

107TH CONGRESS
2^D SESSION

H. R. 5092

To amend the Marine Protection, Research, and Sanctuaries Act of 1972 to restrict ocean dumping at the site off the coast of New Jersey, known as the “Historic Area Remediation Site”, to dumping of dredged material that does not exceed polychlorinated biphenyls levels of 113 parts per billion.

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 2002

Mr. PALLONE (for himself, Mr. ANDREWS, and Mr. HOLT) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Marine Protection, Research, and Sanctuaries Act of 1972 to restrict ocean dumping at the site off the coast of New Jersey, known as the “Historic Area Remediation Site”, to dumping of dredged material that does not exceed polychlorinated biphenyls levels of 113 parts per billion.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Anti-Ocean Dumping
5 Act of 2002”.

1 **SEC. 2. RESTRICTION ON OCEAN DUMPING AT THE HIS-**
2 **TORIC AREA REMEDIATION SITE.**

3 Section 103 of the Marine Protection, Research, and
4 Sanctuaries Act of 1972 (33 U.S.C. 1413) is amended by
5 adding at the end the following:

6 “(f) RESTRICTION ON OCEAN DUMPING AT THE HIS-
7 TORIC AREA REMEDIATION SITE.—

8 “(1) IN GENERAL.—No permit under this Act
9 authorizing transportation of material for the pur-
10 pose of dumping at the Historic Area Remediation
11 Site, and no permit under this Act authorizing such
12 transportation (other than a permit for transpor-
13 tation of qualified dredged material), shall be effec-
14 tive.

15 “(2) REQUIREMENTS FOR QUALIFIED DREDGED
16 MATERIAL.—

17 “(A) IN GENERAL.—The Administrator
18 shall issue regulations that establish require-
19 ments for material to be considered qualified
20 dredged material for purposes of this sub-
21 section.

22 “(B) CRITERIA.—Regulations under this
23 paragraph shall provide, at a minimum, that
24 dredged material is not qualified dredged mate-
25 rial unless the polychlorinated biphenyls level of

1 such material does not exceed 113 parts per bil-
2 lion.

3 “(3) DEFINITIONS.—In this subsection, the fol-
4 lowing definitions apply:

5 “(A) HISTORIC AREA REMEDIATION
6 SITE.—The term ‘Historic Area Remediation
7 Site’ means the dredged material disposal area
8 known by that name that is located east of
9 Sandy Hook, New Jersey, and described in sec-
10 tion 228.15(d)(6) of title 40, Code of Federal
11 Regulations (as in effect on July 1, 1999).

12 “(B) QUALIFIED DREDGED MATERIAL.—
13 The term ‘qualified dredged material’ means
14 dredged material that is qualified dredged ma-
15 terial under regulations issued under paragraph
16 (2).”.

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