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California toughens its law on ships' waste dumping

Pollution controls vary from state to state. A new rule here keeps discharges at least three miles from shoreline.

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California now has the nation's strictest pollution controls on cruise ships because of a law effective Jan. 1 that prohibits most cruise ships from discharging any waste or burn anything in their incinerators within three miles of the state's shoreline.

"The no-discharge laws are good news for passengers," said Teri Shore, campaign director for the clean vessels program of Bluewater Network, a nonprofit environmental advocacy group based in San Francisco that backed the legislation. "Passengers can now feel that the ships sailing on the California coast are environmentally sound."

The law applies to ships carrying more than 250 passengers or larger than 300 gross registered tons — meaning most cruise vessels sailing in U.S. waters. The law also requires that ships report any discharge within 24 hours to the State Water Resources Control Board. Violations can carry civil penalties of up to \$25,000. (Parts of the new law are subject to approval by the U.S. Environmental Protection Agency.)

Many large ships carry 3,000 to 5,000 passengers and crew, a population that creates as much waste as a small town: as much as 30,000 gallons of sewage, or black water; 255,000 gallons of gray water, from kitchens, showers and laundries; and 8 tons of solid waste, some studies show. Most ships discharge gray and black water into the ocean; solid wastes are burned, ground up and/or offloaded for disposal on land.

Although there are controls on the discharge of oily bilge water and hazardous wastes, international and U.S. laws are lenient on wastewater. Most countries allow gray water to be discharged anywhere, and raw sewage beyond four miles of shore. U.S. law allows sewage treated by Coast Guard-certified marine sanitation devices, considered to be outdated by some environmentalists, to be released within three miles of the coastline, but the government does not monitor ships to make sure standards are met.

"Most people are shocked when they learn that waste is going into the ocean," Shore said. "No cruise passengers like that. These [California] laws give more peace of mind."

California was spurred to action by polluting ships and increased traffic.

In one highly charged case, the 940-passenger Crystal Harmony in 2003 discharged 34,600 gallons of sewage and bilge water in the Monterey Bay National Marine Sanctuary. The discharge 14 miles offshore was not illegal, but it violated an agreement between the cruise line and the town. Monterey was so incensed that its city council voted to ban the Harmony from its harbor permanently and other Crystal Cruises ships for 15 years.

Although Monterey's action was unusual, cruise lines have received hefty fines repeatedly for environmental violations, including falsifying records. From 1999 to 2003, cruise lines paid more than \$50 million for environmental violations, according to calculations by Bluewater Network.

As the cruise industry grows, so does the potential for more environmental problems. This year, cruise traffic in California is expected to surpass 1.2 million passengers, a 69% increase from 2002, when 708,000 passengers sailed from the state's ports. Nearly 70% of that traffic will move through Los

Angeles and the new cruise terminal at Long Beach.

With its steady stream of larger ships, the booming cruise industry has raised environmental concerns not only in California but also in other coastal states.

Alaska established a monitoring program in 2000 after testing showed that most ships' older sanitation equipment was not treating sewage to the state's environmental standards. Alaska allows cruise ships to discharge all wastewater beyond three miles without meeting its environmental standards but does not allow untreated sewage to be dumped in the Inside Passage. Since the law was enacted, violations dropped to one illegal discharge in 2002 and none reported since.

Maine has passed a law effective in 2006 that is modeled on Alaska's regulations. Washington has negotiated an agreement with the cruise lines, allowing discharges with advanced treatment systems with monitoring and testing, and is considering making it law.

On newer ships, better waste treatment systems "can treat effluent to near-drinking-water quality," said Michael Crye, president of the International Council of Cruise Lines, a trade association representing 16 lines. Lines invested \$70 million to \$100 million in new advanced wastewater purification systems in the last four years, Crye said.

A 2004 report from the Alaska Department of Environmental Conservation agreed, finding that "the effluent quality produced by advanced systems has dramatically improved from the wastewater discharged from most ships in 2000-2002."

"We felt it was shortsighted of the state [California] not to recognize and promote use of these advanced wastewater purification systems and provide an exemption if treating to that level of cleanliness," Crye said. "[The policy] doesn't promote development of the latest technology."

Major cruise lines have been voluntarily following a no-discharge policy in California for several years, Crye said. The cruise line council's requirements for its members include no discharge of wastewater within four miles of shore anywhere unless it's treated by advanced purification systems and no discharge anywhere of untreated sewage. Those rules exceed federal standards, he said.

"Our preference is to have uniform operating requirements wherever we go. We believe what we're doing is fully protective of coastal waters," Crye said.

But the council opposed the federal Clean Cruise Ship Act, which was introduced and died in Congress last year, saying it went further than scientifically necessary. The act would have banned discharges within 12 miles of shore, set standards in waters beyond that and established monitoring.

Spokesmen for the act's co-sponsors, Rep. Sam Farr (D-Monterey) and Sen. Richard Durbin (D-Ill.), said a similar bill was set to be introduced next month. It is supported by Bluewater Network and other conservancy groups.

Despite laws, monitoring and mandatory practices, accidents occur. In 2002, a Holland America ship discharged 20,000 gallons of untreated sewage in the harbor at Juneau, Alaska. The line was fined \$2 million.

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