

the owner or operator of a vessel who removes a discharge of oil by detergents, or other means, pursuant to the provisions of S. 2760 and H.R. 14000, can be held liable under H.R. 15906 for introducing hazard substances into the waters. See Professor Smith's report on the "Torrey Canyon" studies on pollution and marine life, *supra*.

H.R. 13852

We urge the defeat of this bill to prohibit or abolish dumping in authorized dumping areas in the Great Lakes established under the provisions of the Act of March 3, 1905, or any other Act, for the reasons hereinbefore stated.

Respectfully submitted.

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STATEMENT OF NATIONAL ASSOCIATION OF MANUFACTURERS

This statement is submitted on behalf of the National Association of Manufacturers, a voluntary association of business and industrial enterprises, both large and small, located in every state. We appreciate this opportunity to present our views on H.R. 15906, the proposed "Oil and Hazardous Substance Pollution Control Act of 1968" and on S. 2760.

H.R. 15906

We begin with a discussion of H.R. 15906, and note that, contrary to opinion in some quarters, this measure is not designed solely to avoid a repeat of the unfortunate consequences which followed the accident involving the Torrey Canyon when large quantities of oil cargo were dispersed into open waters from this ship. Shore installations are specifically covered by the provisions which would become Section 21 of the Federal Water Pollution Control Act. And most importantly, here the thrust of the legislation is not to control oil emission, but rather the discharge of "matter" defined as "any substance of any description or origin, *other than oil*, which, when discharged from a vessel or shore installation into any waters in substantial quantities, presents, in the judgment of the Secretary, an imminent and substantial hazard to the public health or welfare." (Emphasis added.)

Since the bill includes manufacturing and industrial plants in its definition of "shore installation," this Association has a direct interest in the subject matter.

Proposed Section 21(b) would provide that "The owner or operator of any vessel or shore installation from which matter is discharged into the navigable waters of the United States or into the waters of the contiguous zone shall immediately ameliorate the effects of discharged matter under the direction of the Secretary or his delegate. If such owner or operator fails to so act, the Secretary may ameliorate the effects of such discharged matter, and such owner or operator, and, as appropriate, the vessel and shore installation shall be liable, not withstanding any other provision of law, to the United States for the full amount of the actual cost incurred by the United States under this subsection: *Provided*, That there shall be no such liability where such discharge was due to an act of God . . ."

These provisions would give the Secretary of the Interior sweeping powers with no apparent restraints or cautionary safeguards. There appears to be no