

# APPENDIX J

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## Sample Contract Language

### Sample Contract Language for Tenants

I, \_\_\_\_\_, understand that  
(Name of Tenant)

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(Name of 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;
- 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; and
- 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 ensure that my activities will not deposit pollution residues in surface waters or elsewhere where they may be conveyed by storm water run-off into the surface waters. I understand that failure to adopt pollution prevention procedures may result in expulsion from the above named marina/boatyard, and forfeiture of rental fees. I understand that I may elect to employ the facility to perform potential pollution producing activities on my behalf in which case the responsibility for compliance with the best management practices is entirely theirs.

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(Signature of Tenant)

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(Month, Day & Year)

## Sample Contract Language for Subcontractors

I, \_\_\_\_\_ understand and agree to  
(Name of Subcontractor)

have my proposed work first authorized by:

\_\_\_\_\_  
(Name of Marina/Boatyard)

and that I will adhere, at a minimum, to the contents of this document, which includes pollution prevention practices for:

- A. Repairs and Service (to hull and engine: painting, cleaning, washing, sanding, scraping, etc.);
- B. Vessel Maintenance Waste;
- C. Fuel Operations;
- D. Waste Oil and Fuel;
- E. Onboard Practices;
- F. Sewage Handling;
- G. Organic Waste; and
- H. Solid Waste.

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.

\_\_\_\_\_  
(Signature of Subcontractor)

\_\_\_\_\_  
(Month, Day & Year)

### Note

The sample contract language for tenants and subcontractors is based on New Jersey's Clean Marina Program. Electronic versions are available on the Web at [www.IN.gov/dnr/lakemich](http://www.IN.gov/dnr/lakemich).

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## Pollution Prevention Practices for Tenants and Subcontractors

### 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 nontoxic, biodegradable solvents.
5. Capture debris from boat washing and use only minimal amounts of phosphate-free, nontoxic, and biodegradable cleaners.
6. Use drip pans for any oil transfers, grease operations, and when servicing inboard/outboard motors and outboard motors.
7. Obtain management approval before and after repairs that open the hull.
8. Use spill proof oil change equipment.

### B. VESSEL MAINTENANCE WASTE

1. Bag nontoxic residue from sanding, scraping, and grinding and dispose of it in your regular trash.
2. Seek specific directions from marina management on proper disposal of toxic and non-environmentally-safe solvents and cleaning liquids or use a licensed agency for disposal.

### 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. WASTE OIL AND FUEL

1. Recycle used oil and antifreeze.
2. Add a stabilizer to fuel tank in the fall or an octane booster to stale fuel in the spring. Use the fuel or take it to a household hazardous waste collection site.
3. Drain liquid from absorbent materials soaked with oil or diesel and dispose of the liquid in the used oil recycling container. Double bag absorbent material in plastic and dispose of it in the regular trash receptacle.
4. Air dry absorbent materials soaked with gasoline (flammable) and reuse them.

5. Dispose of bioremediating absorbent products in the regular trash as long as no liquid is dripping. Because the microbes need oxygen to function, do not seal in plastic.
6. Drain oil filters and recycle the oil. Recycle the filter or double bag it and dispose of it in the regular trash.

## 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 used low-toxic antifreeze contains heavy metals).

## F. SEWAGE HANDLING

1. Never discharge raw sewage within waters of the state or Lake Michigan.
2. If you have an installed toilet, you must have an approved marine sanitation device.
3. Do not discharge Type I or Type II marine sanitation devices 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, formaldehyde, formalin, phenol derivatives, alcohol bases, or chlorine bleach.
8. For live-boards, place a dye tablet in holding tank after each pumpout.  
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 plastic, glass, aluminum, and newspaper (tailor this section to fit your facility's practices).
2. Place trash in covered trash receptacles; replace covers.