

[CHAPTER 407]

AN ACT

July 31, 1947
[S. 1418]
[Public Law 292]

Granting the consent and approval of Congress to an interstate compact relating to control and reduction of pollution in the waters of the New England States.

Interstate compact.
Control of pollution
of waters of New
England States.

49 Stat. 1490.
33 U. S. C. § 567a.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent and approval of Congress is hereby given to an interstate compact relating to the control and reduction of pollution of the streams and waters of the New England States negotiated and entered into or to be entered into under authority of Public Resolution 104, Seventy-fourth Congress, approved June 8, 1936, and now ratified by the States of Connecticut, Massachusetts, and Rhode Island, which compact reads as follows:

“NEW ENGLAND INTERSTATE WATER POLLUTION
CONTROL COMPACT

“Whereas, The growth of population and the development of the territory of the New England states has resulted in serious pollution of certain interstate streams, ponds and lakes, and of tidal waters ebbing and flowing past the boundaries of two or more states; and

“Whereas, Such pollution constitutes a menace to the health, welfare and economic prosperity of the people living in such area; and

“Whereas, The abatement of existing pollution and the control of future pollution in the interstate waters of the New England area are of prime importance to the people and can best be accomplished through the cooperation of the New England states in the establishment of an interstate agency to work with the states in the field of pollution abatement;

“Now, therefore, The states of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont do agree and are bound as follows:

“ARTICLE I

Applicability of provisions.

“It is agreed between the signatory states that the provisions of this compact shall apply to streams, ponds and lakes which are contiguous to two or more signatory states or which flow through two or more signatory states or which have a tributary contiguous to two or more signatory states or flowing through two or more signatory states, and also shall apply to tidal waters ebbing and flowing past the boundaries of two states.

“ARTICLE II

New England Interstate Water Pollution Control Commission.

“There is hereby created the New England Interstate Water Pollution Control Commission (hereinafter referred to as the commission) which shall be a body corporate and politic, having the powers, duties and jurisdiction herein enumerated and such other and additional powers as shall be conferred upon it by the act or acts of a signatory state concurred in by the others.

“ARTICLE III

Membership.

“The commission shall consist of five commissioners from each signatory state, each of whom shall be a resident voter of the state from which he is appointed. The commissioners shall be chosen in the manner and for the terms provided by law of the state from which they shall be appointed. For each state there shall be on the commission a member representing the state health department, a member representing the state water pollution control board (if such exists), and, except where a state in its enabling legislation decides that the best

interests of the state will be otherwise served, a member representing municipal interests, a member representing industrial interests, and a member representing an agency acting for fisheries or conservation.

"ARTICLE IV

"The commission shall annually elect from its members a chairman and vice chairman and shall appoint and at its pleasure remove or discharge such officers. It may appoint and employ a secretary who shall be a professional engineer versed in water pollution and may employ such stenographic or clerical employees as shall be necessary, and at its pleasure remove or discharge such employees. It shall adopt a seal and suitable by-laws and shall promulgate rules and regulations for its management and control. It may maintain an office for the transaction of its business and may meet at any time or place within the signatory states. Meetings shall be held at least twice each year. A majority of the members shall constitute a quorum for the transaction of business, but no action of the commission imposing any obligation on any signatory state or on any municipal agency or subdivision thereof or on any person, firm or corporation therein shall be binding unless a majority of the members from such signatory state shall have voted in favor thereof. Where meetings are planned to discuss matters relevant to problems of water pollution control affecting only certain of the signatory states, the commission may vote to authorize special meetings of the commissioners of the states especially concerned. The commission shall keep accurate accounts of all receipts and disbursements and shall make an annual report to the governor and the legislature of each signatory state setting forth in detail the operations and transactions conducted by it pursuant to this compact, and shall make recommendations for any legislative action deemed by it advisable, including amendments to the statutes of the signatory states which may be necessary to carry out the intent and purpose of this compact. The commission shall not incur any obligations for salaries, office, administrative, traveling or other expenses prior to the allotment of funds by the signatory states adequate to meet the same; nor shall the commission pledge the credit of any of the signatory states. Each signatory state reserves the right to provide hereafter by law for the examination and audit of the accounts of the commission. The commission shall appoint a treasurer who may be a member of the commission, and disbursements by the commission shall be valid only when authorized by the commission and when vouchers therefor have been signed by the secretary and countersigned by the treasurer. The secretary shall be custodian of the records of the commission with authority to attest to and certify such records or copies thereof.

Chairman and vice chairman.

Seal and by-laws.

Meetings.
Quorum.

Reports and recommendations.

Audit of accounts.

"ARTICLE V

"It is recognized, owing to such variable factors as location, size, character and flow and the many varied uses of the waters subject to the terms of this compact, that no single standard of sewage and waste treatment and no single standard of quality of receiving waters is practical and that the degree of treatment of sewage and industrial wastes should take into account the classification of the receiving waters according to present and proposed highest use, such as for drinking water supply, industrial and agricultural uses, bathing and other recreational purposes, maintenance and propagation of fish life, shellfish culture, navigation and disposal of wastes.

"The commission shall establish reasonable physical, chemical and bacteriological standards of water quality satisfactory for various

Sewage and waste treatment.

Classification of interstate waters.

classifications of use. It is agreed that each of the signatory states through appropriate agencies will prepare a classification of its interstate waters in entirety or by portions according to present and proposed highest use and for this purpose technical experts employed by state departments of health and state water pollution control agencies are authorized to confer on questions relating to classification of interstate waters affecting two or more states. Each signatory state agrees to submit its classification of its interstate waters to the commission for approval. It is agreed that after such approval all signatory states through their appropriate state health departments and water pollution control agencies will work to establish programs of treatment of sewage and industrial wastes which will meet standards established by the commission for classified waters. The commission may from time to time make such changes in definitions of classifications and in standards as may be required by changed conditions or as may be necessary for uniformity.

"ARTICLE VI

Pledge of signatory States.

"Each of the signatory states pledges to provide for the abatement of existing pollution and for the control of future pollution of interstate inland and tidal waters as described in Article I, and to put and maintain the waters thereof in a satisfactory condition consistent with the highest classified use of each body of water.

"ARTICLE VII

Enactment of legislation by signatory States, etc.

"Nothing in this compact shall be construed to repeal or prevent the enactment of any legislation or prevent the enforcement of any requirement by any signatory state imposing any additional condition or restriction to further lessen the pollution of waters within its jurisdiction. Nothing herein contained shall affect or abate any action now pending brought by any governmental board or body created by or existing under any of the signatory states.

"ARTICLE VIII

State appropriations.

"The signatory states agree to appropriate for the salaries, office, administrative, travel and other expenses such sum or sums as shall be recommended by the commission. The commonwealth of Massachusetts obligates itself only to the extent of sixty-five hundred dollars in any one year, the state of Connecticut only to the extent of three thousand dollars in any one year, the state of Rhode Island only to the extent of fifteen hundred dollars in any one year, and the states of New Hampshire, Maine, and Vermont each only to the extent of one thousand dollars in any one year.

"ARTICLE IX

Separability of provisions.

"Should any part of this compact be held to be contrary to the constitution of any signatory state or of the United States, all other parts thereof shall continue to be in full force and effect.

"ARTICLE X

Consultations with State agencies of New York.

"The commission is authorized to discuss with appropriate state agencies in New York state questions of pollution of waters which flow into the New England area from New York state or vice versa and to further the establishment of agreements on pollution abatement to promote the interests of the New York and New England areas.

Entry of New York into compact.

"Whenever the commission by majority vote of the members of each signatory state shall have given its approval and the state of New

York shall have taken the necessary action to do so, the state of New York shall be a party to this compact for the purpose of controlling and abating the pollution of waterways common to New York and the New England states signatory to this compact but excluding the waters under the jurisdiction of the Interstate Sanitation Commission (New York, New Jersey, and Connecticut).

"ARTICLE XI

"This compact shall become effective immediately upon the adoption of the compact by any two contiguous states of New England but only in so far as applies to those states and upon approval by Federal law. Thereafter upon ratification by other contiguous states, it shall also become effective as to those states."

SEC. 2. Without further submission of the compact, the consent of Congress is given to the States of Maine, New Hampshire, and Vermont, and to the State of New York pursuant to article X of the compact, to enter into the compact as a signatory State and party thereto.

SEC. 3. Nothing contained in this Act or in the compact herein approved shall be construed as impairing or affecting the sovereignty of the United States or any of its rights or jurisdiction in and over the area or waters which are the subject of the compact.

SEC. 4. The right to alter, amend, or repeal this Act is expressly reserved.

Approved July 31, 1947.

[CHAPTER 408]

JOINT RESOLUTION

Amending Public Law 27, Eightieth Congress.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of Public Law 27, Eightieth Congress, approved March 31, 1947, is hereby amended to read as follows:

"SEC. 2. The authority granted by this resolution shall remain in force only until April 1, 1948: *Provided*, That nothing herein contained shall be construed to authorize the Commandant, United States Coast Guard, to grant waivers for the employment of alien seamen except for those who served between December 7, 1941, and September 2, 1945, aboard vessels operated by the War Shipping Administration, the United States Maritime Commission, or the Army Transport Service."

Approved July 31, 1947.

[CHAPTER 409]

AN ACT

For the relief of Willie P. Goodwin, J. M. Thorud, and W. H. Stokley.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue per diem orders retroactively to cover per diem payments that have been made or will be made to postal employees detailed to postal units, camps, posts, or stations handling military mail, or to civilian plants devoted to war production at rates not to exceed that provided and authorized by the Act of December 7, 1945 (59 Stat. 603).

SEC. 2. In the audit and settlement of the accounts of postmasters and other designated disbursing officers of the Post Office Department

Effectivity.

Consent of Congress to designated States.

Rights, etc., of U. S.

July 31, 1947
[H. J. Res. 245]
[Public Law 293]

U. S. Coast Guard.
Ante, p. 33.

Time limitation.
Waivers for employment of alien seamen.

July 31, 1947
[H. R. 1648]
[Public Law 294]

Postal service.
Per diem payments to designated employees.

39 U. S. C. § 133
note.
Credit in accounts.