ProComplianceWare Eases Burden of Meeting Environmental Regulations

by Sean Goforth

Today marinas face many of the same environmental regulations as they did when the Clean Water Act and Clean Air Act were rolled out 30 years ago. However, enforcement of environmental standards has changed dramatically, and very greatly among states and regions.

Generally, during the 1980s, EPA and other regulators focused on compliance among large industrial sites, such as oil terminals and chemical manufacturing plants. Only in the mid-1990s did regulators turn their attention in earnest toward marinas, boatyards and yacht clubs. The consensus is that this attention will only increase with time.

Managing It All

ProComplianceWare (PCW), an environmental management system, is a new software designed to help marinas track compliance deadlines, inspections and reporting requirements in one, easy-to-use package. In 2012, Ted Sailer and David Watson started the company to simplify environmental compliance for marinas.

Initiatives like the state Clean Marina programs and informational programs from EPA have long touted the long-term benefits of environmental consciousness, such as cost savings from decreased fuel usage and higher customer satisfaction. At a time when enforcement of regulations were more lax, "it was the carrot approach to enforcement," Sailer said.

Sailer, who has also been a member of the board of directors of the Connecticut Marine Trades Association since 1999, said some marinas ignored environmental regulations outright, and beginning in 2005, EPA threatened the worst violators with penalties of up to $500,000 for non-compliance, in some areas more than others, like the Northeast and California.

Even today where regulations are more widely enforced, the array of stipulations and regulations still bewilder many marina operators. Most managers

The ProComplianceWare environmental management system is a new software designed to help marinas track compliance deadlines, inspections, record-keeping and more.

are familiar with the major provisions of the Clean Water Act and Clean Air Act, even if they don't keep up-to-date on all the various stipulations regarding different types of hazardous waste. Probably fewer operators know the intricacies of the Emergency Planning and the Community Right to Know Act. Then there is the host of federal and state regulations for disposal of used oil; maintenance of underground storage tanks; countermeasures for seepage and contingencies for disaster; regulations for pumpouts; harzardous waste disposal; chemical storage; boat maintenance standards; recycling requirements and more. All told, marina compliance with environmental standards means carrying out dozens, if not hundreds, of individual tasks every year, from filing reports to conducting inspections, to accurately taking samples and training staff.

Beyond this, new environmental regulations are introduced on a regular basis. EPA recently launched an initiative aimed at reducing marina emissions of volatile organic compounds—compounds that have a low boiling point and can build up indoors with devastating health effects, like formaldehyde and benzene. See *Marina Dock Age* September/October 2013 issue, "Maryland Enacts Stricter VOC Regulations," p. 43.

And atop the ongoing demands, occasionally existing regulations are amended. Consider the Stormwater Pollution Prevention Plans (SWPPP), which mandates standards for managing stormwater on the property. Sailer said that SWPPP permits have been around for years, but of late EPA has reportedly become more exacting in how samples should be collected and reported, and inspectors have become more demanding in how records are kept.

These types of increased managing and reporting of environmental standards are expected to increase across the board over the next decade.

Compliance Software

With the ProComplianceWare software program, it streamlines the process of complying with environmental regulations, by electronically tracking compliance deadlines and reporting requirements. PCW automatically sends alert emails in advance of the date of any reqired filing action, also archiving inspection forms, reports and other compliance documents online. It is customized, so when users log on, they see links to all relevant state and federal compliance forms. When users upload data, it is saved, and completed forms are archived. The system updates when environmental regulations change.

A cloud-based software program is accessible wherever the Internet is available, and it doesn't require that users have a high-level of web expertise. Sailer explains that even if a marina's

staff members have no information technology skills, "they can be trained on how to update the system in about one hour," he said.

The system can easily upload documents and navigate between individual reports and the user's homepage. The monthly cost of a PCW subscription is $250.

Some of the benefits of PCW include:

Document Management – safely manages compliance documents in one secure, online location; provides links to all needed government forms; and serves as a sortable repository for completed inspection forms and reports;

Compliance Penalties – reduces the risk of compliance penalities and fines;

Constant Access – mobile access ensures 24/7 access to records from computers, tablets and smartphones; provides different levels of data access for different accounts; and cloud-based storage for immediate access;

Compliance Management – can assign different tasks to different personnel and tracks and sends reminder emails to those responsible for action items; and alerts senior management when compliance deadlines are not met.

Good Stewards

Many PCW customers already had a solid environmental record before they adopted the program. Mystic Shipyard in Mystic, Connecticut, was one of state's first Clean Marinas. Yet, despite a stellar track record, when it comes to controlling emissions and reporting results on time, Mystic Shipyard has found that PCW makes compliance easier. It removes lingering doubts that a new regulation may slip under the radar. "We no longer wonder whether we are in compliance," Mystic Shipyard manager Jeff Marshall said. Thanks to ProComplianceWare's daily tracking of regulations, he insists, "we know we are."

Chris Evans, marine manager at Reynolds' Garage and Marine in Lyme, Connecticut, shares that peace of mind: "We don't worry about [reports] at all. If EPA or DEP comes in, I know we're going to pass." Evans said that since his business started using the software program six months ago it has virtually eliminated the physical paperwork once considered necessary for compliance. And while compliance still costs money, Evans said that PCW "saves me time." Alas, time is money.

Marinas can no longer haphazardly tend to environmental regulations. Last year, EPA collected more than $4.5 billion in fines and court-ordered environmental projects, a record even with BP's restitution for the 2011 Deepwater Horizon disaster stripped out. In 2014, state and federal regulators will continue to enforce environmental standards, and the costs of non-compliance are mounting. Fines for non-compliance can be hefty: violations of the Clean Water Act can incur penalties of $37,500 per violation per day.

Compliance with modern environmental regulations demands a proactive approach. Fortunately, ProComplianceWare can ease that burden. ⚓