§ 17-1745. Sewage from vessels.

1. Definitions. (a) "Dump station" means any facility designed to receive sewage from any portable toilet carried on any vessel.

(b) "Marine holding tank" means any container aboard any vessel that is designed and used for the purpose of collecting and storing treated or untreated sewage from marine toilets.

(c) "Marine toilet" means any toilet on or within any vessel, except those that have been permanently sealed and made inoperative.

(d) "Commercial marina" means any installation that is owned by any party other than the state or any of its political subdivisions and which provides services to the public for more than twenty vessels for a fee.

(e) "Private marina" means any installation that is owned by any party other than the state or any of its political subdivisions and which serves more than twenty vessels or transient slips for a fee.

(f) "Public marina" means any installation that is owned by the state or any of its political subdivisions and which serves more than twenty vessels with or without charge, but shall not include quick launches or launching ramps intended for trailered vessels.

(g) "Pumpout facility" means any device, portable or permanent, capable of removing sewage from a marine holding tank.

(h) "Sewage" means all human body wastes and gray water.

(i) "Vessel" shall have the same meaning as in subdivision six of section two of the navigation law.

(j) "Gray water" shall have the same meaning as in subdivision twenty-nine of section two of the navigation law.

2. Notice of pumpout facilities and dump stations required. Every commercial marina, public marina and private marina shall post a sign of not less than eighteen inches by twenty-four inches in a conspicuous location clearly stating the location of a pumpout facility and dump station located at such marina or if no pumpout facility or dump station is located at such marina stating the location of and distance to the nearest pumpout facility and dump station.

3. The commissioner shall promulgate rules and regulations to

establish and maintain the Hudson River as a "no discharge zone" pursuant to the federal clean water act and associated programs administered by the federal environmental protection agency.

4. Pumpout facilities and dump stations required on the Hudson River. The commissioner shall require that marinas located on the navigable waters of the Hudson River shall provide pumpout facilities and dump stations for the transfer and disposal of sewage and gray water from marine holding tanks and portable toilets in accordance with the requirements contained in subdivision three of this section.

(a) The commissioner shall authorize a grant from funds made available in accordance with the clean vessel act of 1992 for the purchase and installation of pumpout facilities and dump stations at public marinas in accordance with the New York state clean vessel act plan.

(b) The commissioner shall authorize a grant from funds made available in accordance with the clean vessel act of 1992 for the purchase and installation of a pumpout facility and dump station at a commercial marina, provided the owner or operator of such commercial marina agrees to maintain the pumpout facility and dump station at no charge to the state and provides pumpout and dump station services to the public at a charge to be established by the commissioner in accordance with federal guidelines as required by the clean water act.

(c) Nothing in this subdivision shall restrict the use of any public funding source for the purchase and installation of a pumpout facility and dump station at any public or commercial marina.

5. Public information and registry. (a) The commissioner, in consultation with the department of motor vehicles, the department of state, and the office of parks, recreation and historic preservation, shall cause to be prepared periodic and timely informational material for distribution regarding the environmental purposes of utilizing pumpout facilities and dump stations including the location thereof on the navigable waters of the Hudson River, the importance of proper maintenance of vessel sanitation equipment, and information regarding fines and penalties for the illegal discharge of sewage and litter from vessels. The department of motor vehicles and the office of parks, recreation and historic preservation shall assist in the distribution of

such informational material in the course of ordinary business.

(b) The commissioner, in consultation with the department of motor vehicles, the department of state, and the office of parks, recreation and historic preservation, shall create a registry and maintain records, updated annually, of all public, private and commercial marinas that identify which marinas have pumpout facilities and dump stations. The commissioner shall, upon written request, provide such information to any interested party.

6. Penalties. Failure to comply with the provisions of this section shall result in fines of two hundred fifty dollars per day for each violation.