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**U.S. DEPARTMENT OF TRANSPORTATION
MARITIME ADMINISTRATION**

**REPORT
ON
PORT AND SHIPPING
SAFETY AND ENVIRONMENTAL PROTECTION**

**QUARTERLY REPORT
NUMBER 49**

SUMMARY

This quarterly report is the 49th in a series concerning safety and environmental protection matters related to ports and shipping. Highlights include:

1. The 80th session of the Council (C 80) of the International Maritime Organization (IMO) convened at IMO Headquarters in London from June 15-19, 1998. Among the many C 80 agenda items were evaluation activities and financial matters. In the 1998-99 biennium, the IMO began implementation of its first program-based budget. The IMO Secretary-General proposed a detailed reporting schedule that will provide semi-annual reports comparing program performance against planned and actual expenditures in the approved budget. The first full report is to be issued to the November 1998 Council meeting (C 81). In addition, the Secretary-General presented an overview report of preliminary budget prospects for 1998. The Council endorsed the Secretary-General's proposed reporting evaluation framework. The Secretary-General noted that the 1998-99 biennium budget reflected zero nominal growth. (Item 1-A)
2. The 26th session of the IMO Facilitation Committee (FAL 26) was held at IMO Headquarters in London from September 7-11, 1998. Issues addressed by the Committee included: (a) status of the Convention on Facilitation of International Maritime Traffic (FAL Convention); (b) consideration and adoption of proposed amendments to the Annex to the FAL Convention; (c) electronic data identification (EDI) messages for the clearance of ships; (d) intermodal transport of dangerous goods; (e) stowaways; and (f) ship/port interface. (Item 1-E)
3. On June 29, 1998, the U.S. Environmental Protection Agency (EPA) published a final rule amending its rules under the Toxic Substances Control Act which address the manufacture, processing, distribution in commerce, use, cleanup, storage, and disposal of polychlorinated biphenyls (PCBs). This rule provides flexibility in selecting disposal technologies for PCB wastes. It expands the list of available decontamination procedures; provides mechanisms for obtaining EPA approval for a variety of activities; clarifies and/or modifies certain provisions where implementation questions have arisen; modifies the requirements regarding the use and disposal of PCB equipment; and addresses outstanding issues associated with the notification and manifesting of PCB wastes and changes in the operation of

discharges will not require pollution controls. This is the first phase of a three-phase process to set uniform national discharge standards for Armed Forces vessels. (Item 3-J)

5. The National Dredging Team (NDT) has published its guidance document titled *Local Planning Groups and Development of Dredged Material Management Plans: Guidance by the National Dredging Team*. Dated June 1998, this NDT guidance was developed to address 2 of the 18 recommendations in the December 1994 federal interagency report, *The Dredging Process in the United States: An Action Plan for Improvement*. The purpose of this guidance is to encourage the formation of Local Planning Groups to assist in the development of dredged material management plans. The guidance provides a framework to: (a) assist in the formation of Local Planning Groups; (b) provide context regarding the relationship of Local Planning Groups to other groups having different but compatible purposes, e.g., Regional Dredging Teams; (c) establish a planning process; and (d) develop and implement dredged material management plans. (Item 4-C)

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The contents of this report are available on the MARAD National Maritime Resource and Education Center (NMREC) Internet Home Page (http://nmrec.dot.gov/quarterly_report.html). NMREC was established in April 1994 to assist the U.S. maritime industry improve its

1. INTERNATIONAL ACTIVITIES

A. International Maritime Organization (IMO), Council (C) and Technical Cooperation Committee (TCC)

The 80th session of the Council (C 80) and the 45th session of the Technical Cooperation Committee (TCC 45) convened at IMO Headquarters in London from June 15-19, 1998. All 32 Council members were in attendance, as well as observers from 22 other IMO member countries, 1 one associate member, 3 United Nations specialized agencies, 9 intergovernmental organizations, and 14 nongovernmental organizations. The chairmen from three IMO technical committees and the rector of the World Maritime University (WMU) also attended. The United States was represented by the Department of State and the Coast Guard.

C 80 agenda items included the following: (1) report on the status of the IMO Convention and membership of the Organization; (2) report on the status of conventions and other multilateral instruments in respect of which the IMO performs functions; (3) consideration of the report of the Maritime Safety Committee (MSC); (4) consideration of the report of the Legal Committee (LEG); (5) consideration of the report of the Marine Environment Protection Committee (MEPC); (6) consideration of the report of the TCC; (7) report on the Conference of Contracting Governments to the 1974 International Convention for the Safety of Life at Sea, as amended, (SOLAS Convention); (8) IMO World Maritime University (WMU); (9) IMO International Maritime Law Institute; (10) immunities and privileges; (11) evaluation activities; (12) personnel matters; (13) financial matters; (14) Technical Cooperation (TC) Fund; (15) review of the IMO's financial framework; (16) relations with the United Nations and the specialized agencies; (17) Joint Inspection Unit; (18) relations with intergovernmental organizations; (19) relations with nongovernmental organizations; and (20) International Maritime Prize.

Significant actions taken at C 80 include the following:

1. The Council welcomed the Marshall Islands as the 156th member country of the IMO. The Council noted the information on the state of acceptances relating to the amendments to the IMO Convention adopted in 1991 and 1993 concerning, respectively, the institutionalization of the Facilitation Committee (FAL) and the enlargement of the Council, and urged member nations that had not done so to adopt the amendments without delay. (Note: The U.S. Senate ratification of the amendments occurred in June 1998; the U.S. government is preparing instruments

International Safety Management (ISM) Code and expressed appreciation to the Secretary-General for his strenuous efforts to ensure the timely and effective implementation of the ISM Code. The ISM Code went into effect worldwide as scheduled on July 1, 1998. C 80 also received and approved the report on the 1997 SOLAS Conference.

3. The Council and certain members, including the U.S. delegation, noted that the IMO WMU has made major advances in various areas, including putting into operation a 5-year strategic plan, accreditation and increased international recognition, increased enrollment, increased fellowship funding, academic development, and the offering of research and consultant expertise to IMO committees. The Council expressed appreciation to the WMU rector for his excellent leadership and vision.
4. In the 1998-99 biennium, the IMO began implementation of its first program-based budget. The Secretary-General proposed a detailed reporting schedule that will provide semi-annual reports comparing program performance against planned and actual expenditures in the approved budget. The first full report is to be issued to the November 1998 Council meeting (C 81). In addition, the Secretary-General presented an overview report of preliminary budget prospects for 1998. The Council endorsed the Secretary-General's proposed reporting evaluation framework. The Secretary-General noted that the 1998-99 biennium budget reflected zero nominal growth, i.e., a yearly budget of approximately 17.6 million British pounds.
5. C 80 considered the final report on the implementation status of the projects approved for financing or co-financing through the TC Fund during the 1996-97 biennium. In addition, it considered an outline of additional projects for 1998-99 totaling a million British pounds. Several delegations noted with concern that many TC projects for the 1996-97 biennium were never begun or had begun late, and noted that lack of counterpart financing had been a major stumbling block in activating many projects. Delegations hoped that project implementation would proceed at a more orderly pace during the current biennium.
6. The Secretary-General stated that the IMO was in good financial condition. The U.S. delegation praised the Secretary-General and the IMO secretariat for good financial management, noting that there was no need to revise the current IMO

Fund; (4) regional presence; (5) IMO Women-in-Development Program; (6) training activities under the auspices of the IMO; (6) work of other bodies; and (7) technical cooperation policies and strategies for 2000-2001.

The new Director of the IMO TC Division, in his review of the work of the Committee, recalled that the TCC session in June 1997 approved the current ITCP, consisting of a total of 194 projects/activities, among which 53 were operational. He informed the TCC that some new sources of ITCP financing had been secured and that the number of operational projects/activities had increased to 80. He noted that, with the approval of the TC Fund Program for 1998-99, it was expected that more projects/activities would be delivered during the current biennium. Nonetheless, he informed the Committee that the available funding was far from sufficient to address the full complement of the current ITCP, with secured funding accounting for only 35 percent of the required funding.

With regard to discussions of the TC policies and strategies for 2000-2001, the TC Division Director cautioned that, although the IMO is involved in executing some 60 projects annually, the funding was spread too thinly to make a substantial impact on any region. The multiplicity of projects involved the use of scarce resources without always achieving measurable results. To correct this imbalance, the key objectives of the forthcoming biennium will be channeled through three major initiatives that are closely interrelated as part of the overall ITCP strategy. The key objectives are: (1) capacity-building and the human element; (2) promoting regional cooperation; and (3) sustainable development through institution-building.

In addition, the Committee examined papers dealing with priorities for IMO technical cooperation in Latin America, and also a joint U.S. and Canadian paper on coordination with the IMO in technical cooperation in marine affairs. Furthermore, various delegations, including the U.S. delegation, expressed pleasure with the new competent management team in charge of IMO technical cooperation.

For further information, contact Mr. John M. Garner, IMO Affairs Officer, Bureau of International Organizations, U.S. Department of State, Washington, DC 20520, (phone: (202) 647-4198), or Mr. Gerard Yoest, Director, International Affairs (G-CI), U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, (phone: (202) 267-2280).

B. International Maritime Organization (IMO), Subcommittee on Flag State Implementation (FSI)

FSI 6 agenda items included the following: (1) decisions of other IMO bodies; (2) implementation of IMO instruments: responsibilities of governments and measures to encourage flag state compliance; (3) survey and certification; (4) reporting on noncompliance with IMO instruments; (5) casualty statistics and investigations; (6) port state control; and (7) technical assistance. Work during the session was conducted in plenary, three working groups, and one drafting group.

Among significant accomplishments at FSI 6 are the following: (1) agreement to the draft amendments to resolution A.746(18) on the testing and servicing of 406MHz emergency position-indicating radio beacons (EPIRBs) and on the survey of emergency towing arrangements; (2) agreement to the draft amendments to resolution A.560(14) on the survey of emergency towing arrangements; (3) initiation of the development of draft guidelines for unscheduled inspections of ro-ro passenger ships by flag states; (4) agreement that there is no need to further pursue the issue of the period of validity of exemption certificates nor the implementation of regulation II-2/53.1.3 of the 1974 International Convention for the Safety of Life at Sea, as amended, (SOLAS Convention); (5) approval of the flag state performance self-assessment form; (6) agreement to refer Japan's proposed amendments to resolution A.744(18) regarding the assessment of the longitudinal strength of hull structures of old oil tankers to the Subcommittee on Ship Design and Equipment; (7) agreement to defer consideration of Japan's proposal for mandatory reporting procedures on port state control detentions concerning serious structural deteriorations or deficiencies until FSI 7; and (8) approval of draft amendments to resolution A.787(19) and a draft MSC/Marine Environment Protection Committee (MEPC) circular concerning interim guidelines for the enforcement of the International Safety Management (ISM) Code by port states.

For further information, contact Mr. David Deaver, International Compliance and Outreach Division, Office of Compliance (G-MOC), U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, (phone: (202) 267-0502).

C. International Maritime Organization (IMO), Subcommittee on Bulk Liquids and Gases (BLG)

The third session of the Subcommittee on Bulk Liquids and Gases (BLG 3) was held at IMO Headquarters in London from July 6-10, 1998. Delegations from 41 member governments, 1 associate member, 3 intergovernmental organizations, and 14 nongovernmental organizations attended the meeting. The United States was represented by the Coast Guard with assistance from two private sector advisers.

Chemical (IBC) Code; (7) requirements for protection of personnel involved in transportation of cargoes containing toxic substances in oil tankers; (8) review of existing ships' safety standards; amendments to regulations VII/9 and VII/12 of the 1974 International Convention for the Safety of Life at Sea, as amended, (SOLAS Convention); (9) review of specifications for crude oil washing systems; (10) revision of chapter 8 of the IBC Code in light of the revised SOLAS regulation II-2/59; (11) evaluation of safety and pollution hazards of chemicals and preparation of consequential amendments; (12) review of MARPOL regulation I/13G on oil tankers; and (13) hydrostatic balance loading.

Significant actions taken at BLG 3 include the following:

1. A working group, chaired by the United States, made substantial progress towards the development of the proposed accidental oil outflow regulation to replace the existing MARPOL regulations in I/22 to 24. The outflow standard proposed by the United States in submittals to BLG 3 was endorsed by the working group and incorporated into the proposed new regulation. This standard will lead directly to improved oil tanker designs that will reduce the amounts of oil spilled in the case of damage to a tank. A correspondence group was established to further develop explanatory notes and to evaluate the application of the proposed outflow standard to smaller tankers and to ore/bulk/oil carriers. It is intended that the proposed regulation and the explanatory notes will be finalized at the BLG 4 meeting. The working group also developed a proposed Marine Environment Protection Committee (MEPC) circular providing a unified interpretation of resolution MEPC.64(36) related to hydrostatic balance loading.
2. A working group was convened to address the issue of applying recent amendments of SOLAS regarding cargo tank venting to existing chemical tankers. The working group prepared proposed amendments to the Bulk Chemical Code and the IBC Code that would require a secondary means for cargo tank over/under pressure protection in line with the requirements of SOLAS regulation II-2/59. The Subcommittee endorsed the proposed amendments and forwarded them to the Maritime Safety Committee (MSC) for approval.
3. The Subcommittee considered the revisions of both MARPOL Annexes I and II. With regard to Annex I (Oil), the BLG considered a large number of editorial changes. Following the plenary discussion, a separate drafting group reviewed the results of the discussion and began appropriate text revisions. A report of the

the next session. There is now broad agreement that improved cargo tank stripping will be required as Annex II is revised in order to reflect technological improvements. A drafting group met to draft an action plan on the revision of Annex II. The plan calls for the Subcommittee to be finished with its evaluation of alternative pollution categories for NLS cargoes by the year 2002. The plan also provides terms of reference for the BLG working group on the evaluation of safety and pollution hazards of chemicals.

4. The standing BLG working group on the evaluation of safety and pollution hazards of chemicals was not convened during this session. This allowed the members of this working group to participate in the plenary discussions relating to the revision of MARPOL Annexes I and II, which were held throughout the week. Items that were to be covered by the working group, such as the approval of new cargoes and cleaning agents, will be taken up by the group at its intersessional meeting in September 1998.
5. Japan had proposed, through a working paper at BLG 2, to amend MARPOL regulation I/13G to bring existing oil tankers between 20,000 and 30,000 dwt carrying persistent product oil under the same requirements for double hull construction as for crude oil tankers. The BLG set up a drafting group to complete an initial assessment of the impact on the maritime industry of this proposed amendment to the regulation. The drafting group reviewed the Japanese proposal and statistical information provided by INTERTANKO. The drafting group prepared an initial impact statement which was approved by the Subcommittee and forwarded to the MEPC for its consideration.

For further information, contact Mr. Mike Parnarouskis, (phone: (202) 267-0086), or Mr. Tom Felleisen, (phone: (202) 267-0085), Hazardous Materials Standards Division, Office of Operating and Environmental Standards (G-MSO), U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593.

D. International Maritime Organization (IMO), Subcommittee on Safety of Navigation (NAV)

The 44th session of the Subcommittee on Safety of Navigation (NAV 44) was held at IMO Headquarters in London from July 20-24, 1998. The session was attended by 57 member

NAV 44 agenda items included the following: (1) routing of ships, ship reporting, and related matters; (2) amendments to the 1972 Convention on the International Regulations for Preventing Collisions at Sea, as amended, (COLREGs 1972); (3) revision of chapter V of the 1974 International Convention for the Safety of Life at Sea, as amended, (SOLAS 1974 or SOLAS Convention); (4) development of measures complementary to the Code for the Safe Carriage of Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes in Flasks on Board Ships (INF Code); (5) navigational aids and related matters; (6) operational aspects of wing-in-ground craft -- possible amendments to COLREGs; and (7) revision of the International Code of Safety for High Speed Craft (HSC Code).

Significant actions taken at NAV 44 include the following:

1. The Subcommittee approved proposed mandatory ship reporting systems in two areas off the eastern coast of the United States. The objective of the reporting systems is to reduce ship strikes of endangered large whales, particularly the northern right whale. The Subcommittee also approved the proposed establishment of a mandatory ship reporting system for the Dover Strait/Pas de Calais, which makes mandatory a voluntary reporting system that has been operating since 1989, and a proposed amendment to the general provisions on ships' routing, which would require administrations proposing traffic separation schemes (TSS) or TSS amendments to ensure that the design of the TSS would allow vessels to, at all times, comply with rule 10 of the COLREGs. The NAV agreed to draft amendments to the COLREGs relating to the operational aspects of wing-in-ground craft. Approval of the amendments will be timed to coincide with other COLREGs amendments presently under consideration. Also approved was a circular that provides operational guidance for ships transiting archipelagic waters in which there are IMO adopted archipelagic sea lanes.
2. The Subcommittee continued its consideration of a comprehensive revision of SOLAS chapter V, was not able to complete this work, and has requested an extension of the target date to 1999. Among the most significant issues discussed at the session were: (a) the NAV agreed that ro-ro passenger ships on international voyages should be fitted with voyage data recorders (VDRs), and a majority of delegations supported a phase-in for other classes of ships; (b) the U.S. proposal for annual testing of VDR equipment was supported by a number of delegations; (c) a majority of the NAV supported the U.S. position on a new provision to require ships of 300 gross tons or greater to be fitted with an automatic

Safety Committee at its 70th session (MSC 70) to consider a revised SOLAS regulation V/6 and recommended preparation at MSC 70 of a supplemental document dealing with the operational, administrative, and financial support issues.

4. The Subcommittee approved draft performance standards for raster chart display systems (RCDSSs) as an appendix to existing performance standards for electronic chart display and information systems (ECDIS). (This action is consistent with NOAA's strategy of producing vector electronic navigation charts (ENCs) for ECDIS that cover the 40 largest ports in the United States and expanding this coverage over time as resources become available. For those waters not covered by ENCs, NOAA raster nautical charts will serve as the interim official electronic chart product. The new performance standards will greatly facilitate this process for NOAA and for the Coast Guard, which regulates chart carriage for U.S. waters.) Also, the NAV prepared a draft MSC resolution on adoption of new and amended performance standards that included standards for integrated navigation systems, sound reception systems, and transmitting magnetic heading devices.
5. The Subcommittee agreed to proposed amendments to chapter 13 (navigational equipment) of the HSC Code based primarily on work completed at the 41st session of the Subcommittee on Ship Design and Equipment (DE 41). It was agreed that it would be premature to embark on a comprehensive review of the HSC Code until relevant regulations in SOLAS chapter V are finalized. However, the NAV agreed that a comprehensive review would be necessary and invited the MSC to include in its work program a low priority item concerning a comprehensive review of chapter 13 of the HSC Code.

For further information, contact Mr. Edward J. LaRue, Chief, Navigation Rules Division, Office of Vessel Traffic Management (G-MOV), U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, (phone: (202) 267-0416).

E. International Maritime Organization (IMO), Facilitation Committee (FAL)

The 26th session of the Facilitation Committee (FAL 26) was held at IMO Headquarters in London from September 7-11, 1998. The session was attended by 50 member governments, 1 associate member government, 4 intergovernmental organizations, and 15 nongovernmental organizations. The United States was represented by the Coast Guard with assistance from three

(4) application of the Committee's guidelines; (5) general review of the FAL Convention; (6) formalities connected with the arrival, stay, and departure of ships; (7) formalities related to cargo -- facilitation aspects of the intermodal transport of dangerous goods; (8) formalities connected with the arrival, stay, and departure of persons -- stowaways; (9) facilitation aspects of other IMO forms and certificates -- harmonized reporting format; and (10) ship/port interface (SPI).

Major FAL 26 actions include the following:

1. The FAL noted that the Assembly had adopted resolution A.871(20) on guidelines for the allocation of responsibilities to seek the successful resolution of stowaway cases and resolution A.872(20) on guidelines for the prevention and suppression of the smuggling of drugs, psychotropic substances, and precursor chemicals on ships engaged in international maritime traffic, as prepared by the Committee at its 25th session.
2. The Committee approved all priority one amendments to the Annex to the FAL Convention for adoption at FAL 27. These amendments address electronic data processing techniques; illicit drug trafficking; the arrival, stay, and departure of persons; and the clearance of cargo and other articles.
3. With regard to matters related to stowaways, the Committee proposed that member states and international organizations concerned should submit statistics on stowaway cases. These statistics should be evaluated before any further steps are taken with regard to a more binding instrument than the existing stowaway guidelines, such as the adoption of standards or recommended practices. A draft circular was developed under the leadership of the United States during this session to request that statistical information be submitted. Member governments were also requested to provide experiences gained and actions taken with the implementation of the stowaway guidelines.
4. The SPI working group met concurrently at the IMO during FAL 26. Matters addressed by the SPI working group involved: (a) data elements for notifications of ship arrivals; (b) establishment and operation of reception facilities including funding mechanisms; (c) assessment of adequacy and availability for tug assistance in port waters; (d) implementation of IMO instruments and training requirements for cargo-related matters; (e) updating of the bibliography list for training with regard to SPI (FAL.6/Circ.6); and (f) promotion of EDI matters relating to the

Goods, Solid Cargoes and Containers (DSC 4). The working group also completed a report to the 42nd session of the Marine Environment Protection Committee (MEPC 42) on its work regarding reception facility surveys worldwide. The working group provided, as an annex to its report, the recommended draft revision of chapter 11 of the IMO Comprehensive Manual on Port Reception Facilities.

5. The Committee considered the comments made by the International Chamber of Shipping (ICS) in support of the application of standard 3.45 of the FAL Convention which states that crew members shall not be required to hold a visa for the purpose of shore leave. The Committee overwhelmingly supported the request of the ICS to urge governments that require visas for crew members on shore leave to reconsider that requirement. It was implied, but not stated, that the United States was among those countries to which the request was directed. The United States currently requires a crew list visa and recently revised its fee structure requiring a fee of \$45 per name on the list. The ICS and member governments were invited to submit more information on the application this standard to FAL 27 for further consideration.

For further information, contact Mr. Howard L. Hime, Chief, Office of Standards Evaluation and Development (G-MSR), (phone: (202) 267-6826), or Mr. Robert Gauvin, Vessel and Facility Operating Standards Division, Office of Operating and Environmental Standards (G-MSO), (phone: (202) 267-1053), U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593.

2. LEGISLATION AND EXECUTIVE ORDERS

A. Coral Reef Protection (E.O. 13089)

On June 11, 1998, President Clinton signed Executive Order 13089 -- Coral Reef Protection. This order furthers the purposes of the Clean Water Act, the Coastal Zone Management Act, the Magnuson-Stevens Fishery Conservation and Management Act, the National Environmental Policy Act, the National Marine Sanctuaries Act, the National Park Service Organic Act, the National Wildlife Refuge System Administration Act, and other pertinent statutes in order to preserve and protect the biodiversity, health, heritage, and social and economic value of U.S. coral reef ecosystems and the marine environment.

The order defines "U.S. coral reef ecosystems" as those species, habitats, and other natural resources associated with coral reefs in all maritime areas and zones subject to the jurisdiction or control of the United States (e.g., federal, state, territorial, or commonwealth waters), including reef systems in the south Atlantic, Caribbean, Gulf of Mexico, and Pacific Ocean. The "U.S. Coral Reef Initiative" is an existing partnership between federal agencies and state, territorial, commonwealth, and local governments, nongovernmental organizations, and commercial interests to design and implement additional management, education, monitoring, research, and restoration efforts to conserve coral reef ecosystems for future generations.

With certain exceptions, all federal agencies whose actions may affect U.S. coral reef ecosystems shall: (1) identify their actions that may affect U.S. coral reef ecosystems; (2) utilize their programs and authorities to protect and enhance the conditions of such ecosystems; and (3) to the extent permitted by law, ensure that any actions they authorize, fund, or carry out will not degrade the conditions of such ecosystems. In furtherance of this policy, federal agencies whose actions affect U.S. coral reef ecosystems, shall, subject to the availability of appropriations, provide for implementation of measures needed to research, monitor, manage and restore affected ecosystems, including, but not limited to, measures reducing impacts from pollution, sedimentation, and fishing. The order calls for the formation of a U.S. Coral Reef Task Force to oversee implementation of the policy and federal agency responsibilities set forth in this order and to guide and support activities under the U.S. Coral Reef Initiative.

For further information, contact Ms. Kathleen A. McGinty, Chair, Council on Environmental Quality, Old Executive Office Building, 17th Street and Pennsylvania Avenue, NW, Washington, DC 20501, (phone: (202) 456-6224).

further the purposes of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA), as amended, and is intended to improve the federal government's use of recycled products and environmentally preferable products and services. Also, it revokes E.O. 12873 of October 20, 1993.

Provisions of the order include the following:

1. Consistent with the demands of efficiency and cost effectiveness, the head of each executive agency shall incorporate waste prevention and recycling in the agency's daily operations and work to increase and expand markets for recovered materials through greater federal government preference and demand for such products. It is the national policy to prefer pollution prevention, whenever feasible. Pollution that cannot be prevented should be recycled; pollution that cannot be prevented or recycled should be treated in an environmentally safe manner. Disposal should be employed only as a last resort.
2. Consistent with policies established by the Office of Federal Procurement Policy (OFPP) policy letter 92-4, agencies shall comply with executive branch policies for the acquisition and use of environmentally preferable products and services and implement cost-effective procurement preference programs favoring the purchase of these products and services.
3. This order creates a Steering Committee, a Federal Environmental Executive (FEE), and a Task Force, and establishes Agency Environmental Executive (AEE) positions within each agency to be responsible for ensuring the implementation of this order. The FEE, AEEs, and members of the Steering Committee and Task Force shall be full-time federal government employees.

For further information, contact Ms. Kathleen A. McGinty, Chair, Council on Environmental Quality, Old Executive Office Building, 17th Street and Pennsylvania Avenue, NW, Washington, DC 20501, (phone: (202) 456-6224).

3. REGULATIONS

A. Transportation Equipment Cleaning (EPA)

On June 25, 1998, (63 FR 34686), the U.S. Environmental Protection Agency (EPA) published a proposed rule (40 CFR part 442) that would establish technology-based effluent limitations guidelines for the discharge of pollutants into waters of the United States and into publicly owned treatment works (POTWS) by existing and new facilities which perform transportation equipment cleaning operations. Transportation equipment cleaning (TEC) facilities are defined as those facilities that generate wastewater from cleaning the interior of tank trucks, closed-top hopper trucks, rail tank cars, closed-top hopper rail cars, intermodal tank containers, inland tank barges, closed-top hopper barges, ocean/sea tankers, and other similar tanks (excluding drums and intermediate bulk containers) used to transport materials or cargoes that come into direct contact with the tank or container interior. Facilities which do not engage in cleaning the interior of tanks are not considered within the scope of this proposal. This proposal would not apply to wastewater discharges from cleaning operations located at industrial facilities regulated under other Clean Water Act effluent guidelines, provided that the facility cleans only tanks containing cargoes or commodities generated or used on-site or by a facility under the same corporate structure.

EPA is proposing to subcategorize the TEC Point Source Category into 11 subcategories based on types of cargoes carried and transportation mode. The wastewater flows covered by this rule include all contact washwaters which have come into direct contact with the tank or container interior including pre-rinse cleaning solutions, chemical cleaning solutions, and final rinse solutions. Additionally, the rule covers wastewater generated from washing vehicle exteriors, equipment and floor washings, and TEC contaminated wastewater at those facilities subject to the TEC guidelines and standards.

For further information, contact Mr. John Tinger, Engineering and Analysis Division, Office of Science and Technology, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, (phone: (202) 260-4992).

B. Disposal of Polychlorinated Biphenyls (EPA)

On June 29, 1998, (63 FR 35384), the U.S. Environmental Protection Agency (EPA) published a

requirements regarding the use and disposal of PCB equipment; and addresses outstanding issues associated with the notification and manifesting of PCB wastes and changes in the operation of commercial storage facilities. This rule also codifies policies that EPA has developed and implemented over the past 19 years.

This rule streamlines procedures and focuses on self-implementing requirements and the elimination of duplication. Some activities currently requiring PCB disposal approvals will no longer require those approvals. EPA believes that this rule will result in substantial cost savings to the regulated community while protecting against unreasonable risk of injury to health and the environment from exposure to PCBs.

For further information, contact Ms. Susan B. Hazen, Director, Environmental Assistance Division, Office of Pollution Prevention and Toxics, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, (phone: (202) 260-1024).

C. Transfers of Dangerous Liquids (CG)

On July 1, 1998, (63 FR 35822), the Coast Guard (CG), U.S. Department of Transportation, issued a final rule (33 CFR part 155) that modifies the qualification requirements of some persons in charge (PICs) of transfers of fuel oil and establishes the date for compliance with the modified requirements. This modification is necessary to address public concern and to implement the final rule, which, in the part addressed by this rulemaking, reduces the risk and severity of spillage from vessels involved in fuel-oil transfers. The requirement that PICs obtain letters from their trainers stating that the PICs have successfully completed certain training should ensure to the greatest degree possible that crew members acting as PICs of fuel-oil transfers get sufficient training to minimize the risks of water pollution.

For further information, contact Mr. Mark C. Gould, Maritime Personnel Qualifications Division, Office of Operating and Environmental Standards (G-MSO), Marine Safety and Environmental Protection, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, (phone: (202) 267-6890).

D. Harbor Maintenance Fee (CS)

The Harbor Maintenance Fee was created by the Water Resources Development Act of 1986 and

from which the U.S. Congress may appropriate amounts to pay for harbor maintenance and development projects and related expenses.

On March 31, 1998, the U.S. Supreme Court declared that the Harbor Maintenance Fee is unconstitutional as applied to exports. The Court found that the Harbor Maintenance Fee was a tax imposed on an ad valorem basis and, as such, the fee was not a fair approximation of the services, facilities or benefits furnished to the exporter. Therefore, the Court ruled that the Harbor Maintenance Fee does not qualify as a permissible user fee for exporters and is in violation of the Export Clause of the Constitution.

On July 31, 1998, (63 FR 40822), the Customs Service (CS), U.S. Department of the Treasury, issued a final rule that amends 19 CFR 24.24 to make the regulation consistent with the Supreme Court decision. The rule amends the regulation by removing the requirement that an exporter of cargo is liable for the payment of the Harbor Maintenance Fee when cargo is loaded for export at a port subject to the Harbor Maintenance Fee.

For further information, contact Ms. Patricia Barbare, Operations Management Specialist, Budget Division, Customs Service, U.S. Department of the Treasury, 1301 Constitution Avenue, NW, Washington, DC 20229, (phone: (202) 927-0310).

E. Protection of Stratospheric Ozone (EPA)

On August 4, 1998, (63 FR 41626), the U.S. Environmental Protection Agency (EPA) issued a direct final rule (40 CFR part 82) that revises the accelerated phaseout regulation that governs the production, import, export, transformation and destruction of substances that deplete the ozone layer under the authority of sections 602, 604, 605, 606, and 614 of Title VI of the Clean Air Act, as amended in 1990, (CAA). These amendments reflect changes in U.S. obligations under the Montreal Protocol on Substances that Deplete the Ozone Layer due to recent amendments and decisions by signatory countries to this international agreement. Additionally, in response to a petition submitted to EPA, the Agency is removing the requirement in the petition process for imports of used class I controlled substances that a person must certify knowledge of tax liability. Other amendments are designed to ease the burden on affected companies while continuing to ensure compliance with Title VI of the CAA and meet U.S. obligations under the Protocol. EPA is revising the accelerated phaseout regulation as a direct final rule without prior proposal because the Agency views these revisions as noncontroversial and anticipates no relevant adverse comments. Also on August 4, 1998, (63 FR 41652), EPA published a companion proposed rule

F. Safety Standards for Steel Erection (OSHA)

On August 13, 1998, (63 FR 43452), the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor, promulgated a proposed rule (29 CFR part 1926) to revise the construction industry safety standards addressing steel erection. The intent of this revision is to enhance the protections provided to workers engaged in steel erection and to update and strengthen the general provisions that address steel erection. This proposal contains requirements for hoisting and rigging, structural steel assembly, beam and column connections, joist erection, pre-engineered metal building erection, fall protection, and training. The proposed requirements address significant hazards in the steel erection industry. The principal hazards addressed by this proposal are those associated with working under loads; hoisting, landing and placing decking; column stability; double connections; hoisting, landing and placing steel joists; and falls to lower levels.

According to OSHA, accidents during steel erection continue to cause injuries and fatalities at construction sites. OSHA believes that the current standard, which has been in place with little change for 25 years, needs a complete revision to provide greater protection and eliminate ambiguity and confusion. OSHA believes that reorganizing the standard's requirements into a more logical sequence and providing more effective protection will help employers to understand better how to protect their employees from the hazards associated with steel erection and will thus reduce the incidence of injuries and fatalities in this workplace.

For further information, contact the Office of Information and Consumer Affairs, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210, (phone: (202) 219-8151).

G. Advance Notice of Arrival (CG)

In an interim rule published on December 11, 1997, the Coast Guard (CG), U.S. Department of Transportation, amended the notice of arrival requirements for certain vessels that must comply with the International Safety Management (ISM) Code, prior to their entering U.S. waters. On August 17, 1998, (63 FR 44114), the Coast Guard issued a final rule (33 CFR part 160) that completes the rulemaking action that allows the Coast Guard to monitor the ISM Code certification status of vessels prior to operating in U.S. waters and ensure that safety management system requirements are being met. The notice of arrival requirements state that vessels which must meet chapter IX (ISM Code regulations) of the 1974 International Convention for the Safety

H. Harmonization with International Standards (RSPA)

On August 18, 1998, (63 FR 44312), the Research and Special Programs Administration (RSPA), U.S. Department of Transportation, promulgated a proposed rule (49 CFR parts 171, 172, 173, 174, 175, 176, 177, 178, and 180) to amend the Hazardous Materials Regulations (HMR) in order to maintain alignment with international standards. RSPA is proposing to incorporate numerous changes to proper shipping names, hazard classes, packing groups, special provisions, packaging authorizations, air transport quantity limitations, and vessel stowage requirements. In addition, RSPA proposes to make other amendments to the HMR, including the proposal to eliminate the “keep away from food” label for poisonous materials in Division 6.1, Packing Group III. Because of recent changes to the International Maritime Dangerous Goods Code (IMDG Code) issued by the International Maritime Organization (IMO), the International Civil Aviation Organization’s Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO Technical Instructions), and the United Nations Recommendations on the Transport of Dangerous Goods (UN Recommendations), these proposed revisions are necessary to facilitate the transport of hazardous materials in international commerce.

For further information, contact Mr. Bob Richard, Assistant International Standards Coordinator (DHM-5), (phone: (202) 366-0656), or Ms. Joan McIntyre, Office of Hazardous Materials Standards (DHM-10), (phone: (202) 366-8553), Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590.

I. Streamlined Inspection Program (CG)

On August 18, 1998, (63 FR 44346), the Coast Guard (CG), U.S. Department of Transportation, issued a final rule (46 CFR part 8) establishing an optional Streamlined Inspection Program (SIP) to provide owners and operators of U.S. documented or registered vessels an alternative method of complying with Coast Guard inspection requirements. The objective of the SIP is to have vessels participate in a constant state of regulatory compliance rather than the traditional cyclical readiness associated with vessels that must undergo Coast Guard periodic inspections. Under this alternative, the vessel owner or operator works with a Coast Guard representative to develop a Company Action Plan (CAP) and a Vessel Action Plan (VAP). A CAP describes the company’s organization and its commitment to the SIP. The CAP also details how the company will train its employees on their specific SIP responsibilities. The VAP describes the Coast Guard regulations that apply to the vessel and the company’s detailed procedures for its employees to maintain and examine vessel systems to ensure these systems operate safely. To simplify the CAP and the VAP

be inspected by a recognized classification society under the Alternate Compliance Plan (ACP)(46 CFR part 8).

For further information, contact Lt. Paul Arnett, Vessel Compliance Division, Office of Compliance (G-MOC), U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, (phone: (202) 267-0498).

J. Uniform National Discharge Standards (EPA/DOD)

On August 25, 1998, (63 FR 45298), the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Defense (DOD) issued a proposed rule (40 CFR chapter VII and part 1700) that describes the types of discharges generated incidental to the normal operation of Armed Forces vessels and identifies which of these discharges the Armed Forces will be required to control and which vessel discharges will not require pollution controls. This proposal also addresses: (1) the mechanism by which states can petition EPA and DOD to review whether or not a discharge should require control by a marine pollution control device (MPCD) or to review a federal performance standard for a MPCD; (2) the effect on state regulation of vessel discharges; and (3) the processes to be followed by EPA and states when establishing no-discharge zones (where any release of a specified discharge is prohibited).

This is the first phase of a three-phase process to set uniform national discharge standards (UNDS) for Armed Forces vessels. Phase I will establish which types of discharges warrant control and which do not, based on consideration of the anticipated environmental effects of the discharge and other factors listed at section 312(n) of the Clean Water Act. Phase II will promulgate MPCD performance standards, and Phase III will specify requirements for the design, construction, installation, and use of MPCDs.

Uniform national discharge standards will result in enhanced environmental protection because standards will be established for certain discharges that currently are not regulated comprehensively. These standards will also advance the ability of the Armed Forces to better design and build environmentally sound vessels, to train crews to operate vessels in a manner that is protective of the environment, and to maintain operational flexibility both domestically and internationally. In addition, these standards are expected to stimulate the development of innovative vessel pollution control technology.

This proposed rule would apply to vessels of the U.S. Armed Forces, including the Navy, Military

For further information, contact Mr. Gregory Stapleton, Office of Science and Technology, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, (phone: (202) 260-0141), or Mr. David Kopack, Environment and Safety Office, Naval Sea Systems Command, 2531 Jefferson Davis Highway, Arlington, VA 22242, (phone: (703) 602-3594).

K. Hazardous Air Pollutants from Petroleum Refineries (EPA)

On September 11, 1998, (63 FR 48890), the U.S. Environmental Protection Agency (EPA) proposed national emission standards (40 CFR part 63) for hazardous air pollutants (NESHAP) from process vents associated with certain new and existing affected sources at petroleum refineries. Hazardous air pollutants (HAP) that would be reduced by this proposed rule include organics (acetaldehyde, benzene, formaldehyde, hexane, phenol, dioxins, furans, toluene, and xylene) and reduced sulfur compounds (carbonyl sulfide, carbon disulfide); inorganics (hydrogen chloride, chlorine); and particulate metals (antimony, arsenic, beryllium, cadmium, chromium, cobalt, lead, manganese, and nickel). The health effects of exposure to these HAP can include cancer, respiratory irritation, and damage to the nervous system.

The standards are proposed under the authority of section 112(d) of the Clean Air Act (CAA) and are based on EPA's determination that petroleum refinery catalytic cracking units, catalytic reforming units, and sulfur plant units may reasonably be anticipated to emit one or more of the HAP listed in section 112(b) of the CAA from the various process vents found within these petroleum refinery process units. The proposed NESHAP would protect the public health and environment by requiring all petroleum refineries that are major sources to meet emission standards reflecting application of the maximum available control technology (MACT).

For further information, contact Mr. Robert B. Lucas, Waste and Chemical Process Group, Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, NC 27711, (phone: (919) 541-0884).

4. SPECIAL PROJECTS AND REPORTS

A. Waste Water Treatment Technology Survey (NSRP)

The National Shipbuilding Research Program (NSRP) has published a report (NSRP 0516) dated May 18, 1998, and titled *Waste Water Treatment Technology Survey*. The NSRP is a unique cost-shared government and industry program. Its mission is to assist the U.S. shipbuilding and ship repair industry in achieving and maintaining global competitiveness with respect to quality, time, cost, and customer satisfaction.

The objective of the waste water treatment technology survey described in this report was to investigate treatment methods that could quickly treat the ballast water from naval vessels that have compensated fuel tank arrangements. When these vessels enter a shipyard for a repair availability, the tanks must be emptied, cleaned, and gas freed before they can be worked on. This process is frequently on the critical path and, if not performed quickly, either delays vessel completion or requires expensive overtime labor expenditures to make up the time. The basic goal of the project was to identify treatment technologies that could process the ballast water at 500 gpm and clean it sufficiently to discharge it into local navigable waters.

Vessels equipped with compensated fuel tanks have piping arrangements that automatically allow ballast water to flow into the fuel tanks as the fuel is consumed so that the vessels maintain a constant draft. There are consistently over 100 vessels in this group, considering retirements and new vessels added to the fleet on a regular basis. Because of the oil and water interface, there is some mixing of the fuel and water. This mixing includes free oil and emulsified oil. The free oil can be separated from the water easier than the emulsified oil. However, because testing of the ballast water has frequently turned up emulsified oil, and, at even less than 10 ppm, emulsified oil can leave a sheen in the water, the focus of the project was directed towards a capability to treat both types of oil.

A number of treatment solutions were studied including: (1) oil/water separators, (2) membranes, (3) coalescing tanks, (4) dissolved air floatation, (5) carbon filters, and (6) municipal sewers. A combination of coalescing tanks and dissolved air floatation working in series surfaced as the best treatment method. Use of a storage system to hold the water until processed by a slower system was also studied. An analysis of the different types is presented with a cost-benefit analysis. The cost analysis is most sensitive to: (1) the potential efficiency a yard gains from treating the water quickly; (2) the number of yards that can share a portable system; (3) initial system cost; and (4)

B. Our Ocean Future (Heinz Center/NOAA)

The purpose of the International Year of the Ocean, 1998, is to raise public awareness about the value of oceans and coasts, celebrate considerable accomplishments in understanding the oceans, and promote learning from past experiences in managing the oceans and their resources. In the United States, the Year of the Ocean also provides a much needed opportunity to examine national ocean policies and programs as the nation prepares for the 21st century.

The Heinz Center and the National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce, agreed that an examination of the nation's stake in the ocean could best be initiated by convening all major sectors concerned with the oceans -- industry, the environmental community, academia, and government. To that end, the Heinz Center and NOAA entered into a joint project. The joint project was implemented by a steering group composed of leaders from federal and state governments, ocean industry and business, the environmental community, and academia. The steering group issued its final report dated May 1998 in which it describes issues affecting the nation's ocean future and, consequently, its economic and environmental future. In the report, the steering group concludes that there is an urgent need for a systematic and comprehensive review of ocean and coastal policies and programs. Unless action is taken now, significant benefits to the economy and quality of life will be lost, and the United States will fall behind other nations in using and conserving the oceans and their resources. An integrated vision, and a plan for achieving it, must be developed for U.S. marine areas, resources, and activities. A restructuring of national, regional, and local mechanisms for managing oceans and coasts may be necessary, along with new investments in science, education, and management.

According to the report, the preeminent challenge for the United States is to achieve integrated management that balances the use of ocean resources with conservation of those resources. Enormous economic and environmental benefits would result. This challenge can be met if the nation can overcome the obstacles that have blocked progress in the past. The principal obstacles are the following:

1. The nation has underinvested in the physical and technological infrastructure necessary for the efficient use of the oceans and coasts. Elements of this infrastructure include ports and waterways, research laboratories and facilities, and marine services.
2. The national and international institutions and mechanisms for governing and

The steering group defined the dimensions of these obstacles and explored potential solutions in three national meetings convened to focus on the following broad issues: managing the U.S. coasts for economic and environmental prosperity, protecting and restoring fisheries and other living marine resources, and advancing and applying ocean science and technology for the use and conservation of the marine environment.

The steering group further concludes that the Year of the Ocean, 1998, provides a unique opportunity to reflect on, and chart, a new and more effective course for managing the oceans and coasts. Essential roles in this endeavor are already being performed by industry, government agencies at all levels, research and educational institutions, and nongovernmental organizations. Buoyed by strong public interest, all are poised to continue to work together toward America's new ocean future. The best chance for achieving their shared vision lies in the establishment of an independent commission comprised of the nation's ocean leaders, who can recommend the most economically and environmentally beneficial directions for U.S. ocean policy and programs for the next century.

The H. John Heinz III Center for Science, Economics and the Environment, a nonprofit institution, furthers the work of Senator John Heinz by improving the scientific and economic foundation for environmental policy. For further information, contact Mr. Charles A. Bookman, Project Manager, The Heinz Center, 1001 Pennsylvania Avenue, NW, Suite 735 S, Washington, DC 20004, (phone: (202) 737-6307), or visit The Heinz Center's internet web site, <http://www.heinzctr.org>.

C. Dredged Material Management Plans (NDT)

The National Dredging Team (NDT) has published its guidance document titled *Local Planning Groups and Development of Dredged Material Management Plans: Guidance by the National Dredging Team*. Dated June 1998, this NDT guidance was developed to address 2 of the 18 recommendations in the December 1994 federal interagency report, *The Dredging Process in the United States: An Action Plan for Improvement*. On June 22, 1995, President Clinton endorsed the report and directed the federal agencies to implement the 18 recommendations. The purpose of this guidance is to encourage the formation of Local Planning Groups to assist in the development of dredged material management plans. This guidance provides a framework to: (1) assist in the formation of Local Planning Groups; (2) provide context regarding the relationship of Local Planning Groups to other groups having different but compatible purposes, e.g., Regional Dredging Teams; (3) establish a planning process; and (4) develop and implement dredged

works for them. This guide indicates that the Local Planning Group will be chaired by the U.S. Army Corps of Engineers or co-chaired with the local port authorities and/or a state representative. Dredging should be a cooperative process which would benefit from involvement of the key government and nongovernment stakeholders. In some instances, states may have an ongoing dredged material planning effort to which the Corps and other federal agencies could adapt. In such a case, it may be acceptable for the state to chair the group to avoid duplication of effort, recognizing that certain activities need to be addressed in order to have an implementable plan.

This guidance is a strong framework through which Local Planning Groups can maximize their potential for developing implementable dredged material management plans. This is not intended as a rigid, prescriptive guidance; the level of effort involved in dredged material management planning and the structure of the Local Planning Group should reflect the complexity of the problem being addressed. To prevent duplication of effort and to develop an effective and efficient planning process, this guidance encourages that affected parties join in an examination of all relevant existing groups prior to establishing a Local Planning Group and, once established, jointly operate a group that will seek to develop an implementable plan. Decisions on chairship and organizational structure should be determined at the local level. The development of dredged material management plans, looking at a 20-year horizon, is critical to ensuring that the environment is protected while dredging of U.S. ports and harbors takes place in a timely and effective manner.

The NDT, a federal interagency team, was formed officially by signed charter in July 1995. Formation of the NDT was in response to the December 1994 interagency report. The objective of the NDT is to facilitate the resolution of dredging issues among the participating federal agencies by fostering interagency communication and coordination. A major task of the team is to facilitate implementation of the National Dredging Policy and the 18 recommendations in the interagency report. The NDT is co-chaired by the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers and includes a Steering Committee and an Operating Management Committee. Other federal members of the NDT are the U.S. National Oceanic and Atmospheric Administration, the U.S. Fish and Wildlife Service, and the U.S. Maritime Administration.

For further information, contact Mr. Craig Vogt, Deputy Director, Oceans and Coastal Protection Division, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, (phone: (202) 260-1952), or Mr. Rich Worthington, Policy Division, U.S. Army Corps of Engineers, 20 Massachusetts Avenue, NW, Washington, DC 20314, (phone: (202) 761-1184).

potential impacts associated with the proposed commercial disposal of materials dredged from the San Francisco Bay (1) to restore wetlands in the Suisun Marsh in Solano County and (2) secondarily, to be sold for offsite reuse. The project proposes to deposit dredged material on a diked bayland site near Collinsville, Solano County, adjacent to the Suisun Marsh to restore 1,782 acres of tidal wetlands and create 48 acres of diked managed marsh on the 2,394-acre Montezuma site. The site is now diked grazing land containing uplands and non-tidal wetlands.

In response to comments on the draft EIR/EIS, several improvements were made to the project design, such as lowering expected fill elevations to better ensure the successful establishment of desired vegetation and thereby reducing the disposal capacity of the proposed project from 20 to 17 million cubic yards (mcy). The project will re-establish tidal wetlands by constructing large cells separated by levees, with tidal channels in and between the cells. The project will be constructed in four phases to minimize temporary losses of wetlands during construction, and to facilitate engineered placement of the dredged material. Construction of each new phase will be contingent upon the project's meeting various engineering and ecological criteria.

Dredged material from ports and navigation channels in the San Francisco Bay Estuary will be barged to the site and deposited within the prepared cells through a slurry. Up to about 20% of the sediment discharged within the cells may be moderately contaminated (non-cover) and will be covered with a minimum of 3 feet of clean sediment, all of which meet the screening criteria established by the San Francisco Bay Regional Water Quality Control Board. The project also includes the construction of a barge offloading and sediment distribution facility, a sediment rehandling facility, internal levees to contain the dredged sediment slurry pumped to the site, main and branching tidal channel systems, a sub-drain system, and other ancillary facilities.

Project potential benefits include restoration of a tidal marsh ecosystem with endangered species habitat at a scale unprecedented for the region, and the development of a new location for disposal of dredged Bay sediments. Project potential adverse impacts include loss of established seasonal wetlands with endangered species populations, and the remote possibility of release of contaminants from the non-cover dredged materials into the marsh ecosystem. The EIR/EIS also evaluates a "no action" alternative, two on-site alternatives that involve the construction of managed freshwater wetlands, and two alternative project sites.

For further information, contact Ms. Liz Varnhagen, Regulatory Branch, U.S. Army Corps of Engineers, San Francisco District, 333 Market Street, San Francisco, CA 94105, (phone: (415) 977-8451).

wetlands that existed during colonial times in what is now the contiguous United States have been lost. These areas, once considered worthless, are now recognized for the variety of important functions that they perform, such as providing wildlife habitat, maintaining water quality, and aiding in flood control. However, the issue of wetlands protection and the various federal programs that have evolved piecemeal over the years to protect and manage this resource have been subjects of continued debate.

Among the findings contained in the report are the following:

1. At least 36 federal agencies, to varying degrees, conducted wetlands-related activities during fiscal years 1990 through 1997. These activities included acquiring, regulating, restoring, enhancing, mapping, inventorying, delineating, and conducting research related to wetlands. The total funding each year with the agencies' efforts ranged from a low of about \$508 million in fiscal year 1990 to a high of about \$787 million in fiscal year 1997 (in constant 1997 dollars). Staffing associated with the agencies' activities during this period ranged from a low of about 3,271 full-time-equivalent staff-years in fiscal year 1993 to a high of about 4,308 full-time-equivalent staff-years in fiscal year 1997.
2. Six agencies -- the U.S. Army Corps of Engineers, the U.S. Department of Agriculture's Farm Service Agency and Natural Resources Conservation Service, the U.S. Department of the Interior's Fish and Wildlife Service, the U.S. Department of Commerce's National Oceanic and Atmospheric Administration, and the U.S. Environmental Protection Agency -- were the primary agencies involved in and responsible for implementing wetlands-related programs. These six agencies accounted for more than 70 percent of the funding and 65 percent of the staffing associated each year with such activities. The other 30 agencies' wetlands-related activities are generally limited to (a) general monitoring or stewardship activities or (b) avoiding and mitigating potential impacts to wetlands from their own projects and activities.
3. The consistency and reliability of wetlands acreage data reported by the federal agencies are questionable. The Fish and Wildlife Service and the Natural Resources Conservation Service maintain resource inventories that provide estimates of the nation's remaining wetlands acreage, annual rates of wetlands gains and losses, and the primary cause(s) for losses. However, although both inventories have reported that the rate of "wetlands loss" has declined, the

enhanced, or otherwise improved -- to be determined.

4. Since 1989, several interagency groups, established to better coordinate federal wetlands programs, have attempted to improve wetlands data. However, because their efforts have not resolved these problems, the Administration recently announced new efforts to improve wetlands data. Among the actions planned by the Administration are (a) supporting a single status and trends report by the year 2000, (b) developing a plan to track annual changes in the nation's wetlands of less than 100,000 acres, and (c) establishing an interagency tracking system that will more accurately account for changes in wetlands.

For further information, contact Mr. Barry T. Hill, Associate Director for Energy, Resources, and Science Issues, U.S. General Accounting Office, 441 G Street, NW, Washington, DC 20548, (phone: (202) 512-3841).

F. Savannah Harbor Expansion (ACE/GPA)

The U.S. Army Corps of Engineers (ACE) and the Georgia Ports Authority (GPA) have issued a final environmental impact statement (FEIS) on Savannah Harbor Expansion, Georgia, dated July 1998. This FEIS was developed under Section 203 of the Water Resources Development Act of 1986 (P.L. 99-662), which allows a nonfederal interest to undertake a feasibility study of a proposed harbor or inland harbor as the basis for congressional authorization. The recommendation of the GPA is conditioned upon future environmental studies and processes to be conducted after authorization.

The GPA, the nonfederal sponsor, recommends a plan that consists of the following modifications to the existing federal navigation project: (1) deepening the entrance channel up to -50 feet mean low water (MLW) from the ocean to Station -14B+000; (2) deepening the entrance channel up to -48 feet MLW from Station -14B+000 to Station 0+000; (3) deepening the inner harbor up to -48 feet from Station 0+000 to Station 103+000; (4) widening bends in the entrance channel at two locations; (5) widening bends in the inner harbor at 10 locations; (6) enlarging the Kings Island Turning Basin to a width of 1,676 feet; (7) raising the dikes from 2.6 feet up to 5.5 feet in disposal areas 12A, 14B, and Jones/Oysterbed Island; and (8) a mitigation plan which includes a cultural resources mitigation plan, a natural resources mitigation plan, and an impact avoidance plan.

beach placement of excavated sediments would be made during the engineering and design phase of the project.

Based on October 1997 price levels, the first cost of the recommended plan is estimated at \$224,000,000. Average annual benefits are estimated to be \$52,740,000, and average annual construction costs are estimated to be \$17,580,000. This results in an average annual net benefit of \$35,160,000. The benefit to cost ratio is 3.0 to 1. This analysis is based on a discount rate of 7.125 percent and a 50-year project life.

For further information, contact Mr. William Bailey, Environmental Resources Branch, Savannah District Office, U.S. Army Corps of Engineers, P.O. Box 889, 100 West Oglethorpe Avenue, Savannah, GA 31402.

