

# GUIDANCE FOR MARINAS

## STATE OF MICHIGAN INDUSTRIAL STORM WATER PROGRAM

### INTRODUCTION

As authorized by the federal Water Pollution Control Act (commonly known as the Clean Water Act), the National Pollutant Discharge Elimination System (NPDES) permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Michigan is authorized to administer the program through Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. Marina operators must comply with federal and state NPDES requirements and submit appropriate permit applications.

Marinas that discharge wastewater to the surface waters of the state are required to obtain an NPDES permit from the EGLE, WRD. Surface waters of the state include rivers, streams, lakes, and wetlands. Note that wastewater discharges to separate storm sewer systems (municipal or private) would need NPDES permit coverage as well. Common wastewater discharges at marinas that would require NPDES permit coverage if the discharge is to surface waters of the state include but are not limited to:

- Storm water associated with industrial activity
- Boat and equipment wash water
- Air compressor condensate
- Contact and noncontact cooling water
- Dewatering from recreational dredging activity
- Swimming pool discharges
- Discharge of pesticides to control nuisance insects, animals, and plants

### NPDES INDUSTRIAL STORM WATER PERMIT REQUIREMENTS

Facilities that are primarily engaged in operating marinas are classified under Standard Industrial Classification (SIC) code 4493 - Marinas. These facilities rent boat slips, store boats, and generally perform a range of other marine services including boat or equipment washing and incidental boat repair. They frequently sell food, fuel, fishing supplies, and may sell boats.

Marinas that are involved in boat maintenance activities (including boat rehabilitation, mechanical repairs, boat or equipment washing, painting, fluid changes, winterization, fueling and lubrication) and discharge storm water to surface waters of the state are regulated by the storm water regulations.

Marinas regulated by the storm water regulations are required to obtain coverage under a NPDES permit and typically that is under a NPDES general permit that authorizes the discharge of storm water associated with industrial activity. WRD authorizes discharges under NPDES general permits by issuing facilities a Certificate of Coverage (COC).

Marinas owned and operated by a State Park or Metro Park may not be primarily engaged in operating a marina, though if the marinas are involved in boat maintenance activities and / or boat or equipment washing operations they are subject to the storm water regulations.

A NPDES permit is required for all facilities that perform operations described by SIC code 4493 and are involved in boat maintenance and / or boat or equipment washing activities. Note these activities must also take place in areas of the facility that discharge storm water to surface waters of the state.

The retail sale of fuel alone at marinas, without any other boat maintenance, boat washing, or equipment washing operations, is not considered industrial activity that would trigger the storm water regulations.

## STORM WATER GENERAL PERMIT COVERAGE

To obtain coverage under a Storm Water general permit the marina must submit a Notice of Intent (NOI) to WRD via MiWaters. Note, that before a NOI can be submitted, the facility needs to:

- Have a representative at the facility create an account in MiWaters at [Michigan.gov/MiWaters](https://Michigan.gov/MiWaters).
- Obtain the services of an Industrial Storm Water Certified Operator. This can be an employee at the facility or a consultant who has completed the WRD Industrial Storm Water Certified Operator Training and has received a certification number. Training and exam information can be obtained at the [Industrial Storm Water Training webpage](#).
- Develop a Storm Water Pollution Prevention Plan (SWPPP), preferably using the [SWPPP Template available](#) at the [Michigan.gov/IndustrialStormwater](https://Michigan.gov/IndustrialStormwater). A SWPPP is a pollution prevention plan that describes the industrial activity, the potential pollutants, the potential pollutant sources, and controls that will be implemented onsite to reduce the storm water pollutants discharged to the surface waters of the state.
- Implement the nonstructural controls as described in the SWPPP.
- Complete construction and put into operation all structural controls as described in the SWPPP or have a schedule of when the structural controls will be constructed and become operational.
- Certify the facility has no unauthorized discharges.

## MARINA NON-STORM WATER WASTEWATER PERMIT REQUIREMENTS

Wastewater discharges such as bilge and ballast water, wastewater associated with engine maintenance, sanitary wastes, boat or equipment wash water, air compressor condensate, dewatering from dredging activity, swimming pool discharges and cooling water are not authorized by the Storm Water General Permits. Legal options to handle the mentioned wastewater types include:

- **Non-Storm Industrial Wastewater NPDES Permitting**  
The NPDES application form for non-storm water wastewater discharges to surface water is available in MiWaters. Facilities that are obtaining coverage for the first time will need to have a representative from the facility create an account in MiWaters before the application can be accessed. For more information, please contact your local WRD, [NPDES Program district staff](#).
- **Local Sanitary Sewer Discharge Permit**  
Industrial wastewaters can be direct discharged (e.g., via piping) to the municipal sanitary sewer system if authorized by the local authority operating the system. The discharge must meet any industrial pretreatment conditions required by the local authority. To review this option, please see the [Michigan Water Environmental Association Directory](#) and contact your local sewer authority.
- **Groundwater Permitting**  
Since most marina operations are located adjacent to a river or lake, groundwater permitting is not a practical option for most marina industrial wastewaters. However, for more details on this option, please contact the WRD, [Ground Water Program district staff](#).
- **Accumulating, Pumping and Hauling**  
Marinas should institute measures to prevent wastewaters from contacting materials that could cause the wastewater to be characterized as a hazardous waste. This will help minimize cost and allow for the waste to be managed as a liquid industrial waste with the installation of collection tanks like a non-hazardous liquid holding tank. Pumping and hauling marina wastewaters is a good option if a discharge authorization to the local sanitary or storm sewer is not available.

Marinas accumulating, pumping and hauling wastewater will need to submit a Site Identification Form and obtain a Site ID number to use on the uniform manifest required to ship the waste. The only exemption to that would be when a liquid industrial waste is shipped on a consolidated manifest used by transporters for “milk run” pick-ups of similar waste. Note, that in addition to manifesting, all commercial liquid industrial by-product haulers must have an Act 138 permit and registration from EGLE’s Material Management Division, keep proof of current permit/registration in their vehicle at all times, and possess proof of appropriate fleet liability coverage on the MCS-90 form. For more information on this wastewater management option, contact the Environmental Assistance Center 800-662-9278 or [EGLE-Assist@Michigan.gov](mailto:EGLE-Assist@Michigan.gov).

## BOAT AND/OR EQUIPMENT WASH WATER REQUIREMENTS

A common industrial activity at most marinas is the washing of boats and other equipment (lifts, docks, outboard engines, etc.). The wastewater associated with boat or equipment washing may not be discharged to the waters of the state unless it is authorized by a NPDES permit that specifically authorizes the discharge. The NPDES general permit that authorizes the discharge of storm water associated with industrial activity DOES NOT authorize the discharge of wastewater associated with boat or equipment washing.

### **There is no exemption made for biodegradable products.**

Although “biodegradable” sounds good, it does not mean that a product is nontoxic. Biodegradable products are those which can be broken down by bacteria, other organisms, or natural processes. The degradation of “biodegradable” products in water uses dissolved oxygen, and therefore these products can lower dissolved oxygen levels which is harmful to aquatic organisms.

Options available to legally handle and deal with wastewater associated with the washing of boats or equipment include the following:

- Obtain a NPDES surface water discharge permit for the wastewater discharge
- Obtain a groundwater discharge authorization for the wastewater discharge
- Obtain authorization to discharge the wastewater to the local Wastewater Treatment Plant
- Utilize a holding tank for the wastewater to be pumped and hauled
- Utilize a closed loop recycling system to reuse the wash water
- Utilize an evaporation system for the wastewater

Marina operators should know that each marina may handle wastewater associated with boat and equipment washing differently depending on several scenarios. What works or is convenient at one marina may not work at another. Marina operators are encouraged to work with their [Industrial Storm Water Program district staff](#) when considering which option would be best for the particular situation.

## FREQUENTLY ASKED QUESTIONS

### **What if the facility or property is leased?**

The company engaged in the regulated industrial activity must apply for permit coverage rather than the property owner.

### **What is the definition of boat or equipment washing?**

The term “boat washing” is meant to include the following activities: washing marine growth from the bottom of boats as they are removed from the lake or river, washing boats as part of an in and out service, washing boats before they are launched, and general washing of boats on the marina grounds.

The term “equipment washing” is meant to include the washing of docks or other equipment associated with the marina operations.

**What if the boat or equipment washing and maintenance operations are done by a contractor at a regulated marina?**

The marina is responsible for activities conducted on the grounds and if the industrial activity is exposed to storm water then permit coverage would be applicable.

**Is the outside storage of winterized boats considered exposure?**

The outside storage of winterized boats is not considered exposure. If the winterization of the boats occurs outside, then the maintenance activity would be considered exposure.

**Is permit coverage required for Yacht Clubs?**

The North America Industry Classification System (NAICS) groups the following under NAICS code 713930 - Marinas: Boating Clubs with Marinas, Marinas, Operation of Marine Basins, Sailing Clubs with Marinas, Yacht Basins, and Yacht Clubs with Marinas. The industrial storm water regulations still use the SIC coding system which codes Yacht Clubs as 7997, which is not regulated. Under the SIC code system a Yacht Club that performs Marina activities should be coded as a Yacht Club and a Marina. It is common for industrial facilities to have multiple SIC codes to accurately describe their activities. If boat / equipment cleaning or boat maintenance activities occur in areas that discharge to the surface waters of the state, then a permit will be required. The members of the Yacht Club would be considered the owner/operators of the facility.

**What happens if the regulations are ignored?**

If a required applicant ignores the permit application requirement, the individual may be in violation of federal and state law. Violations may result in fines, legal action, or expose the facility to citizen lawsuits. Federal and state statutes allow fines up to \$25,000 per day of violation.

## WHERE TO GO FOR HELP

Given the information within this document, and questions regarding TMDLs as they relate to the Industrial Storm Water Program or what is required by the NPDES permit, contact your [WRD Industrial Storm Water Compliance District staff](#).

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