

BELLE MAER HARBOR

BELLE MAER HARBOR CONDOMINIUM ASSOCIATION

ENVIRONMENTAL RULES

All marinas in the State of Michigan must comply with the Federal Water Pollution Control Act as amended (33 U.S.C. 1251 et. seq.; the "Act") and Michigan Act 245, Public Acts 1929, as amended (the "Michigan Act"). These Acts require a permit for the run-off of storm water into lakes, streams or rivers of the United States. Our permit requires the institution of certain management practices that prevent the discharge of potential and/or real pollutants into Lake St. Clair. There are severe penalties for non-compliance. In order to help us stay in compliance, we require the following:

Sanding

There will be no sanding work of any sort carried out by individual boat owners or their contractors unless the sanding is done inside one of the designated shops at the Marina, or a vacuum sander is used and residue disposed of properly. Vacuum sanders are available for rent.

Painting

There will be no spray painting work of any sort carried out by individual boat owners or their contractors unless the painting is done inside one of the designated shops at the Marina. For painting performed outside of a designated building, the ground beneath the boat must be covered with a tarp, and the painter must use a roller or brush. Brushes, pans and rollers must be removed from the Marina and disposed of properly. Paint residue in cans must be dried before can is placed in dumpster.

Spraying

There will be no spray painting, spraying of fiberglass or any other chemical unless it is done inside one of the designated shops at the Marina.

Oil Disposal

Proper precautions must be taken when performing mechanical work on any boats on land. (i.e. while servicing outdrives a pan must be used to catch any oil drippings.) Used engine oil and oil filters must be taken to the oil pick-up point in the Marina (located at the service building adjacent to the hoist area) or removed from the Marina. You may not dispose of oil by dumping it either on the ground, in a dumpster, into a drain or overboard. If you use outside contractors, you are also responsible for the contractor's compliance as he is your agent.

Winterization Chemicals

The use of ethylene glycol-based antifreeze for winterization is strictly prohibited. You must use a non-toxic antifreeze. No winterization will be allowed inside any of the storage buildings. After winterization, all outdrives should be covered with a plastic garbage bag secured by duct tape to prevent the dripping of antifreeze. Lessee/Owner is responsible for any damage to Marina/Condominium grounds caused by the spill or dripping of antifreeze and/or oil. The cost to repair such damage will be billed to the Lessee/Owner by the Marina/Condominium.

Disposal of Batteries

You may not dispose of old batteries into the Marina dumpsters. You must either remove used batteries from the Marina or take them to the Marina oil pick-up point (located at the service building adjacent to the hoist area) where they will be properly disposed of by Marina personnel.

Bilge Water

Every boat must have a BIO-SOK, or a generic equivalent, installed in its bilge in order to prevent oil or fuel from being pumped overboard thereby creating a sheen on the Marina waters. Surficants may not be used, as they cause oil to sink to the bottom of the canals.

Shrink Wrap Environmental Surcharge

Belle Maer Harbor charges a user fee (calculated as a dollar amount per foot on the centerline length of the boat) to everyone who uses plastic shrink wrap on his boat while stored within Belle Maer Harbor. Said fee is payable from contractors upon installation of the shrink wrap or from the boat owner if the plastic is self-installed. This fee is due each year even if the plastic is re-used. The fee is used to offset the expense and labor involved with the cleanup during fall installation and spring removal as well as the ultimate disposal of the plastic, which must be segregated or recycled. The users as a group must bear the costs of proper handling and cleanup of this hazardous material, which can, when introduced into the water, harm marine life and cause mechanical damage to boats.

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Fuel Spill

The United States Coast Guard and the MDNRE must be notified any time a spill produces a sheen on the water. Please call the Marina office (586-465-4534), guard shack (586-465-4536) or the Security dispatcher (586-803-0003) to report any spills. They will in turn initiate procedures to contain the spill and call all necessary authorities. Every boat must be covered by an insurance policy which includes a fuel and oil spill endorsement in an amount sufficient to cover the cost of clean up resulting from a leak or spill. Proof of such insurance coverage shall be provided upon demand.

Bottom Washing

There will be no power washing of boats inside the Marina by boat owners. All power washing and/or bottom washing must be performed by Marina personnel at the hoist area where an environmental water collection and purification system has been installed to collect bottom paint and other residue.

Marine Heads

Michigan is a "No Discharge" State. It is illegal to discharge raw and/or treated sewage from a watercraft within the waters of the State. Do not empty a porta potty in any of the bath houses or any other drain on Marina property. Porta potties and boat holding tanks must be emptied at the gas dock pump-out or other designated facility.

Pet and Fish Waste

It is illegal to dispose of pet and fish waste in the waters of the State. Pet stations with plastic bags dispensers have been installed around the Marina for your convenience. Please bag the waste and dispose in the dumpster. Fish waste should be frozen and held for disposal prior to our dumpster pick up days of Tuesday and Friday mornings to minimize the associated odor.

No Dockside Fueling

Harrison Township operates under NFPA 12000 Edition. Code Section 6.3.2 states that "All boat-fueling operations shall be accomplished carefully in accordance with NFPA 303 Fire Protection Standard for Pleasure and Commercial Craft, at the fueling station or other specifically designated remote location". There shall be no refueling from portable containers or from refueling vehicles within the Marina/Condominium. All fueling must be performed at the gas dock where there are proper facilities to prevent and clean up potential fuel spills.

Upon execution of this document, the Lessee/Owner acknowledges that the Environmental Rules as printed on the front and back of this document have been read and understood. Lessee/Owner further acknowledges that he/she has received a copy of these rules and agrees to abide by these rules as a condition of keeping his/her Boat at the Marina/Condominium.

All of these are considered hazardous substances or practices and must be dealt with accordingly. Condominium Owner and/or Lessee shall defend, indemnify, save and hold the Marina harmless from any and all fines, penalties, costs and/or expenses (including reasonable attorneys' fees and costs) incurred by Marina as a result of claims, demands, causes of action and actions, suits, rights and damages, whatsoever, whether in law or in equity made by any party whatsoever in connection with any hazardous or toxic waste, pollutants, and/or chemicals generated, stored, leaked, spilled or otherwise disbursed by the Condominium Owner and/or Lessee, its agents, employees, licensees or invitees, in, on, under, above or about the Marina, and for injuries sustained or other tort actions brought for claims arising out of the Condominium Owner and/or Lessee's failure to remove such toxic wastes, pollutants, and/or chemicals from the Marina. Such indemnification shall include any and all costs of removal of the toxic wastes, pollutants and/or chemicals disbursed by the Condominium Owner and/or Lessee, its agents, employees, licensees, or invitees.

Agreed and Accepted

Lessee/Owner Signature

Date

Printed Name