



**National Sea Grant Law Center
Announcement of Legislative Development**

Revised December 2005

*** * * California Enacts Clean Coast Act * * ***

Summary

Freighters, oil tankers, and other large transport ships make more than 9,500 port calls in California each year. The dumping of graywater, sewage sludge, and other wastes into California's state waters poses hazards to humans, animals, and the environment. To address this situation, California Governor Arnold Schwarzenegger recently signed into law the Clean Coast Act (S.B. 771). The Act, approved by the Governor on October 6, 2005, prohibits certain classes of oceangoing ships from incinerating garbage or dumping oily bilgewater, graywater, sewage, sewage sludge, hazardous waste or other waste within three miles of the state's shoreline. The California Clean Coast Act will become effective January 1, 2006.

- ❖ Oceangoing ship means ***a private, commercial, government, or military vessel of 300 gross registered tons or more calling on California ports or places.***

Onboard Incineration

- ❖ Large passenger vessels and oceangoing ships ***shall not conduct onboard incineration operations while operating within three miles of the California coast, to the extent allowed under Federal law*** (Cal. Health and Safety Code § 39362).

Discharges of Sewage, Sewage Sludge, Bilgewater, Graywater, and Hazardous Wastes

- ❖ Large passenger vessels are prohibited from discharging ***sewage, sewage sludge, graywater, oily bilgewater, or hazardous waste*** into the marine waters of the state.
- ❖ Oceangoing ships may not discharge ***oily bilgewater or hazardous waste*** within three miles of the California coast.
- ❖ Oceangoing ships ***with sufficient holding tank capacity*** are prohibited from discharging graywater and sewage.
 - ❖ "Sufficient holding tank capacity" means ***a holding tank of sufficient capacity to contain sewage and graywater while the oceangoing ship is within the marine waters of the state.***
 - ❖ Oceangoing ships with ***sufficient holding tank capacity AND capability for transfer*** shall either ***hold on board*** or ***transfer sewage and graywater*** to a pumpout facility, ***if that facility is available and accessible*** where the ship is docked.
 - ❖ ***If a vessel has no holding tank, insufficient capacity, or no facility is available*** it may discharge graywater and sewage without violating the California Clean Coast Act.
- ❖ Violators can incur a fine of up to \$25,000 per incident (Cal. Pub. Res. Code § 72430).

Reporting and Documentation

If an oceangoing ship with sufficient holding tank capacity or with holding tanks and transfer capabilities discharges sewage and graywater into state waters or a marine sanctuary, the ship's owner or operator must notify the State Water Resources Control Board within twenty-four hours. The Board requires a

