

[(b)](C) [On or after July 1, 1989, a] A person may not construct any additional slips at an existing marina THAT IS CAPABLE OF BERTHING VESSELS 22 FEET OR LARGER that would result in a total-slip capacity of more than 10 slips or construct a new marina THAT IS CAPABLE OF BERTHING VESSELS 22 FEET OR LARGER with more than 10 slips on the navigable waters of the State unless:

(1) [(i)] The wastewater collection and treatment system at the marina is adequate to handle any existing and increased flow; and

(2) [(ii)] There is a pump-out station [on site] ON-SITE at the marina that is adequate to handle the increased sewage capacity from vessels that use the marina and that is operable and accessible at reasonable times[]; or

(2) The marina has a contract with a pump-out facility that:

(i) Is located not more than 2 miles from the marina; and

(ii) Is adequate to handle the increased sewage capacity from vessels that use the marina and that is operable and accessible at reasonable times].

(D) UNLESS A POSTPONEMENT IS GRANTED UNDER SUBSECTION (E) OF THIS SECTION:

(1) BY JULY 1, 1995, A MARINA THAT BERTHS ANY VESSEL THAT IS OVER 22 FEET IN LENGTH AND HAS 200 OR MORE SLIPS SHALL HAVE A PUMP-OUT FACILITY AND A WASTE RECEPTION FACILITY ON-SITE THAT IS OPERABLE, ADEQUATE TO HANDLE ANY EXISTING AND INCREASED FLOWS, AND ACCESSIBLE AT REASONABLE TIMES. TIMES;

(2) BY JULY 1, 1996, A MARINA THAT BERTHS ANY VESSEL THAT IS OVER 22 FEET IN LENGTH AND HAS 100 OR MORE SLIPS SHALL HAVE A PUMP-OUT FACILITY AND A WASTE RECEPTION FACILITY ON-SITE THAT IS OPERABLE, ADEQUATE TO HANDLE ANY EXISTING AND INCREASED FLOWS, AND ACCESSIBLE AT REASONABLE TIMES. TIMES; AND

(3) BY JULY 1, 1997, A MARINA THAT BERTHS ANY VESSEL THAT IS OVER 22 FEET IN LENGTH AND HAS 50 OR MORE SLIPS SHALL HAVE A PUMP-OUT FACILITY AND A WASTE RECEPTION FACILITY ON-SITE THAT IS OPERABLE, ADEQUATE TO HANDLE ANY EXISTING AND INCREASED FLOWS, AND ACCESSIBLE AT REASONABLE TIMES.

(E) (1) (I) UPON APPLICATION BY A MARINA OWNER OR OPERATOR, THE SECRETARY MAY GRANT A POSTPONEMENT OF A REQUIREMENT OF SUBSECTION (D) OF THIS SECTION.

(II) A POSTPONEMENT UNDER THIS SUBSECTION:

1. MAY NOT BE FOR MORE THAN 3 YEARS; AND

2. MAY NOT BE RENEWED MORE THAN ONCE AND MAY NOT BE RENEWED FOR MORE THAN 3 YEARS.