

VESSEL SALVAGING

Permits Needed

Fact Sheet



April 2013

The purpose of this fact sheet is to describe the water quality protection permits that are applicable to vessel salvaging. For the purpose of this Fact Sheet, vessel salvaging consists of activities associated with raising and securing sunken vessels, removing hazardous waste, and dismantling. Vessel salvaging is an essential recycling process that benefits the community and the local economy. Because vessel salvaging activities have the potential to cause water and environmental pollution, the activities must comply with federal and State regulations.

VESSEL SALVAGING AND WHY PERMITS ARE NEEDED

Vessel salvaging consists of removing any vessel that is no longer seaworthy because of wear, damage, or abandonment, and either recycling or disposing of the vessel and its on-board materials. Salvaging is an industrial activity that may generate a variety of pollutants (petroleum, solvents, paint chips, asbestos, plastics, cutting and welding slag, sediment, nuisance marine growth, vessel ballast, bilge water, and other refuse) that harm water and wetland habitats. The federal Clean Water Act and the California Water Code¹ prohibit the unauthorized discharge of pollutants to surface waters. The Water Board may impose administrative fines for unauthorized discharges of up to \$10,000 per day, and \$10 per gallon discharged.²

ACCEPTABLE VESSEL SALVAGING

Vessel salvaging is acceptable in a controlled manner, such as in a dry dock or on land, when appropriate best management practices and containment measures are implemented. Facilities currently permitted³ in the San Francisco Bay for conducting vessel dismantling include Bay Ship & Yacht

Company in Alameda, Allied Defense Recycling on Mare Island, and BAE Systems in San Francisco.

Vessel salvaging is not acceptable in open water except under some emergency circumstances.

PERMITS NEEDED

Anyone proposing to conduct vessel salvaging operations must contact the Water Board to determine the specific permits appropriate for a project prior to conducting the operations. Permits are necessary to prevent, reduce, or mitigate water quality impacts. Facility owners/operators conducting vessel salvaging must obtain one or more of the following permits:

- **404 Permit.**⁴ If the vessel salvaging activity will result in the discharge of solid materials to wetlands, streams, rivers, or other waters of the U.S., the owner/operator must first obtain a U.S. Army Corps of Engineers Clean Water Act section 404 permit .
- **401 Certification.**^{5,6} If the activity is subject to a 404 permit, then the owner/operator must also obtain certification that the activity is

protective of California water quality standards. This certification is issued by the State and Regional Water Boards pursuant to Clean Water Act section 401 and is referred to as a 401 certification.

- **Industrial Stormwater General Permit.**⁷ If the activity will be conducted on land where it may be exposed to stormwater, the owner/operator must submit a notice of intent for coverage under the State's industrial stormwater general permit and take actions to reduce and prevent debris and other materials from coming in contact with stormwater and being carried into waters of the U.S.
- **General Permit Order No. R2-2012-0050.**³ If the activity will be conducted at a dry dock that is not currently permitted, the owner/operator must obtain coverage under the Water Board's General Permit No. R2-2012-0050.
- **Individual WDRs.** If the activity will generate and discharge solid materials to land, wetlands or waters of the State not otherwise covered by the above permits, the owner/operator must obtain coverage from the Water Board under individual waste discharge requirements (WDRs).
- **Individual Permit.** If the activity may result in the discharge of wastewater, not otherwise covered by the above permits, to waters of the U.S., the owner/operator must obtain coverage from the Water Board under an individual permit.

INFORMATION REQUIRED

An owner/operator planning to conduct vessel salvaging must include the following in its application for coverage under any of the permits listed previously:

- **Spill Prevention and Response**
 - procedures for spill prevention and control and countermeasures for any accidental discharges of pollutants to surface water.
- **Hazardous Wastes**
 - procedures for segregation and disposal of hazardous wastes including wash water and other liquid discharges.
- **Stormwater Pollution Prevention**
 - procedures to prevent stormwater pollution, including best management practices to reduce pollutant runoff from demolition and disposal activities and process materials from polluting stormwater runoff; and, as appropriate, procedures for containment, testing, and treatment or disposal of polluted stormwater.
- **Scope of Work and Schedule**
 - general scope of work and timeframe for demolition and disposal activities.

EMERGENCY RESPONSE

An environmental emergency is an imminent substantial threat to public health or the environment arising from the release or imminent release of hazardous material(s). Any significant release or threatened release of a hazardous material requires immediate reporting by the responsible person to 911 or the California Emergency Management Agency (see contacts below).

CONTACTS

Report a spill to the California
Emergency Management Agency at
1-800-852-7550.

For questions, contact Laurent Meillier
of the Water Board at 510-622-3277 or
LMeillier@waterboards.ca.gov.

REFERENCES

¹ Section 13385 (a)(1). Porter-Cologne Water
Quality Control Act. June 27, 2012.
[http://www.swrcb.ca.gov/laws_regulations/docs/
portercologne.pdf](http://www.swrcb.ca.gov/laws_regulations/docs/portercologne.pdf)

² Section 13385 (c)(1) and Section 13385 (c)(2)

³[http://www.waterboards.ca.gov/rwqcb2/board_
ecisions/adopted_orders/2012/R2-2012-
0050.pdf](http://www.waterboards.ca.gov/rwqcb2/board_decisions/adopted_orders/2012/R2-2012-0050.pdf)

⁴[http://water.epa.gov/lawsregs/guidance/wetland
s/sec404.cfm](http://water.epa.gov/lawsregs/guidance/wetlands/sec404.cfm)

⁵[http://www.waterboards.ca.gov/water_issues/pr
ograms/cwa401/](http://www.waterboards.ca.gov/water_issues/programs/cwa401/)

⁶[http://www.waterboards.ca.gov/water_issues/pr
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df](http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/nwp_401.pdf)

⁷[http://www.waterboards.ca.gov/water_issues/pr
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