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# Proposed Government Sewage Regulations

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As a result of additional consultations brought about by industry and boating community pressure, Transport Canada (TC) has announced plans to modify their proposals with regards to the Sewage Pollution Regulations.

In an email received January 29, 2007, TC announced it has made the following changes to sections 119 and 129.

## **Equipment – Marine Sanitation Devices, Holding Tanks and Facilities for Temporary Storage**

119. (1) Subject to subsections (2) to (4), a ship in Section I or Section II waters that has a toilet facility shall be fitted with a marine sanitation device or a holding tank.

(2) If a ship referred to in subsection (1) that has been fitted with a marine sanitation device operates in an area where the discharge of sewage from the marine sanitation device is not authorized under section 129, the ship shall be fitted with facilities for the temporary storage of sewage.

(3) For the purpose of complying with subsection (1), a Canadian ship may not be fitted with a marine sanitation device referred to in paragraph 124(1)(d).

(4) A ship referred to in subsection (1) that is less than 15 tons gross tonnage, is certified to carry 15 persons or less and is not operating in inland waters of Canada or designated sewage areas may be fitted with facilities for the temporary storage of sewage if it is not practicable for the ship to comply with subsection (1) and the ship has measures in place to ensure that no discharge is made except in accordance with section 129.

## **Authorized Discharge - Sewage**

129. (1) The discharge of sewage from a ship is authorized if

(a) in the case of a ship in an area other than a designated sewage area, the discharge is passed through a marine sanitation device and the effluent has a fecal coliform count that is equal to or less than 250/100 mL;

(b) in the case of a ship in a designated sewage area, the discharge is passed through a marine sanitation device and the effluent has a fecal coliform count that is equal to or less than 14/100 mL;

(c) in the case of a ship in Section I or Section II waters, but not in inland waters of Canada or a designated sewage area, that is of 400 tons gross tonnage or more or that is certified to carry more than 15 persons,

(i) the discharge is made at a distance of at least 12 nautical miles from shore,

(ii) the discharge is made from a holding tank or from facilities for the temporary storage of sewage and

(A) the discharge is made at a distance of at least 12 nautical miles from shore,

(B) the ship is en route at a speed of at least 4 knots, and

(C) the sewage is discharged at a moderate rate, or

(iii) the sewage is comminuted and disinfected using a marine sanitation device and the discharge is made at a distance of at least 3 nautical miles from shore;

(d) in the case of a Canadian ship in waters seaward of the outermost limits of Section II waters that is of 400 tons gross tonnage or more or that is certified to carry more than 15 persons,

(i) the discharge is made at a distance of at least 12 nautical miles from the nearest land,

(ii) the discharge is made from a holding tank or from facilities for the temporary storage of sewage and

(A) the discharge is made at a distance of at least 12 nautical miles from the nearest land,

(B) the ship is en route at a speed of at least 4 knots, and

(C) the sewage is discharged at a moderate rate, or

(iii) the sewage is comminuted and disinfected using a marine sanitation device and the discharge

is made at a distance of at least 3 nautical miles from the nearest land; or

(e) in the case of a ship in Section I or Section II waters, but not in inland waters of Canada or a designated sewage area, that is less than 400 tons gross tonnage and is not certified to carry more than 15 persons,

(i) the sewage is comminuted and disinfected using a marine sanitation device and the discharge is made at a distance of at least 1 nautical mile from shore,

(ii) the discharge is made at a distance of at least 3 nautical miles from shore while the ship is en route at the fastest practicable speed, or

(iii) if it is not practicable to comply with subparagraph (ii) because the ship is located in waters that are less than 6 nautical miles from shore to shore, the discharge is made while the ship is en route at a speed of at least 4 knots or, if it is not practicable at that speed, at the fastest practicable speed

(A) into the deepest waters that are located the farthest from shore during an ebb tide, or

(B) into the deepest and fastest moving waters that are located the farthest from shore.

(2) The discharge of sewage authorized in accordance with paragraphs (1)(a) and (b) and subparagraphs (1)(c)(iii), (d)(iii) and (e)(i) shall not

(a) cause a film or sheen to develop on or cause a discoloration of the water or its adjoining shorelines;

(b) cause sewage sludge or an emulsion to be deposited beneath the surface of the water or upon its adjoining shorelines; and

(c) be such that the sewage contains any visible solids.

(3) The discharge of sewage authorized in accordance with subparagraphs (1)(c)(i) and (ii), (d)(i) and (ii) and (e)(ii) and (iii) shall not cause visible solids to be deposited upon the shoreline.

(4) In the case of a ship referred to in subparagraph 1(e)(iii), the discharge is not authorized if a reception facility is available to receive the sewage.