

Laws and Agreements Governing Water Pollution

Handout

Although the seas and other waterways have historically been viewed as convenient dumping grounds of human-made waste, in the last 20 years concern about declining water quality has prompted some changes.

The following is a list of major laws or agreements governing the disposal of wastes into U.S. waters. The particular relevance of some of these laws to recreational boating will be addressed in the Good Mate Program module, but boaters and onshore facility staff should know these laws exist, that they govern boating operations, and where to find more information.

MARPOL

In 1973, the **International Convention for the Prevention of Pollution from Ships at Sea** (**MARINE POLLUTION**) was drafted and signed by a number of seafaring nations. In 1978, it was updated to include five annexes on ocean dumping, In 1997, an annex on air pollution by ships was added. The annexes cover the following:

Annex I	Oil
Annex II	Hazardous liquid carried in bulk
Annex III	Hazardous substances carried in packaged form
Annex IV	Sewage
Annex V	Garbage
Annex VI	Air Pollution

By ratifying MARPOL, 73/78, a country automatically adopts annexes I and II; the remaining annexes are optional. The United States has ratified optional annexes III and V. For a summary of MARPOL see

<http://www.epa.gov/OWOW/OCPCD/marpol.html>

MPPRCA

Marline Plastic Pollution Research and Control Act (1978) - MPPRCA implements the International Convention for the Prevention of Pollution from Ships, Annex V (MARPOL 73/78) and restricts the overboard discharge of plastic and other garbage. For a summary see

<http://www.cmc-ocean.org/mdio/marpol.php3>

CWA

Clear Water Act (1972) - focuses on the use, discharge, and disposal of sewage, oil, and hazardous substances including dispersants. For summary of the CWA and a link to the full text of the Act, go to

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<http://www.epa.gov/region5/defs/html/cwa.htm>

OPA

Oil Pollution Act (1990) – requires reporting and cleanup of all oil and hazardous substance spills. For a summary of the OPA and a link to the full text of the Act see

<http://www.epa.gov/region5/defs/html/opa.htm>

OAPCA

Organotin Antifouling Paint Control Act (1988) – regulates the use and application of antifouling paints for some marine vessels. For the full text of the Act see

<http://www4.law.cornell.edu/uscode/unframed/33/2404.html>

CVA

Clean Vessel Act (1992) – designed for the construction of pump-out facilities through financial incentives to local marinas. For a summary of the CVA see

http://fa.r9.fws.gov/cva/cva_info.html#CVA

For the details of the Act see

<http://www.fws.gov/laws/digest/reslaws/cleaves.html>

FWPCA

Federal Water Pollution Prevention and Control Act (1997) – establishes goals and policies for the restoration and maintenance of the chemical, physical, and biological integrity of our nation's waters. A summary of the FWPCA can be viewed at

<http://www4.law.cornell.edu/uscode/33/ch26.html>

For FWPCA (section 1322) information on the use of marine sanitation devices see

<http://www.uscg.mil/hq/gm/mse/regs/FWCPA.html>

ESA

Endangered Species Act (1973) – provides a program for the conservation of threatened and endangered plants and animals and the habitats in which they are found. For a summary of the ESA and a link to the full text of the Act see

<http://www.epa.gov/region5/defs/html/esa.htm>

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MMPA

Marine Mammal Protection Act – establishes a moratorium on taking and importing marine mammals, their parts, and products. The Act provides protection for polar bears, sea otters, walruses, dugongs, manatees, whales, porpoises, seals, and sea lions. For a summary of the MMPA see

<http://www.lab.fws.gov/lab/cargo/mmp.htm>

CZMA

Coastal Zone Management Act – encourages states to preserve, protect, develop, and, where possible, restore or enhance valuable natural coastal resources such as wetlands, floodplains, estuaries, beaches, dunes, barrier islands, and coral reefs, as well as the fish and wildlife using those habitats. For a summary of the CZMA see

http://tis-nt.eh.doe.gov/oepa/law_sum/CZMA.HTM

CAA

Clean Air Act – regulates air emissions from area, stationary, and mobile sources. This law authorizes the U.S. Environmental Protection Agency to establish National Ambient Air Quality Standards (NAAQS) to protect public health and the environment. For a summary of the CAA see

<http://www.epa.gov/region5/defs/html/caa.htm>

RCRA

Resources Conservation and Recovery Act – addresses the issue of how to safely manage and dispose of the huge volumes of municipal and industrial waste generated nationwide. For more information on the RCRA see

<http://www.epa.goepaoswer/hotline/rcra.htm>

PWSA

Port and Waterways Safety Act – states navigation and vessel safety and protection of the marine environment are matters of major national importance. Insures that the handling of dangerous articles and substances on the structures in, on or immediately adjacent to the navigable waters of the United States is conducted in accordance with established standards and requirements. For details see

<http://www4.law.cornel.edu/uscode/33/1221.html>

NMSA

National Marine Sanctuaries Act – protects special marine resources, such as coral reefs, sunken historical vessels or unique habitats, while facilitating all “compatible” public and private uses of those resources. For a summary of the NMSA see

<http://www.sanctuaries.nos.noaa.gov/natprogram/nplegislation/nplegislation.html>