



To All Boat Owners Balbriggan Harbour

6th October 2022

Notice to all Boat Owners Balbriggan Harbour

You will be aware of well publicised ongoing issues with bathing water quality in the designated bathing waters in Balbriggan which resulted in the prohibition notice on swimming at the beach over the last month. While the Council is taking all available steps to address this issue having identified misconnections in the public sewer network, we are working with all the stakeholders in Balbriggan to resolve this problem.

Bearing this in mind, I would like to take the opportunity to remind all boat owners of their obligations in accordance with the **Sea Pollution Act 1991** and the **Sea Pollution (Prevention of Pollution by Sewage from Ships) Regulations 2006**.

- **Section 10 of the Sea Pollution Act 1991** places a prohibition on discharge of oil and harmful substances from ships. Harmful substances are defined in the Act as *“any substance which, if introduced into the sea. Is liable to –*
 - a) create a hazard to human health,*
 - b) harm living marine resources,*
 - c) harm flora and fauna,*
 - d) damage amenities, or*
 - e) interfere with legitimate uses of the sea.”*
- **Section 13 of the Sea Pollution Act 1991** states that *“whenever (a) there is a discharge or probable dischargeof any oil, oily mixture, noxious liquid substances, harmful substance, sewage...that the owner or master of the ship shall forthwith report the fact and cause of the incident to the minister or, if it occurred in the harbor, to the harbor master or person having control of the harbour”.*

- **Section 29 of the Sea Pollution Act 1991** sets the penalty for a person who commits an offence under this Act *shall be liable-*
 - a) *on summary conviction, to a fine not exceeding 1,270, or to imprisonment for any term not exceeding twelve months, or, at the discretion of the court, to both such fine and such imprisonment, or*
 - b) *on conviction on indictment, to a fine not exceeding 12,700,000, or to imprisonment for any term not exceeding 5 years, or, at the discretion of the court, to both such fine and such imprisonment.*

- **Section 4 (1) of the Sea Pollution (Prevention of Pollution by Sewage from Ships) Regulations 2006** prohibits the discharge from a ship except in exceptional circumstances which are set out in the Regulations.

I would now ask for your assistance in ensuring that your boat is compliant with all your obligations in accordance with the relevant Act and Regulation as outlined above. I would also ask for your assistance in notifying this Council of any breaches of the Sea Pollution Act 1991 or the Sea Pollution (Prevention of Pollution by Sewage from Ships) Regulations 2006.

Paul Smyth
Senior Executive Officer
Balbriggan/ Rush- Lusk/ Swords Operational Area