

claiming exemption from the project review and water quality control authorities already established by this Commission for the Delaware Basin. This would be a very unfavorable consequence.

If I can provide any further information or extend any of the points in this letter I will be glad to do so. Thank you for your consideration.

Sincerely,

JAMES F. WRIGHT.

STATEMENT SUBMITTED IN BEHALF OF VARIOUS DREDGING COMPANIES AND
ASSOCIATIONS

S. 2760

Section 3 of this bill relating to oil pollution requires clarification. The new Section 19 of the Water Pollution Control Act, as passed by the Senate, would in effect prohibit dredging operations in connection with projects for the improvement of navigable waters or construction of public works authorized by Acts of Congress.

Senate Report No. 917, which accompanied the bill, recognized the necessity of maintaining the Nation's waterways for economic growth and national security. The Senate Public Works Committee Report also indicated that since "dredging involves oil which was previously discharged", this subject should be treated separately. Thus, it would appear that the Senate did not intend for dredge spoil to be subject to Subsection 19(b) or for dredging operations to be subject to the criminal or civil penalties set forth in Subsections 19(c), 19(d), and 19(e).

Definition of oil

The problem is created by the term "oil" as defined by Subsection 19(a) (1). The use of the phrase "oil mixed with other matter" was apparently intended to control "waste materials discharged from shore installations [which] contain various quantities of oil mixed in with the material". But the bill as reported out of the committee failed to distinguish, by definition, "oil mixed with dredge materials" from "oil mixed with waste materials discharged by shore installations".

This deficiency in the Senate bill can be rectified by amending Subsection 19(a) (1) to read:

"(1) 'oil' means oil of any kind or in any form, [other than dredge spoil,] including but not limited to, fuel oil, sludge, oil refuse, and oil mixed with other [waste] material".

The intent of the Senate amendments to the Water Pollution Control Act, as stated in Report No. 917, was "to provide an effective deterrent against oil spills whether these spills emanate from a vessel or from a shore installation". The Senate recognized that the primary source of oil pollution is caused by oil spillage "during the transportation of oil" and oil discharged from various shore facilities such as "storage tanks, petroleum, industrial plants, and pipelines".

There was no apparent intention to prohibit dredging operations or to interfere with or impair public projects necessary to maintain the navigable waters of the United States to prevent industry from maintaining or improving their dock facilities. If dredging operations were to be prohibited, restricted or curtailed, the economic consequences to the country would be catastrophic. Trade, commerce and industry in the United States would be paralyzed.

Dredging Abates Pollution

It is important for this committee to realize that dredging is a tool for abatement of pollution. It is not a cause or source of pollution. There is no oil spillage during the dredging process, except possibly a minor exudence from existing sedimentation in the water being dredged. Dredging is the only available means for removing polluted materials from the bottom of lakes, rivers, and harbors.

Much has been said about dredging and dredge disposal in connection with water pollution. But, there is no competent evidence to support the presumption that dredging operations adversely affect the quality of water. Tests conducted by the Government also show that after a period of time polluted material deposited in the Great Lakes disposal areas are no longer polluted and that fauna is healthier and appears to be more thriving than in adjacent lake bottoms.¹

¹ See testimony Gen. Wm. F. Cassidy, Chief of Engineers, before the Senate Appropriations Subcommittee on Public Works (1968) relating to "Pollution Tests Near Dredge Disposal Areas."