

# Oil Pollution Laws

## Federal Regulations Prohibit Discharge of Oil in U.S. Waters

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### Overview

Federal regulations prohibit the discharge of all “oil or hazardous substances” (e.g. contaminated bilge water) in all navigable U.S. waters. The prevailing federal statute on this question is the Clean Water Act (CWA). In addition to broadly prohibiting waste discharges into U.S. waters, CWA set wastewater standards for industry and established water quality standards for contaminants of surface waters.

Oil discharges from boats are also regulated by the Oil Pollution Act of 1990, which established new requirements to provide enhanced capabilities for oil spill response and natural resource damage assessment by the U.S. Fish and Wildlife Service. The responsible party for any recreational boat or marina that discharges oil is liable for the removal costs of the oil and any damages to natural resources, including a fine up to \$10,000.

### Are Oil Discharges Prohibited in State-Controlled Waters?

Yes. In addition to federal laws, states also prohibit oil discharge in waters which are exclusively under their control. In order to remind boaters of the prohibition, CWA requires that a placard at least 5 by 8 inches, made of durable material, be affixed in a conspicuous place in the machinery spaces or at the

bilge pump control station in all vessels 26 feet or longer, stating “Discharge of Oil Prohibited” (see example).



Oil Discharge Placard

### Is it Illegal to Discharge Oily Bilge Water?

Yes. Regulations issued under the Clean Water Act require all vessels with propulsion machinery to have a capacity to retain oily mixtures on board. A fixed or portable means to discharge oily waste to a reception facility is required, usually a bucket or bailer. No person may intentionally drain oil or oily waste from any source into the bilge of any vessel.

Boaters are required to remove any oil contamination from bilge prior to discharging it. Dumping oil into the bilge is illegal unless there are proper means of disposal. Oily waste must be discharged into a reception facility, such as a bucket or a bailer. In cases of emergency and contaminated bilge water must be discharged, the boat operator may discharge the bilge water but should report it immediately to the Coast Guard National Response Center and local environmental authorities.

Boat owners or operators are required by law to report any accidental or intentional discharges of oil into the marine environment. Failure to do so may result in substantial monetary penalties. The U.S. Coast Guard vigilantly enforces these regulations through monitoring and observation.

### Can I Try to Clean Up Oil Discharges Myself?

No. Treating oily water with detergent or dispersants contributes to pollution and makes the oil impossible to clean up. Using these substances can result in a fine of \$25,000. Boaters should simply report spills to the appropriate authorities.

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