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Reintroduced Legislation Would Expand Clean Water Act Regulation of Cruise Vessels

Legislation that would amend the Clean Water Act (33 U.S.C. 1251 et seq.) to establish new standards and prohibitions for discharges from cruise vessels was introduced in the Senate and House of Representatives on October 21, 2009, by Sen. Dick Durbin (D-IL) and Rep. Sam Farr (D-CA). The bills would require EPA to establish effluent limits for sewage, graywater and bilge water discharges from cruise vessels based on best available technology.

The Clean Cruise Ship Act (S. 1820, H.R. 3888) would, among other things:

- prohibit the discharge of sewage, graywater and bilge water by cruise vessels within 12 nautical miles of shore if calling on or departing from a U.S. port;
- require compliance with the effluent limits for sewage, graywater and bilge water by cruise vessels within the contiguous zone or exclusive economic zone if calling on or departing from a U.S. port; and
- prohibit the discharge of sewage sludge, incinerator ash and hazardous waste by cruise vessels within or shoreward of the exclusive economic zone if calling on or departing from a U.S. port.

The Senate bill currently has one cosponsor and the House bill has 27 cosponsors. The bills, which are similar to legislation introduced by Sen. Durbin in prior sessions of Congress, have been referred to the Senate Committee on Commerce, Science, and Transportation and to the House Committee on Transportation and Infrastructure.

Hunton & Williams Can Help

Hunton & Williams regularly counsels and represents vessel owners and operators, trade groups and others potentially impacted by legislation. Our attorneys have experience with virtually every aspect of the Clean Water Act, including the NPDES permit program. We routinely represent regulated businesses in legislative, regulatory, litigation and enforcement matters arising under the Clean Water Act. Hunton & Williams attorneys also have significant experience in the growing number of air emissions-related regulatory programs vessels are now facing at the state, federal and international levels.

If you have questions about the developments discussed in this client alert, or other maritime environmental issues, please contact us.

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