

Appendix V. Sample Contract Language

The following text is for information only. Facilities should consult with management and legal counsel. The language may be incorporated into lease agreements. Contact the Maryland Department of Natural Resources at (410) 260-8773 or donna.morrow@maryland.gov for an electronic copy.

FOR LAND STORAGE CUSTOMERS CONDUCTING REPAIRS

I, _____ understand that _ **(insert name of facility)**

(name)

(marina/boatyard)

subscribes to and enforces pollution prevention procedures. I further understand and agree that in return for the privilege of performing work on a boat at this facility such as hull cleaning, topsides washing, sanding, polishing and/or painting; bottom cleaning, sanding, scraping, and/or painting; opening the hull for any reason, e.g., installation of equipment or engine work; engine and/or stern drive maintenance, repair, painting; etc., it is my responsibility to comply with, at a minimum, the following pollution prevention practices. (Attached pages)

I understand that this list may not be complete and pledge that I will exercise common sense and judgment in my actions to ensure that my activities will not deposit pollution residues in surface waters or elsewhere where they may be conveyed by storm water runoff into the surface waters. *I understand that failure to adopt pollution prevention procedures may result in expulsion from **(insert name of facility)** and forfeiture of rental fees.* I understand that I may elect to employ the facility to perform potentially pollution producing activities on my behalf in which case the responsibility for compliance with the best management practices is entirely theirs.

Signed _____

Date _____

FOR SUB-CONTRACTORS ONLY:

I understand and agree to have my proposed work first authorized by this facility and that I will adhere, at a minimum, to the contents of this document. I further understand that because of the nature of my proposed work, the facility may require that I be supervised by an employee of said facility for which I will pay the normal existing labor rate.

Signed _____

Date _____

POLLUTION PREVENTION PRACTICES:

- A. REPAIRS AND SERVICE (to hull and engine: painting, cleaning, washing, sanding, scraping, etc.) In accordance with the General Permit for Discharges from Marinas 16-MA issued under the federal Clean Water Act:
1. Work on hulls and engines only in designated areas or use portable containment enclosures with approval of marina management.
 2. Use tarps and vacuums to collect solid wastes produced by cleaning and repair operations—especially boat bottom cleaning, sanding, scraping, and painting.
 3. Conduct all spray painting within an enclosed booth or under tarps.
 4. Use non-toxic, biodegradable solvents if available.
 5. Capture debris from boat washing and use only minimal amounts of phosphate-free, non-toxic, and biodegradable cleaners. Any boat washing done on land with soaps must not reach storm drains or surface waters (e.g., creek/river/bay). *Washing should be done on grassy or gravel areas away from storm drains* and when no storm water is flowing or expected (i.e., not just after or just before a storm). Rinsing boats with plain water and no additives (i.e. soaps, stain removers, etc.) is not restricted.
 6. Use drip pans for any oil transfers, grease operations, and when servicing I/Os and outboard motors.
 7. Obtain management approval before commencing any repair which will open the hull. Clean and pump bilges free of contaminated materials before and after repairs which open the hull.
 8. Use spill proof oil change equipment.
- B. VESSEL MAINTENANCE WASTE
1. Non-toxic residue of sanding, scraping, and grinding: bag dry waste and dispose of in regular trash.
 2. Toxic and non-environmentally safe solvents and cleaning liquids: seek specific directions from marina management or dispose of with licensed agency.
- C. FUEL OPERATIONS
1. Install fuel/air separator on fuel tank vent line(s) to prevent overflow of fuel through vent.
 2. Keep petroleum absorbent pad(s) readily available to catch or contain minor spills and drips during fueling.
 3. Always attend fueling of the boat. Never use a device to hold up fuel nozzle.
- D. WASTE OIL AND FUEL
1. Recycle used oil and antifreeze. See menv.com for free public collection stations.
 2. Add a stabilizer to fuel tank in the fall or an octane booster to stale fuel in the spring. Use the fuel or bring it to a household hazardous waste collection site.
 3. Absorbent materials soaked with oil or diesel: drain liquid and dispose of in used oil recycling container; double bag absorbent material in plastic and dispose in regular trash receptacle.
 4. Absorbent materials soaked with gasoline (flammable): air dry and reuse.
 5. Bio-remediating absorbent products: dispose in regular trash as long as no liquid is dripping. Because the microbes need oxygen to function, do not seal in plastic.
 6. Oil filters: drain and recycle the oil; recycle the filter or double bag and put in regular trash.

E. ONBOARD PRACTICES

1. Maintain oil absorbent pads in bilge. Inspect no less than annually.
2. Do not discharge bilge water if there is sheen to it (illegal).
3. Use only low-toxic antifreeze (propylene glycol). Recycle used antifreeze (even low-toxic antifreeze will contain heavy metals once it has been used).
4. Use only non-toxic, phosphate-free, biodegradable cleaners. **Find EPA Safer Choice products at <https://www.epa.gov/saferchoice/products>** by entering “marine” or “boat” in the Product Name search box.

F. SEWAGE HANDLING

1. Never discharge raw sewage within Maryland waters (illegal).
2. If you have an installed toilet, you must have an approved Marine Sanitation Device (MSD). See dnr.maryland.gov/Boating/Pages/pumpout/home.aspx for more information on legal requirements.
3. Do not discharge Type I or Type II marine sanitation devices within the marina basin. They are best used in open, well flushing waters. Type I or II MSDs can not be used in [designated No Discharge Zones](#).
4. Use marina restroom facilities when at slip.
5. Empty port-a-pots using pumpout station. Do not empty port-a-pots in the restrooms.
6. Do not discharge holding tanks overboard (illegal); use pumpout facility.
7. If you must use a holding tank additive, use an enzyme-based product. Avoid products that contain quaternary ammonium compounds (QACs), formaldehyde, formalin, phenal derivatives, alcohol bases, or chlorine bleach.
8. **Live-aboards-**
 - **If applicable at your marina:** This marina will place a dye tablet in holding tank after each pumpout out. The dye will make any illegal discharges clearly visible.
 - **If dye tablets are not used,** Marina staff may inspect the toilet and marine sanitation device no less than annually or in case of reported illegal discharge.
 - Live aboards may be consolidated onto one pier near the restrooms in th winter.
 - **If applicable:** This marina offers portable on XXX days. Contact the office to sign up for a pumpout.

G. ORGANIC WASTE

1. Clean fish only in designated areas.
2. Grind, compost, or double bag fish scraps **(depending on the services offered by your marina).**
3. Walk pets in specified areas, pick up and dispose of their wastes in the dumpster.

H. SOLID WASTE

1. Recycle plastic, glass, aluminum, newspaper, and used lead batteries **(tailor this section to fit your facility's practices).**
2. **(tailor this section to fit your facility's practices).** If you opt to use shrinkwrap, it must be recycled. See the office for details. Shrinkwrap may not be place in the marina dumpsters.
3. Place trash in covered trash receptacles; replace covers and keep dumpsters closed at all times. See office for disposal of any hazardous materials.