

be uniform throughout the United States. Both commercial and recreational vessels constantly cross State lines. The Interior Department report of last year lists 29 States having regulations on waste from vessel. In addition, there are eight interstate compacts under which such regulations can be, if they have not already been, promulgated. At the present time, many of the regulations are widely ignored and casually enforced, if at all. If however, as a result of the mounting concern over water pollution, local authorities begin to enforce their widely varying requirements, the consequence could be potential disaster for owners and operators of vessels crossing State lines.

H.R. 13923 does not provide the desired uniformity. It merely adds Federal requirements on top of existing, and possible future, state or local requirements. The bill should be amended and strengthened to provide that when regulations are issued under it, they preempt the field and no regulations of other authorities directed to combating pollution shall have any force or effect.

2. *Centralization of authority and responsibility at the Federal level.*—All authority and responsibility for promulgation and enforcement of regulations controlling waste from vessels in order to prevent pollution should be centralized in one agency. Where necessary, this agency should be authorized to delegate certain responsibilities, for instance with respect to enforcement. H.R. 13923 proposes to give authority to a single agency, the Department of the Interior is specified in the bill, but fails to make its authority exclusive. The bill should make clear, by appropriate amendment to existing legislation, that all previously existing authority in other agencies to regulate such pollution, for example, under the Refuse Act and the New York Harbor Act, is transferred to the same department. At the same time, amendments should make clear that the powers remaining in the Corps of Engineers are limited to regulations to prevent obstruction of navigation.

Section 11 of the Federal Water Pollution Act, as proposed by H.R. 13923, does not apply to oil. Section 12, as proposed, does apply to oil discharges in the contiguous zone. The authority is placed in the Secretary of the Interior to regulate these so far as they pollute territorial waters or are deleterious to health or marine life or dangerous to persons or property within U.S. territory. The authority of the Corps of Engineers to regulate discharges which may be an obstruction to navigation is recognized in the bill. Oil discharges have traditionally been subject to separate legislation, and it seems to us that an overall updating of the Oil Pollution Acts by a new act on oil would be preferable to the piecemeal change that would be effected by H.R. 13923 in this respect.

3. *Advisory Board.*—The Advisory Board established under the Federal Water Pollution Control Act should be increased to include members who are knowledgeable in the field of waste from vessels, or a separate board to advise with respect to the implementation of H.R. 13923 should be set up. Among others, the barge, tug and towboat industry should be represented on any such board.

4. *Extension of section 11 provisions to section 12.*—Section 12 extends to the 9-mile contiguous zone beyond the territorial waters of