

**Public Comments on the U.S. Commission on Ocean Policy's
Preliminary Report**

Topic Area: Vessels/Cruise Ships/Vessel Safety/Vessel Pollution

Comments Submitted by:

- Monita W. Fontaine, National Marine Manufacturers Association
- Sheila M. Harrigan, Yelm, Washington
- Ed Holl, High Seas Construction Corporation
- Judy Wood, International Council of Cruise Lines
- David Karner, Palm Coast, Florida
- Terri Whitehead, Florida

***Public Comment Submitted by Monita W. Fontaine, Esq., National Marine
Manufacturers Association***



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May 26, 2004

Adm. James D. Watkins, USN (Ret.)
Chairman
U.S. Commission on Ocean Policy
1120 20th St., N.W., Suite 200 North
Washington, D.C. 20036

VIA FACSIMILE [202-418-3475] & E-Mail [comments@oceancommission.gov]

RE: Public Comment on Preliminary Report

Dear Admiral Watkins:

The National Marine Manufacturers Association (NMMA) appreciates the opportunity to present the United States Commission on Ocean Policy with the following comments in response to the Commission's Preliminary Report, released April 20, 2004.¹

NMMA is the nation's largest recreational marine industry association, representing more than 1,500 boat builders, engine manufactures, and marine accessory manufacturers. NMMA members collectively produce more than 80 percent of all recreational marine products made in the United States. With 13 million registered boats and almost 72 million boaters nationwide, the recreational boating industry contributes \$30 billion annually to our nation's economy. The health of our marine resources is of vital importance to NMMA members and NMMA applauds the Commission's intensive commitment and dedication to addressing the issues and challenges facing our oceans.

While NMMA broadly supports the Commission's recommendations, we offer the following comments on a number of specific recommendations to help clarify the record on issues of importance to recreational marine manufacturers and to the American boating community at large.

I. General Comments

NMMA is pleased to see the Commission include in the Preliminary Report the importance of the recreational marine industry and recreational vessel activities to the U.S. economy. Recreational boat, engine, trailer, and marine accessory manufacturers, as is stated in the Commission's report, contribute \$30 billion to the nation's economy annually.² The recreational boating industry accounts for nearly 400,000 jobs nationwide. With more and more Americans pursuing outdoor

¹ The Report was mandated by the Oceans Act of 2000 (Pub. L. 106-256).

² Preliminary Report of the U.S. Commission on Ocean Policy, Governors' Draft, Washington, D.C., April 2004, at 3 ("Preliminary Report").

recreation every day, the need to ensure that our nation's aquatic treasures remain healthy and beautiful is more important than ever. To that end, NMMA encourages the Commission to recommend that the recreational boating community be included as an important stakeholder group in any policymaking body, council, or committee where public or industry input is sought. In addition, the importance and needs of recreational boating should be included in all considerations of oceans management.

II. Marine Sanitation Devices and the Clean Vessel Act

The Commission in Chapter 16 of the Preliminary Report makes a number of recommendations regarding the management of gray and black water waste discharges from recreational vessels.³ Generally, in order to manage a vessel's waste water, a recreational vessel owner employs either a holding tank and local pump-out facilities or a marine sanitation device (MSD) that treats the waste water prior to discharge. NMMA and the recreational boating community have long been concerned about the lack of adequate pump-out facilities for boat wastewater and have supported funding for programs that provide grants to build these facilities. In addition, NMMA members produce both holding tanks and a variety of marine sanitation devices for recreational vessels.

No Discharge Zones Should Include Pump-Out Facility Surveys

Regarding the designation of no-discharge zones where all black water discharges are prohibited. It is appropriate and important that prior to a waterway being designated a no-discharge zone that there also is a finding of whether adequate pump-out facilities are available to boaters. Currently, as the Preliminary Report notes, the U.S. Environmental Protection Agency (EPA) has this responsibility when designating a no-discharge zone at the request of a state under the Clean Water Act. However, NMMA believes that whenever any federal or state agency such as the National Park Service makes a similar prohibition for waste discharges in waters under their jurisdiction, then the agency should also be required to make a finding regarding the adequacy of pump-out facilities and to seek additional facilities where needed. To do otherwise, an agency is in effect imposing a *de facto* ban on boating for many vessels or forcing boaters to violate the restriction when they are unable to locate pump-out facilities.

Marine Sanitation Device Regulations and Incentives

Although, as the Commission notes, the EPA marine sanitation device regulations have not been updated since the mid-1970s, NMMA members have continued to develop better marine sanitation device (MSD) technology. Therefore, NMMA supports the Commission's Recommendation 16-6 urging the EPA to update the MSD pathogen-reduction standards. NMMA stands ready to work closely with EPA in order to develop new standards.

NMMA is also supportive of the Commission's recommendation for Congress to enact an incentive program for boat owners to install improved treatment devices and for increased funding for grants to build pump-out facilities under the Clean Vessel Act.⁴

NMMA Opposes Moving the Clean Vessel Act Grant Program to EPA

However, NMMA must take issue with the Commission's recommendation for Congress with input from the National Ocean Council to consider transferring the Clean Vessel Act grant program to EPA in order to "consolidate the administration of programs related to marine

³ Preliminary Report 187-190. Gray water discharges are made up of water from a boat's sink and shower, while black water discharges are made up of sewage.

⁴ Preliminary Report at 190, Commission Recommendation 16-8.

sanitation devices.” NMMA opposes this measure since the U.S. Fish and Wildlife Service (FWS), the agency currently managing the program, has strong working relationships with the states on this and other boating infrastructure grant programs. In contrast, EPA’s marine sanitation program is more appropriately focused on developing pathogen reduction standards. EPA’s activities regarding surveying where pump-out facilities are located when a no-discharge zone is requested is a limited role and one that NMMA advocates should be taken on by any agency seeking to close a waterway to waste water discharges. Finally, EPA, along with U.S. Coast Guard and the National Oceanic and Atmospheric Administration, are already provided the opportunity to review and comment on the grant proposals received by the FWS under the current program. Moving the grant program to EPA would only serve to disrupt the program unnecessarily, would not result in any increased efficiency, and perhaps would jeopardize the current close working relationship with the states. NMMA urges the Commission to reconsider this recommendation.

III. Recreational Marine Engines

The Commission also discusses air and oil emissions from recreational vessels in Chapter 16 of the Preliminary Report and makes several recommendations.⁵ The recreational marine industry has consistently been ahead of the curve on many environmental issues, including the development of cleaner and quieter engines. Therefore, NMMA supports the Commission’s recommendation that Congress should create an incentive program for boat owners to install or use the new, cleaner engine technologies in recreational boats.⁶ NMMA is concerned, however, with the misleading omissions and inclusion of certain data in the Commission’s discussion of vessel emissions in the Preliminary Report. NMMA respectfully submits the following additional data regarding the newly available marine engines and recreational marine engine pollution to set the record straight and to assist the Commission.

Newest Generation of Environmentally Advanced Marine Engines Are Well Ahead of Schedule

The Commission cites a NMMA statistic indicating that “most of the approximately ten million gasoline-fueled recreational motorboats and personal watercraft have older two-stroke engines that will continue to discharge air and water pollutants until they are retired.”⁷ However, NMMA urges the Commission to acknowledge also in its Report the substantial advances engine manufacturers have made well ahead of regulatory deadlines in producing cleaner marine engines. These advances were made by marine engine manufacturers in order to comply with Environmental Protection Agency (EPA) regulations, particularly a 1996 rulemaking that requires marine engine manufacturers to reduce hydrocarbon and NOx exhaust emission for spark-ignition gasoline marine engines by an average 75 percent between 1998 and 2006 on all new outboards and personal watercraft. In addition, regulations imposed by the California Air Resources Board have not only accelerated the implementation of the rule nationwide, but have resulted in a new generation of marine engines that exceed the EPA mandated reductions.

Recreational Vessels Are a Not a “Substantial Source of Petroleum Contamination”

NMMA must take issue with the Commission’s statement that “recreational vessels and personal watercraft with two-stroke outboard motors are estimated to be a *substantial* source of petroleum

⁵ Preliminary Report at 191, 194.

⁶ However, it is NMMA’s position that any measures developed by policy makers to expedite the retirement of carbureted two-stroke outboard / personal watercraft engines should not prove cost prohibitive and ineffective in reducing hydrocarbon inventories. Therefore, any incentive programs should include flexibility for manufacturers and consumers as well as reliable assurances of effectiveness.

⁷ Preliminary Report at 194.

contamination in U.S. waters”⁸ NMMA finds this statement particularly misleading for two reasons: First, the Commission also recognizes in the Report that “the true magnitude of the problem remains unclear.”⁹ Second, the Commission cites for the “substantial source” proposition a study conducted by the National Research Council (NRC) regarding oil pollution from recreational vessels that itself notes that carbureted two-stroke engines in recreational marine vessels “are responsible for about 2 percent of the petroleum hydrocarbons introduced into North American waters each year.”¹⁰ NMMA does not mean to diminish the environmental importance of petroleum pollution in our oceans; nonetheless, the two percent from recreational vessels can hardly be considered a “substantial source.” NMMA requests that the Commission strive for accuracy in its characterization of the amount of petroleum pollution that is contributed by recreational vessels. In order to assist the Commission in this endeavor, NMMA submits for the Commission’s consideration the following flaws and omissions within the NRC Report.

NRC Report Cited by Preliminary Report Makes Questionable Assumptions

As noted above, the Commission relies upon the NRC report, *Oil in the Sea III: Inputs, Fates, and Effects* for the proposition that recreational vessels are a “substantial source of petroleum contamination in U.S. waters.” However, the NRC Report makes several questionable assumptions in order to arrive at its conclusion that recreational marine vessels are a “significant source” of anthropogenic petroleum pollution in U.S. and world waters.¹¹ For example:

- The NRC report excludes from its calculations all four-stroke engines because it claims the population of four-stroke outboard engines is “not known.”¹² Although specific population data has not been developed for four-stroke engines, it is clear that these engines are being phased-in at a rapid pace pursuant to the EPA’s Final Rule for New Gasoline Spark-Ignition Marine Engines.¹³ Moreover, retirement data on carbureted two-stroke engines can be extrapolated from scrappage calculations combined with the expected life of carbureted two-stroke outboard and personal watercraft engines, with EPA models to determine hydrocarbon emissions reductions over time (due to the introduction of four-stroke and directed injected two-stroke engines),¹⁴ and annual retail sales of these new technology engines. Therefore, from these sources population data for new engine technologies (directed injected two-stroke and four stroke engines) can be estimated.
- The NRC report assumes “that all the two-stroke populations are standard models requiring fuel and gas mixtures,” therefore excluding new, cleaner direct injected engine types.¹⁵
- The NRC report does not distinguish between “seasonal differences between regions where boating use may vary considerably” in its calculation of the average hours for nationwide use of two-stroke outboard engines and personal watercraft.¹⁶
- The NRC report admits that “[t]he factors used to develop maximum and minimum estimates are somewhat subjective and reflect the committee’s confidence in the data

⁸ Preliminary Report at 194 (emphasis added).

⁹ *Id.*

¹⁰ National Research Council, *Oil in the Sea III: Inputs, Fates, and Effects* (2003) at 65.

¹¹ National Research Council, *Oil in the Sea III: Inputs, Fates, and Effects* (2003) at 4.

¹² National Research Council, *Oil in the Sea III: Inputs, Fates, and Effects* (2003) at 219.

¹³ 40 C.F.R. Parts 89, 90 & 91.

¹⁴ United States Environmental Protection Agency, *Regulatory Impact Analysis: Control of Air Pollution Emission Standards for New Nonroad Spark-Ignition Marine Engines* (1996).

¹⁵ NRC at 220.

¹⁶ *Id.*

available and the methods and assumptions used to complete the calculation.”¹⁷ NMMA does not share the NRC’s confidence in that data.

The NRC report excludes data on the newer, cleaner engine technologies developed and produced by recreational marine manufacturers, but still acknowledges that the “population of engines used in recreational vessels is changing dramatically.”¹⁸ The recreational marine engine population is changing dramatically and should be properly taken into account by policy makers. For example, because of EPA’s 1996 Final Rule, the agency expects to achieve the following projected hydrocarbon and NO_x reductions nationally: 4 percent in 2000; 26 percent in 2005; 52 percent in 2010; 68 percent in 2015; 73 percent in 2020; and 75 percent in 2050, with the model showing a constant 75 percent reduction in HC and NO_x emissions through 2050. NMMA and marine manufacturers have aggressively sought to comply with the EPA rulemaking and the industry is exceeding these standards. That the HC and NO_x reductions are occurring at such a rapid and sustained rate calls into question many of the NRC’s findings, particularly since those findings rely exclusively on purported aqueous emissions from traditional two-stroke engines.

Even if it is true, as the NRC has concluded, that the number of two-stroke engines in use in U.S. waters is “extremely large,” that number will inevitably decline due to the lifespan of standard two-stroke engines and the public’s demand for cleaner, quieter technology. The recreational marine industry is meeting that demand vigorously. Many experts in the recreational marine community have speculated that within a decade, carbureted two-stroke marine engines will be largely a thing of the past. Ultimately, when the remaining engines that are currently on the market reach the end of their utility, they will be retired and replaced by newer technology. Since, the retirement rates of these engines do not appear to be accounted for in the NRC study the conclusions of that study are in question.

Alternate Data Was Not Considered by NRC

The NRC report also fails to consider a substantial body of literature on the subject of recreational marine engine emissions, much of which is produced by the EPA and independent experts. The NRC report therefore represents an incomplete picture which should be carefully scrutinized by the Commission and not used as its sole source for concluding that recreational vessels are a “substantial source of petroleum contamination.” At a minimum, the Commission’s Final Report should note and cite to the following studies that demonstrate that recreational vessels are *not* a “significant source” of marine pollution in U.S. waters. For example:

- Keuka Lake Water Quality Testing Program (2000) – Results of this test demonstrated via representative environmental testing that no detectable levels of hydrocarbons were found during the most crowded boating areas during holiday weekends.
- Water Test: Donner Lake California (1999) - This study, which was conducted on July 6, traditionally the busiest boating weekend of the year, showed no trace fuel components in the lake.
- Water Test: Anaheim California (1997) – In August 1997, a three-day personal watercraft race was held on an artificial lake in Anaheim, CA. The lake was filled with 14 million gallons of drinking water. In order to use the water, a \$250,000 bond was placed to guarantee that the water would be returned unspoiled, and after intense testing which showed no trace of fuel, all the water was returned and the bond money was refunded.¹⁹

¹⁷ *Id.* at 82.

¹⁸ *Id.*

¹⁹ These and other studies can be viewed at <http://www.pwia.org/issues/emissions.html>.

NMMA also urges the Commission to take note of a 1994 memorandum written by the Environmental Protection Agency entitled, “The Effects of Marine Engine Exhaust Emissions on Water Quality: Summary of Findings of Various Research Studies,” which comes to the opposite conclusion of the NRC report. The EPA memo evaluated eleven studies that examined the impact of recreational marine engine emissions on marine environments throughout the country, three of which were summaries of a variety of other such studies. After determining that it had captured “the consensus of the literature,” EPA concluded:

Based on the studies reviewed for this report, the overall water quality effects of marine engine exhaust gases do not appear to be significant in general.²⁰

In addition, the most widely-cited studies which show significant levels of pollution employed non-representative methodologies, such as running engines in test tanks for extended periods of time. These studies fail to accurately reflect actual marine environments and significantly overestimate the discharge of aqueous hydrocarbon emissions by two-stroke marine engines.

Clarifying Comments Regarding Carbureted Two-Stroke Engines

NMMA would also like to provide some clarifying comments regarding the characterization that carbureted two-stroke outboard and personal watercraft engines release significant amounts of oil into U.S. waters. Such a characterization is misleading. Two-stroke marine engines do not even use oil, but rather marine lubricants. Exhaust of a carbureted two-stroke outboard or personal watercraft is at a temperature of several hundred degrees and is expelled in a narrow trail of exhaust behind the boat as it travels through the water. As this “tail” of exhaust leaves the hub of the propeller, it quickly rises to the surface where it is released into the atmosphere. At idle and off-idle conditions, outboard motors are designed to emit exhaust above the water through an exhaust relief system. Under these conditions, very little if any exhaust is discharged into the water. As has been mentioned, several EPA studies consistently demonstrate that only a fraction of the gasoline used by the engine is deposited into the water and that this small amount of gasoline immediately begins to volatilize from the water into the air. The scientific data indicates quite clearly that although 20-25 percent of the fuel consumed by an outboard bypasses the combustion process and exits in the exhaust, only a fraction goes into the water. Lubricant releases at these levels do not overwhelm nature’s ability to biodegrade the contaminant. These findings are in stark contrast to the NRC conclusion cited in the Commission’s Preliminary Report that “two-stroke outboard motors release anywhere between 0.6 and 2.5 million gallons of oil and gasoline into U.S. coastal waters every year.”²¹

For the above reasons, NMMA requests that the Commission reconsider its statements made regarding the NRC Report’s conclusions and its sole reliance on the Report. Recreational marine engine manufacturers worked closely with EPA to establish effective air quality standards and have rapidly developed new technology that will reduce hydrocarbon emissions by non-road spark-ignition marine engines by more than 80 percent. The industry looks forward to working with the U.S. Commission on Ocean Policy, the President, Congress, and regulatory agencies in the same fashion. NMMA is concerned, however, that those opposed to recreational boating will take the Commission's findings out of context and attempt to deny access to the millions of Americans and tourists who seek pleasure and enjoyment on our nation’s public waterways.

²⁰ Memorandum from Jean Marie Revelt, Engine and Vehicle Registration Branch, United States Environmental Protection Agency, to Public Docket No. A-92-38 (Nov. 15, 1994).

²¹ Preliminary Report at 194.

Therefore, NMMA asks that the Commission carefully consider these comments and additional data related to the impact of recreational marine vessels on water quality.

IV. Conclusion

NMMA applauds the Commission's work to address the many serious challenges facing the world's oceans. The recreational marine industry and the American boating public have a long history of sound environmental stewardship. The simple truth is that healthy, beautiful, and vibrant marine environments are essential to recreational boating. The National Marine Manufacturers Association and its more than 1,500 members look forward to a continuing dialogue with the Commission on these issues of vital national concern.

Please do not hesitate to contact me at 202-737-9750; mfontaine@nmma.org or NMMA's Regulatory Counsel, Cindy Squires at 202-737-9766; csquires@nmma.org if you have any questions or would like additional information or assistance.

Respectfully submitted,



Monita W. Fontaine, Esq.
Vice President, Government Relations

Public Comment Submitted by Sheila M. Harrigan of Yelm, Washington

Dear Commissioners,

Thank you for the work and time you put into producing an important plan of management for America's oceans. Please further strengthen the report by establishing conservation as the top priority in fisheries management, further limiting bottom trawling, and advocating the precautionary principle.

My Comments:

I also ask that you make sure that you pass legislation just like Western Europe did last year calling for the end of unsafe ships carrying toxic substances such as: oil and other chemicals on their coastlines. The Western Europeans; particularly the French and Spanish, see this as a huge concern to track militarily. Just last summer, there were a

number of extremely serious oil spills that hit the French and Spanish coastline that could have easily been prevented with the right attitude.

I always get angry when oil companies say they can't afford modern ships and when there is an oil spill due to their negligence, they can't afford to clean it up.

We're crazy! We have our priorities terribly WRONG. The oceans, our air, our city water, is a time bomb. I'm one of the citizens who cares deeply. I wouldn't mind paying a special environmental tax if it were used correctly. We really need to protect our oceans and our air. And, last but not least, ocean life. We create a toxic environment for marine life to live in. HORRIBLE!!!

Sincerely,
Sheila M. Harrigan
Sheila Harrigan
Yelm, Washington

Public Comment Submitted by Judy Woods, International Council of Cruise Lines



International Council of Cruise Lines (ICCL) Comments: U.S. Oceans Commission Report

As the trade association representing the great majority of large passenger ships operating in U.S. waters, the International Council of Cruise Lines (ICCL) submits this information as a stakeholder in the information gathering process on the Preliminary Report of the U.S. Commission on Ocean Policy.

The ICCL salutes the preliminary report as a fair and balanced analysis on the state of the oceans and the need for a new national Ocean Policy Framework for addressing the very real issues facing this nation and all who inhabit the planet. The oceans are the cruise industry's lifeblood, and while the Commission Report has indicated that we are not a major contributor to maritime pollution, the industry nonetheless is committed to being a large part of the solution. A similar report by the Pew Oceans Commission released in 2003 also pinpoints land-based sources as the primary threat (80 percent) to ocean waters. It is incumbent on all of us as consumers of the ocean bounty to protect the marine environment, and we agree with the Commission that the key to understanding the issues and ultimately, creating solutions, is by focusing on thorough scientific analysis and research.

While we support the unbiased and factual reporting contained in the report, we would be remiss if we did not provide input regarding what the members of the ICCL have been doing to address their impact on the oceans and to ensure the Commission that they are doing so in a responsible and measured way. Our comments primarily relate to Chapter 16, "Limiting Vessel Pollution and Improving Vessel Safety."

The ICCL has enjoyed and greatly benefited from a partnership with the United States Coast Guard since 1999. This partnership has been extremely positive in assisting our member lines with the Coast Guard's recommendations and regulatory requirements and to ensure that we are continuously enhancing our performance in safety and environmental areas of operations. The partnership has also been invaluable to dispel rumor and myth and reach common understandings.

Additionally, the ICCL has enjoyed non-governmental observer (NGO) status at the International Maritime Organization since 1993. Our regular participation in IMO meetings where international maritime policies are established is key to ensuring that our membership maintains its excellent safety record and keeps abreast of policy developments as they occur, and to lend our voice to the debate.

*International Council of Cruise Lines
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Recommendation 16-1 (Pg. 184)

The membership of ICCL has taken the initiative to develop stronger voluntary measures by agreeing to a historic waste management practices and procedures protocol in June of 2001. These comprehensive waste management rules were incorporated into every vessel's Safety Management System (SMS) required by the ISM Code, and therefore become

enforceable by both flag and port states wherever ICCL vessels operate in the world. Importantly, compliance is ensured through internal and third party audits, routine shipboard inspections, and required record keeping. This voluntary initiative was undertaken out of a realization that this industry depends on clean oceans and in providing an inviting vacation experience. We would invite the Commission to review the ICCL waste management practices and procedures at our website: <http://www.iccl.org/policies/stds-environment.cfm>. As technology and scientific knowledge advances, these standards are reviewed and modified to reflect best responsible practices. Indeed these practices and procedures have formed the basis for Memorandums of Understanding with the states of Florida, Hawaii, and Washington. The Alaska and Maine laws that have been enacted largely mirror the operating practices that have been adopted by ICCL members worldwide. In all states that have addressed the issue, procedures for record keeping and verification of wastewater practices have been put into place to ensure that vessel operators are following these practices. Finally, the US Coast Guard published guidance on February 13, 2004 directing Coast Guard units to specifically inspect for compliance with these practices and procedures. (See "CG NAVIC 04-04," on USCG website: http://www.uscg.mil/hq/g-m/nvic/NCIV_04-04.pdf)

Reducing Vessel Pollution (Pg. 187)

Regarding those sections specifically addressing cruise ships, the report fails to include recent information, most notably the January 27, 2004 Report from the Alaska Department of Environmental Conservation. This Report provides the most recent data regarding the performance of cruise ships under existing laws and regulations in Alaska and importantly addresses the very fluid and evolving issue of advanced wastewater treatment purification systems. It can be found at: http://www.state.ak.us/dec/water/cruise_ships/assessreport04.htm. Our member lines have been researching and developing new technology for the treatment of wastewater for the past several years, and this report reflects the very promising state of that technology today. The Alaska sampling results from last summer reveal that the effluent from these systems is almost drinking quality. The U.S. EPA is scheduled to conduct comprehensive testing of wastewater effluent on vessels operating these advanced systems this summer in Alaska. We look forward to the testing results.

Additionally, in December 2003, the ICCL formed a partnership with Conservation International. This partnership is known as the Ocean Conservation and Tourism Alliance (OCTA) and will achieve, for this industry, many of the objectives and goals outlined in the Oceans Commission Report. The OCTA initiative is intended to protect biodiversity in top cruise destinations and promote industry practices that minimize the cruise industry's environmental impact. Our initial focus areas are as follows:

Best Practices for Wastewater Management: improved shipboard technology, specifically accelerating and adopting Advanced Wastewater Purification (AWP) systems.

Establishing Destination Partnerships: working with local governments and communities to maintain high-quality travel experiences by protecting the natural and cultural assets of cruise destinations.

Promoting Environmental Education: raising guest and crew awareness of and support for critical conservation issues.

Promoting Vendor Environmental Education: lessening the environmental impacts of suppliers.

In looking at wastewater management practices, OCTA has assembled an independent science panel chaired by world-renowned marine biologist Dr. Sylvia Earle. The Science panel will give us their best advice on how the members of ICCL can invest in the future through best practices on wastewater management and through the use of advanced wastewater purification systems.

Recommendation 16 – 5 (Pg. 189)

The Commission suggests a new national regime for managing wastewater discharges from large passenger vessels. ICCL would respectfully submit that through the waste management practices and procedures outlined above, we have addressed this recommendation in a more comprehensive way (through all waste streams) than this recommendation addresses. In essence, we have, through our voluntary initiative, created an enforceable uniform discharge standard, including record keeping requirements. Sampling and testing is being done through independent laboratories. These processes, along with proper incentives to develop advanced wastewater purification systems, will achieve the intentions of Recommendation 16-5. To date, the members of ICCL have invested over \$50 million in environmental upgrades, including the development of advanced wastewater purification systems. We believe that this promising technology needs to be further explored, and we will continue these efforts.

If we can scientifically verify that the effluent from advanced wastewater purification systems are benign to the receiving waters, a proper incentive to investment in these systems would be to amend the Clean Water Act to allow the discharges from these systems even in no discharge zones.

To conclude, even though the members of ICCL are carrying only a small fraction of a percent of the people who are on the ocean waters every day, the cruise lines have taken the initiative to establish a leadership position in environmental stewardship. It is in our interest to do so. That is why we are methodically and scientifically making the investments necessary to ensure that we reduce our environmental footprint wherever our vessels operate.

The International Council of Cruise Lines (ICCL) is a non-profit trade association that represents the interests of 15 of the largest cruise lines operating in the North American cruise market and over 90 Associate Member companies that are cruise industry business partners and suppliers. ICCL member cruise lines serve major ports in the United States and call on more than 800 ports around the world. Over 7 million North Americans cruised last year, and in 2004, the industry is currently on track to service an estimated 8.5 million passengers worldwide. The industry has averaged an 8.4% growth since 1980, and ICCL cruise lines are expected to add to their 100+ fleet by bringing another 25 ships into service before 2006.

Public Comment Submitted by Ed Holl, High Sea Construction Corporation

NEW CONSTRUCTION PROCEDURES ENABLE US TO BUILD STRUCTURES OVER OR BELOW THE OCEAN ON INERT VINYLCLAD CONCRETE PILES IN LENGTHS TO ONE HUNDRED FEET AND LOAD BEARING CAPACITY TO 500 TONS.

IT IS THEREFORE POSSIBLE TO CONSTRUCT - DEEP WATER PIERS OFF SHORE TO ACCOMMODATE MEGA SHIPS FOR SAFE INSPECTION OF DANGEROUS MATERIAL AND ALSO TO RELOAD CARGO TO BARGES FOR ECONOMICAL TRANSPORT TO SATELLITE STRATEGICALLY LOCATED PIERS.

IT IS ALSO FEASIBLE AND COST EFFECTIVE TO ELIMINATE BEACH EROSION AND SAND REPLENISHMENT.

BASICALLY, IT IS NOW POSSIBLE TO BUILD OVER THE OCEAN AT LOCATIONS UP TO FT 150 DEPTH.

WE ARE EAGER TO VERIFY THESE CLAIMS WITH A PILOT DEMONSTRATION OFF THE SANDY HOOK SHORE. OR OTHER SUITABLE LOCATION IN MONMOUTH COUNTY.

GOOD LUCK.

SINCERELY,
ED HOLL
HIGH SEAS CONSTRUCTION CORPORATION
BELMAR, NEW JERSEY

Comment Submitted by David Karner, Palm Coast, Florida

Public Comment on Preliminary Report

April 25, 2004

United States Commission on Ocean Policy
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Washington, D.C. 20036

Dear Commission Members:

In response to the call for public comment on your examination of U.S. policy on the health of our oceans, I have decided to bring to your attention a most grievous condition that existed and may currently exist regarding the actions of the Department of Defense.

During my enlistment in the United States Marine Corps, I was transported to the Persian Gulf in December of 1990. One of my duties, as was required of all sailors and Marines, was to participate in the support of the mess hall. Each day, hundreds of pounds of garbage was collected after each meal, consisting of cardboard, paper, food and other items. One of my duties was to help dispose of hundreds of these garbage bags as we steamed towards our destination. At the end of every day, we stood aft on our ship, tore holes into the bottoms of these garbage bags and threw them into the ocean. I would watch with sadness as these black bags bobbed in the ocean as we continued to steam away. This was a daily occurrence.

Imagine if you will, hundreds of ships in our Navy and Coast Guard disposing of their garbage daily into our ocean. Imagine the results of these actions I had witnessed and participated in (against my internal morals) over a 13-year period since that year. Imagine the scope of daily disposal, day-in and day-out of such garbage into our ocean by our very own government.

Until this commission examines the policy of our Department of Defense in regards to this matter, until it exposes and reports the conditions of which our military pollutes the very ocean you are earnestly attempting to improve, I believe your report will be less than complete.

As simply a matter of my opinion and observation, for Americans to be paying for the support of our military and thus, the pollution of our oceans, and then to be fiscally responsible for its cleanup, it seems expedient to prevent the former by examining and changing the policies and/or habit of disposal by our Navy and Coast Guard.

Feel free to contact me regarding my experience during the time period mentioned above.

Sincerely,

David Karner
Palm Coast, Florida

Comment Submitted by Terri Whitehead, citizen

Read about your activity at the Florida Oceans Day in Tallahassee.

The pollution caused by cruise ships is an area your group should target in your report. It is unacceptable that these ships are allowed to dump their sewage waste at sea. I don't care how far out they're "supposed" to be when they do it, they should not be allowed to do it at all.

Pump stations should be required at all ocean ports and the ships should have to use the pump stations, NOT THE OCEAN, for their sewage.

Yes, it would require an expense. But they could be offered economic benefits and still pass on some of the expense in the price of a cruise ticket. Local governments could share the cost of building the facilities and it would be a win-win situation for all involved. We CANNOT continue to pollute the world's oceans.

This practice of dumping waste into our oceans MUST STOP. It's insanity to think it is an acceptable practice, no matter how far out to sea they dump.

Locally, in Brevard, we are studying the increased amount of fecal matter at our beaches. Gee, you'd think they'd get the connection????

Please address this issue with the powers that be.

Thank you for your consideration.

Terri Whitehead
Florida