

Public Law 100-556
100th Congress

An Act

To require that plastic ring carrier devices be degradable, and for other purposes.

Oct. 28, 1988
[S. 1986]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—DEGRADABLE PLASTIC RING CARRIERS

SEC. 101. FINDINGS.

42 USC 6914b
note.

The Congress finds that—

- (1) plastic ring carrier devices have been found in large quantities in the marine environment;
- (2) fish and wildlife have been known to have become entangled in plastic ring carriers;
- (3) nondegradable plastic ring carrier devices can remain intact in the marine environment for decades, posing a threat to fish and wildlife; and
- (4) 16 States have enacted laws requiring that plastic ring carrier devices be made from degradable material in order to reduce litter and to protect fish and wildlife.

SEC. 102. DEFINITIONS.

42 USC 6914b.

As used in this title—

- (1) the term “regulated item” means any plastic ring carrier device that contains at least one hole greater than $1\frac{3}{4}$ inches in diameter which is made, used, or designed for the purpose of packaging, transporting, or carrying multipackaged cans or bottles, and which is of a size, shape, design, or type capable, when discarded, of becoming entangled with fish or wildlife; and
- (2) the term “naturally degradable material” means a material which, when discarded, will be reduced to environmentally benign subunits under the action of normal environmental forces, such as, among others, biological decomposition, photodegradation, or hydrolysis.

SEC. 103. REGULATION.

42 USC 6914b-1.

Not later than 24 months after the date of the enactment of this title (unless the Administrator of the Environmental Protection Agency determines that it is not feasible or that the byproducts of degradable regulated items present a greater threat to the environment than nondegradable regulated items), the Administrator of the Environmental Protection Agency shall require, by regulation, that any regulated item intended for use in the United States shall be made of naturally degradable material which, when discarded, decomposes within a period established by such regulation. The period within which decomposition must occur after being discarded shall be the shortest period of time consistent with the intended use

of the item and the physical integrity required for such use. Such regulation shall allow a reasonable time for affected parties to come into compliance, including the use of existing inventories.

TITLE II—SAN FRANCISCO BAY NATIONAL WILDLIFE REFUGE

SEC. 201. ENLARGEMENT OF REFUGE.

Section 2 of the Act entitled "An Act to provide for the establishment of the San Francisco Bay National Wildlife Refuge", approved June 30, 1972 (16 U.S.C. 668dd note), is amended to read as follows:

"SEC. 2. There shall be included within the boundaries of the refuge the following:

"(1) Those lands, marshes, tidal flats, salt ponds, submerged lands, and open waters in the south San Francisco Bay area generally depicted on the map entitled 'Boundary Map, Proposed San Francisco Bay National Wildlife Refuge', dated July 1971, and which comprise approximately twenty-one thousand six hundred and sixty-two acres within four distinct units to be known as Fremont (five thousand five hundred and twenty acres), Mowry Slough (seven thousand one hundred and seventy-five acres), Alviso (three thousand and eighty acres), and Greco Island (five thousand eight hundred and eighty seven acres). Said boundary map shall be on file and available for public inspection in the offices of the United States Fish and Wildlife Service, Department of the Interior.

"(2) Up to 20,000 acres in the vicinity of the areas described in paragraph (1), and similar to the areas described in paragraph (1), which the Secretary determines are necessary to protect fish and wildlife resources."

Public
information.

Fish and fishing.

SEC. 202. TOTAL AREA OF REFUGE.

Subsection (a) of section 3 of such Act is amended in the second sentence by striking "twenty-three thousand acres" and inserting "43,000 acres".

16 USC 668dd
note.

SEC. 203. AUTHORIZATION OF APPROPRIATIONS.

Section 5 of such Act is amended—

(1) by inserting "(a)" before "There"; and

(2) by adding at the end the following new subsection:

16 USC 668dd
note.

“(b) There are authorized to be appropriated to the Secretary to acquire areas described in section 2(2) such sums as may be necessary, which shall remain available until expended.”.

Approved October 28, 1988.

LEGISLATIVE HISTORY—S. 1986 (H.R. 940) (H.R. 5117):

HOUSE REPORTS: No. 100-360, Pt. 1 accompanying H.R. 940 (Comm. on Merchant Marine and Fisheries), and No. 100-946, Pt. 1 (Comm. on Merchant Marine and Fisheries) and Pt. 2 (Comm. on Energy and Commerce) accompanying H.R. 5117.

SENATE REPORTS: No. 100-270 (Comm. on Environment and Public Works) and No. 100-266 accompanying H.R. 940 (Comm. on Commerce, Science, and Transportation).

CONGRESSIONAL RECORD:

Vol. 133 (1987): Oct. 13, H.R. 940 considered and passed House.

Vol. 134 (1988): May 13, S. 1986 considered and passed Senate.

Oct. 4, H.R. 5117 considered and passed House; proceedings vacated and S. 1986, amended, passed in lieu.

Oct. 14, Senate concurred in House amendments.