

STATEMENT OF THE
HONORABLE JOHN M. MURPHY, CHAIRMAN,
COMMITTEE ON MERCHANT MARINE AND FISHERIES
FULL COMMITTEE HEARING ON PORT DREDGING AND
PCB CONTAMINATION ISSUE
SCIENTIFIC PANELS

Wednesday, May 21, 1980
9:30 a.m.
1334 Longworth H.O.B.

TODAY, WE ARE HOLDING OUR SECOND DAY OF HEARINGS ON THE PROBLEM OF THE DISPOSAL OF DREDGE MATERIAL IN THE OCEAN. ON MARCH 14, WE HEARD FROM POLICY SPOKESMEN FROM THE KEY EXECUTIVE AGENCIES, ENVIRONMENTAL ORGANIZATIONS, AND INDUSTRY REPRESENTATIVES INVOLVED IN, OR WITH AN INTEREST IN, DREDGE SPOIL DISPOSAL.

THIS MORNING, WE WILL HEAR FROM FOUR PANELS OF SCIENTISTS ON THE TECHNICAL ISSUES ASSOCIATED WITH DISPOSAL PRACTICES. THESE SCIENTISTS REPRESENT U. S. GOVERNMENT AGENCIES, PRIVATE RESEARCH ORGANIZATIONS, UNIVERSITIES, AND STATE GOVERNMENTS.

THE PURPOSE OF THESE HEARINGS IS TO DETERMINE THE STATE OF OUR KNOWLEDGE ABOUT A NUMBER OF ISSUES THAT EMERGED FROM OUR EARLIER SESSION.

IN GENERAL, THESE ISSUES CAN BE DIVIDED INTO FOUR BROAD CATEGORIES. FIRST, THERE ARE SIGNIFICANT DIFFERENCES OF OPINION ABOUT THE SEVERITY, DURATION, CAUSE AND EXTENT OF DETRIMENTAL EFFECTS OBSERVED AT THE TWO SQUARE MILE AREA OFF NEW YORK AND NEW JERSEY KNOWN AS THE "MUD DUMP" SITE. IT IS AT THIS SITE THAT MOST DUMPING OF DREDGE MATERIAL IS CARRIED OUT -- IN 1978, OVER

80 PERCENT OF THE DREDGE SPOIL FROM THE NEW YORK-NEW JERSEY DISTRICT THAT WAS OCEAN DUMPED WAS DEPOSITED AT THIS LOCATION.

SOME GOVERNMENT SCIENTISTS HAVE ARGUED THAT THE DEGRADATION OF THE NEW YORK BIGHT, INCLUDING THE MUD DUMP AREA, IS SIGNIFICANTLY ATTRIBUTABLE TO THE DISPOSAL OF DREDGE MATERIAL. SUCH MATERIAL OFTEN INCLUDES SIGNIFICANT AMOUNTS OF CADMIUM, CHROMIUM, COPPER, MERCURY, LEAD, ZINC, OIL AND GREASE. DREDGE MATERIAL CAN ALSO CONTRIBUTE OTHER CONTAMINANTS TO THE OCEAN, SUCH AS PCBs. DATA FROM THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) INDICATE HIGHER LEVELS OF PCBs IN THE DUMP SITE AREA COMPARED TO OTHER REGIONS OF THE BIGHT. THE ARMY CORPS OF ENGINEERS, HOWEVER, HAS STATED THAT BIOACCUMULATION AT THE SITE IS NOT ANY DIFFERENT FROM OTHER AREAS IN THE NEW YORK BIGHT NOT RECEIVING DREDGE MATERIAL. THE CORPS ALSO NOTES THAT THE OBSERVED ACCUMULATION OF CONTAMINANTS IN NEW YORK BIGHT SEDIMENTS IS UNLIKELY TO ADVERSELY AFFECT THE WATER QUALITY. PANEL NUMBER ONE WILL DEAL WITH ECOSYSTEM IMPACT.

SECOND, OUR HEARINGS IN MARCH POINTED OUT AN APPARENT LACK OF INFORMATION AND CONSENSUS ABOUT THE BIOMAGNIFICATION EFFECT OF PCBs IN MARINE ORGANISMS AND THE LINKAGE BETWEEN SUCH ORGANISMS AND HUMAN HEALTH. SCIENTISTS FROM THE CORPS OF ENGINEERS, THE ENVIRONMENTAL PROTECTION AGENCY, THE FISH AND WILDLIFE SERVICE, AND NOAA ARE SPLIT ON THIS ISSUE. OUR SECOND PANEL WILL DISCUSS THE HUMAN HEALTH IMPACT FROM THE OCEAN DISPOSAL OF CONTAMINATED DREDGE SPOIL.

THIRD, CONSIDERABLE ATTENTION HAS BEEN PAID TO METHODS USED TO EVALUATE THE POTENTIAL ENVIRONMENTAL AND HUMAN HEALTH IMPACT FROM THE DISPOSAL OF DREDGE MATERIAL. SERIOUS QUESTIONS WERE

RAISED ABOUT THE VALIDITY OF BIOACCUMULATION TESTS FOR ACCURATELY PREDICTING ENVIRONMENTAL AND HUMAN HEALTH RISKS. OUR THIRD PANEL TODAY WILL ADDRESS THE QUESTION OF RISK ASSESSMENT AND METHODOLOGIES.

FINALLY, PANEL NUMBER IV WILL FOCUS ON VIABLE ALTERNATIVES TO THE PRESENT METHOD OF DREDGE DISPOSAL. AGAIN, THERE APPEARS TO BE CONSIDERABLE DIVERGENCE OF OPINION ABOUT ENVIRONMENTALLY AND ECONOMICALLY ACCEPTABLE METHODS FOR DISPOSAL. IN ADDITION TO A VARIETY OF TYPES OF OCEAN DUMPING PRACTICES, SOME OBSERVERS HAVE ARGUED FOR UPLAND SITES BUT, AS WE NOTED DURING OUR FIRST DAY OF HEARINGS ON THIS ISSUE, LOCAL COMMUNITY OPPOSITION TO LAND-BASED DISPOSAL SITES MUST BE TAKEN INTO CONSIDERATION BEFORE THIS BECOMES A REASONABLY ACCEPTABLE ALTERNATIVE.

BEFORE WE HEAR FROM THE FIRST PANEL, I WOULD LIKE TO NOTE THAT THERE ARE SOME CRITICALLY IMPORTANT DECISIONS WHICH WILL BE BASED ON THE INFORMATION WE WILL HEAR TODAY. OUR NATION'S PORTS ARE THREATENED IN THEIR OPERATIONS IF SOME RESOLUTION OF THE PCB AND OTHER CONTAMINANT PROBLEM IS NOT RESOLVED. PRIOR TO OUR MARCH HEARINGS, APPROXIMATELY 15 APPLICATIONS FOR PERMITS WERE BEING HELD IN ABEYANCE IN THE NEW YORK DISTRICT BECAUSE THE CONCENTRATION OF PCBs IN THE DREDGE MATERIAL WAS TOO HIGH TO PASS THE BIOACCUMULATION STANDARD. SUBSEQUENTLY, SCIENTISTS FROM EPA AND THE CORPS DEVELOPED FURTHER GUIDANCE ON THE INTERPRETATION OF BIOACCUMULATION DATA AND DEVELOPED WHAT IS KNOWN AS "THE MATRIX".

THE MATRIX AUTHORIZED MANY OF THESE PERMIT APPLICATIONS TO BE GRANTED. IT IS EXPECTED TO BE USABLE, HOWEVER, FOR ONLY ABOUT A YEAR (ACCORDING TO EPA) AFTER WHICH PCB CONCENTRATIONS ARE EXPECTED TO EXCEED THE MATRIX VALUES.

CONSEQUENTLY, I AM STRONGLY COMMITTED TO ASSURING THAT DECISIONS ON DREDGING PERMITS BE BASED ON A LOGICAL SEQUENCE OF STEPS, WELL-FOUNDED ON THE BEST SCIENTIFIC AND TECHNOLOGICAL DATA AVAILABLE, AND NOT ON RATHER ARBITRARY AND QUESTIONABLE PROCEDURES. ONE OF THE KEY PURPOSES OF TODAY'S HEARING IS TO DETERMINE WHAT THE SCIENTIFIC AND TECHNOLOGICAL "STATE OF THE ART" IS WITH RESPECT TO THIS PROBLEM AND, TO PROVIDE THE BEST BASIS OF INFORMATION FROM WHICH THE COMMITTEE CAN DEVELOP, IF NECESSARY, A LEGISLATIVE SOLUTION TO PROTECT PUBLIC HEALTH AND THE ENVIRONMENT WHILE, AT THE SAME TIME, ASSURING THAT THE CRITICAL ECONOMIC ACTIVITY ASSOCIATED WITH OUR PORTS WILL OPERATE IN A SECURE AND PREDICTABLE FRAMEWORK.