

# National Boating Federation

LEGISLATIVE UPDATE AUGUST 2010

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## **EPA – MSD Performance Standards**

According to Bryant's Consulting the EPA issued a notice stating that it received a petition and a request for rulemaking under section 312 of the Federal Water Pollution Control Act (FWPCA). The petition seeks revision of the regulation establishing performance standards for vessel sewage treatment devices, commonly referred to as marine sanitation devices (MSDs). The petition also requests that the EPA establish monitoring, recordkeeping, and reporting requirements to ensure compliance with the performance standards. The EPA is particularly interested regarding: (1) the universe of vessels operating on navigable waters that use sewage treatment devices; (2) technical information on the performance, effectiveness, and costs of MSDs, including performance testing data; (3) suggestions on what, if any changes to the performance standards might be appropriate; and (4) information on monitoring, recordkeeping, and reporting approaches for vessel sewage discharges. 75 Fed. Reg. 39683 (July 12, 2010).

## **DHS – Small Vessel Security Update**

The Department of Homeland Security (DHS) issued a Small Vessel Security Update. Among other things, it reports on operational concepts and technologies to detect and thwart the transport of nuclear materials by small vessels and use of America's Waterway Watch (AWW) and related programs to expand citizen awareness and involvement. On the subject of AWW, NBF just sent a letter to Senator Susan Collins, Ranking Member of the Homeland Security and Government Affairs Committee, in support of legislation she has introduced for the reauthorization of AWW under the SAFE Port Act of 2010.

## **Final Attempt in Senate for Ethanol Approval**

An aggressive push by the ethanol industry is underway to add an amendment to the Energy bill authorizing E15 ethanol. We have been asked by NMMA to sign on to a joint letter with other interest groups opposing any amendment to the upcoming Senate energy bill that would authorize legislatively the introduction into commerce of ethanol blends higher than ten percent for use in conventional gasoline-powered engines. Such an amendment would circumvent current studies by the EPA, the DOE and others to ensure that E15 ethanol does not harm engines, defeat emission control devices or pose safety risks to consumers. Section 211(f) of the Clean Air Act mandates this study before any blend above E10 is introduced into commerce. The letter further asks the Senate to reject any amendment to the Energy bill since it would be bad for the consumers, bad for the environment and bad public policy. Visit [www.n-b-f.org](http://www.n-b-f.org) to view THE LOOKOUT newsletter