

AMENDED IN SENATE MAY 4, 2005
AMENDED IN SENATE MARCH 29, 2005

SENATE BILL

No. 771

Introduced by Senator Simitian

February 22, 2005

An act to amend Sections 39630, 39631, and 39632 of, and to amend the heading of Chapter 3.3 (commencing with Section 39630) of Part 2 of Division 26 of, the Health and Safety Code, and to amend Sections 72400, 72410, 72420, 72421, ~~72440~~, 72441, 72500, 72505, 72520, 72521, ~~72525~~, 72540, and 72542 of, to amend the heading of Division 38 (commencing with Section 72400) and the heading of Division 39 (commencing with Section 72500) of, and to add ~~Section 72425.5~~ *Sections 72425.5, 72425.6, and 72425.7* to, the Public Resources Code, relating to vessels.

LEGISLATIVE COUNSEL'S DIGEST

SB 771, as amended, Simitian. Oceangoing ships.

(1) Existing law prohibits a cruise ship, as defined, from conducting onboard incineration while operating within 3 miles of the California coast.

This bill would also prohibit an oceangoing ship, as defined, from conducting onboard incineration while operating within 3 miles of the California coast.

(2) Existing law regulates the release of graywater, sewage sludge, oily bilgewater, hazardous waste, or other waste by large passenger vessels into the marine waters of the state and marine sanctuaries. Existing law also regulates, until January 1, 2010, the release of sewage by large passenger vessels into the marine waters of the state.

This bill would also regulate the release of graywater, sewage, sewage sludge, oily bilgewater, hazardous waste, or other waste by

oceangoing ships, as defined, into the marine waters of the state and marine sanctuaries.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The heading of Chapter 3.3 (commencing with
2 Section 39630) of Part 2 of Division 26 of the Health and Safety
3 Code is amended to read:

4
5 CHAPTER 3.3. CRUISE SHIPS AND OCEANGOING SHIPS

6
7 SEC. 2. Section 39630 of the Health and Safety Code is
8 amended to read:

9 39630. The Legislature finds and declares that it is in the
10 interests of all Californians to protect the air quality from
11 increasing volumes of cruise ship engine and oceangoing ship
12 engine emissions.

13 SEC. 3. Section 39631 of the Health and Safety Code is
14 amended to read:

15 39631. (a) The state board shall enforce this chapter, and
16 may adopt standards, rules, and regulations for that purpose
17 pursuant to Section 39601.

18 (b) As used in this division, “cruise ship” means a commercial
19 vessel that has the capacity to carry 250 or more passengers for
20 hire. “Cruise ship” does not include the following:

21 (1) Vessels without berths or overnight accommodations for
22 passengers.

23 (2) Noncommercial vessels, warships, vessels operated by
24 nonprofit entities as determined by the Internal Revenue Service,
25 and vessels operated by the state, United States, or a federal
26 government.

27 (3) *Oceangoing ships, as defined in subdivision (c).*

28 (c) As used in this division, “oceangoing ship” means a
29 private, commercial, government, or military vessel calling on
30 California ports and meeting any one of the following criteria:

31 (1) A foreign trade vessel with an endorsement on its United
32 States Coast Guard certificate of documentation or registration
33 under the flag of another country.

1 (2) A vessel greater than or equal to 400 feet in length overall
2 (*LOA*), as defined in Section 679.2 of Title 50 of the Code of
3 Federal Regulations.

4 (3) A vessel of 10,000 gross ~~tons~~ *tonnage* or greater per the
5 ~~convention measurement, as defined in Subpart B of Part 69~~
6 *Convention Measurement System, as defined in Section 69.9* of
7 Title 46 of the Code of Federal Regulations.

8 (4) A vessel propelled by a marine diesel engine with a per-
9 cylinder displacement of 30 liters or more.

10 SEC. 4. Section 39632 of the Health and Safety Code is
11 amended to read:

12 39632. Commencing on January 1, 2005, a cruise ship, and
13 commencing on January 1, 2006, an oceangoing ship, shall not
14 conduct onboard incineration while operating within three miles
15 of the California coast, to the extent allowed by federal law.

16 SEC. 5. The heading of Division 38 (commencing with
17 Section 72400) of the Public Resources Code is amended to read:

18
19 DIVISION 38. LARGE PASSENGER VESSELS AND
20 OCEANGOING SHIPS

21
22 SEC. 6. Section 72400 of the Public Resources Code, as
23 amended by Section 1 of Chapter 764 of the Statutes of 2004, is
24 amended to read:

25 72400. (a) The Legislature finds and declares that the
26 protection and enhancement of the quality of the marine waters
27 of the state and marine sanctuaries requires that the release from
28 large passenger vessels and oceangoing ships of sewage sludge
29 and oily bilgewater, into the marine waters of the state and
30 marine sanctuaries, should be prohibited.

31 (b) The Legislature finds and declares that the protection and
32 enhancement of the quality of the marine waters of the state
33 requires that the release of sewage from large passenger vessels
34 ~~and oceangoing ships~~, *and the release of sewage and graywater*
35 *from oceangoing ships with sufficient holding tank capacity*, into
36 the marine waters of the state should be prohibited.

37 (c) The Legislature intends to request the Congress of the
38 United States to amend the Federal Water Pollution Control Act
39 (33 U.S.C. Sec. 1251 and following) to provide California with
40 authority similar to that granted to the State of Alaska by Public

1 Law 106-554, to regulate the release of sewage from large
2 passenger vessels and oceangoing ships in the marine waters of
3 the state.

4 (d) This section shall remain in effect only until January 1,
5 2010, and as of that date is repealed, unless a later enacted
6 statute, that is enacted before January 1, 2010, deletes or extends
7 that date.

8 SEC. 7. Section 72400 of the Public Resources Code, as
9 added by Section 1.5 of Chapter 764 of the Statutes of 2004, is
10 amended to read:

11 72400. (a) The Legislature finds and declares that the
12 protection and enhancement of the quality of the marine waters
13 of the state and marine sanctuaries requires that the release from
14 large passenger vessels and oceangoing ships of sewage sludge
15 and oily bilgewater; into the marine waters of the state and
16 ~~marine sanctuaries, and the release from oceangoing ships of~~
17 ~~sewage into the marine waters of the state, should be prohibited.~~
18 *marine sanctuaries should be prohibited.*

19 (b) This section shall become operative on January 1, 2010.

20 SEC. 8. Section 72410 of the Public Resources Code is
21 amended to read:

22 72410. (a) Unless the context otherwise requires, the
23 definitions set forth in this section govern this division.

24 (b) “Board” means the State Water Resources Control Board.

25 (c) “Large passenger vessel” or “vessel” means a vessel of 300
26 gross registered tons or greater that is engaged in the carrying of
27 passengers for hire, excluding all of the following vessels:

28 (1) Vessels without berths or overnight accommodations for
29 passengers.

30 (2) Noncommercial vessels, warships, vessels operated by
31 nonprofit entities as determined by the Internal Revenue Service,
32 and vessels operated by the state, the United States, or a foreign
33 government.

34 (d) “Marine waters of the state” means “coastal waters” as
35 defined in Section 13181 of the Water Code.

36 (e) “Marine sanctuary” means marine waters of the state in the
37 Channel Islands National Marine Sanctuary, Cordell Bank
38 National Marine Sanctuary, Gulf of the Farallones National
39 Marine Sanctuary, or Monterey Bay National Marine Sanctuary.

1 (f) “Oceangoing ship” means a private, commercial,
2 government, or military vessel calling on California ports and
3 meeting any one of the following criteria:

4 (1) A foreign trade vessel with an endorsement on its United
5 States Coast Guard certificate of documentation or registration
6 under the flag of another country.

7 (2) A vessel greater than or equal to 400 feet in length overall
8 (*LOA*), as defined in Section 679.2 of Title 50 of the Code of
9 Federal Regulations.

10 (3) A vessel of 10,000 gross ~~tons~~ *tonnage* or greater per the
11 ~~convention measurement, as defined in Subpart B of Part 69~~
12 *Convention Measurement System, as defined in Section 69.9* of
13 Title 46 of the Code of Federal Regulations.

14 (4) A vessel propelled by a marine diesel engine with a per-
15 cylinder displacement of 30 liters or more.

16 (g) “Oil” has the meaning set forth in Section 8750.

17 (h) “Oily bilgewater” includes bilgewater that contains used
18 lubrication oils, oil sludge and slops, fuel and oil sludge, used oil,
19 used fuel and fuel filters, and oily waste.

20 (i) “Operator” has the meaning set forth in Section 651 of the
21 Harbors and Navigation Code.

22 (j) “Owner” has the meaning set forth in Section 651 of the
23 Harbors and Navigation Code.

24 (k) “Release” means discharging or disposing of wastes into
25 the environment.

26 (l) “Sewage” has the meaning set forth in Section 775.5 of the
27 Harbors and Navigation Code, including material that has been
28 collected or treated through a marine sanitation device as that
29 term is used in Section 312 of the Clean Water Act (33 U.S.C.
30 Sec. 1322) or material that is a byproduct of sewage treatment.

31 (m) “Sewage sludge” has the meaning set forth in Section
32 122.2 of Title 40 of the Code of Federal Regulations.

33 (n) *“Sufficient holding tank capacity” means a holding tank of*
34 *sufficient capacity to contain sewage and graywater while the*
35 *oceangoing ship is within the marine waters of the state.*

36 SEC. 9. Section 72420 of the Public Resources Code is
37 amended to read:

38 72420. (a) If the appropriate federal agencies approve an
39 application made pursuant to subdivision (a) of Section 72440, or
40 if the board determines that an application is not required, an

1 owner or operator of a large passenger vessel or oceangoing ship
2 may not release, or permit anyone to release, any sewage sludge
3 from the vessel into the marine waters of the state or a marine
4 sanctuary.

5 (b) An owner or operator of a large passenger vessel or
6 oceangoing ship may not release, or permit anyone to release,
7 any oily bilgewater from the vessel into the marine waters of the
8 state or a marine sanctuary.

9 SEC. 10. Section 72421 of the Public Resources Code, as
10 amended by Section 3 of Chapter 764 of the Statutes of 2004, is
11 amended to read:

12 72421. (a) If a large passenger vessel ~~or oceangoing ship~~
13 releases sewage sludge, sewage, or oily bilgewater, *or an*
14 *oceangoing ship releases sewage sludge or oily bilgewater, or an*
15 *oceangoing ship with sufficient holding tank capacity releases*
16 *sewage or graywater*, into the marine waters of the state or a
17 marine sanctuary, the owner or operator shall immediately, but
18 no later than 24 hours after the release, notify the board of the
19 release. The owner or operator shall include all of the following
20 information in the notification:

- 21 (1) Date of the release.
- 22 (2) Time of the release.
- 23 (3) Location of the release.
- 24 (4) Volume of the release.
- 25 (5) Source of the release.
- 26 (6) Remedial actions taken to prevent future releases.

27 (b) This section shall remain in effect only until January 1,
28 2010, and as of that date is repealed, unless a later enacted
29 statute, that is enacted before January 1, 2010, deletes or extends
30 that date.

31 SEC. 11. Section 72421 of the Public Resources Code, as
32 added by Section 4 of Chapter 764 of the Statutes of 2004, is
33 amended to read:

34 72421. (a) If a large passenger vessel or oceangoing ship
35 releases sewage sludge or oily bilgewater into the marine waters
36 of the state or a marine sanctuary, or if an oceangoing ship *with*
37 *sufficient holding tank capacity* releases sewage or graywater
38 into the marine waters of the state, the owner or operator shall
39 immediately, but no later than 24 hours after the release, notify

1 the board of the release. The owner or operator shall include all
2 of the following information in the notification:

- 3 (1) Date of the release.
- 4 (2) Time of the release.
- 5 (3) Location of the release.
- 6 (4) Volume of the release.
- 7 (5) Source of the release.
- 8 (6) Remedial actions taken to prevent future releases.

9 (b) This section shall become operative on January 1, 2010.

10 SEC. 12. Section 72425.5 is added to the Public Resources
11 Code, to read:

12 72425.5. (a) If the Administrator of the United States
13 Environmental Protection Agency approves the application for
14 sewage *release* made pursuant to subdivision (a) of Section
15 72440, or if the board determines that an application is not
16 required, an owner or operator of an oceangoing ship *with*
17 *sufficient holding tank capacity* may not release, or permit
18 anyone to release, any sewage from the vessel into the marine
19 waters of the state.

20 (b) *The owner or operator of an oceangoing ship with*
21 *sufficient holding tank capacity shall not release, or permit*
22 *anyone to release, any graywater from the oceangoing ship into*
23 *the marine waters of the state.*

24 SEC. 13. Section 72425.6 is added to the Public Resources
25 Code, to read:

26 72425.6. *An oceangoing ship with sufficient holding tank*
27 *capacity shall transfer sewage and graywater to a pumpout*
28 *facility, if that facility is available and accessible for the*
29 *oceangoing ship where the ship is docked.*

30 SEC. 14. Section 72425.7 is added to the Public Resources
31 Code, to read:

32 72425.7. (a) *If the owner or operator of an oceangoing ship*
33 *has operated, or has caused to be operated, an oceangoing ship*
34 *in the marine waters of the state during 2006, that owner or*
35 *operator shall submit to the State Water Resources Control*
36 *Board, not later than February 1, 2007, a report for calendar*
37 *year 2006 on all of the following for the ship:*

- 38 (1) *Estimated average amount of sewage produced on a daily*
39 *basis, to the extent that this amount can be reasonably*
40 *quantified.*

1 (2) *Estimated average amount of graywater produced on a*
2 *daily basis, to the extent that this amount can be reasonably*
3 *quantified.*

4 (3) *Size and capacity of any sewage and graywater holding*
5 *tanks.*

6 (4) *Connections to ensure transfer of sewage and graywater to*
7 *pumpout facilities.*

8 (5) *Average estimated number of crew.*

9 (6) *Number of days in marine waters of the state, other than*
10 *days operating in the marine waters of the state solely in*
11 *innocent passage, as described in subdivision (b) of Section*
12 *72441.*

13 (7) *Number of days in ports within the state.*

14 (b) *The State Water Resources Control Board shall submit the*
15 *reported information to the Legislature on or before April 1,*
16 *2007. The board may submit the report to the Legislature in an*
17 *electronic form.*

18 ~~SEC. 13.~~

19 *SEC. 15.* Section 72440 of the Public Resources Code, as
20 amended by Section 8 of Chapter 764 of the Statutes of 2004, is
21 amended to read:

22 72440. (a) (1) The board shall determine whether it is
23 necessary to apply to the federal government for the state to
24 prohibit the release of sewage or sewage sludge from large
25 passenger vessels ~~and oceangoing ships~~, *and oceangoing ships*
26 *with sufficient holding tank capacity*, into the marine waters of
27 the state or to prohibit the release of sewage sludge from large
28 passenger vessels and oceangoing ships into marine sanctuaries,
29 as described in subdivision (a) of Section 72420, subdivision (a)
30 of Section 72425, and Section 72425.5. If the board determines
31 that application is necessary for either sewage or sewage sludge,
32 or both, it shall apply to the appropriate federal agencies, as
33 determined by the board, to authorize the state to prohibit the
34 release of sewage or sewage sludge, or both, as necessary, from
35 large passenger vessels ~~and oceangoing ships~~, *and oceangoing*
36 *ships with sufficient holding tank capacity*, into the marine waters
37 of the state and, if necessary, to authorize the state to prohibit the
38 release of sewage sludge from large passenger vessels and
39 oceangoing ships into marine sanctuaries.

1 (2) It is not the Legislature’s intent to establish for the marine
2 waters of the state a no discharge zone for sewage from all
3 vessels, but only for a class of vessels.

4 (b) The board shall request the appropriate federal agencies, as
5 determined by the board, to prohibit the release of sewage sludge
6 and oily bilgewater, except under the circumstances specified in
7 Section 72441, by large passenger vessels and oceangoing ships,
8 in all of the waters that are in the Channel Islands National
9 Marine Sanctuary, Cordell Bank National Marine Sanctuary,
10 Gulf of the Farallones National Marine Sanctuary, and Monterey
11 Bay National Marine Sanctuary, that are not in the state waters.

12 (c) This section shall remain in effect only until January 1,
13 2010, and as of that date is repealed, unless a later enacted
14 statute, that is enacted before January 1, 2010, deletes or extends
15 that date.

16 ~~SEC. 14. Section 72440 of the Public Resources Code, as~~
17 ~~added by Section 9 of Chapter 764 of the Statutes of 2004, is~~
18 ~~amended to read:~~

19 ~~72440. (a) The board shall determine whether it is necessary~~
20 ~~to apply to the federal government for the state to prohibit the~~
21 ~~release of sewage sludge from large passenger vessels and~~
22 ~~oceangoing ships into the marine waters of the state or marine~~
23 ~~sanctuaries or the release of sewage from oceangoing ships into~~
24 ~~the marine waters of the state. If the board determines that~~
25 ~~application is necessary, it shall apply to the appropriate federal~~
26 ~~agencies, as determined by the board, to authorize the state to~~
27 ~~prohibit the release of sewage sludge from large passenger~~
28 ~~vessels and oceangoing ships into the marine waters of the state~~
29 ~~and marine sanctuaries or the release of sewage from oceangoing~~
30 ~~ships into the marine waters of the state.~~

31 ~~(b) The board shall request the appropriate federal agencies, as~~
32 ~~determined by the board, to prohibit the release of sewage sludge~~
33 ~~and oily bilgewater, except under the circumstances specified in~~
34 ~~Section 72441, by large passenger vessels and oceangoing ships,~~
35 ~~in all of the waters that are in the Channel Islands National~~
36 ~~Marine Sanctuary, Cordell Bank National Marine Sanctuary,~~
37 ~~Gulf of the Farallones National Marine Sanctuary, and Monterey~~
38 ~~Bay National Marine Sanctuary, that are not in the state waters~~
39 ~~and the release of sewage from oceangoing ships into the marine~~
40 ~~waters of the state.~~

1 ~~(e) This section shall become operative on January 1, 2010.~~

2 ~~SEC. 15.~~

3 *SEC. 16.* Section 72441 of the Public Resources Code is
4 amended to read:

5 72441. (a) This division does not apply to either of the
6 following:

7 (1) A large passenger vessel or oceangoing ship that operates
8 in the marine waters of the state solely in innocent passage.

9 (2) Discharges made for the purpose of securing the safety of
10 the large passenger vessel or oceangoing ship or saving life at
11 sea, if reasonable precautions are taken for the purpose of
12 preventing or minimizing the discharge.

13 (b) For the purposes of this section, a vessel is engaged in
14 innocent passage if its operation in state waters would constitute
15 innocent passage under either the Convention on the Territorial
16 Sea and Contiguous Zone, dated April 29, 1958, or the United
17 Nations Convention on the Law of the Sea, dated December 10,
18 1982.

19 ~~SEC. 16.~~

20 *SEC. 17.* The heading of Division 39 (commencing with
21 Section 72500) of the Public Resources Code is amended to read:

22
23 DIVISION 39. PROHIBITED RELEASE OF WASTES
24 FROM LARGE PASSENGER VESSELS AND OCEANGOING
25 SHIPS
26

27 ~~SEC. 17.~~

28 *SEC. 18.* Section 72500 of the Public Resources Code is
29 amended to read:

30 72500. The Legislature finds and declares all of the
31 following:

32 (a) Large passenger vessels and oceangoing ships produce
33 considerable amounts of waste, including graywater, sewage, and
34 other forms of solid and liquid waste.

35 (b) California is home to four of the 13 National Marine
36 Sanctuaries. These areas support some of the world's most
37 diverse marine ecosystems and are home to numerous mammals,
38 seabirds, fish, invertebrates, and plants.

1 (c) The release of waste from large passenger vessels and
2 oceangoing ships results in substantial damage to these valuable
3 resources.

4 (d) In order to protect public health and the environment, it is
5 in the public interest to prohibit large passenger vessels and
6 oceangoing ships from releasing waste into marine sanctuaries.

7 (e) The protection and enhancement of the quality of the
8 marine waters of the state and marine sanctuaries requires that
9 the release from large passenger vessels and oceangoing ships of
10 hazardous waste and other waste, into the marine waters of the
11 state and marine sanctuaries, should be prohibited.

12 ~~SEC. 18.~~

13 *SEC. 19.* Section 72505 of the Public Resources Code is
14 amended to read:

15 72505. Unless the context otherwise requires, the following
16 definitions govern this division:

17 (a) “Board” means the State Water Resources Control Board.

18 (b) “Hazardous waste” has the meaning set forth in Section
19 25117 of the Health and Safety Code, but does not include
20 sewage.

21 (c) “Graywater” means drainage from dishwasher, shower,
22 laundry, bath, and washbasin drains, but does not include
23 drainage from toilets, urinals, hospitals, or cargo spaces.

24 (d) “Large passenger vessel” or “vessel” means a vessel of 300
25 gross registered tons or greater that is engaged in the carrying of
26 passengers for hire, excluding all of the following vessels:

27 (1) Vessels without berths or overnight accommodations for
28 passengers.

29 (2) Noncommercial vessels, warships, vessels operated by
30 nonprofit entities as determined by the Internal Revenue Service,
31 and vessels operated by the state, the United States, or a foreign
32 government.

33 (e) “Marine waters of the state” means “coastal waters” as
34 defined in Section 13181 of the Water Code.

35 (f) “Marine sanctuary” means marine waters of the state in the
36 Channel Islands National Marine Sanctuary, Cordell Bank
37 National Marine Sanctuary, Gulf of the Farallones National
38 Marine Sanctuary, or Monterey Bay National Marine Sanctuary.

1 (g) “Medical waste” means medical waste subject to
2 regulation pursuant to Part 14 (commencing with Section
3 117600) of Division 104 of the Health and Safety Code.

4 (h) “Oceangoing ship” means a private, commercial,
5 government, or military vessel calling on California ports and
6 meeting any one of the following criteria:

7 (1) A foreign trade vessel with an endorsement on its United
8 States Coast Guard certificate of documentation or registration
9 under the flag of another country.

10 (2) A vessel greater than or equal to 400 feet in length overall
11 (*LOA*), as defined in Section 679.2 of Title 50 of the Code of
12 Federal Regulations.

13 (3) A vessel of 10,000 gross ~~tons~~ *tonnage* or greater per the
14 ~~convention measurement, as defined in Subpart B of Part 69~~
15 *Convention Measurement System, as defined in Section 69.9* of
16 Title 46 of the Code of Federal Regulations.

17 (4) A vessel propelled by a marine diesel engine with a
18 per-cylinder displacement of 30 liters or more.

19 (i) “Operator” has the meaning set forth in Section 651 of the
20 Harbors and Navigation Code.

21 (j) “Other waste” means photography laboratory chemicals,
22 dry cleaning chemicals, or medical waste.

23 (k) “Owner” has the meaning set forth in Section 651 of the
24 Harbors and Navigation Code.

25 (l) “Release” means discharging or disposing of wastes into
26 the environment.

27 (m) “Waste” means hazardous waste and other waste.

28 ~~SEC. 19.~~

29 *SEC. 20.* Section 72520 of the Public Resources Code is
30 amended to read:

31 72520. An owner or operator of a large passenger vessel or
32 oceangoing ship may not release, or permit anyone to release,
33 from the vessel, into the marine waters of the state or a marine
34 sanctuary, either of the following:

35 (a) Hazardous waste.

36 (b) Other waste.

37 ~~SEC. 20.~~

38 *SEC. 21.* Section 72521 of the Public Resources Code is
39 amended to read:

1 72521. If a large passenger vessel or oceangoing ship releases
2 hazardous waste or other waste into the marine waters of the state
3 or a marine sanctuary, or *a large passenger vessel* releases
4 graywater into the marine waters of the state, the owner or
5 operator shall immediately, but no later than 24 hours after the
6 release, notify the board of the release. The owner or operator
7 shall include all of the following information in the notification:

- 8 (a) Date of the release.
- 9 (b) Time of the release.
- 10 (c) Location of the release.
- 11 (d) Volume of the release.
- 12 (e) Source of the release.
- 13 (f) Remedial actions taken to prevent future releases.

14 ~~SEC. 21. Section 72525 of the Public Resources Code is~~
15 ~~amended to read:~~

16 ~~72525. The owner or operator of a large passenger vessel or~~
17 ~~oceangoing ship shall not release, or permit anyone to release,~~
18 ~~graywater from the vessel into the marine waters of the state.~~

19 SEC. 22. Section 72540 of the Public Resources Code is
20 amended to read:

21 72540. (a) This division does not apply to a large passenger
22 vessel or oceangoing ship that operates in the marine waters of
23 the state solely in innocent passage.

24 (b) For purposes of this section, a vessel is engaged in
25 innocent passage if its operation in state waters would constitute
26 innocent passage under either the Convention on the Territorial
27 Sea and Contiguous Zone, dated April 29, 1958, or the United
28 Nations Convention on the Law of the Sea, dated December 10,
29 1982.

30 SEC. 23. Section 72542 of the Public Resources Code is
31 amended to read:

32 72542. The board shall request the appropriate federal
33 agencies, as determined by the board, to prohibit the release of
34 waste by large passenger vessels or oceangoing ships in all of the
35 waters in the Channel Islands National Marine Sanctuary,
36 Cordell Bank National Marine Sanctuary, Gulf of the Farallones
37 National Marine Sanctuary, and Monterey Bay National Marine

- 1 Sanctuary; and, request, if necessary, approval of the state's
- 2 prohibition of the release of waste in the marine sanctuaries.

O