



Florida Solid and Hazardous Waste Regulation Handbook: Ocean Dumping Act (ODA)¹

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What Is the Ocean Dumping Act?

The Ocean Dumping Act regulates:

- the dumping of materials into the United States territorial ocean waters.
- the transportation of materials for the purpose of dumping.

The purpose of the statute is to strictly limit ocean disposal of any material that would negatively affect:

- human health.
- the marine environment.
- ecological systems.
- potential economic endeavors.

Who Enforces ODA?

EPA, in concert with the Secretary of the Army and the Secretary of the Coast Guard, is entrusted with the responsibility for setting specific guidelines for dumping and enforcing the guidelines.

What Does ODA Regulate?

Anyone may dump certain types of wastes into the ocean with a permit from EPA. If the material is "dredged material", which is material excavated from navigable waters of the United States, you must obtain a permit from the Secretary of the Army to place the material in the ocean.

What Activities Does ODA Prohibit?

As of December 31, 1991, ODA totally prohibits the dumping of sewage sludge or industrial waste into ocean waters. Sewage sludge is:

- solid.
- semi-solid.
- liquid waste from a municipal wastewater treatment plant.

Industrial wastes are:

- solid.

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- semi-solid.
- liquid wastes generated by a manufacturing or processing plant.

The ODA also prohibits the dumping of:

- radiological, chemical, and biological warfare agents.
- high-level radioactive waste into the ocean.

What Are the Exceptions to ODA?

There are a few exceptions to the requirement that you must have a permit to dump waste in the ocean. Fish waste may be dumped into the ocean without a permit if the waste is not dumped in:

- harbors.
- enclosed coastal waters.
- where EPA has determined that dumping would endanger human health or harm the environment.

Also, a permit is not required for activities regulated under the Clean Water Act.

What Are the Penalties under ODA?

Penalties for violations, including:

- dumping without a permit.
- dumping materials, inconsistent with the specific limitations on your permit, are punishable by a \$50,000 fine for each violation.

Penalties for someone who knowingly violates ODA include:

- imprisonment for up to 5 years.
- forfeiting any property derived directly or indirectly from the violation.
- forfeiting property intended to be used in the commission of the violation.

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This handbook is designed to provide an accurate, current, and authoritative summary of the principal Florida laws that directly or indirectly relate to agriculture. It should provide a basic overview of the many rights and responsibilities farmers and farmland owners have under Florida laws. The reader is provided information about these rights and responsibilities and the appropriate contacts for more detailed information. However, the reader should be aware that because the laws, administrative rulings, and court decisions on which this publication is based are subject to constant revision, portions of this publication could become outdated at any time. Many details of cited laws are also left out due to space limitations.

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