or marina can be changed to avoid generating antifouling paint contaminated wash water, all the costs associated with contaminated wash water can be avoided. If the facility is in an area served by public sewer, it may be able to discharge to the sewer system. However, the facility must get authorization from the sewer department prior to discharge and may be required to treat the wash water.

Is discharge of antifouling paint contaminated wash water to the surface of the ground allowed?

No, the DEP is developing a general permit for groundwater discharges that will require collection and treatment as well. In addition, discharges of antifouling paint contaminated wash water to the ground will contaminate the soil with pollutants which may be an environmental liability in the future

What is being done about discharges of antifouling paint contaminated wash water at boat ramps, in parking lots and at car washes?

The DEP is working closely with towns and commercial boat haulers to address washing on public property and will communicate clearly to the public regarding antifouling paint contaminated wash water.

What are the consequences for not complying with the requirements of the general permit?

Violations of the waste discharge laws are subject to enforcement actions resulting monetary penalties. Violators may also be sued by third parties.

What is the process for coverage under the general permit?

- Request a copy of the general permit and the Notice of Intent (NOI) form from the DEP.
- Complete the NOI form and submit it and all the attachments to the DEP per the instructions.
- If not already installed, determine the location and design of the collection and treatment system.

For more information:	Contact	Telephone	Email
On antifouling paint contaminated wash water, treatment systems, permitting and clean boating	Pam Parker	(207) 485-3038	pamela.d.parker@maine.gov
General Permit forms can be found at	Web site: www.maine.gov/dep/water/wd/antifouling-paint/index.html		

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