

capability. It is not just a number of ships; it is where they operate and how frequently they operate that creates some of the other problems here.

ACT OF WAR

Mr. McCARTHY. I notice on page 9 you talk about other possibilities including that of torpedoed vessels. Do you feel this would be a problem?

Mr. CHECKET. I do not know that it would be a problem except in the case of an act of war. That would be the only problem as we would see it.

Mr. McCARTHY. We could not collect from the guy that sunk it, I do not think.

Mr. CHECKET. No, sir. We think in an act of war the ship that was torpedoed should not necessarily be liable for the pollution, both criminally and possibly civilly, and for the cost of removal, if he was torpedoed during wartime.

WASTE OIL FROM SERVICE STATIONS

Mr. McCARTHY. Now, just one more question of Mr. Gammelgard, Mr. Chairman.

Another aspect of this whole oil pollution problem that we have not touched upon, and I do not at least see it in the testimony of these gentlemen, is the problem that is very acute in our area and I suspect it is all over the country.

Now, we have information established by the public works department of the city of Buffalo that the major source of oil pollution in Buffalo Harbor is the hundreds of service stations in the area who, partly as a result of the removal of the excise tax on oil, now find the crankcase oil that has been drained, is virtually valueless. In some cases they even have to pay to have it taken away. In the old days they could get maybe \$15 or so for it a year; now it is worthless.

What most of them do, they just flush it down the Buffalo sewer system.

Just at this very time of the year, we have one awful problem, because the ice is beginning to break up. All winter long this oil builds up behind this ice bridge and just at this time it all comes down. We had last year the worst catastrophe in the history of Buffalo in oil pollution.

I know you do not own all these service stations, but as the industry you say you are doing so much—and I am impressed and I really am surprised at the approach you have taken, I am very favorably impressed with what you have said here, and you cite on page 2 the many voluntary actions you have taken. I think they are impressive. But is there any way within the industry, without getting into more legislation, that something could be done about this problem of flushing that many millions of gallons of crankcase oil down the municipal sewer system?

Mr. GAMMELGARD. Mr. McCarthy, we recognize this as a problem in the industry. It is also a problem outside of the industry, such as the person who buys his oil from one of the mail order type stores or from