

Rep. Taylor Announces House, Senate Pass Clean Boating Act

WASHINGTON - Rep. Gene Taylor today announced that S. 2766, the Clean Boating Act, and S. 3298 passed both the Senate and the House of Representatives yesterday and are now awaiting the President's signature. The bills correct a federal court ruling that would have forced recreational boaters and commercial vessels to acquire permits for normal discharges such as bilge water, deck runoff and engine cooling water beginning September 30, 2008.

"This bill will fix a regulation that would have caused confusion and unnecessary burdens for recreational boaters," Rep. Taylor said. "Normal discharges from recreational boats and other small vessels are not pollutants, and it would be unfair to force all boat owners to register and pay for these permits. As a boat owner, I am grateful that both the House and Senate passed this legislation and sent it to the President so quickly."

When the Clean Water Act was passed in 1973, the Environmental Protection Agency recognized that it would be costly and unnecessary for recreational and commercial vessels to be subjected to the complex Clean Water Act permitting requirements designed for large cruise ships, cargo ships and supertankers. The regulation required the boat owner to purchase a National Pollutant Discharge Elimination System permit for discharges such as ballast water, bilge water, deck runoff and engine cooling water. The EPA issued an exemption to this requirement for recreational and commercial vessels.

In 2006, a U.S. District Court ruling nullified this exemption, requiring recreational and commercial vessels to obtain a NPDES permit by September 30, 2008 for normal discharges such as bilge water, deck runoff and engine cooling water, which are not pollutants under the Clean Water Act.

On May 24, 2007, Rep. Taylor introduced H.R. 2550, the Recreational Boating Act of 2007. This bill reinstated the original exemption recreational vessels had prior to the 2006 ruling by the 9th Circuit Court. Sen. Bill Nelson introduced the Clean Boating Act in March 2008, which included the same exemption that was in H.R. 2550. It also calls for the EPA to conduct a study to determine the effect of the incidental runoff from the normal operation of boats in the country's lakes and rivers.

The House and Senate then drafted H.R. 6556 and S. 3298, which would allow a two-year moratorium on these permits for commercial vessels 79 feet in length or smaller, and fishing vessels that engage in catching, taking, or harvesting fish regardless of the size of the vessel. It also authorizes the EPA to conduct a 15-month study to determine the nature, type, composition and volume of discharges for vessels.

Yesterday, the Senate passed both S. 2766 and S. 3298 under Unanimous Consent and sent the bills to the House. The House took up the Senate versions of these bills, and both passed under suspension of the rules. The bills have been sent to the President for his signature.

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