

108TH CONGRESS
1ST SESSION

S. 1094

To establish a final criterion for promulgation of a rule with respect to sediments to be used as remediation material at the Historic Area Remediation Site off the coast of the State of New Jersey.

IN THE SENATE OF THE UNITED STATES

MAY 21, 2003

Mr. CORZINE (for himself and Mr. LAUTENBERG) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To establish a final criterion for promulgation of a rule with respect to sediments to be used as remediation material at the Historic Area Remediation Site off the coast of the State of New Jersey.

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 “Clean Ocean Preserva-
5 tion Act of 2003”.

6 **SEC. 2. EFFECT OF FINAL CRITERION.**

7 (a) DEFINITIONS.—In this Act:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Environ-
3 mental Protection Agency.

4 (2) EFFECTS LEVEL.—The term “effects level”
5 means the effects level of 113 parts per billion of
6 polychlorinated biphenyls in the tissue of worms de-
7 termined through—

8 (A) tests conducted on worms in sediments
9 to be used as remediation material at the Site;
10 and

11 (B) analyses conducted in accordance with
12 applicable Federal procedures.

13 (3) SITE.—The term “Site” means the Historic
14 Area Remediation Site off the coast of the State of
15 New Jersey.

16 (b) ESTABLISHMENT OF FINAL CRITERION.—

17 (1) IN GENERAL.—The effects level is estab-
18 lished as the final criterion for making decisions re-
19 lating to the placement of sediments as remediation
20 material at the Site.

21 (2) ARITHMETIC CONCENTRATION.—The arith-
22 metic mean concentration (calculated without use of
23 statistical confidence intervals) reported for the
24 analyses of worm tissue replicates exposed to tested
25 sediments proposed for use as remediation material

1 at the Site shall not exceed the final criterion estab-
2 lished by paragraph (1).

3 (c) SEDIMENT RULE.—The Administrator, in accord-
4 ance with the Marine Protection, Research, and Sanc-
5 tuaries Act of 1972 (33 U.S.C. 1401 et seq.), may promul-
6 gate a rule relating to sediments to be used as remediation
7 material at the Site only if the rule is at least as protective
8 of human health and the environment as the final criterion
9 established by subsection (b)(1).

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