Proposal No. 2 7 - 1 1 9

Proposal for Task Force Consideration at the ISSC 2027 Biennial Meeting	1. a. ☒ Growing Area b. ☐ Harvesting/Handling/Distribution c. ☐ Administrative
2. Submitter	U.S. Food & Drug Administration (FDA)
3. Affiliation	U.S. Food & Drug Administration (FDA)
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9. Proposal Subject	Documentation requirements for no-discharge zones
10. Specific NSSP Guide Reference	NSSP MO, Section II, Chapter IV. @.05 B. (3) (f) and @.06 A. (1) (g)
11. Text of Proposal/ Requested Action	@.05 B. (3) (f) If the No Discharge Zone designation is utilized in the dilution analysis, provide ~~D~~documentation~~,~~ of ~~verification and~~vessel compliance or non-compliance with and enforcement of ~~Federal~~ statutory No Discharge Zones ~~and~~ including locally well enforced no discharge and occupancy by-laws and regulations. @.06 A. (1) (g) If the No Discharge Zone designation is utilized in the pollution assessment, provide ~~D~~documentation~~,~~ of ~~verification and~~ vessel compliance or non-compliance with and enforcement of ~~Federal~~statutory No Discharge Zones ~~and~~ including locally well enforced no discharge and occupancy by-laws and regulations.
12. Public Health Significance	This is a suggested change to Model Ordinance language to clarify the intent of the requirement to document the NDZ federal regulation (33 CFR 159.7(b)-(c) (PDF)) is being enforced in marinas and mooring areas. The documentation of enforcement is required where the NDZ is being used to justify reducing the impact of waters adjacent to marinas and areas classified as conditionally approved in the open status for mooring areas. The intent of this requirement is to protect public health by ensuring that the Authority provide documentation that the NDZ vessel requirements in marinas and mooring areas are being effectively enforced. NDZ federal regulation (33 CFR 159.7(b)-(c) (PDF)) requirements: Type I or II marine sanitation device (MSD): • Closing the seacock and removing the handle; • Padlocking the seacock in the closed position; • Using a non-releasable wire-tie to hold the seacock in the closed position; or • Locking the door to the space enclosing the toilets with a padlock or door handle key lock. Type III MSDs: • Closing valves leading to overboard discharge and removing the handle; • Padlocking any valves leading to overboard discharge in the closed position; or • Holding overboard discharge valves closed using a non-releasable wire-tie.

	Additionally, the Environmental Protection Agency (EPA) administers the Clean Water Act's (CWA) No Discharge Zone (NDZ) program; however, most existing NDZs were approved by EPA but designated by the state under CWA Section 312(f)(3). Only 4 NDZs are EPA/federal NDZs: the FL Keys National Marine Sanctuary, the Boundary Waters Canoe Area, California Marine Water, and part of the Hudson River in NY. No discharge zones in state waters are not Federal No Discharge Zones. Upon approval of the Environmental Protection Agency (EPA), no discharge zones become state no discharge zones and are subject to state enforcement capabilities. States are responsible for enforcing the statutory requirement and can delegate the responsibility to local entities. Reference: The Clean Water Act: Section 312 (f) (3). https://www.epa.gov/vessels-marinas-and-ports/vessel-sewage-no-discharge-zones
13. Cost Information	No cost.
14. Changes Needed to Guidance (if proposed change is adopted)	TBD