

Dredging reduces pollution. The dredging process adds oxygen to the polluted materials by exposing the materials through agitation thereby enabling nature to dissolve and purify the materials. Any effort to discourage or lessen dredging will not only impede pollution abatement but will stifle the economic growth and development of inland ports.

Whatever effect the dredging process may have on sedimentation or pollution, by spillage, leakage or dumping of dredged materials, it is so infinitesimal that it is incapable of being measured. On the other hand, the benefits to be derived from dredging are so great and the damages so slight, if any, that the consequences of not dredging completed overwhelms any other consideration.

Subsection 19 Would Make It Unlawful to Dredge

Under a literal interpretation of Subsection 19(b), the Secretary of Interior is given the power, for example, to abolish or prohibit the use of authorized dumping areas in the Great Lakes, established under the provisions of the Act of March 3, 1905, [33 U.S.C. 419], for maintenance dredge spoil.

The Chief of Engineers recently testified, before the Senate Appropriations Subcommittee on Public Works, that the costs of alternate methods of disposal in the Great Lakes "would be from three to five times the present costs". But, actually this is only one standard for measurement. The overall impact would be much greater since in many instances there is no way to dispose of dredged materials other than by dumping them in the authorized lake disposal areas. Thus, if this bill was passed by the House, in its present form, it will be impossible in many cases to maintain the navigable waterways or harbors of the Great Lakes or elsewhere.

The Secretary of Interior would also have the implied power, under Subsection 19(b), to shut down dredging operations whenever there was a trace of oil in the water around the dredging plant or equipment even though the discharge was harmless. The contractor would always be confronted with the burden of proving that his operations were not the cause of the discharge before he could continue his work. The cost of doing business under these conditions would become prohibitive.

Present Critical Situation

At the present time private dredging work in the Great Lakes and other areas has, in effect, been stopped or shutdown because the Federal Water Pollution Control Administration has failed or refused to agree to the issuance of permits by the Corps of Engineers. As a result, railroads, steamship lines, oil companies, steel firms, and other large industrial concerns have been unable to maintain their dock facilities for loading and unloading cargo. This condition threatens to unduly interfere with the economic development of inland ports. The situation is critical now. If this bill goes through, without excluding dredge spoil or dredging operations, all dredging work would be seriously jeopardized.

Subsection 19(k)

Subsection 19(k) merely contributes to the present chaotic situation. Any further regulation of dredge spoil or dredging operations should be deferred until the results of the Pilot Study authorized by Congress last year are available. This subsection should be deleted if the definition of "oil" is changed as hereinbefore suggested.

Existing Legislation

There is already an overabundance of pollution legislation. As a result of the hodgepodge of such legislation, confusion is rampant, no one really knows what effect if any most of this legislation will have on eliminating or reducing pollution, millions of dollars are being spent with no assurance of any reasonable benefits; and at the present time an administrative paralysis has set in because of the overlapping and conflicting responsibilities and duties between responsible federal agencies. Time should be allowed for full implementation of existing legislation before passing new legislation.

The lack of expertise in the field of pollution is best illustrated by a recent article in Time Magazine [March 29, 1968] dealing with the Torrey Canyon disaster. This article stated:

"Resorting to emergency techniques much the same as those used recently in Puerto Rico, British cleanup squads sprayed detergents along the coast of Cornwall after the tanker Torrey Canyon went aground last year. Scientists now report that the detergents did more damage to marine life than did the oil.