

96TH CONGRESS
1ST SESSION

S. 2119

To protect the fisheries resources on the Georges Bank, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 11 (legislative day, NOVEMBER 29), 1979

Mr. TSONGAS (for Mr. KENNEDY) (for himself, Mr. MAGNUSON, Mr. TSONGAS, Mr. WILLIAMS, Mr. BRADLEY, Mr. HATFIELD, Mr. COHEN, and Mr. WEICKER) introduced the following bill; which was read twice and referred jointly, by unanimous consent, to the Committees on Commerce, Science, and Transportation and Energy and Natural Resources

A BILL

To protect the fisheries resources on the Georges Bank, 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,*
3 That this Act may be cited as the "Georges Bank Protection
4 Act".

5 SEC. 2. (a) With respect to any oil or gas activity in or
6 on the area known as Georges Bank (on the Outer Continen-
7 tal Shelf) the following requirements are imposed:

vs. onsite
disposal

1 (1) All drill muds and cuttings shall be removed to
2 dumping sites approved by the Environmental Protec-
3 tion Agency unless the Secretary of the Interior, in
4 conjunction with the Administrator of the National
5 Oceanic and Atmospheric Administration determines in
6 writing that—

7 (A) meteorological conditions make such re-
8 moval more hazardous than onsite dumping; or

9 (B) onsite dumping would have no significant
10 detrimental effect upon biological populations at
11 such site or in adjacent areas; or

12 (C) another method of disposal should and
13 will be used which is less hazardous to the bio-
14 logical populations at such site or in adjacent
15 areas than barging.

16 (2) Formation waters shall be reinjected unless
17 the Secretary of the Interior in conjunction with the
18 Administrator of the National Oceanic and Atmospher-
19 ic Administration determines in writing that—

20 (A) the absence of such action will have no
21 significant detrimental effect upon biological popu-
22 lations at such site or in adjacent areas; or

23 (B) another method of disposal should and
24 will be used which is less detrimental to the bio-

1 logical population at such site or in adjacent areas
2 than reinjection.

3 (3)(A) A biological task force shall be appointed to
4 monitor the effects of oil and gas activity on biological
5 populations. Such task force shall consist of—

6 (i) one member appointed by the Fish and
7 Wildlife Service;

8 (ii) one member appointed by the United
9 States Geological Survey;

10 (iii) one member appointed by the Bureau of
11 Land Management;

12 (iv) one member appointed by the National
13 Oceanic and Atmospheric Administration;

14 (v) one member appointed by the Environ-
15 mental Protection Agency; and

16 (vi) one representative of the New England
17 Fishing Industry appointed by the New England
18 Fisheries Management Council.

19 (B) The biological task force shall make recom-
20 mendations with respect to the protection of biological
21 populations of the Georges Bank, to the Secretary of
22 the Interior, and such recommendations shall be imple-
23 mented by the Secretary of the Interior, unless and to
24 the extent that, the Secretary of the Interior makes a
25 written determination that—

1 (i) such recommendations should not be im-
2 plemented on account of an overriding national in-
3 terest; or

4 (ii) adequate protective measures have been
5 taken to ensure the protection of the biological
6 populations of the Georges Bank.

7 (C) The biological task force shall exist so long as
8 there is oil and gas activity on Georges Bank.

9 (4) The President shall direct the appropriate
10 agencies to expedite the promulgation of the following
11 regulations:

12 (A) Safety regulations under section 21 of
13 the Outer Continental Shelf Lands Act (43 U.S.C.
14 1347).

15 (B) Enforcement regulations under section
16 22 of such Act (43 U.S.C. 1348).

17 (C) Fishermen's Contingency Fund regula-
18 tions under title IV of the Outer Continental
19 Shelf Lands Act Amendments of 1978 (43 U.S.C.
20 1841-1847).

21 (b) The President shall direct the appropriate Federal
22 agencies to expeditiously complete, and submit to Congress
23 and the biological task force, those reports relating to at-sea
24 spill cleanup and mitigation, mandated by the requirements of
25 the National Oil and Hazardous Substances Pollution Control

1 Plan (40 CFR 1510) and requested by the Senate during its
2 consideration of H.R. 4440, the Department of Transporta-
3 tion and Related Agencies Appropriation Act, 1980.

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