



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767 TDD 401-831-5508

Dec. 5, 2007

Chris Ruhling, President  
Rhode Island Marine Trades Association  
PO Box 7663  
Warwick, RI 02886

Dear Mr. Ruhling:

Thank you for the RI Marine Trades Association's (RIMTA) continuing partnership with the Department in order to achieve and maintain compliance with the Department's stormwater compliance initiative and other environmental regulatory issues. As you know we continue to be concerned about ongoing discharges from the pressure washing of boat bottoms. This letter will attempt to clarify the Department's position on that issue.

We recognize that RIMTA and its members will need some time to address water quality concerns associated with discharges from pressure washing of boat bottoms and to explore options for managing these activities in an environmentally sound manner. We have previously announced that implementation of the appropriate measures would be expected to be completed by the end of December 2008.

In consideration of the time required for implementation, the Department generally will exercise its discretionary enforcement authority not to pursue enforcement actions (i.e. Orders, Referrals or Penalties) for unauthorized discharges associated with the pressure washing of boat bottoms until December 31, 2008. It is the Department's expectation that during this intervening time that marinas and boatyards will implement best management practices and technologies to minimize or prevent pollution of the waters of the state from these discharges while actively pursuing an appropriate option to achieve compliance with all regulatory requirements. During this intervening time until December 31, 2008, the Department will not be issuing Notices of Violation (NOV's) solely for unauthorized discharges from pressure washing activities, unless the Department has determined that the extent of pollution from a pressure washing discharge is particularly egregious, in which case the Department reserves the right to exercise its full enforcement authority to take any action deemed necessary to immediately abate such pollution, induce management measures and seek appropriate address for the offending parties actions.

In other instances, the Department will maintain written notification reiterating that pressure washing discharges are regulated activities that require proper authorization from the Department, require exercise of 'Best Management Practices' and must not cause pollution to the waters of the state. These written notifications may be included in an NOV if the NOV is being issued for potential violations not associated with discharges from pressure washing of boat bottoms. The purpose of the notification is to focus attention on addressing and achieving compliance and ensuring that the owner or operator of a marina or boatyard is on notice of the regulatory obligations for pressure washing wastewaters and the need to address those obligations by no later than December 31, 2008.

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Beginning in January 2009, the Department will exercise its full enforcement authority, including seeking any penalties, to address any noncompliance associated with discharges from pressure washing boat bottoms.

We will continue to collaborate with RIMTA through compliance workshops, the Clean Marina program and the Offices of Water Resources and Technical and Customer Assistance to provide outreach and assistance regarding issues related to the protection of Narragansett Bay and all of the waters of the state.

If you have any questions, please feel free to contact Beverly Migliore at 401-222-4700 x 7503.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Michael Sullivan'.

W. Michael Sullivan, Director  
RI Department of Environmental Management