

106TH CONGRESS
2D SESSION

H. R. 3894

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 from States that have developed and made commercially available alternative uses for dredged material, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2000

Mr. PALLONE 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 from States that have developed and made commercially available alternative uses for dredged material, 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 “Dredging Alternatives
5 Act of 2000”.

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 may be issued
9 authorizing transportation of material for the pur-
10 pose of dumping at the Historic Area Remediation
11 Site, and no permit authorizing such transportation
12 shall be effective, other than a permit for transpor-
13 tation of qualified dredged material.

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

16 “(A) IN GENERAL.—The Administrator
17 shall issue regulations that establish require-
18 ments for material to be considered qualified
19 dredged material.

20 “(B) CRITERIA.—Regulations under this
21 paragraph shall provide that material is not
22 qualified dredged material unless—

23 “(i) it is excavated or dredged in a
24 State that has developed and made com-
25 mercially available alternative uses for
26 dredged material; and

1 “(ii) there are no means of using or
2 disposing of the material other than ocean
3 dumping.

4 “(C) INCLUDED ALTERNATIVE USES.—
5 Regulations under this paragraph may treat the
6 following uses (among others) of dredged mate-
7 rial as alternative uses for purposes of subpara-
8 graph (B):

9 “(i) Land-based structural or non-
10 structural fill.

11 “(ii) Non-aquatic habitat develop-
12 ment.

13 “(iii) Landfill cover.

14 “(iv) Agricultural uses.

15 “(v) Deposit in upland confined dis-
16 posal facilities.

17 “(vi) Recycling material for reuse.

18 “(vii) Land-based storage

19 “(3) DEFINITIONS.—In this subsection:

20 “(A) HISTORIC AREA REMEDIATION
21 SITE.—The term ‘Historic Area Remediation
22 Site’ means the dredged material disposal area
23 known by that name that is located east of
24 Sandy Hook, New Jersey, and described in part

1 228.15(d)(6) of title 40, Code of Federal Regu-
2 lations (as in effect on July 1, 1999).

3 “(B) QUALIFIED DREDGED MATERIAL.—
4 The term ‘qualified dredged material’ means
5 material that is qualified dredged material
6 under regulations issued under paragraph (2).”.

○