

# Union Calendar No. 325

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 855

[Report No. 106–595]

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

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 1999

Mr. FORBES introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

MAY 2, 2000

Additional sponsors: Mr. ACKERMAN, Mr. KING, Mr. EVANS, Mrs. KELLY, Mrs. MCCARTHY of New York, Mr. PALLONE, and Mr. SAXTON

MAY 2, 2000

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

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## A BILL

To amend the Marine Protection, Research, and Sanctuaries Act of 1972 relating 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Long Island Sound  
3 Preservation and Protection Act”.

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

6 Section 106(f) of the Marine Protection, Research,  
7 and Sanctuaries Act of 1972 (33 U.S.C. 1416(f)) is  
8 amended to read as follows:

9 “(f) **DUMPING OF DREDGED MATERIAL IN LONG**  
10 **ISLAND SOUND.—**

11 “(1) **IN GENERAL.**—No dredged material from  
12 any Federal project, or from any non-Federal  
13 project, that contains any of the constituents prohib-  
14 ited as other than trace contaminants (as defined by  
15 the Federal ocean dumping criteria set forth in sec-  
16 tion 227.6 of title 40 of the Code of Federal Regula-  
17 tions) may be dumped in Long Island Sound or  
18 Block Island Sound, except in cases in which it is  
19 demonstrated to the Administrator, and the Admin-  
20 istrator certifies by publication in the Federal Reg-  
21 ister, that the dumping of the dredged material con-  
22 taining such constituents will not cause significant  
23 undesirable effects, including the threat associated  
24 with bioaccumulation of such constituents in marine  
25 organisms.

1           ~~“(2) FEDERAL PROJECTS EXCEEDING 25,000~~  
2           ~~YARDS.—In addition to other provisions of law and~~  
3           ~~notwithstanding the specific exclusion relating to~~  
4           ~~dredged material in the first sentence in section~~  
5           ~~102(a), any dumping of dredged material in Long~~  
6           ~~Island Sound from a Federal project (or pursuant to~~  
7           ~~Federal authorization) by a non-Federal applicant~~  
8           ~~exceeding 25,000 cubic yards shall comply with the~~  
9           ~~criteria established pursuant to the second sentence~~  
10          ~~of section 102(a) relating to the effects of dumping.~~  
11          ~~“(3) RELATION TO OTHER LAW.—Subsection~~  
12          ~~(d) shall not apply to this subsection.”.~~

13   **SECTION 1. SHORT TITLE.**

14          *This Act may be cited as the “Long Island Sound Pres-*  
15          *ervation and Protection Act”.*

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

18          *Section 106(f) of the Marine Protection, Research, and*  
19          *Sanctuaries Act of 1972 (33 U.S.C. 1416(f)) is amended*  
20          *to read as follows:*

21          ~~“(f) DUMPING OF DREDGED MATERIAL IN LONG IS-~~  
22          ~~LAND SOUND.—In addition to other provisions of law, the~~  
23          ~~transportation of dredged material from—~~

24                 ~~“(1) a dredging project exceeding 25,000 cubic~~  
25                 ~~yards by a non-Federal applicant;~~

1           “(2) any dredging project by a Federal appli-  
2       cant; or  
3           “(3) any Federal project,  
4 for the purpose of dumping it into the waters of Long Island  
5 Sound (including Fisher’s Island Sound) must satisfy all  
6 applicable provisions of this title as if the waters of Long  
7 Island Sound, which are internal waters of the United  
8 States, were ocean waters under this title.”.



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