

105TH CONGRESS
1ST SESSION

S. 1553

To amend the Marine Protection, Research, and Sanctuaries Act of 1972 with respect to the dumping of dredged material in Long Island Sound, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 13, 1997

Mr. D'AMATO (for himself and Mr. MOYNIHAN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Marine Protection, Research, and Sanctuaries Act of 1972 with respect to the dumping of dredged material in Long Island Sound, and for other purposes.

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 “Long Island Sound
5 Preservation and Protection Act of 1997”.

1 **SEC. 2. DUMPING OF DREDGED MATERIALS IN LONG IS-**
2 **LAND SOUND.**

3 Section 106 of the Marine Protection, Research, and
4 Sanctuaries Act of 1972 (33 U.S.C. 1416) is amended by
5 striking subsection (f) and inserting the following:

6 “(f) DUMPING OF DREDGED MATERIAL IN LONG IS-
7 LAND SOUND.—

8 “(1) PROHIBITION.—No dredged material from
9 any Federal or non-Federal project in a quantity ex-
10 ceeding 25,000 cubic yards that contains any of the
11 constituents prohibited as other than trace contami-
12 nants (as defined by the Federal ocean dumping cri-
13 teria set forth in section 227.6 of title 40, Code of
14 Federal Regulations) may be dumped in Long Island
15 Sound (including Fishers Island Sound) or Block Is-
16 land Sound, except in a case in which it is dem-
17 onstrated to the Administrator, and the Adminis-
18 trator certifies by publication in the Federal Reg-
19 ister, that the dumping of the dredged material con-
20 taining the constituents will not cause significant
21 undesirable effects, including the threat associated
22 with bioaccumulation of the constituents in marine
23 organisms.

24 “(2) COMPLIANCE WITH OTHER REQUIRE-
25 MENTS.—In addition to other provisions of law and
26 notwithstanding the specific exclusion relating to

1 dredged material of the first sentence in section
2 102(a), any dumping of dredged material in Long
3 Island Sound (including Fishers Island Sound) or
4 Block Island Sound from a Federal project pursuant
5 to Federal authorization, or from a dredging project
6 by a non-Federal applicant, in a quantity exceeding
7 25,000 cubic yards, shall comply with the require-
8 ments of this Act, including the criteria established
9 under the second sentence of section 102(a) relating
10 to the effects of dumping.

11 “(3) RELATION TO OTHER LAW.—Subsection
12 (d) shall not apply to this subsection.”.

○