

cedures daily and when it certifies a vessel the certificate includes all types of miscellaneous equipment on board commercial vessels. It makes no sense at all to have one governmental department attempting to regulate particular aspects of vessel operation when another governmental department now exercises regulatory authority over nearly every aspect of ship operation. In addition, it should be made abundantly clear that any person properly using and maintaining certified sewage control equipment shall be immune from liability for sewage discharges.

On page 8 (subsection (k) flatly states that the provisions of section 11 "shall be enforced by the employees of the Secretary of the Interior and by personnel of the Secretary of the Department in which the Coast Guard is operating . . ." This enforcement by "employees" of two different Cabinet-rank departments would inevitably lead to confusion and constitutes an entirely unnecessary duplication which is both inefficient and costly.

In connection with section 12 of the bill, which fixes the same prohibitions contained in section 11, for the so-called "contiguous zone" which is an additional 9 miles seaward from the outer boundary of the three-mile limit, the question arises as to the physical ability of the Department of the Interior to engage in surveillance and enforcement this far off shore. Is it contemplated, for example, that Interior would build, maintain, and operate a completely duplicate fleet of patrol vessels? Thus, it is suggested that the bill should stipulate that the Coast Guard not only prescribe the mechanical and structural facilities needed on board a vessel, but that they have the sole responsibility for enforcing the pertinent regulations.

Section 12 provides that it shall be unlawful to discharge from any vessel sewage, ballast and bilge water, sludge, garbage, etc., "into the waters of the contiguous zone . . . which may pollute or contribute to the pollution of the waters of the territory or the territorial sea of the United States, except in case of an emergency . . . unavoidable collision, stranding, or accident, or except under regulations prescribed by the Secretary." The question arises as to why the section 12(a) unlawful discharge of the noxious materials mentioned into the contiguous zone should be subject to the four exceptions of emergency, unavoidable collision, stranding, or accident, while the section 11(f) unlawful discharge of the same noxious materials into the navigable waters is not subject to these four exceptions. Thus, it is suggested that this discrepancy be corrected by amending H.R. 16207 so that the four exceptions stated in section 12(a) also apply to discharges into the navigable waters as set out in section 11(f).

In closing, I would like to comment on the serious problem of retrofit, i.e., re-piping and replumbing existing vessels to collect and/or treat waste materials. The Navy has already testified that they estimate an expenditure of approximately \$255 million to repipe and replumb 700 vessels, and the Coast Guard has indicated that their estimates for retrofit range from \$50,000 to \$300,000, depending on type of vessel. In this connection, we would like to note the variety of types of commercial vessels affected such as passenger ships, tankers, bulk carriers and dry cargo ships. In addition to the substantial costs involved in the physical alteration of these ships, the tremendous commercial loss incurred during lay-up must be taken into account. This loss would not fall on the shipowner alone, but on shippers, freight forwarders, pier owners, railroads, truckers, longshoremen and seamen as well. In fact, such retrofitting would hasten the end of many aging ships when we are already faced with the specter of block obsolescence. The deterioration of the American-flag merchant marine is well known, and it would not seem to make sense for the Public Works Committee to hasten its demise when other Committees of the Congress are working so hard to rescue it.

Sincerely,

RALPH E. CASEY.

OHIO VALLEY IMPROVEMENT ASSOCIATION, INC.,
Cincinnati, Ohio, April 25, 1968.

Re S. 3206.

HON. GEORGE H. FALLON,
Chairman, House Committee on Public Works, Rayburn House Office Building
Washington, D.C.

DEAR CONGRESSMAN FALLON: The Ohio Valley Improvement Association, founded in 1895, is a non-profit corporation of the State of Ohio. It is dedicated to the social and economic improvement of the Ohio Valley Region, principally