

(g) The term "Department" means the (name of the State agency which shall administer this Act).

The choice of agency lies within the discretion of each state. It is recommended, however, that consideration be given to the state agency dealing with boating matters in general.

§ 2. *Littering or polluting water—restrictions*

(a) No person shall place, throw, deposit, or discharge, or cause to be placed, thrown, deposited, or discharged into the waters of this State, any litter, sewage, or other liquid or solid materials which render the water unsightly, noxious or otherwise unwholesome so as to be detrimental to the public health or welfare or to the enjoyment of the water for recreational purposes.

(b) It shall be unlawful to discharge, dump, deposit or throw garbage into the waters of this State from a watercraft engaged in commerce.

This section is deemed sufficiently broad and flexible to prohibit any act committed on shore, in the water, or from aboard any description of watercraft, which litters or tends to pollute the water.

§ 3. *Marine toilets—restrictions*

(a) No marine toilet on any watercraft used or operated upon waters of this State shall be operated so as to discharge any untreated sewage into said waters directly or indirectly.

(b) No person owning or operating a watercraft with a marine toilet shall use, or permit the use of, such toilet on the waters of this State, unless the toilet is equipped with facilities that will adequately treat, hold, incinerate or otherwise handle sewage in a manner that is capable of preventing water pollution.

(c) No container of sewage shall be placed, left, discharged or caused to be placed, left or discharged in or near any waters of this state by any person at any time.

This section prohibits the discharge of any untreated sewage from marine toilets.

§ 4. *Marine toilets—pollution control devices*

(a) After the effective date of this Act every marine toilet on watercraft used or operated upon the waters of this State shall be equipped with a suitable pollution control device in operating condition.

(b) Pollution control devices that are acceptable for purposes of this Act are:

1. Facilities that macerate or grind sewage solids and which, by chlorination or other means, disinfect the remnants before discharge into the water.

2. Holding tanks which retain toilet wastes for disposal at dockside or on-shore pumping facilities or in deep waters away from shore.

3. Incinerating type devices which reduce toilet wastes to ash.

4. Any other device that is tested by a recognized testing laboratory and determined to be effective in arresting the possibility of pollution from sewage passing into or through marine toilets.

This section recognizes that there are a variety of devices on the market designed to eliminate the possibility of water pollution from sewage passing into or through toilets aboard watercraft. Many of these devices have been tested by various state public health and water pollution control agencies and independent laboratories and found to be efficient for their purpose. However, with further improvements and innovations likely in this product area in the future, it is unwise to "freeze" specifications for such devices in statutory language. All technological changes can be readily incorporated into rules and regulations.

The desirability of nationwide uniformity in requirements for marine toilet pollution control devices cannot be emphasized too strongly. Boatmen will have to incur additional expense to install and maintain such devices. It would be a hardship and an inconvenience for boatmen traveling from state to state to be subjected to different jurisdictional standards of acceptability of these devices.

§ 5. *Marine toilets—chemical treatment facilities—standards*

(a) Every chlorinator or chemical treatment facility shall be securely affixed to the interior discharge opening of a marine toilet, and all sewage passing into or through such toilet shall pass solely through such treatment facility.