

# ENVIRONMENTAL PROTECTION NETWORK

## **Marine Pollution: The Statutory Program that Protects the Ocean from Dumping of Pollution at Risk**

### **Why is marine pollution important?**

- EPA's Marine Pollution Program regulates ocean dumping.
- Increasing economic activity leads to more dumping of materials in the ocean.
- Without regulation, this dumping could pollute and poison the ocean in coastal and open ocean areas.
- With regulation, sensible ocean dumping can take place and dangerous ocean dumping is prohibited.

### **What specific problems and challenges does the Marine Pollution Program address?**

- It regulates:
  - ocean dumping of sediments from navigational dredging of ports, harbors and shipping channels,
  - water pollution from vessels of the Armed Forces,
  - ocean dumping of sewage sludge, and
  - ocean disposal of oil exploration platforms, commercially processed fish wastes, and human remains for burial at sea.
- It prohibits ocean dumping of hazardous materials such as radioactive wastes.
- It ensures:
  - environmentally safe use of decommissioned Navy vessels for target practice, and
  - Environmentally safe conversion of decommissioned vessels into artificial reefs.
- It prevents plastics and other trash from polluting our rivers and the oceans.

### **What will we lose if this program is slashed?**

- EPA will stop working with the Navy to develop Uniform National Discharge Standards for Vessels of the U.S. Armed Forces. Without these new standards, Armed Forces vessels might face different discharge standards in every state's waters, making it virtually impossible to comply.
- The public will lose any assurance that sewage sludge and dredged material are disposed of at locations and in a manner that assures protection of human health and marine species.
- The United States will no longer be in compliance with its obligations under the London [Dumping] Convention and other international agreements regarding marine pollution.
- The Nation's ports and harbors and federal channels will not get dredged (or will get dredged on a significantly delayed schedule) to adequate depths for safe passage of cargo vessels, passenger ships, vessels of the Armed Forces and recreational vessels. This could have a huge economic impact if vessels are turned away from ports because of inadequate depth.
- EPA will stop issuing permits for disposing of other materials in ocean waters, such as of obsolete oil exploration platforms and commercially processed fish wastes. EPA will stop its diligent efforts to prevent ocean dumping of illegal and hazardous materials, such as radioactive wastes.
- It would become illegal to dispose of certain classes of vessels in ocean waters, because EPA must approve vessel cleanup prior to disposal.
- States would lose the right to keep their own waters clean by designating No Discharge Zones for vessels, because EPA is required to concur on these designations.
- There would be no state or local authorities to replace EPA's role in ocean waters beyond the 3-mile limit, because these waters are outside the scope of state authority.

## How does this program achieve results?

- EPA's Ocean Dumping Program has five key processes/functions:
  - Establishing environmental criteria/guidance for implementing the Marine Protection, Research and Sanctuaries Act (MPRSA)
  - Reviewing, concurring on and issuing ocean dumping permits
  - Designating ocean disposal sites
  - Establishing and managing Site Management and Monitoring Plans
  - Enforcing MPRSA
- Section 312(n) of the Clean Water Act requires EPA and the Department of Defense to establish uniform national discharge standards to control discharges incidental to the normal operation of a vessel of the Armed Forces. The discharge standards are intended to reduce the adverse environmental impacts associated with the discharges, stimulate the development of improved pollution control devices and advance the development of environmentally sound ships by the military. The standards are being implemented in three phases through a partnership between the EPA and the Department of Defense. They apply to discharges incidental to the normal operation of vessels of the Armed Forces (i.e., Army, Navy, Marine Corps, Air Force, Military Sealift Command and U.S. Coast Guard vessels). They also apply to discharges in waters of the United States and extend seaward out to 12 nautical miles from the coastline.

## Success stories resulting from this program:

- Resolved "dredgelock" in NY Harbor where litigation had stymied dredging needed to keep the Harbor open for shipping. Established disposal criteria to ensure environmental protection and established a site where dredged material could be used to restore areas contaminated by previous disposal, allowing dredging and port operations to continue.
- Put in place permits, which are required to be re-issued periodically, that allow environmentally safe disposal of fish wastes from fishing operations; the National Science Foundation ice pier that is essential for U.S. research in Antarctica; materials associated with research activities; and, yes, even burial at sea.
- Located barrels of hazardous material in the ocean, facilitating their removal.
- Established and operates EPA's Trash Free Waters Program, which draws on a range of EPA's regulatory tools, such as the establishment of total maximum daily loads for water bodies and voluntary community programs to reduce the volume of plastics and other trash entering U.S. waterways.
- Developed criteria for cleaning up vessels that are sunk for use as reefs to ensure they enhance the environment and don't degrade it. They wouldn't be valuable for recreational diving (the purpose of this activity) if the fish avoided the "reef" or were sick or dead -- and we don't want the divers getting sick, either.

## Baseline Budget FY 2016

\$10.161 million, 37.4 FTE (Staff)

## Contact for more information:

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