

# Appendix V: Sample Contract Language

The following text is based on the Marine Trades Association of New Jersey's Best Management Pledge. The language may be incorporated into lease agreements and/or contractor agreements. Contact the Delaware Sea Grant at (302) 645-4268 or [dchapman@udel.edu](mailto:dchapman@udel.edu) for an electronic copy.

## FOR TENANTS:

I, \_\_\_\_\_, understand that \_\_\_\_\_  
(name) (marina/boatyard)

subscribes to and enforces pollution prevention procedures. I further understand and agree that in return for the privilege of performing work on a boat at this facility such as hull cleaning, washing, sanding, polishing and/or painting; bottom cleaning, sanding, scraping, and/or painting; opening the hull for any reason, e.g., installation of equipment or engine work; engine and/or stern drive maintenance, repair, painting; etc., it is my responsibility to comply with, at a minimum, the following pollution prevention practices. I understand that this list may not be complete and pledge that I will exercise common sense and judgment in my actions to insure that my activities will not deposit pollution residues in surface waters or elsewhere where they may be conveyed by stormwater runoff into the surface waters. I understand that failure to adopt pollution prevention procedures may result in expulsion from the marina/boatyard (*insert name of facility*) and forfeiture of rental fees. I understand that I may elect to employ the facility to perform potentially pollution producing activities on my behalf in which case the responsibility for compliance with the best management practices is entirely theirs.

Signed \_\_\_\_\_ Date \_\_\_\_\_

## FOR SUB-CONTRACTORS ONLY:

I understand and agree to have my proposed work first authorized by this facility and that I will adhere, at a minimum, to the contents of this document. I further understand that because of the nature of my proposed work, the facility may require that I be supervised by an employee of said facility for which I will pay the normal existing labor rate.

Signed \_\_\_\_\_ Date \_\_\_\_\_

## POLLUTION PREVENTION PRACTICES:

- A. REPAIRS AND SERVICE (to hull and engine: painting, cleaning, washing, sanding, scraping, etc.)
1. Work on hulls and engines only in designated areas or use portable containment enclosures with approval of marina management.
  2. Use tarps and vacuums to collect solid wastes produced by cleaning and repair operations—especially boat bottom cleaning, sanding, scraping, and painting.
  3. Conduct all spray painting within an enclosed booth or under tarps.
  4. Use non-toxic, biodegradable solvents.
  5. Capture debris from boat washing and use only minimal amounts of phosphate-free, non-toxic, and biodegradable cleaners.
  6. Use drip pans for any oil transfers, grease operations, and when servicing I/Os and outboard motors.
  7. Obtain management approval before commencing any repair which will open the hull. Clean and pump bilges free of contaminated materials before and after repairs which open the hull.
  8. Use spill proof oil change equipment.

- B. VESSEL MAINTENANCE WASTE
1. Non-toxic residue of sanding, scraping, and grinding: bag and dispose of in regular trash.
  2. Toxic and non-environmentally safe solvents and cleaning liquids: seek specific directions from marina management or dispose of with licensed agency.
- C. FUEL OPERATIONS
1. Install fuel/air separator on fuel tank vent line(s) to prevent overflow of fuel through vent.
  2. Keep petroleum absorbent pad(s) readily available to catch or contain minor spills and drips during fueling.
- D. USED OIL AND FUEL
1. Recycle used oil and antifreeze. Small amounts of used oil can be disposed of with the DSWA recycling igloos. (Contact the DSWA at 1-800-404-7080). Larger amounts should be recycled with a Delaware Permitted Used Oil Transporter. Contact the DNREC, Solid and Hazardous Waste Management Branch for a list of permitted transporters at 302-739-9403.
  2. Add a stabilizer to fuel tank in the fall or an octane booster to stale fuel in the spring. Use the fuel or bring it to a household hazardous waste collection site.
  3. Absorbent materials soaked with oil or diesel: drain liquid and dispose of in used oil recycling container; double bag absorbent material in plastic and dispose in regular trash receptacle.
  4. Used Absorbent materials – if saturated with oil or diesel, double bag it in plastic and discard in trash as long as no petroleum is leaking; If it is saturated with gasoline, dispose of as hazardous waste
  5. Bioremediating absorbent products: dispose in regular trash as long as no liquid is dripping. Because the microbes need oxygen to function, do not seal in plastic.
  6. Oil filters: Recycle. Used oil filters may be managed through the Delaware Solid Waste Authority Oil Filter Recycling Program, at no cost (1-800-404-7080)
- E. ONBOARD PRACTICES
1. Maintain oil absorbent pads in bilge. Inspect no less than annually.
  2. Do not discharge bilge water if there is a sheen to it.
  3. Use only low-toxic antifreeze (propylene glycol). Recycle used antifreeze (even low-toxic antifreeze will contain heavy metals once it has been used).
- F. SEWAGE HANDLING
1. Never discharge raw sewage within Delaware waters.
  2. If you have an installed toilet, you must have an approved Marine Sanitation Device (MSD).
  3. Do not discharge MSDs within the marina basin.
  4. Use marina restroom facilities when at slip.
  5. Do not empty port-a-pots overboard; use marina dump facility. Do not empty port-a-pots in the restrooms.
  6. Do not discharge holding tanks overboard; use pumpout facility.
  7. If you must use a holding tank additive, use an enzyme-based product. Avoid products that contain quaternary ammonium compounds (QACs), formaldehyde, formalin, phenal derivatives, alcohol bases, or chlorine bleach.
  8. Liveaboards, place a dye tablet in holding tank after each pumpout out. The dye will make any illegal discharges clearly visible.
- G. ORGANIC WASTE
1. Clean fish only in designated areas.
  2. Grind, compost, or double bag fish scraps (depending on the services offered by your marina).
  3. Walk pets in specified areas and dispose of their wastes, double-bagged, in the dumpster.
- H. SOLID WASTE
1. Recycle cans, glass, plastic bottles, newspaper, antifreeze, oil, oil filters, aerosol cans, electronics equipment (i.e., depth finders) and used lead batteries (tailor this section to fit your facility's practices).
  2. Place trash in covered trash receptacles; replace covers.