

June 25, 1980

MEMORANDUM

TO: Mitch Tyson, Missy Greely, Dave Russell and
Bob Wickland

FROM: Tom Laughlin

RE: S.2119 draft

Pursuant to our conversation this morning, I have redrafted the attached version of S.2119. It is a Tsongas-Weicker-Hatfield amendment in the nature of a substitute.

Sections 2,5 and 6 of the amendment are identical to the Commerce Committee-reported version.

The definition of Georges Bank is rewritten in section 3 to reflect the input from the National Marine Fisheries Service. It includes all areas on which there is likely to be oil and gas development which could have an effect on the fisheries.

Section 4 is rewritten as discussed.

Also attached is a list of 5 items which I understand it was generally agreed should appear in the Committee Report on S.2119, assuming the Committee acts favorably.

Please note the following in the draft:

- o I added a new paragraph (3) to section 4 to separate the disclaimer for DOI from EPA's since the former is not affected at all, while the latter is not affected for 3 years.
- o In paragraph 4, I added reference to section 403 of the Clean Water Act which is the ocean discharge standards section.
- o On page 4, in paragraph (5)(a), please note the nektonic blank

cc: Mike Harvey, Sharon Maier

Items for Report on S.2119 (based on staff discussion of June 25,1980)

- 1) Regarding the use of the studies by DOI, the report should state that the Committee expects DOI to consider this new information in exercising its authority --especially stipulation #4
- 2) Report should elaborate on the nature of the scientific plan, describing the "proof of negative" aspect
- 3) Report should clarify that the studies are to concentrate on the most important organisms-- e.g. mollusks and crustaceans, not sea slugs
- 4) use the phrase "fate of drilling mud" in explain the intend of studies (e) and (f)
- 5) Emphasize that the Task Force should be playing a role in the studies