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**POLLUTION FROM CRUISE SHIPS AND COAST
GUARD PREVENTION**

Y 4. M 53: 103-20

Pollution From Cruise Ships and Coa... **NG**
AE

**SUBCOMMITTEE ON
COAST GUARD AND NAVIGATION
OF THE
COMMITTEE ON
MERCHANT MARINE AND FISHERIES
HOUSE OF REPRESENTATIVES**

ONE HUNDRED THIRD CONGRESS

FIRST SESSION

ON

**THE EFFECTIVENESS OF THE COAST GUARD'S EFFORTS
TO ENFORCE LAWS WHICH PROHIBIT THE DUMPING
OF GARBAGE INTO THE OCEANS AND EXAMINE THE
TWO PUBLICIZED CASES OF ILLEGAL DUMPING**

MAY 11, 1993

Serial No. 103-20

Printed for the use of the Committee on Merchant Marine and Fisheries



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POLLUTION FROM CRUISE SHIPS AND COAST GUARD ENFORCEMENT

TUESDAY, MAY 11, 1993

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON COAST GUARD AND NAVIGATION,
COMMITTEE ON MERCHANT MARINE AND FISHERIES,
Washington, DC.

The Subcommittee met, pursuant to call, at 10:07 a.m., in room 1334, Longworth House Office Building, Hon. Billy Tauzin (Chairman of the Subcommittee) presiding.

Present: Representatives Tauzin, Hughes, Hochbrueckner, Laughlin, Hastings, Coble, Castle, Diaz-Balart, Pombo.

Also Present: Representative Weldon.

Staff Present: Elizabeth Megginson, Rusty Savoie, Matt Szigety, Laurie Wilkerson, Jim Adams, Elnora Harvey, Joan Bondareff, Lee Crockett, Brita Otteson, Tom Kitsos, Sue Waldron, Ed Lee, Rebecca Dye, Margherita Woods, Harry Burroughs, Cyndi Wilkinson.

STATEMENT OF HON. BILLY TAUZIN, A U.S. REPRESENTATIVE FROM LOUISIANA, AND CHAIRMAN, SUBCOMMITTEE ON COAST GUARD AND NAVIGATION

Mr. TAUZIN. The hearing will please come to order. Good morning. I have convened this oversight hearing to examine the effectiveness of the Coast Guard's efforts to enforce our laws which prohibit the dumping of garbage into the oceans. During the last 10 years, this committee reported and Congress enacted stringent legislation designed to curb the use of our oceans and the waters as a dump site. We passed an Act to Prevent Pollution from Ships in order to give the Coast Guard authority to implement MARPOL. In 1987, we adopted amendments to APPS strengthening the law. Those amendments are now referred to as the Marine Plastic Pollution Research and Control Act of 1987.

However, as illustrated by at least two well-publicized cases, illegal dumping continues and will continue unless there is an aggressive and consistent enforcement of these laws. My concern today is, first, have we given the Coast Guard the tools it needs to enforce the law? And, second, is the Coast Guard committed to enforcing the law?

We know based on past hearings that the dumping of plastics, in particular, has severe and lasting impacts on the marine environment. We know that ingestion of plastics is a major cause of death in marine animals of all types including endangered sea turtles. There is simply no reason that plastics and garbage should be

dumped into the waters of our oceans. Almost all U.S. ports have receiving facilities for the proper and the legal disposal of ship-generated trash.

I would like the industry to tell us today what is being done to reduce the amount of plastic packaging being brought aboard ships. Landfill space is becoming more and more scarce. Greater efforts, in fact, should be taken to reduce the source of the problem as most industries are doing by reducing the amount of plastics and other packaging material that must end up being disposed of.

As the cruise ship industry grows and more people enjoy cruising in the Caribbean, we must be aware of the particular problems that these small island nations face in disposing of trash from cruise ships. With limited space and limited resources, these islands, and I should add, the Florida peninsula and the states along the Gulf Coast, simply may not be able to continue to receive garbage from cruise ships in the future.

I am hopeful that from this hearing we can identify means by which the Coast Guard can improve its enforcement of these important laws designed to keep our marine environment clean.

I would like now to recognize our ranking subcommittee member, the Honorable Howard Coble, for an opening statement.

**STATEMENT OF HON. HOWARD COBLE, A U.S. REPRESENTATIVE
FROM NORTH CAROLINA, AND RANKING MINORITY MEMBER,
SUBCOMMITTEE ON COAST GUARD AND NAVIGATION**

Mr. COBLE. Thank you, Mr. Chairman—good to have you all with us this morning. Mr. Chairman, I thank you for having called this oversight hearing about the pollution from the growing number of cruise ships which sail into United States waters. I will be particularly interested, as I am sure you will, to hear from the gentleman who was responsible for having videotaped this exercise in the act of violating the law. This case has given this important issue widespread media attention.

I furthermore hope that the publicity will give all cruise ship operators pause when they consider their options in disposing of hundreds of pounds, perhaps even tons of garbage that would be generated during the course of a cruise. I look forward to hearing as well from the Coast Guard concerning its enforcement activities, Admiral.

And in closing, Mr. Chairman, I think this is a good example of citizen involvement. Many times citizens don't want to become personally involved when they see a wrongdoing being perpetrated, and this is, I think, a very illustrative example of people who did care, who came forward, in fact, were very crucial in directing our ultimate attention to it. Good to have you all here. Thank you, Mr. Chairman.

Mr. TAUZIN. Thank you, Howard. Any other opening statements?

Mr. HASTINGS. Mr. Chairman, very briefly.

Mr. TAUZIN. Mr. Hastings from Florida.

**STATEMENT OF HON. ALCEE HASTINGS, A U.S. REPRESENTATIVE
FROM FLORIDA**

Mr. HASTINGS. Following what you have said, it is important that the Federal Government prevent pollution from invading our oceans and shores. While it appears that cruise ships are primary violators of the pollution prevention program outlined in MARPOL, I am concerned that general boating may very well produce problems as well, and we need to look at that. And it is our role to ensure greater enforcement of waste control.

There is a tremendous need for clean beaches along the shores of America and the smaller islands, and, therefore, this hearing should focus on keeping our oceans and shores free from further contamination. I applaud the past efforts of the Coast Guard and hope that their future efforts will provide a greater level of enforcement to safeguard widespread abuse of the marine environment, and I welcome you all here, and I thank you for holding this hearing, Mr. Chairman.

Mr. TAUZIN. Thank you, Alcee. Any other opening statements?

**STATEMENT OF HON. MICHAEL CASTLE, A U.S. REPRESENTATIVE
FROM DELAWARE**

Mr. CASTLE. Mr. Chairman, if I may just very briefly, I first of all agree and associate with the comments that you and the ranking member and Mr. Hastings have made. I think this is a tremendous problem in the United States. I am from Delaware and where you have the configuration of the Delaware River and Bay going out to the ocean, and we see a number of ships, not generally cruise ships, but a number of ships which come in there. And I have had the pleasure of touring our 30 miles of ocean beaches and seeing a tremendous amount of debris, most of which, I suspect, comes from the shore, goes out, and washes back up, if I had to guess. But I don't know what does come from all those ships that I see on the horizon just constantly coming into our particular area. If you get into the cruise areas, it is perhaps even greater.

I think we do need to reduce the materials being brought onto the ships such as plastics. I also believe that we need to have the best onshore disposal we can so that those who have boats and ships understand that they can rid themselves of whatever they have collected rather rapidly, and I believe that this is a wide environmental issue beyond just that of the wildlife aspect of it. And in my view, I know of no reason why we shouldn't, with the exception of those things that may be totally disposable, be able to eliminate this problem altogether. That should be our goal, in my view.

Mr. TAUZIN. The Chair thanks the gentleman from Delaware, Mr. Castle. Any other opening statements?

Mr. HUGHES. Mr. Chairman?

Mr. TAUZIN. Mr. Hughes.

Mr. HUGHES. Mr. Chairman, I would like to submit a written statement—

Mr. TAUZIN. Without objection.

Mr. HUGHES [continuing]. and congratulate you on the hearing and look forward to the testimony.

Mr. TAUZIN. Thank you, Mr. Hughes.

[Prepared statements of Members follow:]

STATEMENT OF HON. WILLIAM J. HUGHES, A U.S. REPRESENTATIVE FROM NEW JERSEY

Thank you, Mr. Chairman. I commend you for holding today's oversight hearing on pollution from cruise ships and Coast Guard enforcement of pollution prevention laws and International agreements. As you know, I have a long history and deep interest in ocean pollution issues.

For over a decade I have worked along with my colleagues on this Committee in the development of sound, forward-looking, balanced pollution prevention policies for our oceans. This Committee has been responsible for developing the Ocean Dumping Ban Act, the Oil Pollution Act, and the implementing legislation for the International Convention for the Prevention of Pollution from Ships (MARPOL). These policies are far-reaching and necessary to protect our vital marine resources, but become inconsequential without constant vigilance and strong enforcement.

I am appalled at the circumstances which bring us here today—an eye-witness video taken by passengers aboard a pleasure cruise of crew throwing garbage-filled plastic bags overboard into the ocean. This activity is a disgrace to the cruise industry, and shows blatant disregard by the industry for our laws as well as the health and welfare of the oceans upon which the industry's very livelihood depends.

Furthermore, the ensuing apparent slow reaction by the Coast Guard brings into question the agency's enforcement capability in these cases. Indeed, I wonder if any action would have been taken had the incident not been publicized on national television 8 months after it occurred. This delay is very disturbing. Further, it leads me to question whether we are passing laws which place demands on the Coast Guard beyond their current capabilities.

Finally, with decreasing landfill space and a growing cruise industry, I would like to know what steps the industry is taking to address the serious problem of waste disposal. I would also like to know what steps the Coast Guard is taking to step up enforcement capability of pollution prevention laws.

Marine pollution legislation and other measures, combined with a dedicated effort to educate the public on the importance of keeping our marine environment clean and free of debris, will help restore the beauty of our shore, maintain high water quality and thus preserve these priceless treasures for generations to come. Indeed, we have made significant progress in this regard and should continue these efforts.

Mr. Chairman, I will close my testimony by welcoming the panel in hopes that it will address some of the gross deficiencies made apparent through this incident.

Thank you.

STATEMENT OF HON. JACK FIELDS, A U.S. REPRESENTATIVE FROM TEXAS, AND RANKING MINORITY MEMBER, COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. Chairman, this hearing focuses attention on a major problem for the Gulf of Mexico region, especially the Texas coast. In 1991, thousands of beach cleanup volunteers collected more coastal debris in Texas than in any other state, except North Carolina. Plastic debris accounted for approximately 72 percent of the debris collected, the highest percent of plastic pollution of any state involved in the cleanup.

Because of wind and circulation patterns in the Gulf of Mexico, much of the debris dumped into the Gulf will find its way to the Texas shores. The designation by the International Maritime Organization of the Gulf of Mexico and the Wider Caribbean as a Special Area under Annex V of MARPOL 73/78 is a step in the right direction. Greater compliance with the plastics pollution laws by all vessels, especially passenger cruise vessels, operating in the Caribbean will reduce the amount of debris deposited on the shores of the states bordering the Gulf of Mexico.

I support strong enforcement of the plastics pollution laws, to preserve the natural and economic value of the Gulf of Mexico and the entire United States coastline.

STATEMENT OF HON. CURT WELDON, A U.S. REPRESENTATIVE FROM PENNSYLVANIA

Mr. Chairman, I would like to thank you for holding this very important hearing today. Without a doubt, this is a growing problem that deserves immediate attention. I commend you for your insight on this matter and look forward to working with you to address this issue.

While I realize the world is not perfect, I did not think that problems, such as the one discussed here today, so blatantly existed. I hate to say that I am naive, but perhaps, that is the case.

Needless to say, there is no excuse for any vessel, be it a cruise ship, an oil tanker, or a day boat, to illegally dispose of plastic garbage bags at sea. The impact of these activities on marine life is devastating. In many cases, plastic rings are found around the necks of birds and marine mammals mistake garbage for food and ingest it; leading to their death.

Three months ago, I watched "CBS This Morning", in which they did a short piece on the growing problems associated with cruise ship pollution. The piece focused on an incident in which a ship employee was videotaped throwing plastic trash bags over the side of the ship and into the ocean. The video tape, captured by a passenger, was turned over to the Coast Guard as evidence. Unfortunately, while cruise ships may commonly dispose of their garbage this way, many times passengers are not there to capture their illegal activities.

As I watched this shocking episode on "CBS This Morning", I was very concerned about the lack of responsibility on the part of the cruise line industry. In fact, I have to wonder if there is a need to develop effective educational programs for the industry to ensure that they are more aware of existing laws and can then educate their employees of these laws.

I was surprised to also learn that the cruise line industry feels that what was captured on the video tape is only one of a few very isolated incidents in which their ships have illegally dumped garbage at sea.

I must admit that I am skeptical of this assessment. In fact, I am concerned that this problem is much more widespread than one would be lead to believe. I hope, however, that my suspicions are not valid. If they are, then action is desperately needed.

Seeing that the laws prohibiting this activity have existed for a number of years, I am concerned that the industry needs to be reminded that disposal of plastic garbage bags into the ocean is an illegal activity.

Yet, while I hold the cruise line and shipping industry responsible for these incidents, I am also concerned about the Coast Guard's role in enforcing existing laws that are designed to prohibit these activities.

First of all, I would like to know why can't the Coast Guard do more to enforce existing laws to ensure that these incidents do not take place? Is it because the Coast Guard is currently so underfunded that enforcement is practically impossible?

Also, are enforcing laws such as MARPOL and the Marine Plastic Pollution Research and Control Act not a priority for the Coast Guard or is due to a lack of commitment to address this matter?

It seems to me that if we are really going to be serious about protecting our oceans, then we must be serious about enforcing the laws that exist for that purpose. If these laws are not adequate, then they should be reexamined to determine how best to improve their intent and purpose.

Mr. Chairman, again, thank you for holding this important hearing today. I look forward to hearing from our witnesses. I hope that we will have an opportunity to discuss some of the points raised here this morning as well as develop a better understanding of what needs to be done to ensure that this matter is addressed in a timely fashion.

Mr. TAUZIN. All written statements will be part of the record. Is there any further opening statements? Then the Chair is pleased to welcome the first panel. I have a special introduction to make first. We will have one panel today consisting of five witnesses. The first witness is a citizen of our country, the citizen who, in fact, was a passenger on a cruise ship who videotaped the crew of the ship dumping plastic bags—trash—overboard late at night. Al has asked that we maintain his privacy by not publicizing his last name,¹ and this committee will honor his request.

His videotape led to the successful prosecution of the Princess Cruise Lines which pled guilty last month to violating the Act to Prevent Pollution at Sea—the Love Boat dumping garbage. Hopefully we don't end up with a Love Canal boat as a result. We have today video evidence of what our Act was designed to prevent.

¹The witnesses, Mr. Alvin Levett, has asked that his full name be written into the official hearing record.

Someone called it the environmental equivalent of the Rodney King tape. This video evidence is with us today.

Princess Cruise Lines ended up paying a criminal fine of \$500,000, the largest fine ever assessed for an APPS violation. We will see the video taken by Al. We have set up two television screens. Because the video was taken at night, it is somewhat difficult to see. You may have to get up and actually stand up near the TV screen to see it clearly. If any of you want to do so, please feel free to do that. We will run it. If you would like to see it again, we will back it up and revisit it. Any members who would want to at this time or any members of the audience who want to get closer to the screen, you are welcome to do so. Can we cut the lights now? And, Al, I will recognize you to comment on the video as it is shown. Jim, if you will start the video? There is voice on the video?

[Videotape is played.]

Mr. TAUZIN. For the members of the committee, the wheel that was mentioned in the newscast that describes what can and what cannot be tossed overboard is this document here. We will pass it around. We have a couple, and we will pass it around for your review. Al, would you start off for us today by simply describing for us how you came upon this scene and a little bit more about the video and what you actually saw—what we saw on the tape?

**STATEMENT OF ALVIN LEVETT, PASSENGER ON CRUISE SHIP
WHO TOOK VIDEOTAPE OF ILLEGAL DUMPING**

Mr. LEVETT. Good morning.

Mr. TAUZIN. Could you bring the mike closer to you, Al, so we can hear?

Mr. LEVETT. Good morning. I am pleased to be invited here today to speak to you on this important subject. We hope that our experience and the videotape that we took, may serve to shine the light on the illegal practice of marine pollution and ultimately contribute to positive changes in the way that business is conducted at sea.

I will briefly outline the major events of the case and the actions that we took over the past 18 months which ultimately led to criminal charges against Princess Cruise Lines. As you will see, the videotape, while a critical element in this case, taken by itself, might not have resulted in the case being successfully resolved. It took an active role and determination on our part as well as encouragement from the Center for Marine Conservation and the efforts of the FBI and Justice Departments to make the system work.

On October 25, 1991, my wife and I witnessed and videotaped the disposal at sea of trash in plastic garbage bags. The incident took place off the Regal Princess, approximately six miles south of the Florida Keys. Once on shore, we reported the incident and submitted a copy of our videotape to the Coast Guard Marine Safety Office in Miami for review.

We followed the progress of our complaint through regular and periodic calls to the Marine Safety Office. I must tell you that the slow responsiveness and lack of progress that the Coast Guard made in investigating this well-documented incident was irritating. Equally troubling was the incomplete or lack of knowledge that

Coast Guard officials displayed about the MARPOL agreement. I spoke to several officers in the Miami office and found that they did not appear to understand where Coast Guard jurisdiction began.

In January of 1992, in an effort to exert some pressure on the Coast Guard to move the case along, we granted an interview to the St. Louis Post Dispatch. In April, with little progress reported, we again went public granting an interview to Conde Naste Magazine. The story appeared in the June 1992 issue.

Our continued calls to the Marine Safety Office and the published articles appeared to do little to accelerate this investigation. With a great amount of reluctance, my wife and I agreed to provide NBC news with the videotape scenes from our cruise and grant them an on-screen interview. It was our feeling that the threat of public pressure and embarrassment of having to explain the eight-month delay in the processing of our complaint through the national media would pressure the Coast Guard to action, and, in fact, it did.

In July of 1992, within a few weeks of when the Coast Guard learned of NBC's interest in the story, the case was processed through the Coast Guard's legal office to the U.S. Attorney's Office for prosecution. On April 15, 1993, the U.S. Attorney for the Southern District of Florida filed a criminal charge against Princess Cruises for discharging plastic bags filled with garbage into the sea. On April 26, Princess, as part of a plea agreement, pled guilty to the crime and was fined \$500,000, maximum under the law.

Although we are pleased that our videotape played a major role in the successful outcome of this case, it is distressing to us to recall the significant additional effort that went into moving this case along. If the Coast Guard would not take action on a well-documented and videotaped incident, how will they respond to a less well-documented case?

Perhaps the lack of responsiveness on the part of the Coast Guard was due to the fact that this was the first well-documented case of this nature presented to them. The thought of a few bags of garbage thrown overboard may have taken low priority given their wide range of responsibilities. Now that the first case has been successfully concluded and the Coast Guard's role clarified, we would hope that procedures have been established and formalized so that citizen complaints are handled more aggressively in the future.

The Center for Marine Conservation and the U.S. Attorney's Office are to be commended for their professional, intelligent, and diligent efforts that went into the successful outcome of this case, in our opinion.

We do have two thoughts that we would like to share with the committee. First, it seems to us that the financial penalty is an insignificant deterrent to a large carrier. Over the course of a year, the maximum penalty of \$500,000, if spread over the number of passengers sailing Princess ships out of U.S. ports, might average only a dollar or two per passenger. This is not a severe financial penalty to a company the size of Princess. Perhaps the law should be broadened to include the loss of port privileges to repeat offenders. This would represent an economic threat great enough to truly discourage the prohibited practices.

Secondly, we believe that a citizen ombudsman needs to be established. Passengers must have a direct channel to report incidents of this nature. Someone to cut through the bureaucracy, follow the progress of investigations, and report to Congress and the responsible Federal agencies on a regular basis.

I would like to thank the committee for this opportunity to share our experiences.

[Statement of Al may be found at end of hearing.]

Mr. TAUZIN. Thank you, Al. We are going to interrupt the panel and allow questions at this time in order to facilitate air travel that Al must meet. Al, in your testimony, you indicate that the film was taken October 25, 1991. Charges were not filed till April of '93. That is 18 months. That is enough time to have two children, not twins. That is an awful long time. Do you think it should ever take that long again to bring a case to prosecution when there is a film of the violation available to the authorities?

Mr. LEVETT. I certainly believe that a reasonable amount of time is necessary to thoroughly investigate the matter and do the research, the Coast Guard should not be jumping to conclusions. We feel that the initial investigation that took some eight months or more to get to the Justice Department was excessive. Once the facts were in hand, from our perspective, it could have been immediately turned over to the Justice Department for criminal investigation, and that is what we didn't understand.

Simply—I would make phone calls every three weeks or each month to follow the progress of the case. I was given a variety of stories why the case had not been moved along yet. In one instance the computer system was unable to accommodate the necessary information. We were told that the Coast Guard expected to walk the case file across to their legal division within a few days. In fact, a month later it still hadn't been walked across. There were simply no explanations provided.

Mr. TAUZIN. Did anyone in this case ever say whether this was just a single incident or this was common practice? Was there any discussion of that in the plea bargaining that occurred?

Mr. LEVETT. I was not involved with the plea bargaining.

Mr. TAUZIN. Well, not involved. You were simply involved in bringing the case and pushing the authorities along?

Mr. LEVETT. Yes, sir.

Mr. TAUZIN. And in terms of your involvement, do you think that the case would have been prosecuted if you hadn't stayed on it?

Mr. LEVETT. The indication the Marine Safety Office gave us initially was that they felt that this was probably a civil fine, if that, and that was their preliminary sense of it. I encouraged them to consider a criminal investigation on the matter because I felt that the—I believe it was a \$25,000 civil fine they told me. I just felt that was insignificant given the nature of the incident.

Mr. TAUZIN. Now, we have been asked this question so maybe you can answer it—is there a financial reward for the citizen service you performed in this case?

Mr. LEVETT. The U.S. Attorney has informed us that under the law we are entitled to a portion of the reward at the discretion of the Court.

Mr. TAUZIN. So that the Court can or cannot? It is entirely up to the Court to decide whether to reward you and your wife for the video you took and the efforts you took to ensure prosecution in this case?

Mr. LEVETT. That is correct, sir.

Mr. TAUZIN. Do you know what the limits of that Court discretion are? How far can they go?

Mr. LEVETT. They can go up to half of the fine which is \$250,000.

Mr. TAUZIN. Mr. Coble for questions.

Mr. COBLE. Thank you, Mr. Chairman. Al, let me be sure I have this right in my mind. On 25 October 1991, once you and your wife came ashore, you immediately reported it to the Coast Guard?

Mr. LEVETT. That is correct. On the 26th, I believe, when we were ashore. We were in Ft. Lauderdale overnighing with our inlaws, and I made several phone calls. One of those was to the Marine Safety Office in Miami.

Mr. COBLE. And you may not know the answer to this next question. Reading from your statement, then it is, you say, in July of 1992—that would be seven or eight months later—within a few weeks after the Coast Guard learned of NBC's interest, then the case was processed through the Coast Guard's legal office. So far as you know, Al, was that the Coast Guard's first involvement from October of '91 when you and your wife had discussed with them?

Mr. LEVETT. No. I believe I had been making periodic calls, and if I am to believe what they told me, that they were in the process of reviewing the file during that period.

Mr. COBLE. I was going to say, Admiral, I would be very disappointed if that were the case. I would think the Coast Guard would have been on top of it, but I am inclined to agree with Al about this, Admiral. We will talk to you later. I am very high on the Coast Guard, Al, as is the Chairman, but this appears to be an undue delay. Maybe there is a good reason for it. There may have been other matters that caused the delay, but this concerns me as it concerns you.

As an aside, Al, the Chairman asked you did you know about the provision of whereby witnesses could be benefited by receiving a portion of a judgment or a penalty?

Mr. LEVETT. No, sir, we did not.

Mr. COBLE. There would have been nothing wrong if you had known it, but it is known now, and I suspect "sailors beware" may be the signal that emanates from this hearing room, Mr. Chairman.

Mr. TAUZIN. If the gentleman would yield, that is the reason I asked the question.

Mr. COBLE. Yes. Just one minute, Al. I think I have one more question, but I am not sure. I think the Chairman probably touched on that. Yes. OK. We will pursue this—the delay of the Coast Guard that bothers you, Al, and it bothers me. As I say, the Admiral may have a good defense for that. Thank you, Al, for what you and your wife did. Thank you for being here today.

Mr. TAUZIN. Would the gentleman yield first?

Mr. COBLE. Sure.

Mr. TAUZIN. I want to point out for all the members for the purpose of information on this matter, staff informs me that that au-

thority for the Judge to reward a citizen who is helpful in the prosecution in one of these cases is only applicable where there is a conviction—a plea of guilty of a finding by the Judge, and that seems to imply a criminal proceeding, not a civil proceeding. So that if the law had processed only a civil action, as Al has pointed out, a Judge may not have had that discretion so it was important in this case that it be a criminal matter if, in fact, the Judge had this discretion. I thank the gentleman for yielding.

Mr. COBLE. Thank you, Mr. Chairman. And finally in conclusion, Al, and to assuage any pain if you may have any, I am not implying at all that I resent the fact that you and your wife may become beneficiaries of this money. That doesn't bother me at all. I think it may well alert other citizens who find themselves on cruise ships to be more vigilant, to be more alert, and perhaps some of this reckless and imprudent dumping may cease and desist. Thank you, sir. Thank you, Mr. Chairman.

Mr. TAUZIN. Thank you, Mr. Coble. Mr. Hastings from Florida.

Mr. HASTINGS. I have no questions of this witness.

Mr. TAUZIN. Mr. Pombo from California.

Mr. POMBO. I have no questions, Mr. Chairman.

Mr. TAUZIN. Mr. Laughlin from Texas.

Mr. LAUGHLIN. Al, how long were you on this Princess cruise ship?

Mr. LEVETT. This was a one-week cruise of the western Caribbean.

Mr. LAUGHLIN. And the videotaping you did, was that—which night of your cruise?

Mr. LEVETT. That was on Friday evening which was the last night of the cruise.

Mr. LAUGHLIN. You didn't observe this sequence of events on any other occasion?

Mr. LEVETT. No, we did not.

Mr. LAUGHLIN. In the time since then, have you, through your efforts or listening to other people talk about cruise ships, run into any comment from people you have talked to that this is a practice of cruise ships, to dump their garbage in our waters?

Mr. LEVETT. Yes, it is my experience in discussing it with several travel agents and other people who cruise frequently that they all do it.

Mr. LAUGHLIN. That is my opinion also because I represent a very large beach area where a lot of this washes up. I just wanted to see if you had heard it too. Thank you very much for the service you have rendered. Thank you, Mr. Chairman.

Mr. TAUZIN. Mr. Laughlin, thank you, sir. Mr. Castle, questions?

Mr. CASTLE. A comment first if I may, Mr. Chairman, just to congratulate you. It sort of amuses me that those of us in Congress on high here and the powers that be and the Coast Guard and everybody else seem to have failed to enforce this law, and by your action that night and willingness to share it, I imagine you made every captain on every cruise ship anyplace very well aware of what their responsibilities are, and I congratulate you far beyond the single act that you did. I think it is ironic and wonderful that it worked out that way.

With respect to your contacts with the Coast Guard, and I realize that you may leave before the Admiral speaks or whoever it might be, how would you characterize their reaction? I mean, obviously, you have characterized it as being slow, but were they stonewalling, or were they just avoiding it altogether? And I realize it is one-sided. You only know what—you made the calls and they either responded or didn't respond, but what, in the course of the seven or eight months when nothing was happening, what was your conclusion as to how they were reacting on the other end of it?

Mr. LEVETT. They indicated initially that they were excited at the tape and the case being presented to them along with our testimony. Subsequently, it seemed to fall somewhat to the wayside. I had a sense that if I hadn't been calling on a fairly regular basis and putting a little bit of a spin on it, that there is just no telling whether progress would have been made or not. They were courteous when I spoke with them although in certain instances the officers I spoke with, when I would leave a message, would not call me back. I would have to call them back a week or so later after giving them an opportunity to get to their messages. That was a little irritating.

Mr. CASTLE. Did you talk to multiple people? I mean, every time you called would you tend to get somebody different, or did you talk to two or three people? How expansive were your contacts by the time it was all done?

Mr. LEVETT. I believe I spoke with four officers from the Marine Safety Office; a Lieutenant Jones, a Lieutenant Kubler, a Captain Ross, and another individual whose name I don't recall. My primary contacts were—I believe it was Lieutenant Jones and Lieutenant Kubler.

Mr. CASTLE. Did they appear to be passing the buck or just not being responsive? In other words, passing it up the line or were they just not being responsive as far as you could ascertain or conclude?

Mr. LEVETT. I think they were somewhat baffled. I think they just simply didn't have enough information how to proceed, and I think they were being cautious—perhaps overly cautious.

Mr. CASTLE. Thank you.

Mr. TAUZIN. Thank you, Mr. Castle. Mr. Hochbrueckner for questions?

Mr. HOCHBRUECKNER. No questions, Mr. Chairman.

Mr. TAUZIN. Thank you, Mr. Hochbrueckner. Al, we were just commenting, Mr. Coble and I, as strange as it is that we are talking to you in the familiar, but that was part of our agreement here, and yet it is also fitting because I think it is important for us to recognize that you come here as a friend, as a friend of the environment and marine environment and friend of this committee and a friend of this nation when you and your wife took the trouble not knowing that there was a financial reward in it—took the extreme trouble, not only to report an incident in violation of our laws, but to see to it that public pressure was brought to insist that our agencies of government responded to it properly.

You make a telling statement. "It was our feeling that the threat of public pressure and the embarrassment of having to explain the eight-month delay in processing our complaint through the nation-

al media would pressure the Coast Guard to action, and, in fact, it did." And we will get into that with Admiral Henn in a second. And as Mr. Coble says, we are great admirers of the Coast Guard. We hate to hear this kind of statement, but your testimony seems to indicate that that is exactly what took place.

Until the national media got involved, not much was happening to prosecute this case, and that is a telling indictment if it is all true—if there isn't a good explanation for it. We will try to hear one if we can. And if it is true, it calls upon this committee and this Congress to consider very strongly the recommendations you have made to us regarding the penalties and regarding the possibility of even restriction of port privileges upon second and third convictions.

What you also tell us in response to Mr. Laughlin's questions that other cruise ship passengers and others in the industry tell you everybody is doing it is equally disturbing. But it also confirms what I think all of us suspect, that what you videotaped was not an isolated incident, that it was some kind of practice going on.

And if that is true, hopefully your testimony today, the film you and your wife took, and the national publicity you gave this incident, and I hope the questions we have asked today regarding the possibility of other citizens also emulating you and your wife's action in this case in reporting incidents like this will have a good effect and will encourage the industry to end this practice if it, in fact, is a practice and not an isolated incident. This committee deeply appreciates your presence today. I know you came a long way. You came out of your way, but, more importantly, we appreciate your citizenship.

Last night I attended a three hour driving school with my son. I have got to attend another one tonight and another one two weeks from now. I am not a happy camper this morning. It was not all fun. But last night in the driving school, the instructor held up a 1-800 number, and he reminded all of us that we have an obligation as we drive the highways of the State of Virginia and every state in America to report to authorities when there are conditions out there that could cause someone to be hurt on the highways and that doing that is a public citizen responsibility, and it helps put things right in our country. It helps make our laws work.

And in a real sense, today you stand as a shining example for the rest of us of citizen involvement in the process of our laws working. The marine environment is a very precious one to this committee and this Congress, and we owe you a debt of gratitude today, and we thank you for being a single-citizen protector of that environment. I can assure you, Al, again in the familiar, that we will continue to oversight this law and to continue to examine very carefully the operation of the agencies involved here in the hopes that the next time someone sees someone dumping trash into the ocean it won't take 18 months to get to the Court on it.

Mr. LAUGHLIN. Would the Chairman yield?

Mr. TAUZIN. The Chair recognizes Mr. Laughlin.

Mr. LAUGHLIN. Thank you, Mr. Chairman. Al, I just want to say it is a real tragedy there is not more Al's in the world because two times a year under the leadership of the Texas Land Commissioner, Garry Mauro, there is a volunteer group that goes out and

clean up the beaches. And literally tons of waste material is gathered by these volunteer citizens. Now, not all that has come from cruise ships but a substantial portion of that has, and we wouldn't have to have so many willing volunteers pick up so many tons of material if we had had more people like you and your wife and better enforcement. And so you have made a very significant contribution to the welfare of the Gulf of Mexico waters, and I salute you, and I know the whole committee is proud that you cared enough to be here. Thank you very much.

Mr. **TAUZIN**. Al, before you leave, I wanted to clarify one point for the record. The Coast Guard has a 1-800 number. I understand it is set up for oil discharges and chemical discharges. It may not yet now be set up for plastic discharges. It is now, Admiral Henn, or is not?

Admiral **HENN**. Mr. Chairman, the number has been advertised for oil and hazardous materials violation reports. However, we are now taking calls on plastic violations as well.

Mr. **TAUZIN**. Let me call it out then. The number is 1-800-424-8802—1-800-424-8802. I see Al writing it down. I hope more and more citizens write it down. Al, again, this committee thanks you very much for your service to the country, and it is my hope that the Court is very generous, and that you and your wife are properly rewarded. It is in my opinion that the Court would not have collected very many of these dollar fines if it had not been for your persistent effort, and that you and your wife are deserving of some real thanks from this nation. Would you like any final comments before we thank you and move on to the rest of the panel?

Mr. **LEVETT**. The Subcommittee staff indicated to me that you might ask a question concerning the reward and as it is outlined under the law. The U.S. Attorney informed us that an escrow account of \$250,000, half of the \$500,000 fine, was established by the Court. The funds, if to be awarded, will be distributed following a Court hearing in West Palm Beach, Florida. We had also been strongly advised that we might wish to retain counsel, and we should let the Court know in advance or in writing as to our claim against the funds. The U.S. Attorney also strongly suggested that we attend the hearing.

Frankly, we feel somewhat odd hiring an attorney for a matter that we are being rewarded. The U.S. Attorney does not feel that it is within his jurisdiction to recommend to the Court an award, and as a result, we will be spending a considerable amount of our funds on counsel, airline tickets, rental cars, hotels, to say nothing of vacation time. We didn't go into this for the money, but, frankly, the lure of being rewarded and the funds being almost within our grasp causes us to become speculators and invest in what we hope will become a financially beneficial outcome. Additionally, who do we turn to? Frankly, we could use some advice. Do we really need an attorney? What kind of attorney is best suited? How do we locate an attorney being out of state?

The reward component of the law should be expanded, in our opinion, to make it easier to work. If a witness did not feel that they had a strong enough claim against the fund or were not able to understand the system or are in any way reluctant to engage

legal counsel, they might not submit a claim and forego the deserved reward.

The U.S. Attorney has intimate knowledge about the contributions that each witness makes in a case and the outcome of the case. It seems to us that he could provide a recommendation to the Court and that the Court, in the absence of formal Petitions, could use this information in distributing a reward. An involved citizen should have an entitlement to a reward without having to formally engage the legal system. Make it easy. This part of the process should be fun.

Mr. TAUZIN. Thanks again. Our staff has provided me and Mr. Coble has also pointed out to me a section of the law that seems to indicate the Secretary may, in fact, also provide a reward of up to one half the civil penalty in a civil proceeding. And that is something else we will be looking at to see if we can't strengthen that. I don't know what the Coast Guard can recommend to the Court. We will be asking why they can't, why they should—

Mr. LEVETT. The U.S. Attorney indicated to us that they didn't feel it was within their jurisdiction to make a recommendation to the Court in regard to the reward.

Mr. TAUZIN. I don't know why not. We are going to check that out, and I don't know why we can't, and we may want to do it. We will discuss that before this hearing adjourns.

Mr. LAUGHLIN. Mr. Chairman?

Mr. TAUZIN. But it may be appropriate for this committee to urge the Court to set a good example here, but we will check the legalities of that too, Al. My advice, frankly, is that I would hope you don't have to hire an attorney. I would hope you don't have to go down and attend the hearing unless you want to be there. My hope is that if it works properly this time, the Court will take into account not only the personal reward that you and your wife ought to receive in the face of what was an incredible, persistent effort on your part to see the law enforced, but, more importantly, the example it sets and the signal it sends to the industry and to other cruising passengers about their mutual responsibility to respect the oceans. And it may be that a message of that nature might be appropriate to the Court, and we may want to send it. But I would hope that that happens. If it doesn't, of course, we would be very interested in improving this section of the law to ensure that it does. Mr. Laughlin.

Mr. LAUGHLIN. Mr. Chairman, before Al leaves, I think we, as a committee, ought to explore with the Coast Guard and others about requiring the 1-800 number to be published by the cruise ships because I firmly believe they are a major culprit of what washes up on the shores of my district. And I think we ought to have some advice from the Coast Guard and their thoughts of where this 800 number can be posted or published and to the point we are not going to have Al's out on these foreign vessels that come in—the freighters and cargo ships—so we are going to have to figure out a way to address that problem. But, certainly, we ought to make it easier for this 800 number to be located by concerned and interested citizens.

Mr. TAUZIN. I think, Greg, you have a good point, and we will pursue that further. Al, again, our thanks. We are not, of course,

encouraging this nation to become a nation of spies where we spy on each other, but the fact is that public pressure keeps neighborhoods clean, and public pressure and public reward for good citizenship service will keep the oceans clean. And we think your example is a good one, and we are trying our best to highlight it. We intend to highlight it even further. Al, thank you so much for your testimony, for your citizen involvement, and, as I said, it is our hope that the Court recognizes your efforts the same way this committee does. Thank you very much.

Mr. LEVETT. Thank you.

Mr. TAUZIN. The Chair now recognizes the remaining members of the panel. Al, if you have to at any point leave to catch your flight, you are certainly welcome. We want to welcome first of all Ms. Betsy Schrader, Director of the Marine Debris Information Office, Center for Marine Conservation, for your testimony. Ms. Schrader.

STATEMENT OF BETSY SCHRADER, DIRECTOR, MARINE DEBRIS INFORMATION OFFICE, CENTER FOR MARINE CONSERVATION

Ms. SCHRADER. Good morning, Mr. Tauzin and members of the subcommittee. The Center for Marine Conservation appreciates this opportunity to present testimony on the problem of cruise ship pollution. The Center has been working on marine debris issues since 1985, documenting the harmful effects of plastic debris and campaigning through our beach cleanups and other advocacy for changes in U.S. law to prohibit the disposal of plastics at sea.

MARPOL Annex V has been in effect for almost five years, and our beach cleanup indicates that there has not been a significant decline in the amount of plastic trash washing onto our beaches. Although the data analysis for the September '92 cleanup is not yet complete, preliminary results show that volunteers in the U.S. found items embossed with the names of at least 15 different cruise lines.

Cruise line companies often argue that the cruise line debris found on our beaches is insignificant in number. However, a large volume of galley wastes such as vegetable sacks, egg cartons, and meat trays, as well as other operational wastes wash ashore with no identifying marks and, therefore, cannot be traced back to a specific vessel. It is our contention that the labeled items found during beach cleanup such as shampoo bottles and plastic cups are only a small fraction of the total waste that may be attributable to cruise lines.

As a nonprofit marine conservation organization, many citizens contact CMC when they observe potential danger to the marine environment. In the past several years, we have received an increasing number of complaints from cruise line passengers and crew who have described any manner of trash items being tossed overboard including toxic chemicals, plastics, deck furniture, old mattresses, paint cans, and gas canisters. These are just some of the letters that we have received. Witnesses who see such events express their outrage that the cruise ships are blatantly disregarding not only the laws regulating dumping but the welfare of the very seas upon which they depend for their livelihood.

Some of the most telling accounts come from staff aboard cruise vessels. In almost all of the reports we have received from crew, they indicate that the orders to dump come from the officers and that the captain is fully aware of the practice. This is also borne out by the passengers who report that complaints lodged with the captain and other officers appear to fall on deaf ears. One passenger even related a story that the captain threatened her with, "You had better watch your step," after he had discovered that she had taken photographs of the ship's crew dumping plastics at sea.

CMC has initiated a campaign to educate potential cruise passengers and enlist their help to becoming the Coast Guard's eyes and ears on the water. While on board, we encourage passengers to investigate the disposal habits of the ship and document any dumping activity they may witness. We encourage them to report any illegal activity to the Coast Guard and provide them with the necessary report forms.

We are also working very closely with the media to get the word out about illegal cruise line dumping. As a result, an increasing number of individuals are calling to report dumping incidents they themselves have seen as passengers. After the "I Witness Video" segment aired on national television, the producers of the show received 18 calls from passengers who had seen a similar event.

It is not possible for the Coast Guard with its limited resources to witness and take enforcement action against all vessels illegally disposing of trash overboard. CMC feels that the most effective way to police the cruise industry is to directly involve passengers and crew in monitoring their activities. The recent case involving Princess Cruise Line is a perfect example of how effective citizens can be. The two witnesses who videotaped the event and the four additional witnesses who later came forward were instrumental in helping the Coast Guard and other Federal law enforcers build a criminal case against Princess Cruise Line. Without their cooperation, a conviction would never have been possible.

To facilitate citizen reporting, CMC makes the following recommendations: We encourage the Coast Guard to set up a toll-free MARPOL V hotline to provide an effective avenue for citizen reports. We recommend that written information on MARPOL V regulations and the Coast Guard's toll-free hotline be provided to every cruise passenger who purchases a ticket within the United States.

We recommend that every commercial passenger vessel leaving a U.S. port incorporate information on MARPOL V in the required safety briefing that is given to passengers before embarkation. We recommend the establishment of a whistle-blower program by the cruise industry to provide crew members with a viable avenue for reporting violations.

CMC applauds the Coast Guard's recent initiatives to step up enforcement action against violators of MARPOL V. These actions send a strong message to any vessel traveling within our waters. The U.S. is serious about enforcing its pollution laws. CMC fully supports the Coast Guard and other Federal agencies and urge them to continue to effect measures to further strengthen enforcement capabilities.

According to the cruise industry, cruise lines are currently carrying approximately 4.5 million passengers every year. By the year 2000, they expect to exceed eight million a year. We are not aware of any studies to consider the cumulative effects that this industry is having on the ecologically sensitive Caribbean basin, the number 1 cruise destination in the world.

Several countries have begun to fine cruise lines for disposal of garbage in their waters. For example, the Cayman Government recently assessed two \$3,000 penalties in the settlement of two cases against cruise lines. As recently as last week, the government upped the ante, following the example of the United States, and have declared that they will prosecute illegal dumping cases to the full extent of the law and will begin assessing fines of up to half a million dollars.

Why should the United States be concerned over the cruise industry's impact on the marine environment? Most cruise lines are actually U.S. businesses who are carrying U.S. passengers, but because they register under foreign flags, they are immune to U.S. pollution laws when they travel outside of our waters. As U.S. businesses, the cruise industry needs to be held accountable for their actions. Outraged U.S. citizens have initiated a strong public outcry against the cruise industry's disregard for the environment and are demanding that they clean up their act. CMC feels that there is a strong need for tighter controls and monitoring of the cruise industry's impact on our marine environment.

I would like to take just a minute to share with you part of a letter from a crew member which illustrates the concern we often hear. "Dear CMC, I work on The Enchanted Isle as a photographer and am always scrupulous about taking our garbage down to the collection point. Last week, however, I was dropping off a plastic bag full of assorted trash when I came upon a team of deckhands formed into a chain along which was being passed every plastic bag in the dump, regardless of content, until it reached the last man stationed beside an opened hatch, who swung everything into the sea. I was horrified and stood watching for perhaps a minute before surrendering my bag which naturally went the way of all the others.

"I have no hesitation, nor compunction, in squealing, as what goes on here is quite obviously wrong and the end product of either sloppiness or parsimony in not spending to expand the garbage hold or install an incinerator. Meanwhile, if I can be of assistance to you or the dolphins and whales beneath me; almost every week I see dolphins somewhere, and they invariably speed toward the ship all smiles when they pick us up. I wonder that they can still be so eager to court our society after all we have done to them; I think they deserve more considerate playmates."

We commend you for realizing that illegal cruise line dumping is a concern of your constituents and support you in your efforts to address this issue. We thank you for the opportunity to testify.

[Statement of Ms. Schrader may be found at end of hearing.]

Mr. TAUZIN. Thank you very much, Ms. Schrader. We will now hear from the Coast Guard, and Admiral Arthur "Gene" Henn will present the Coast Guard's statement on the issue. Gene, you have been a frequent witness to this panel, and we welcome you again.

And as we said earlier, we are big supporters of the Coast Guard and anxious to know what happened this time and how we might make sure the law is properly enforced in the future. Admiral Henn.

STATEMENT OF ADMIRAL ARTHUR "GENE" HENN, CHIEF, OFFICE OF MARINE SAFETY, SECURITY, AND ENVIRONMENTAL PROTECTION, UNITED STATES COAST GUARD; ACCOMPANIED BY LIEUTENANT BURTON

STATEMENT OF GENE HENN

Admiral HENN. Thank you, Mr. Chairman. Indeed it is a pleasure to be here today. I want to summarize my statement. I would like to put forward a few facts, and then I would like to, at your beckoning, get into the Q's and A's after the other panelists, because I think we need to talk about this particular incident, Al's good work as a citizen, and some of the things that we are doing to ensure that MARPOL Annex V is enforced.

You know, we, the Coast Guard, enforce a number of pollution laws and treaties that affect the cruise ship industry. Foremost among them are the Clean Water Act and the International Convention for the Prevention of Pollution from Ships, better known to us as MARPOL. All segments of the shipping industry are subject to the enforcement of these laws. The cruise ship industry is one of the many users of the nation's waterways and, hence, is subject to all the scrutiny and enforcement as are the other segments, be they tankers or cargo ships.

Mr. Chairman, if I might direct your attention to a chart entitled "The Cruise Ship Pollution Discharge Violations"—you can see that over the past four years the Coast Guard has initiated 102 pollution violation cases against passenger ships, of which 62 violations were oil spills and 40 were MARPOL V violations for garbage discharges. The chart that Lieutenant Burton is now displaying shows the disposition of cases against cruise ships for the last four years.

As we have heard, the largest fine to date against a cruise ship involves the vessel Regal Princess for \$500,000. However, at present, there are several additional cases being taken against cruise ships for the discharge of plastics. These are within the Department of Justice. The Coast Guard has also conducted specific enforcement operations in cooperation with the EPA, FBI, and state and local agencies.

The Coast Guard's compliance and enforcement program is an interagency effort. For example, we work closely with the Department of Agriculture, the Animal and Plant Health Inspection Service as they have played a significant role in helping us enforce the garbage discharge regulations. Perhaps our most valuable allies in the enforcement of pollution laws are the citizens such as Al, citizen action groups, and those who assist us such as the Center for Marine Conservation.

Significant cases against vessels have come from private citizens, as we have heard today. In one case, out on the West Coast, a report from a crew member has led to a \$150,000 fine against a fishing vessel for the discharge of plastics. To further encourage

citizen participation, the Coast Guard is able to receive reports of garbage discharges on the existing 800 number that was originally developed for oil and chemical spill reports.

The Coast Guard has taken a number of initiatives to encourage compliance with the pollution discharge regulations both here at home and overseas. We are developing a rule. It is in the Notice of Proposed Rulemaking stage to require that vessels over 40 feet in length maintain records of refuse discharge, and we are pursuing adoption of an international standard requiring the same record-keeping on foreign vessels.

The Coast Guard recognizes that no enforcement effort is going to be fully effective without a strong educational outreach program about marine pollution. Indeed, as pointed out, we need to educate the recreational boaters also. In an effort to do this, the Coast Guard has developed the pollution discharge restrictions wheel which you showed earlier. It is a hand-held device. It is one that gives you quick and readily accessible answers.

We have initiated an external environmental education program to specifically target fishing and recreational vessels and marine operators. To assist us with this effort, we have contracted with our good friends of the Center for Marine Conservation and are finalizing an agreement with the Texas General Land Office to provide environmental education and outreach materials. An internal program will provide Coast Guard folks with the same educational materials because we too must be environmentally sensitive.

In April, the Coast Guard coordinated a multiagency workshop in support of the World Bank's Organization of the Eastern Caribbean States Waste Management Project. This project is focused on the Wider Caribbean Region Special Area. The workshop provided international government officials at the minister level and other interested parties with information to facilitate implementation of waste management.

The cruise ship industry has been a willing participant, a partner, if you will, in the recent Coast Guard-coordinated activities seeking to resolve marine debris problems. In February, the President of the International Council of Cruise Lines and a Vice President of the Princess Cruise Lines participated in a Coast Guard-sponsored MARPOL meeting to discuss this issue and see what we can do to resolve the problems quickly.

During the recent World Bank-sponsored workshop in Texas, the Florida Caribbean Cruise Association representative reviewed the efforts underway by the industry to comply with the MARPOL requirements, and they pledged their support. They pledged industry support and commitment to be a part of the solution to this problem.

In summary, I believe the cruise ship industry is making an effort to be responsive to the needs of the maritime community. However, just as quickly as I say that, I would note that the Coast Guard will remain vigilant in our enforcement efforts regarding all vessels, including passenger vessels.

Again, I would like to add our thanks to the work of Al and his wife bringing the case forward and, indeed, I would like to talk about that issue a bit later. Thank you, sir.

[Statement of Admiral Henn may be found at end of hearing.]

Mr. TAUZIN. Thank you, Admiral Henn. I will only point out that your oral testimony did not include a discussion of what happened and the delays in the case Al discussed, but we want to get into that at some point. We will now hear the testimony of Mr. Robert Wayland, III, Director, Office of Wetlands, Oceans, and Watersheds for the Environmental Protection Agency. Mr. Wayland.

STATEMENT OF ROBERT WAYLAND, III, DIRECTOR, OFFICE OF WETLANDS, OCEANS, AND WATERSHEDS, ENVIRONMENTAL PROTECTION AGENCY

Mr. WAYLAND. Good morning, Mr. Chairman and members of the Committee. I am pleased to be here with you this morning to talk about pollution from cruise ships.

Marine debris, whether from vessels or other sources, can have serious adverse effects on marine life and our beaches and shorelines. EPA is concerned about the impacts which marine debris can have, especially plastic debris, and has a number of actions underway to address and control sources of marine debris.

The Admiral's testimony and my prepared statement describes at some length the legal requirements of MARPOL and the Act to Prevent the Pollution of a Sea (APPS) so I will skip that and note that in addition to APPS, the Clean Water Act, which is administered and enforced by EPA and the states, can be applicable to vessel discharges of garbage and is applicable to the discharge of sewage from vessels within the waters of the United States.

The Clean Water Act generally prohibits the discharge of pollutants without a permit, and the agency's implementing regulations specifically recognize the applicability of this prohibition to garbage disposal from vessels. Under the Clean Water Act, that prohibition applies to vessels being used as a means of transportation within U.S. internal waters and U.S. territorial sea. The Act also provides for civil and criminal penalties for violators.

Because most cases of improper garbage disposal by vessels typically would take place more than three miles offshore, APPS is most likely to be the relevant statute for enforcement purposes, and enforcement of that statute has been assigned to the Coast Guard. In addition, it must be recognized that successful enforcement of statutes aimed at disposal of garbage generated on board vessels depends heavily on cruise ship inspections and a visible presence of enforcement personnel in marine waters, activities for which the Coast Guard is equipped and trained.

But EPA has been working closely with the Coast Guard to address illegal vessel generated marine waste. In March of this year, EPA held an enforcement training course for its regional personnel focused specifically on coastal protection laws. Among other things, this course included instructions from the Coast Guard to better familiarize EPA field personnel with the requirements of APPS and how to effectively coordinate with the Coast Guard when a violation is suspected. Attendance at this course includes EPA personnel responsible for EPA's survey vessels, the Anderson and Lake Guardian, and we intend to develop further materials and procedures for use by personnel on those vessels on the specific steps

and notification procedures to be followed when improper disposal of vessel garbage is observed.

Although we continue our efforts to improve enforcement-related coordination with the Coast Guard, I also want to point out that the control of marine debris from vessels requires more than just the deterrent created by an enforcement regime. To this end, EPA is participating in and working with other Federal agencies to sponsor a National Academy of Sciences Marine Board Study of MARPOL Annex V. The study will focus on the shipboard and shore side waste handling procedures.

As one aspect of the study, EPA has asked the Marine Board to specifically determine what the most effective and environmentally acceptable means of disposal of shipboard waste is and to conduct workshops to address specific technical issues. The results from this study would not only be useful for retrofitting operational vessels to achieve MARPOL Annex V compliance but also help the shipbuilding industry design and build more environmentally friendly vessels in the future.

We have also been working with other Federal agencies, environmental groups, and shipping industries including the cruise line industry to convene workshops and conferences to discuss implementation of Annex V and develop plans for controlling marine debris. The Admiral mentioned a workshop held in Merida in August of 1992 to develop action plans for debris in the wider Caribbean. In addition, I participated along with other Federal, state, and local officials in a seminar organized by the cruise industry in Florida in 1992 at which the industry was seeking better information on legal requirements and exploring management and technology approaches to better managing waste generated aboard ships.

Vessels, of course, are not the only source of marine debris, and EPA is actively working to address land-based sources through cleanup activities, identification of sources, public education, and control measures. Through an agreement with NOAA, EPA is a co-sponsor of the International Beach Cleanup events and two Centers for Marine Conservation Public Information Offices which distribute educational materials. EPA has provided funds to CMC for a public service announcement on plastic pollution and partially funded the production of a video which was broadcast nationwide.

The cleanups are designed to increase awareness of ocean pollution and appreciation of coastal environments. They are becoming more popular and international each year now having the participation of all coastal states and 32 foreign countries. During the last cleanup, 162,000 volunteers around the world participated in these events.

Also through a grant to CMC, EPA is funding a pilot project to design statistical beach cleanups. This will involve citizen volunteer groups or citizen pollution patrols in monitoring and reporting marine debris. The first year of our pilot study has been completed, and the results indicate that it is possible to use properly trained volunteers to collect statistically valid information on marine debris.

In addition, over the past several years, EPA has conducted field investigations on the land-based sources of debris and prepared reports assessing plastic problems in U.S. harbors. During these field

studies, we have noted that plastic pellets, which are the raw feedstock for manufacturing plastic items, are virtually ubiquitous, and as a result, we are working with the Society of Plastic Industries to establish an awareness campaign throughout that industry on the effects of plastic pellet release into the environment.

Many people don't realize that the trash that they may throw into the street today can be washed down the storm sewers by rain and out to the nearest waterway tomorrow. To better control these sources, we are strengthening our regulations under the Clean Water Act and developing technical guidance from municipalities to use to improve the quality of their storm sewer and CSO effluent. We are working as well to advocate the recycling and reuse of plastic and other materials.

To better educate the public, which can be a significant source of marine debris, we have developed a marine debris curriculum for grade school students to educate these children on the impacts of marine debris especially plastic, teach them pollution prevention techniques, and we are working on a Spanish translation of this curriculum which we think will be an excellent teaching tool for the Gulf of Mexico area and the wider Caribbean.

So whether from land or from ships, the biggest source of debris of our waterways is people who don't know or care about the impacts of trash, and the challenge before us is to change the understanding and attitude of these people, implement cost effective and environmentally acceptable alternatives. Thank you very much, Mr. Chairman. That concludes my testimony.

[Statement of Mr. Wayland may be found at end of hearing.]

Mr. TAUZIN. Thank you very much, Mr. Wayland. Our final witness will be Mr. John T. Estes, President of the International Council of Cruise Lines, the ICCL. Mr. Estes, we are pleased to welcome you and receive your testimony at this time, sir.

STATEMENT OF JOHN T. ESTES, PRESIDENT, INTERNATIONAL COUNCIL OF CRUISE LINES

Mr. ESTES. Thank you, Mr. Chairman. I have submitted a statement which I understand will be part of the proceedings.

Mr. TAUZIN. Yes, sir. The written statements of all the witnesses are made a part of the record. We would appreciate a summary of that statement at this time.

Mr. ESTES. Thank you, sir. Let me just start by saying, Mr. Chairman, we do recognize the urgency, the need, and the seriousness of this problem. Our industry is environmentally sensitive, it is environmentally committed, and it is an environmentally concerned industry.

I know you must be asking yourself and some of your colleagues are probably asking themselves also how can he make a statement like that after seeing Al's video and after looking at some of the Admiral's charts up here. Mr. Chairman, we apologize for the indiscretion that occurred. We are doing everything we can, everything humanly possible to correct this problem. These are indiscretions, and they do not represent the policy of this industry, nor of any of the members of our Association. We will continue to do everything in our power to correct the problem.

In that regard, Mr. Chairman, there are essentially, if we step back for a minute and look at it, really three elements to the successful handling of this problem. First, it is on-board processing; secondly, it is the human factor; and, thirdly, it is committed management. With respect to on-board processing, Mr. Chairman, we have seen in the short period of time that MARPOL Annex V has been in existence—about four and a half years—a literal technological revolution in garbage processing on board ships. I have given you as Appendix C and D of my statement some flow charts which show you the state-of-the-art material that is available today. This machinery is there. Much of it is in place. A lot of it is being used on many of our ships, not all of our ships but many of our ships.

The other thing I should point out, Mr. Chairman, with respect to the on-board processing factor is that the key to waste processing is garbage separation or sorting. It is a real problem. It is a real challenge. All bottles have to be sorted out by color—the brown bottles from the green bottles from the white bottles. Card-board has to be sorted out. Food stuffs have to go into certain areas. We are talking about large ships, ships that carry sometimes 2,400 passengers and a crew of 1,400 or 1,500 people. They are being fed three times a day so it is a major, major effort, but the key is garbage sorting, and we think we are on top of that.

Secondly, Mr. Chairman, let me address just briefly the human factor. Admiral Henn and the Coast Guard have been major players in the human factor element with respect to IMO safety regulations and with respect to environmental problems. It can't be overstressed that the human factor is the key to the successful resolution of this problem, but the human factor boils down, Mr. Chairman, into three subparts: training, communications, and supervision.

When a crew member is hired, he goes into a four week training program on our lines. A lot of things are covered including garbage disposal and protection of the environment. We make every effort with new crew members to train them on what to do, where to do it, and how to do it. Specifically, they are instructed not to throw anything overboard at anytime. But that is not enough. It takes continued refresher courses. It takes continued communication. We have posters in all of the crew quarters and take other efforts to constantly remind them. In many respects, this isn't a technical problem. Don't throw anything overboard isn't a technical problem. That requires supervision.

There are various techniques we are using with respect to supervision. The master or captain of the ship is the management's representative. The captain of the ship is the management of the ship. He is held responsible. And that, Mr. Chairman, is probably the key element with respect to the human factor.

Lastly, Mr. Chairman, let me just touch on management commitment. None of this will work unless there is a total, thorough commitment by the cruise line to protect the environment. It has to be a total commitment, and it has to go from the Board room to the garbage room. There can't be any hesitation in between the Board room and the garbage room. We know that.

How do we convince you in five minutes that we are committed? We probably can't. It is going to be very difficult, but I do want you

to understand that what you have seen today on Al's film is an aberration. It is not a policy. Our industry is serious about it. We recognize it, and we are doing everything in our power to minimize these episodes and hopefully prevent them. There is no excuse for them. We recognize that.

We urge you, Mr. Chairman, and the members of this committee, come and see our ships; come and look at the equipment that is on board; talk to our employees. We have absolutely nothing to hide, and we encourage your involvement. It is a tough problem. We think we are on top of it. We are going to do everything we can to eventually eliminate all of these episodes. Thank you, Mr. Chairman.

[Statement of Mr. Estes may be found at end of hearing.]

Mr. TAUZIN. Thank you, Mr. Estes. Mr. Estes, is the Regal Princess a member of your Association?

Mr. ESTES. Yes, it is. The owner is. Right.

Mr. TAUZIN. I want you to imagine with me that cruise, and at the beginning of the cruise the captain announces on the public address system that every passenger is admonished not to throw anything overboard. And then before the cruise is over, the passengers are witnessing crew members tossing 20 bags full of garbage into the ocean. What kind of picture is that?

Mr. ESTES. That is a lousy picture, and it is something that can't be condoned, and it is something for which the company has apologized, Mr. Chairman. It is certainly a bad performance, and there is absolutely no way that one can defend that.

Mr. TAUZIN. Do you assume those crew members were throwing that garbage without the permission of the captain or without orders from the captain?

Mr. ESTES. There was an investigation that has been conducted. This happened quite sometime ago. My understanding is that they have not been able to nail down just exactly how it did occur. I would imagine, yes, it did not occur with the blessing of the captain, but I am not that familiar with the specific facts.

Mr. TAUZIN. Ms. Schrader has presented evidence to us that during data analysis of a September 1992 beach cleanup—preliminary results showed items embossed with the names of at least 15 different cruise lines. How does that stack with your testimony that this was just an aberration—an indiscretion on the part of one ship?

Mr. ESTES. Well, I am not sure I understand the question.

Mr. TAUZIN. Well, let me say it a different way. Ms. Schrader has testified that in beach cleanups they found evidence of trash with the names of 15 different cruise ships on the trash indicating that somehow trash from 15 different cruise ships entered the waters and ended up on the beaches. How does that stack with your testimony that this incident that received national attention was just an aberration—just an indiscretion on the part of one ship?

Mr. ESTES. Well, we carry four and a half million people a year. We are going to carry eight million people shortly. We have 27 to 28 million passenger cruise days annually. Fifteen incidents are 15 too many. I have looked at the CMC, and, incidentally, in all seri-

ousness, I want to congratulate them. They do a good job, and we use some of their posters on our ships, in the crew quarters.

I have looked at their statistics, Mr. Chairman, and Ms. Schrader would be in a better position to confirm these than I, but in 1988, there were 1,973,000 pieces of garbage found on the beaches. Thirty-one of that 1,973,000 were from cruise ships. That is too many. I realize that.

In 1991, there were 5.2 million, and there were 77 cruise ship designated pieces of garbage, and I recognize that Ms. Schrader feels that that is the tip of the iceberg. There may be many other things out there that don't have cruise ship designations on them, and so they can't be traced.

Mr. Chairman, it does not represent a policy. One piece is too much, and we recognize that. And I can only assure you that this industry is urgently looking at this problem, and it is a big problem, and we think we are on the right track and hopefully can solve it to your satisfaction.

Mr. TAUZIN. You indicate in your diagrams and testimony some rather extensive efforts at handling garbage and waste on board ships. Are those only for new vessels being constructed or older vessels being retrofitted with this equipment?

Mr. ESTES. Yes. What you have before you in Appendixes C and D is the state-of-the-art—

Mr. TAUZIN. It is the newer vessels?

Mr. ESTES. It is on the newer vessels.

Mr. TAUZIN. What is being done to retrofit older vessels with such state-of-the-art equipment?

Mr. ESTES. Where incineration can be put in, it is put in. Much of it, as I said to you earlier, is, however, a sorting problem where the vessel can't take an incinerator for whatever reason, whether it is a stability reason or a space reason. Then the garbage has to be sorted. It has to be bundled.

Mr. TAUZIN. Is your industry aware of the sorting and compression equipment available to the offshore oil and gas industry in the Gulf of Mexico that is commonly used aboard installations? I visited a plant that manufactures them, and they are basically rotating systems with separated compartments. And as garbage is disposed of, it is disposed of in each of the separate compartments to then circulate—

Mr. ESTES. Of the ship?

Mr. TAUZIN. No. It is a piece of equipment. It is a very large drum-like piece of equipment with separated segments much like an orange sliced, and as each segment goes around, it is compressed, and different brown glass and white glass and cans and plastics are thrown in separate compartments, and cardboards are handled in a separate machine. There is equipment readily available on the marketplace. I know the offshore industry uses it. Does the cruise ship industry know about this equipment? Does it use that type of equipment?

Mr. ESTES. I don't think we use that type, but I can find out for you, and I will call it to their attention. I am sure if it is usable, it will be looked at. The problem we have is a lot of the waste comes from cabins, and we have a large number of cabins. And the steward will go into the cabin and clean out the cabin's waste and then

take it to a sorting station. And on some ships there are mini-incinerators located throughout the ship. On others, there is just one incinerator down in the bottom.

Mr. TAUZIN. Is there any practice aboard cruise lines for separation of garbage in compartments the way homeowners separate garbage and recycle it?

Mr. ESTES. Yes, there is. It takes 100 percent cooperation, both passenger and crew. Right. And there is. We have cans, both in the public areas and in the private areas to ask people to separate, but it still has to be monitored. It is not good enough to just ask them to help.

Mr. TAUZIN. Mr. Estes, I must confess that your first concern is one I think that is real. You have got a hard time convincing us in the face of what we have been seeing that the efforts are as substantial as we would hope they would be, and I hope, frankly, that the public attention given this incident pushes the cruise lines to greater compliance. We can't put a cop on every beat in the oceans. We can't put a Coast Guardsman aboard every ship to watch it 24 hours a day. We shouldn't have to.

It is the hope that this hearing will impress your industry with this committee's concern that if as we go along in oversight we are not satisfied that things are improving rapidly, that we may just want to stiffen some fines and stiffen some enforcements, readily accept some of the invitations to changes in the laws that have been recommended to us today.

Admiral HENN, I have got to yield to other members. If you would quickly give me an explanation why it took eight months to get going? Why did it take 18 months to bring this case to prosecution?

Admiral HENN. Mr. Chairman, the Coast Guard had the case for about nine months, which is about seven months too long in my opinion, and the U.S. Attorney had it for the rest of the time. However, I am not passing the buck to the U.S. Attorney. He had a whole bunch of things going on down there, including a hurricane, and alien migration, so let us just focus on the Coast Guard problem, because that is really where the problem started.

Obviously, the case was not handled the way it should have been. It wasn't handled in an expeditious manner. Now, why not? Well, the problem is I didn't have policy and guidance out to my 47 field offices that the world had changed, and that MARPOL V was just as hot an issue as other things we were doing such as OPA '90 implementation, and passenger vessel safety. So I was the start of the problem. I don't say that the field office handled it well, but, obviously, they were looking for guidance. Obviously, what Al perceived as the field office muddling their way through this case was true. I take responsibility for that, but having taken responsibility for it, I want to tell you what I have done since then, and it goes along with other enforcement actions, not just MARPOL V, but I will focus just on MARPOL V.

Since that time, we have provided guidance in the form of seven messages to our field offices on how to enforce MARPOL V. We provided guidance in our Marine Safety Manual. I personally sent staff out to 21 of my 47 offices, and we will get to the rest of them to see that they do understand the messages, know what the policy

really says, and understand how serious the Commandant and I—the Coast Guard—is about enforcement of MARPOL V, all the annexes.

We have taken the initiative to IMO. We are pushing there to get the rest of the world to be as responsible as we, the United States, want to be. The use of the wheel is just the tip of the iceberg there. We have put out about 30,000 of those in three languages. So, we didn't do well in expediting the Regal Princess case. We are fixing the process, and I don't expect such a delay to happen again, sir.

Mr. TAUZIN. That is fair enough. Mr. Schrader, Mr. Wayland, in fact, you are going to have to jump in here too, Admiral Henn, you find some garbage on the shore. It has got a name on it. What happens? Does anybody go to that cruise line and say, "Your garbage is on the shore. How did it get there?" Is there any action taken? Is there civil penalties, criminal prosecution? What happens? Ms. Schrader, when you find the garbage on the shore, when your cleanup crews report to you, what happens?

Ms. SCHRADER. It is not only the cruise lines from which we are finding trash with a return address on it, it is all industries—the offshore oil industry, commercial vessels as well. What we do is send a letter that basically brings the problem to the attention of the company and asks for their active participation in solving this problem.

Mr. TAUZIN. Does the Coast Guard get a copy of the letter?

Ms. SCHRADER. They do not get copies of the letter that go out to companies regarding beach debris. If we receive a letter from someone that is an actual report of having witnessed dumping from a cruise vessel or any vessel—

Mr. TAUZIN. They have got to have a witness to do anything. If you write that letter, do you send a copy to the EPA?

Ms. SCHRADER. Of the beach debris?

Mr. TAUZIN. Yes.

Ms. SCHRADER. No, we don't.

Mr. TAUZIN. Does EPA or Coast Guard—does either one of you have an interest in their findings as they come in?

Mr. WAYLAND. I think as I mentioned, we are funding CMC for this purpose so clearly we do have a major interest. Part of our interest in trying to understand statistically the nature and origins of the debris is so we can focus on the places where we think we can stem the most serious aspect of the problem.

Mr. TAUZIN. And all that is important, but I am interested in the individual whether it is an oil industry boat or facility or a corporate operation or a cruise line, or aren't you interested in knowing that they found some debris with their name embossed on it? And wouldn't it be useful for you to contact them even if you can't prosecute or complete an investigation? Do either one of you have any interest in that information, and would you do anything with it if you got it?

Admiral HENN. Absolutely, sir. The Coast Guard does, and I believe EPA does also. At this time, we are not going out on the beaches picking up marine debris. If we get a report from someone, we will take action on it. Clearly, right now one of the things we would do is notify the companies of what had been found. If we can

determine liability—establish a trail back to the vessel, proving that it actually came from the vessel and not somebody disposing of it ashore, then we would submit a case and pursue a civil penalty. I would not see one of these cases going criminal with that little evidence.

But, yes, and we too, along with EPA have put together several groups that are working in partnership to bring everybody's work to the table. We want to determine what each group is doing, if there are any holes and whether some of our work is overlapping with what others are doing. The next meeting of that particular coordinating group is going to be 19 May. I think the issue of marine debris on beaches is one of the things this group has to address.

Mr. TAUZIN. Can I make a suggestion for you at that meeting?

Admiral HENN. Yes, sir.

Mr. TAUZIN. It seems to me that the case Al brought to us today is a good teacher. We can learn some lessons from it. The first thing that happened after his report and his persistent efforts to force the agencies to look at this case was that when it got national publicity, four other witnesses came forward—four of the witnesses who helped make that case. I take it without those four witnesses, it would never have been as strong a case. There may not have been the plea bargain. There may not have been the conviction.

It is quite possible that with some real cooperative efforts between those of you working beach cleanups and providing that data information with the data that does come forward and the contacts with the possible violator, it may be possible to find witnesses who will come forward and say, "Yes. I saw that. I saw the trash being thrown overboard. I know where it came from. I can tell you. I was on that cruise. I was on that work detail"—whatever it may be.

It seems to me that if we are going to encourage citizens like Al to be real players that we have to be equally good players in the exercise of stopping violators, and I would encourage you maybe to think about how the data is not just useful for statistical purposes but may be useful for better enforcement of the process. Otherwise, the good information you get from citizens who walk the beaches and clean them up in voluntary details or those who report incidents at sea are not going to succeed. It took publicity to get those four witnesses to come forward. Maybe we can find another way without making a national case out of every incident to get good witnesses to come forward and put a stop to some of this business. I yield to my ranking member, Mr. Coble, for questions.

Mr. COBLE. Thank you, Mr. Chairman. Admiral Henn and Ms. Schrader, I apologize to each of you. I had to dart out to another meeting so I missed your testimony, but I am familiar with your statements. Admiral, I believe I am correct when I say that the Coast Guard and the Navy on 1 January 1994 must at that point dump no plastics in the ocean.

Admiral HENN. That is correct, sir.

Mr. COBLE. Have you all started your compliance measures at this time?

Admiral HENN. Yes, sir, we have on Coast Guard cutters, and I know the Navy has. They have a very active program. But on Coast Guard cutters, we are putting compactors aboard, and we are

not looking at the '94 date as a deadline. We are going ahead and doing it now, sir.

Mr. COBLE. Very good. Admiral, as an aside, I sit as a member of the House Judiciary Committee, and I am reminded this morning of what we did about two weeks ago. We conducted a hearing on the Waco episode, and when I examined the Attorney General, I said to her—I said, "Today, we have the luxury of applying 20/20 hindsight." Obviously, a lot of things at Waco were done wrong, were done ineptly. By the same token, that applies here, and we are up here applying 20/20 hindsight. So as I do that, I don't want to tear anybody's face off, but I hope as we apply 20/20 hindsight we can preclude a repetition of what happened.

Now, Al indicated, Admiral, that it appeared to him that there may have been some confusion with Coast Guard personnel as to whether the Coast Guard, in fact, had jurisdiction to respond to this episode. My question to you, Admiral, is assuming that is true—I am taking Al's word for that, that was Al's—Al observe that—assuming that is true, have you all done anything to refine that situation? I mean, it seems to me, Admiral, if somebody comes to the Coast Guard, and I realize you MSO boys are unsung heroes—a lot of folks don't appreciate what you all do—I do—but it seems to me that a bell ought to go off in somebody's head, "Yes. We have jurisdiction. We will dispatch someone to the scene as quickly as we can," or, "No, we don't have jurisdiction. That belongs in somebody else's court." Can you respond to that for me, Admiral?

Admiral HENN. Yes, sir. As I told the Chairman, in this particular case, we did not do a good job. The field office didn't have specific guidance. That was my responsibility. I should have provided more specific guidance. I have since then, but I can't blame my field office. They knew it was a big case. They were trying to do the best they could. They just didn't have all the tools they needed, and I should have provided them. They do today. I don't expect that to happen again.

Mr. COBLE. That is encouraging. Mr. Estes—and I appreciate your statement as well, sir—I want to extend the question put to you by the Chairman. And I am by no means pronouncing guilt. I don't want this to be implied, but when the Chairman indicated these crew members throwing over the side garbage, whether or not that was done with the consent of the captain—may or may not have been—but I was a deckhand at one time long ago, and I would have been hard-pressed to have thrown a feather over the side of the ship if I figured the captain didn't want it thrown over there. That is the direction from which I come.

Having said that, have your lines, Mr. Estes, developed any sort of refinement since Al came into this picture as far as overcoming possible language or cultural differences as you go about training a diverse crew? I mean, I can understand a defense might be from the Princess Line, "Well, my gosh. The guy didn't understand it." Well, that may well be true. That is rather a generally phrased question, but can you give me some encouragement in response?

Mr. ESTES. Well, I hope so. Whether or not it is a response to Al's incident or not, I can tell you what happens is several things. First, we have now on many ships cameras at midships and also at the

stern, and those cameras go right up into the bridge so there is almost 24-hour-a-day surveillance so that the bridge knows generally what is going on. That is kind of a method of making sure that both passengers and crew are abiding by the no-throw rule.

The other is with respect to when the new employee starts, the general orders or the captain's orders that he receives, the lines have them sign for a copy of that in either Spanish or English so that they cannot say that they didn't understand it, they didn't receive a copy and whatnot. So that they are taken through the orders. There are a number of things, in fairness, in these general orders. It is not just handling garbage. I mean, there are a lot of safety training—various things that they have to do, where their muster station is, that sort of thing. But they are tightened down so that the crew member can't then say, "Well, I didn't know this," or, "I didn't receive it."

Then on top of that, the captain has to account to shore management with respect to all aspects of waste disposal. That includes things like keeping records if plastic is burned. We know plastic gets on the ship in provisions and whatnot, and that is a very interesting aspect—waste minimization. But when plastic comes on the ship, if it is not there at the end of the cruise, then it had to be burned. If it is burned, we want to see the ashes. And the captain has to record that, and so we are making all of these sorts of efforts to try and nail it down to prevent either innocent or intentional noncompliance with the policy.

Mr. COBLE. Thank you, Mr. Estes. Mr. Chairman, I feel good about what has transpired here today. I hope that it will bear good fruit. In conclusion, Admiral, I would like maybe six or seven, eight months from now if you can perhaps let the Chairman and me and the others know if you detect any improvement as far as on the part of cruise lines dumping because the word of this hearing is going to be disseminated far and wide. If you might just make a note of that, that maybe six months from now we will see if things look better—

Admiral HENN. I will do that, sir.

Mr. COBLE [continuing]. in the waters of our oceans. Thank you, Admiral. Thank you, folks, for being with us.

Mr. TAUZIN. Thank you very much, Mr. Coble. Mr. Hastings, the gentleman from Florida.

Mr. HASTINGS. Thank you very much, Mr. Chairman. I would like to associate myself with the remarks just made by the ranking member that I am appreciative of what has gone on here today. We have seen a co-joining of immense forces and resources and an obvious manifestation of a problem that exists and remedies that are ongoing and are about to take place.

I am encouraged, and I would like to say as one, as we all do, that comes from one of the delicately balanced societies, that is, south Florida, and we see plenty of what all of you do. And toward that end, I am persuaded that the cruise line industry is making significant strides, and I am willing to keep my powder dry until such time as I have had an opportunity, Mr. Chairman, to take up on Mr. Estes's offer and that is to really—as I read his testimony, I saw the walk-through of the enormous number of things that they do in point in fact.

And I am interested, and I know I am not looking for a cruise, but I would like very much when they come into Port Everglades to go on board and to see exactly what are they left with, if I could, and see what they came with, how they handled it, and I think I would be a bit surprised particularly if I took the day cruise industry—I don't think they generate as much garbage as quickly as does the overall cruise.

And I guess what I am saying, Mr. Chairman, is I am concerned about the cruise line industry doing its job with reference to the environment, but I am also concerned about us as citizens doing our jobs in other areas. For example, no cruise ship goes down the intracoastal waterway in Ft. Lauderdale, and be damned if it isn't just as garbage dumped as the shoreline is, and there are fishing vessels, recreational vessels, all sorts of people that have bad habits, and that has come to haunt us, and it haunts the cruise line industry in a more impacted way because of the significant number of people that they put on board at a given time.

I just believe that we can do more, and I would like to ask you, and I have but one question, and after my rambling, Mr. Chairman, I would like to ask you, Mr. Estes, your opinion as to the adequacy of port reception facilities for ship-generated garbage. Are we on line with that? Are we close in terms of the geographical areas that are doing something about it? And specifically for me, what do they do in Port Everglades and in Palm Beach and in Miami because that is where my great interest lies in addition to around the world?

Mr. ESTES. I am sure the Admiral could comment too, but from our vantage point, the port reception facilities in south Florida are quite adequate. There has been a great improvement in the past four and a half years that MARPOL Annex V has been in effect. We do have and from time to time have some difficulties in the wider Caribbean area, and some of that is due to the fact that some of the countries there, the island nations, have not signed Annex V. I have listed those countries in my statement, and I think it would be very helpful whatever our government can do to encourage signing by those countries.

But by and large, Congressman Hastings, there has been an improvement. This is now not with respect to APHIS garbage. APHIS-regulated garbage requires special treatment, and that has to be burned. And in Miami, that presents no problem. That is done there, and in other ports of the country it does present a little bit of a problem because it has to be trucked, and it gets to be quite costly, but it is done. But with the exception of the regulated garbage, I think the port reception facilities clearly in your area are adequate.

Mr. HASTINGS. Thank you, Mr. Chairman. I am not quite ready yet to trash the cruise line industry. I am going to wait a little while.

Mr. TAUZIN. Mr. Hochbrueckner for questions.

Mr. HOCHBRUECKNER. Thank you, Mr. Chairman. Admiral Henn, on page two of your testimony you state, "The Coast Guard actively enforces the laws through our vessel-boarding program, observation of vessel operations, and our follow-up of reports from private

citizens, environmental groups, and state and local enforcement personnel.”

And on page three, you go through a litany of the history over the last four years where in 1989 you cite that there were 17 pollution violations and nine of them were garbage, and in 1990 there were 20 violations and eight were garbage, and in '91 there were 30 violations and 10 were garbage; in '92 was 35 and 13. On the cruise ship side of things, what kind of inspection do you actually do there? I assume you don't board cruise ships. Do you do any inspections at all like when the ship goes out, you know, what they go out with and what they come back with in terms of waste in the hold?

Admiral HENN. Normally, we don't do a check of the garbage, sir, as each ship comes in and goes out of port. We do know about the foreign passenger vessels because we inspect them four times a year—scheduled inspections to ensure lifeboats and other things are in good order. At that same time, we check to see what garbage-handling facilities they have aboard. At that time, we also go through and check to see what plastics, garbage, and things like that that they have aboard.

Part of the new enforcement policy though is to conduct the spot-checks, as you have pointed out, where we will be sending people down when a vessel comes into port to see, as Mr. Estes has pointed out, if they have ashes from the burn. Is there any plastic material aboard, if they don't have an incinerator or a compactor? And if they don't, that becomes the prima facie evidence with which we will go forward with civil penalties, or if the case is strong enough, criminal-type recommendations.

With foreign-flag vessels, one of the things we used to do was send the report of the violation to the flag state. But, we weren't getting a very good response. In working with our friends at the State Department, we changed that policy—it was a policy decision—back in July of last year, and we notified all the members at IMO that when we could establish that plastics were discharged in U.S. waters, and I am talking right out to the ends of the exclusive economic zone, that we were going to prosecute those cases here in the United States. If the flag state chose to take action, we would give them six months to get off their backsides. If they didn't, then we would continue with the prosecution and let the cards fall where they will, as far as civil penalty or criminal action.

Mr. HOCHBRUECKNER. So then you will be doing spot inspections obviously unannounced—

Admiral HENN. That is correct, sir.

Mr. HOCHBRUECKNER [continuing]. surprise and on odd intervals to keep everyone on their toes?

Admiral HENN. Absolutely. We haven't in the past. That is part of the new enforcement package, sir.

Mr. HOCHBRUECKNER. OK. Mr. Estes, you had indicated that there were essentially I think you said 27 million passenger days a year.

Mr. ESTES. Cruise days.

Mr. HOCHBRUECKNER. It seems to me that that is like 80 million meals. That is a tremendous amount of food as well as packaging accompanying that food. So I would assume that the industry itself

is keeping a close watch, as you pointed out, in seeing that what comes back in with the ships should be a commensurate amount of garbage. And if there is an incinerator aboard, at least a commensurate amount of ash based on the normal burn-down cycle so it is important that the industry do that, and it is certainly important that Coast Guard have these occasional inspections in order to keep everyone on its toes. So thank you, Mr. Chairman.

Mr. **TAUZIN**. Thank you, Mr. Hochbrueckner. Mr. Coble had an additional question.

Mr. **COBLE**. I thank the Chairman. Admiral Henn, in this era of political correction, I violated protocol a few minutes ago, and I want to correct it. I said you and your MSO boys do a great job. I want to correct my statement and amend it to read you men and women of the Marine Safety Offices do a great job. I thank the Chairman.

Mr. **TAUZIN**. Admiral Henn, Justice is not represented at the panel this morning, and so you may be the only person I can ask this of. The plea bargain that was entered into—perhaps, Mr. Estes, you can tell me—was there any other conditions, any other requirements placed upon the Regal Princess other than the payment of a criminal fine?

Mr. **ESTES**. There was an apology. The president of the company apologized to the Court. There was a probation period that I think was lifted when the fine was paid. But other than that, Mr. Chairman, I don't—maybe the Admiral had some—but I don't know of any other condition other than that.

Mr. **TAUZIN**. I asked that because it may be that as Al has pointed out to us that the amount of the fine, while it is a big fine for any citizen to pay, it may not be that big for a large corporate entity. And my attendance at these little sessions which is kind of the result of a plea bargain—it is a finding by the Court—my son did something wrong on the highway—my attendance with him at these sessions is a much bigger incentive for my son to drive better, believe me, than his or my paying a fine. And he has gotten that message last night. He will get it again tonight and two weeks from now.

It seems to me that in regards to prosecution and enforcement of this Act, that maybe we need to consider some other incentives when, in fact, violations are found other than the payment of the fine, and that is one of the things we are going to look at as we continue to examine the record of this hearing. Admiral Henn, do you want to comment?

Admiral **HENN**. Mr. Chairman, there is a provision, along with the criminal fine, that allows for imprisonment of up to six years. And I think certainly, as we see more cases coming down the pipeline, and there are more cases, I am happy to report—we will see how this all plays out. Even without additional incentives, I would point out that the civil penalty provisions allow a \$25,000 maximum fine. We do find that people stand up and take notice whether they are a company or not, when we slam them with the \$25,000 fine, sir.

Mr. **ESTES**. I can assure you, Mr. Chairman, that \$500,000 fine reverberated through our industry, and it made an impact. I can assure you of that.

Mr. TAUZIN. I hope it did, but as I point out, I mean, there may be some other requirements that ought to flow out of that that are extra and above the normal requirements in terms of posting 1-800 numbers and posting notices that someone found out a compliance might be required to do that would just call their attention to the violation and to the need to make sure that crew members understand that they are not to follow orders from captains that say, "Dump garbage into the ocean." They should report it instead. I mean, we want to look at that and see whether or not something of that nature might not work.

We have received some awful good recommendations from all of you. Al, your testimony has been extraordinary and valuable, not only to this hearing but, as we pointed out earlier, to the whole effort to prosecute and to make a case of this special violation in order to make sure others who may be doing the same thing get the message. But to all of you, let me advise you that we will be preparing a proposal to further strengthen and enhance the enforcement of this statute. We have all learned today how we might work together to better enforce it.

Mr. Estes, I am skeptical but pleased that you tell me the industry wants to do better and will do better, and, Admiral Henn, I am always impressed with your candor, sir, and your willingness to admit error when the Coast Guard makes it and your extraordinary efforts to correct them when you find them. And I am pleased that you have come forward and assured not only Al but all of us that this incident is not going to get repeated when citizens bring these kind of evidences of violation to the Coast Guard.

We are going to move on it, Al. That is the message we got today. That is a message I hope violators, not just in the cruise ship industry, the oil industry, commercial fishing fleets and private recreational vessels—I hope everybody understand that the waters are not dumping grounds, and the oceans are just as important neighborhoods as our own front yards and the front yards of our neighbors in our communities, and we want this law respected and enforced.

Gentlemen and ladies, again, we thank you for some extraordinary testimony. This was a good hearing. We have all learned, and we are going to act now in accordance to what we have learned. Thank you very much. This hearing stands adjourned.

[Whereupon, at 11:55 a.m., the subcommittee was adjourned; and the following was submitted for the record:]

STATEMENT OF MR. ALVIN S. LEVETT

**The Honorable Bill Tauzin,
Chairman, Subcommittee on Coast Guard and Navigation**

Testimony to the Sub-Committee, May 11, 1993

Good Morning, Mr. Chairman and ladies and gentlemen of the Sub-committee, I am pleased to be invited here today to address you on this important issue. We hope that our experience, and the videotape we took, may serve to "shine the light" on the illegal practice of marine pollution and ultimately contribute to positive changes in the way that business is conducted at sea.

I will briefly outline the major events in the case and the actions we took over the past 18 months which ultimately led to criminal charges against Princess Cruise Lines. As you will see, the videotape, while a critical element in the case, taken by itself, might not have resulted in the case being successfully resolved. It took an active role, and determination on our part, as well as encouragement from the Center for Marine Conservation, and the efforts of the FBI and Justice Department to make the system work.

On October 25th 1991, my wife and I witnessed and videotaped the disposal at sea, of trash in plastic garbage bags. The incident took place off of the Regal Princess, approximately 6 miles south of the Florida keys. Once on shore, we reported the incident and submitted a copy of our videotape to the Coast Guard Marine Safety office in Miami for review.

We followed the progress of our complaint through regular and periodic calls to the Marine Safety Office. I must tell you that I was irritated at the slow responsiveness and the lack of progress that the Coast Guard made in investigating this well documented incident.

Equally troubling was the incomplete or lack of knowledge that the Coast Guard officials displayed about the MARPOL agreement. I spoke to several officers in the Miami office and found that they did not appear to understand where the Coast Guard jurisdiction began.

In January of 1992, in an effort to exert some pressure on the Coast Guard to move the case along, we granted an interview to the St. Louis Post Dispatch. In April, with little progress reported, we again went public granting an interview to Conde Naste Magazine. The story appeared in the June 1992 issue.

Our continued calls to the Marine Safety Office, and the published articles, appeared to do little to accelerate the investigation. With a great amount of reluctance, my wife and I agreed to provide NBC news with the videotape scenes from our cruise and grant them an on screen interview. It was our feeling that the threat of public pressure and the embarrassment, of having to explain the 8 month delay in processing our complaint through the national media, would pressure the Coast Guard to action, and in fact it did.

In July of 1992, within a few weeks of when the Coast Guard learned of NBC's interest in the story, the case was processed through the Coast Guards legal office to the U.S. Attorneys office for prosecution.

In September of 1992, we provided written testimony to Senator Frank Lautenberg's subcommittee on Superfund, Ocean and Water Protection.

On April 15, 1993 the U.S. Attorneys office for the Southern District of Florida, filed a criminal charge against Princess Cruises for discharging plastic bags filled with garbage into the sea. On April 26th, Princess, as part of a plea agreement, plead guilty to the crime and was fined \$500,000, the maximum under the law.

Although we are pleased that our videotape played a major role in the successful outcome of this case, it is distressing to us, to recall the significant additional effort that went into moving the case along. If the Coast Guard would not take action on a well documented and videotaped incident, how will they respond to a less well documented case?

Perhaps the lack of responsiveness on the part of the Coast Guard was due to the fact that this is the first well documented case of this nature presented to them. The thought of a few bags of garbage thrown overboard may have taken low priority given their wide range of responsibilities. Now that the first case has been successfully concluded and the Coast Guard's role clarified, we would hope that procedures have been established and formalized so that citizen complaints are handled more aggressively in the future.

The Center for Marine Conservation and the U.S. Attorney's office are to be commended for the professional, intelligent and diligent efforts that went into the successful outcome in this matter.

We have two thoughts that we would like to share with the committee. First, it seems to us that the financial penalty is an insignificant deterrent to a large carrier. Over the course of a year, the maximum penalty of \$500,000, spread over the number of passengers sailing Princess ships out of U.S. ports, would average only a dollar or two per passenger. This is not a severe financial penalty to a company the size of Princess. Perhaps the law should be broadened to include the loss of port privileges to repeat offenders. This would represent an economic threat great enough to truly discourage the prohibited practices.

Secondly, we believe that a "citizen ombudsman" needs to be established. Passengers must have a direct channel to report incidents of this nature. Someone to cut through the bureaucracy, follow the progress of investigations and report to Congress and the responsible federal agencies on a regular basis.

I thank the committee for this opportunity to share our experiences.

Sincerely,

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Center for Marine Conservation
Formerly Center for Environmental Education, Est. 1972

**Testimony of
Betsy Schrader
Director, Marine Debris Information Office
Center for Marine Conservation**

Before the

**Subcommittee on Coast Guard and Navigation
of the
Committee on Merchant Marine and Fisheries
U.S. House of Representatives**

May 11, 1993

Good Morning Mr. Tauzin, and Members of the Subcommittee. My name is Betsy Schrader. I am the Director of the Marine Debris Information Office at the Center for Marine Conservation. The Center for Marine Conservation is a national non-profit organization of 110,000 members committed to maintaining the health and diversity of marine life through policy-oriented research, public education, citizen involvement, and responsible advocacy.

The Center for Marine Conservation (CMC) appreciates this opportunity to present testimony on the problem of cruise ship pollution and the U.S. Coast Guard's enforcement of pollution prevention laws. Our testimony will cover four areas:

- The Center's knowledge of cruise industry compliance with MARPOL V.
- The importance of involving citizens in reporting violations.
- Recommendations for strengthening enforcement efforts.
- The environmental impact of cruise industry operations on the Caribbean Basin.

The Center has been working on marine debris issues since 1985, documenting the harmful effects of plastic debris and campaigning through our beach cleanups and other advocacy for changes in U.S. law to prohibit the disposal of plastics at sea. Since the enactment of the Marine Plastic Pollution Research and Control Act (MPPRCA) in 1987, CMC has continued to play a role in many aspects of the implementation of MPPRCA, including education, citizen involvement, participation in national forums, and a Senate hearing last fall. Our unique perspective as a non-governmental organization has allowed us to bridge a gap by working with both governmental agencies and citizens.

I. CRUISE LINE COMPLIANCE WITH MARPOL ANNEX V

A. Beach Cleanup Data

Although the MPPRCA has been in effect for almost five years, our annual beach cleanup report which analyzes the types and sources of debris found during this event, indicates that there has not been a significant decline in the amount of plastic items washing onto our beaches. Last September during a three-hour period, over 134,000 volunteers in the United States picked up over 2.8 million pounds of trash and catalogued many of the items found. Although it is unlikely to determine the origin of most beach debris, there are certain items embossed with a company name and logo which can be traced back to its source. Although the data analysis for the September 1992 beach cleanup is not yet complete, preliminary results show that volunteers in the U.S. found items embossed with the names of at least 15 different cruise lines. These items include plastic cups, shampoo and lotion bottles, shoe shine kits, gambling chips, pens, and balloons.

Cruise line companies often argue that the cruise line debris found on our beaches is insignificant in number. However, a large volume of galley wastes such as vegetable sacks, egg cartons, and meat trays as well as other operational wastes wash ashore with no identifying marks and therefore cannot be traced back to a specific vessel. It is our contention that the labeled items found during cleanups, such as shampoo bottles and plastic cups, are only a small fraction of the total waste that may be attributable to cruise lines.

B. Eye-witness Reports

Cruise line companies are adamant that they do not illegally dispose of vessel-generated trash. In fact, most say that company policy strictly forbids illegal overboard disposal and contend that if any plastic has found its way into the water, it must have been thrown overboard by an unknowing crew member or passenger.

As a non-profit marine conservation organization, many citizens contact CMC when they witness potential dangers to the marine environment. In the past several years we have received an increasing number of complaints from cruise line passengers and crew who witnessed illegal overboard garbage disposal on vessels on which they were vacationing or working. The reports received have described all manner of trash items including toxic chemicals, plastics, deck furniture, old mattresses, paint cans and gas canisters. Witnesses who see such incidents, express their outrage that cruise ships are blatantly disregarding not only the laws regulating such dumping, but the welfare of the very seas which support a cruise line's livelihood.

Some of the most telling accounts come from staff aboard vessels. Several have reported that as they became familiar with the inner operations of the ship, they found that overboard disposal of

trash (including plastics) is a routine occurrence. A musician working on board a cruise vessel in the Mediterranean contacted the Center in November of 1991 after witnessing a nightly ritual of dumping. In the ensuing voyage across the Atlantic, through the Caribbean and Panama Canal to Long Beach, California, he was able to document fourteen separate dumping incidents while at sea, all involving the disposal of plastic as well as other items. In conversations with the garbage handlers on board he learned that the only ports of call where the ship offloaded all of its trash were in Scandinavia where MARPOL enforcement is strict. In other ports (including Los Angeles) the ship offloaded only a small amount of garbage in order to appear to be in compliance with the law. He also learned that according to the crew, the staff captain does not want garbage offloaded at port because of the cost involved.

In almost all the reports we've received from crew, they indicate that the orders to dump come from officers, and that the captain is fully aware of the practice. This is also borne out by passengers who often report that complaints lodged with the captain and other officers appear to fall on deaf ears. One passenger even received a veiled threat from the captain of the ship who told her to "watch her step" after he discovered she had taken photographs of the ship's crew dumping plastics at sea.

I would like to take a minute to share with you a letter from a crew member which illustrates the concern we often hear voiced by both crew and passengers after witnessing a dumping incident.

Dear CMC, I'm sure my disclosure will come as no surprise to you, since this kind of thing is, sadly, all too common, despite legislation. I work on "The Enchanted Isle" . . . as photographer, and am always scrupulous about taking our garbage down to the collection point, believing it all to be offloaded ashore . . . Last week, however, I was dropping off a plastic bag full of assorted trash . . . when I came upon a team of deckhands, formed into a chain, along which was being passed every plastic bag in the dump, regardless of contents, until it reached the last man, stationed beside an opened hatch, who swung everything into the sea. I was horrified, and stood watching for perhaps a minute, before surrendering my bag, which naturally went the way of all the others. I discussed this with one or two other staff members afterwards, and was told that this is common practice . . . evidently people are posted on deck at night to ensure that no passengers might witness the spectacle, and the deed is then done, with the blind eye consent of all on board, all the way up to the captain. . . Legislation is legislation - enforcing it is another matter - without expensive and unpopular teams of cruising snoopers, these ships are impossible to police; one depends, I suppose, on saddened and outraged crew members such as myself . . . I have no hesitation, nor compunction in "squealing," as what goes on here is quite obviously wrong, and the end product of either sloppiness or parsimony in not spending to extend the garbage hold or install an incinerator. . . Meanwhile, if I can be of assistance to you, or the dolphins and whales beneath me; almost every week I see dolphins somewhere, and they invariably speed towards the ship, all smiles, when they pick us up. I wonder that they can still be so eager to court our society after all we've done to them; I think they deserve more considerate playmates.

Due to the recent increase in eye-witness reports such as this one and the realization that the amount of cruise line debris washing up on our beaches has not begun to decline, CMC has initiated a campaign focused on educating potential cruise line passengers and enlisting their help in being the Coast Guard's "eyes and ears" on the water. While on board we encourage passengers to investigate the disposal habits of the ship, talk with crew members who handle shipboard garbage, and document any dumping activity they may witness. We encourage them to report any illegal activity to the U.S. Coast Guard and provide them with the necessary report forms (see attachment).

We are also working very closely with the media to get the word out about illegal cruise line dumping, and encouraging passengers to monitor the vessels they travel on. An increasing number of individuals are calling to report dumping incidents they witnessed as a cruise passenger several years ago, several months ago, or just last week. After the popular television show "I Witness Video" aired a segment on a cruise line violation captured on videotape by a passenger, they received eighteen calls from other passengers who had witnessed a similar event.

C. Other Findings

Passengers and crew have told us of misleading claims of "environmental practices." Many cruise lines will tell their passengers that they have state of the art equipment and/or environmental

programs in place to minimize their impact on the marine environment. However, these practices and equipment must be utilized in order to protect the environment.

One passenger told us that she was extremely impressed by an onboard recycling program, complete with separate containers for various recyclables. Unfortunately, once at sea, she witnessed ship personnel tossing the separated recyclables overboard late at night. A crew member from a different vessel told CMC of a grinder for garbage that had been inoperable for six months, and a paper shredder that was being used to store fluorescent light bulbs. Both pieces of equipment are intended to help prepare certain garbage for legal discharge.

II. INVOLVING CITIZENS IN REPORTING VIOLATIONS

A. *The Role of Citizens*

It is not possible for the U.S. Coast Guard, with its limited resources, to witness and take enforcement action against all vessels illegally disposing of trash overboard. The enormous area of water that is covered under this law, coupled with the millions of vessels to which it applies, combine to make enforcement of this law extremely difficult.

CMC feels that the most effective way to police the cruise industry is to directly involve passengers and crew in monitoring the industry's activities. On every cruise vessel there are literally hundreds of individuals who, if educated, could serve as "Citizen Pollution Patrols."

An example of how effective citizen reporting can be is illustrated by a recent case involving Princess Cruise Line. On October 25, 1991 while on vacation aboard the Regal Princess, two passengers witnessed crew members dumping at least twenty plastic bags filled with garbage into the sea, approximately five nautical miles southeast of the Florida Keys. One witness videotaped the event and upon returning to shore, contacted the Center for Marine Conservation. We instructed him in how and where to report the case and he subsequently turned the evidence over to the U.S. Coast Guard Marine Safety Office (MSO) in Miami. After an article appeared in a St. Louis newspaper mentioning this case, four other witnesses to the same event came forward and contacted the Center. We encouraged them to send a written report of what they had seen to the U.S. Coast Guard and provided them with our "Citizen's Report Form."

These witnesses were instrumental in helping the Coast Guard, the U.S. Attorney's Office and other federal law enforcement agencies build a criminal case against Princess Cruise Line. In subsequent action Princesses Cruises, Inc. agreed to plead guilty to a felony violation of the Act to Prevent Pollution from Ships and on April 26, 1993 a federal court sentenced Princess to pay the maximum allowable penalty of \$500,000.

A conviction in this case would never have been possible without the evidence and cooperation provided by passengers. The U.S. Coast Guard has directed its Marine Safety Offices to cooperate fully with citizen reporters and collect any and all information that can help lead to a MARPOL Annex V violation case.

B. *Recommendations for Facilitating Citizen Involvement*

To facilitate citizen reporting CMC feels that a comprehensive education program for passengers and crew members should be initiated - not only to inform them of the law, but also to instruct them in how to correctly document and report violations. To this end, CMC makes the following recommendations:

- 1) **We encourage the Coast Guard to set up a toll free MARPOL V hotline to provide an effective avenue for citizen reports.** We understand that the Coast Guard is currently working to establish such a hotline, specifically for reports of MARPOL violations. We encourage this work and recommend that, once established, the service be widely publicized.
- 2) **We recommend that written information on MARPOL V regulations and the Coast Guard's toll-free hotline be provided to every cruise passenger who purchases a ticket within the United States.** Although all passengers who report plastic dumping incidents believe that the practice is wrong, most do not know that it is also illegal. To ensure effective reporting of such events, passengers need to be better informed before they embark upon a cruise.
- 3) **Every commercial passenger vessel leaving a U.S. port should incorporate information on MARPOL Annex V into the required safety briefing given to passengers**

before embarkation. Passengers not only need to be aware of the existing dumping regulations for reporting purposes, they need to realize that the law applies to themselves as well.

4) We recommend the establishment of a "whistle-blower" program by the cruise industry to provide crew members with a viable avenue for reporting violations. The most valuable participants in a monitoring program are those who are involved in daily ship operations. Some of the most accurate accounts of dumping violations have come from crew members. They are familiar with the inner workings of the ship, and their observations are essential in establishing criminal intent in a case. However, there is currently no effective system in place to provide crew members with an outlet for getting information to enforcement agencies, while at the same time protecting their identity (and therefore their job). We recommend that such an avenue be established by the cruise industry and widely publicized, using multi-lingual notices, at ports of call, in trade publications, and, if possible, on board vessels.

III. STRENGTHENING ENFORCEMENT EFFORTS

A. Recent U.S. Coast Guard Initiatives

CMC applauds the Coast Guard's recent initiatives to step up enforcement action against violators of MARPOL Annex V. In the last several months the Coast Guard and other federal authorities have been successful in securing two substantial criminal penalties against MARPOL V violators: one against a Seattle-based factory trawler for \$150,000, and the other against Princess Cruises for \$500,000, the largest fine ever assessed for this type of violation. This sends a strong message to any vessel traveling within our waters - the U.S. is serious about enforcing its pollution laws. In the last six months the Coast Guard has also initiated measures to: increase education of personnel at MSOs on MARPOL V regulations; increase coordination with APHIS officials; expedite cases brought to their attention; and formulate pilot programs to conduct public outreach. CMC fully supports these and other actions and in addition, encourages the Coast Guard and other federal agencies to put into force the following measures to further strengthen enforcement capabilities:

- 1) **Requiring the use of shipboard refuse recordkeeping.** We understand that the Coast Guard has reintroduced regulations to OMB requiring vessels to document how and when they discharge or dispose of vessel-generated waste. The Center believes that record keeping can serve an important role in determining waste handling practices aboard ships. Implementing these requirements, on large vessels already required to keep oil records, will help enforcement personnel substantiate claims of legal or illegal disposal of vessel-generated garbage.
- 2) **Extend Coast Guard coordination with U.S. Attorney's Offices throughout the country to coordinate prosecution of criminal cases.** Civil penalties assessed by the U.S. Coast Guard have not deterred the cruise industry or other marine industries from violating the law. The added threat of criminal prosecution must be used wherever possible to ensure eventual compliance. To this end, we encourage the Coast Guard to coordinate their enforcement efforts with other U.S. Attorney's Offices nationwide, using the successful Florida based Princess Cruise Line case as a model. We also encourage the Coast Guard to expedite this procedure whenever possible and wherever appropriate.
- 3) **We recommend that the resources of the Federal Bureau of Investigation (FBI) and the Environmental Protection Agency (EPA) be made available to U.S. Attorney's Offices to aid in criminal investigations.** We encourage the participation of these two agencies on two levels. First, to aid the U.S. Attorney's Offices in conducting investigations of pending criminal cases; and second, to provide agents to conduct under-cover investigations on board vessels which have been targeted as repeat offenders, but where insufficient evidence exists to formulate a case against them.
- 4) **We encourage the Coast Guard to share their expertise on MARPOL enforcement with their counterparts in Caribbean nations.** The Coast Guard recently incorporated MARPOL V education into a training session held by U.S. Coast Guard Port Safety Training Teams in Panama. We encourage the Coast Guard to continue to actively participate in Caribbean forums where they can share their expertise and their experience. We also encourage the exchange of information with other nations regarding MARPOL violations within their waters. Although the U.S. can only prosecute violators of the law within our 200 mile EEZ, by gathering information on who has broken the law elsewhere, enforcement agencies will be able to better track known offenders and establish criminal intent if a violation subsequently occurs in our waters.

5) We encourage the U.S. Coast Guard and the Department of Agriculture to jointly address national and international concern over the high cost of onshore disposal of food contaminated waste at U.S. ports. CMC has received numerous calls from commercial vessel operators, who explain that the high fees charged for proper disposal of waste are a disincentive to bring garbage ashore and properly dispose of it. In a 1991 survey conducted by Texas and Louisiana Sea Grant on port reception facilities in the Gulf of Mexico, only five to ten percent of vessels docking at these international ports were using the APHIS-approved facilities provided for food contaminated waste. The reason for this underutilization of APHIS-approved facilities appears to be the cost involved. Charges for handling waste at various terminals surveyed ranged from \$100 to \$500 per cubic yard.

Additionally, several cruise line officials interested in starting recycling programs have related to the Center that APHIS regulations vary greatly from port to port (ie. regarding the treatment of certain recyclables such as steel food containers and cardboard boxes), creating impossible hurdles and disincentives for recycling. Clearly, uniform guidelines for these materials need to be established by APHIS for all ports.

6) We encourage the U.S. Coast Guard to provide guidance to shipping agents regarding U.S. laws and APHIS regulations. CMC has learned that shipping agents are often confused by U.S. waste disposal laws and fear that offloading trash in U.S. ports will make them subject to the requirements and possible penalties under these laws including the Resource Conservation and Recovery Act (RCRA) or the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). [In 1991 the State of Alaska took action under RCRA against Holland America for disposing of chemicals classified as hazardous waste with the garbage offloaded ashore.] Even when instructed to secure garbage handling for their ships at port, some have hesitated to get involved because of their perception of potential liability. The Coast Guard, in cooperation with the EPA as previously recommended, can help by interpreting U.S. disposal laws such as RCRA and CERCLA in information provided to agents and by providing resources such as lists of ports with approved APHIS facilities and Certificates of Adequacy.

IV. ENVIRONMENTAL IMPACT OF CRUISE INDUSTRY OPERATIONS ON THE CARIBBEAN BASIN

According to the cruise industry, cruise lines are currently carrying approximately 4.5 million passengers per year. By the year 2000 they expect to exceed 8 million a year. We are not aware of any studies to consider the cumulative impacts that this industry is having on the ecologically sensitive Caribbean Basin, the number one cruise destination in the world. Twenty years ago, at the onset of cruise travel in the Caribbean, island nations welcomed the cruise trade with open arms. The added tourism meant a much needed boost to their economies.

Twenty years later, these Caribbean countries are taking a hard look at the impact the cruise industry is having on their economy as well as their environment. Several countries, including the Bahamas, are considering reversing their "open arms" policy and plan to begin restrictions on the number of vessels that may visit their ports. Why the turn around in attitude? Caribbean nations are finding that rather than increasing tourist revenue, the cruise industry is in direct competition with their resorts and hotels for tourist dollars. Passengers who stream ashore for several hours do not spend their money in local gift shops because ships advertise that the same merchandise is available on board at lower prices.

Aside from the economic impact, the cruise industry is having a deleterious effect on the islanders quality of life and is also greatly impacting their marine resources. Imagine the impact of 5,500 passengers per day descending on the tiny island of Grand Cayman (approximately 76 square miles in area) creating traffic congestion, overcrowded beaches, and overworked sanitary facilities. At a recent conference on ecotourism a gentleman from St. Lucia reported counting 300 people in line one day to use his restroom (for which he has to import water to maintain), yet no one bought anything in his shop.

Some Caribbean nations have begun to recognize the need for an assessment of the cruise line industry's impact on their islands and their resources and are calling for an establishment of realistic "carrying capacities."

The following list outlines several of the environmental impacts that are of greatest concern:

A. *Ship-Generated Solid Waste*

The debris from ocean-going vessels that washes up on Caribbean beaches needs to be removed on a daily basis, representing a significant cost to resort owners. Not only does debris spoil an island's beaches, it can also "ruin the view" for divers and snorkelers. A CMC staff member who recently had the opportunity to view the reefs off the Caymans in a submersible was greeted at 300' by a Budweiser can, at 400' by a plastic chaise lounge chair, and at the bottom (at 800') by coke bottles and Heineken cans. While it is difficult to determine who the culprits are for disposing of this debris, a beach cleanup held last year on a remote out-island of the Bahamas yielded cruise line debris from five different lines in a short stretch of beach. The other easily identifiable source of debris was the U.S. Navy.

A typical large cruise ship today carries 2,500 passengers and an average crew of 800. Using a conservative figure of 2 pounds of garbage generated per person, per day, a typical ship generates over three and a half tons of trash every day. Due to high offloading fees in U.S. ports, some ships are taking their waste back to Caribbean ports to offload, rather than using U.S. facilities. Caribbean islands offer lower disposal costs, but often have inadequate garbage reception facilities or landfill space to handle this waste. As "Special Area" designation takes effect in the Gulf of Mexico and wider Caribbean, the problem will only be compounded, since "Special Area" designation prohibits any overboard disposal of trash.

Some Caribbean nations have begun to enforce their environmental laws and are fining cruise lines for disposal of garbage in their waters. For example, the Cayman government recently assessed two \$3,000 penalties in the settlement of two cases against cruise lines. As recently as last week the government upped the ante, following the example of the United States, and have declared they will prosecute illegal dumping cases to the full extent of the law and will begin assessing fines of up to \$500,000.

B. *Other Pollutants*

Garbage pollution is a very visual form of pollution. The prevalence of it on beaches is a constant reminder that the oceans are still being used as a garbage dump. However, reports from passengers and crew as well as coastal and island inhabitants are opening our eyes to the fact that the problem is much larger than garbage. Witnesses report seeing discharges of raw sewage streaming behind cruise vessels. They also report oil and oily waste being discharged with bilge water.

We have no control over these types of discharges into Caribbean waters, however, enforcement agencies in the United States are working on violations within our waters. Although they will neither confirm or deny the presence of such cases, it is our understanding that the U.S. Attorney's Office in the South District of Florida (in Miami) is currently investigating several cases of illegal discharges of oil from cruise ships. In several cases being investigated by the Coast Guard, reconnaissance aircraft were used at night to document oil being released from cruise ships.

Sewage discharges from ships are regulated in U.S. waters under the federal Clean Water Act. The direct discharge of sewage from a vessel is only permitted in ocean waters more than 3 miles from shore. Annex IV of the MARPOL (73/78) treaty addresses sewage pollution from ships. The U.S. has not signed onto Annex IV and it is currently not "in force" worldwide as it lacks the necessary gross world tonnage to support it.

C. *Other Environmental Concerns*

CMC has received numerous complaints from islanders in the Caribbean about the destruction of their coral reefs by cruise ships. Eyewitnesses relay reports of cruise ships dragging anchors and chains, leaving large paths of devastated reefs behind. Not only does this kill large areas of reef, the turbidity of the water caused by sediment and rubble left behind can "suffocate" the reef's organisms (filter feeders) which rely on clean water for necessary nutrients. Dredging to allow cruise ship access to more remote island locations also leads to extensive damage of reef tracts.

A CMC member wrote to us recently regarding another issue of great concern, the encouragement of purchases of endangered species products outlawed in the United States. While visiting a Green turtle farm in the Caribbean, the cruise line's shopping director encouraged passengers to purchase turtle products, including lotion and oil, and proceeded to instruct U.S. passengers to deface the container's label so that they could smuggle these endangered sea turtle products through U.S. Customs. CMC does not know how prevalent this practice is, however, even

one account of such a policy being endorsed by a cruise line is alarming.

V. CONCLUSION

Why should the United States be concerned over the cruise industry's impact on the marine environment? Most cruise lines are actually U.S. businesses who are carrying U.S. passengers, but because they register under foreign flags, they are immune to U.S. pollution laws when they travel outside of our waters. A law enforcement official recently remarked that this situation is equivalent to American Airlines being registered as an Italian carrier.

As U.S. businesses carrying U.S. passengers the cruise industry needs to be held accountable for their actions to the U.S. government and to the public. The cruise industry estimates that 87% of cruise passengers world-wide come from North America. It is U.S. passengers who are generating the overwhelming majority of cruise line waste; it is U.S. passengers who are inadvertently impacting the Caribbean environment; and it is outraged U.S. citizens who have initiated the public outcry against the cruise industry's disregard for the environment.

The cruise industry has enjoyed unparalleled growth, in spite of recent economic times. This growth continues as the industry seeks to expand into new untouched and unspoiled destinations. CMC feels that there is a strong need for tighter controls and monitoring of the cruise industry's impact on our marine environment. We commend you for realizing that this is a concern of your constituents, and support you in your efforts to address this issue.

To strengthen enforcement efforts of pollution laws and to increase compliance within the cruise industry, the Center for Marine Conservation recommends the following measures:

- * **Set up USCG hotline for citizen reports of violations.**
- * **Provide cruise passengers with information on the law and how to report violations.**
- * **Require the use of shipboard refuse record keeping.**
- * **Encourage USCG cooperation with U.S. Attorney's Offices in coordinating prosecution of criminal cases.**
- * **Make the resources of the FBI and EPA available to U.S. Attorney's Offices to aid in investigations.**
- * **Encourage USCG to share their expertise with counterparts in the Caribbean.**
- * **Encourage USCG and USDA to address high cost of disposal at U.S. ports.**
- * **Encourage USCG to provide guidance to shipping agents regarding U.S. disposal laws.**

In addition, CMC encourages the cruise line industry to become part of the solution by becoming actively involved in policing their own companies and setting up "whistle-blower" programs. We also encourage the industry to educate not only their crew, but their passengers as well, about the requirements of the law.

The Center for Marine Conservation realizes the difficulties and intricacies involved with enforcing MARPOL Annex V and other pollution laws and is aware of the burden that onshore disposal of ship-generated wastes places on our ports. We encourage the U.S. Coast Guard and the U.S. Department of Agriculture to take a leadership role in addressing these issues, thereby setting an example for the rest of the world to follow.

We thank you for the opportunity to testify. I would be glad to answer any questions that you may have.

U.S. Department
of Transportation
**United States
Coast Guard**



Commandant
United States Coast Guard

Washington, DC 2059
Staff Symbol
Phone

DEPARTMENT OF TRANSPORTATION

U.S. COAST GUARD

STATEMENT OF REAR ADMIRAL ARTHUR E. "GENE" HENN

ON THE PREVENTION OF POLLUTION FROM CRUISE SHIPS

BEFORE THE

SUBCOMMITTEE ON COAST GUARD AND NAVIGATION

COMMITTEE ON MERCHANT MARINE AND FISHERIES

HOUSE OF REPRESENTATIVES

MAY 11, 1993



**Rear Admiral A. E. "Gene" Henn
Chief, Office of Marine Safety, Security
and Environmental Protection
United States Coast Guard**



Rear Admiral Arthur Eugene Henn became Chief, Office of Marine Safety, Security and Environmental Protection at Coast Guard Headquarters, Washington, D.C., in June 1991. Prior to this assignment, Rear Admiral Henn was Commander of the Maintenance and Logistics Command, Atlantic.

Earlier assignments included that of Operations and Engineering Officer on the Coast Guard cutter Chincoteague; Assistant Chief, Merchant Marine Technical Branch, New Orleans, LA; and Special Project Action Officer, Merchant Marine Technical Division, Coast Guard Headquarters.

He was also Marine Inspector and Senior Investigating Officer, Marine Inspection Office, Philadelphia, PA; Chief, Engineering Branch and Chief, Marine Technical and Hazardous Materials Division, Coast Guard Headquarters; Captain of the Port, New York; Commander, Group, New York; Commander, Subsector, New York, Maritime Defense Zone, Atlantic; and Chief, Operations Division and Chief of Staff, Eighth Coast Guard District, New Orleans, LA.

A 1962 graduate of the Coast Guard Academy, Rear Admiral Henn earned combined master of science degrees in naval architecture, marine engineering and metallurgical engineering from the University of Michigan in 1968. Also, he is a 1982 graduate of the Army War College.

His decorations include the Legion of Merit, two Meritorious Service Medals, four Coast Guard Commendation Ribbons, Coast Guard Unit Commendation Ribbon, Coast Guard Achievement Medal and two Commandant's Letter of Commendation Ribbons.

Rear Admiral Henn is a member of the American Society of Naval Engineers, American Bureau of Shipping, International Cargo Gear Bureau, Marine Index Bureau, Marine Engineering Council of Underwriters Laboratories and the Sealift Committee of the National Defense Transportation Association.

During the past 20 years, he has represented the United States Coast Guard as a member of delegations to the International Maritime Organization, a United Nations specialized agency. He heads United States delegations to meetings of the Maritime Safety and Marine Environment Protection Committees of IMO.

A native of Cincinnati, Ohio, Rear Admiral Henn is married to the former Susan Frances Pedretti, also from Cincinnati. They have two grown children, David and Jennifer.

DEPARTMENT OF TRANSPORTATION
U. S. COAST GUARD
STATEMENT OF REAR ADMIRAL ARTHUR E. HENN
ON THE PREVENTION OF POLLUTION FROM CRUISE SHIPS
BEFORE THE
SUBCOMMITTEE ON COAST GUARD AND NAVIGATION
COMMITTEE ON MERCHANT MARINE AND FISHERIES
UNITED STATES HOUSE OF REPRESENTATIVES
MAY 11, 1993

Good morning Mr. Chairman and distinguished members of the subcommittee. I am Rear Admiral Gene Henn, Chief of the Office of Marine Safety, Security, and Environmental Protection. Thank you for this opportunity to discuss the issue of pollution from cruise ships and Coast Guard enforcement of associated pollution laws and treaties.

ENFORCEMENT

The Coast Guard is responsible for enforcing a number of pollution laws and treaties that affect the cruise ship industry. Foremost among them are the Clean Water Act, and the International Convention for the Prevention of Pollution from Ships 73/78, known as MARPOL. Provisions of section 311 of the Clean Water Act regulate oil and hazardous substances, in part prohibiting the discharge of oil into the navigable waters of the United States and onto adjacent shorelines. Three of the Annexes of MARPOL, as implemented by the Act to Prevent Pollution from Ships, as amended by the Marine Plastics Pollution Research and Control Act of 1987, set out discharge prohibitions for oil and noxious liquids (Annexes I and II), and garbage (Annex V). As so

implemented, Annexes I and II requirements and prohibitions apply to U.S. vessels wherever located, and to foreign vessels in the navigable waters of the United States. For its part, Annex V applies to United States vessels wherever located and to foreign vessels in the navigable waters and Exclusive Economic Zone of the United States.

The Coast Guard actively enforces these laws through our vessel boarding program, observation of vessel operations, and our follow-up of reports from private citizens, environmental groups and state and local enforcement personnel. No single segment of the shipping industry is singled out for specific enforcement. The cruise ship industry is one of many users of the Nation's waters and hence is subject to our scrutiny and enforcement.

With the passage of the Oil Pollution Act of 1990, new enforcement penalties were made available to us for prosecution of cases under both the Act to Prevent Pollution from Ships and the Clean Water Act. Previously, violators were subject to a maximum \$50,000 fine and possible imprisonment of five years for a willful violation of MARPOL. Now, willful violators are guilty of a Class D felony and subject to fines of up to \$250,000 per individual, or \$500,000 per organization as well as prison terms of up to 6 years. Violators are also subject to civil penalties of up to \$25,000.

The majority of the cruise ships operating out of the United States are not registered here. They are directly affected by our policies relating to Flag State, Port State, and enforcement

by Coastal States of their own regulations. Therefore, most of the cruise ship industry was affected by the Coast Guard's decision in July 1992 to carry out action on a Port State basis rather than relying on Flag State enforcement, wherever U.S. jurisdiction could be established. Previously, we forwarded MARPOL cases against foreign flag vessels to the appropriate Flag State for enforcement action. Now we take direct action under the Act to Prevent Pollution from Ships including, where appropriate, referral to the Department of Justice for criminal penalties, for all suspected Annex V violations that have occurred within the U.S. Exclusive Economic Zone. This change was driven by an apparent lack of action by Flag States on cases forwarded to them - - a situation we deemed unacceptable.

Over the past four years, the Coast Guard has initiated 102 pollution violation cases against passenger ships - 62 for oil spills and 40 for garbage discharges. Each year, the number of cases we have cited has increased. During 1989, the Coast Guard initiated a total of 17 violation cases against passenger ships - - 8 for oil spills and 9 for garbage discharges. In 1990, there were 20 cases initiated - - 12 oil and 8 garbage discharge violations. In 1991, 30 pollution cases were initiated against passenger ships - - 20 for oil discharges and 10 for garbage discharges. Last year, in 1992, 35 cases were cited - - 22 for oil and 13 for garbage discharge violations. The largest fine to date against a cruise ship involved the vessel REGAL PRINCESS for \$500,000. At present, three cases investigated by the Coast Guard against cruise ships for violations of the

discharge of garbage including plastic are being prepared by the U.S. Attorney in Florida, and the Coast Guard is preparing a fourth for possible referral to the Department of Justice for criminal prosecution.

To augment our regular enforcement efforts, the Coast Guard has recently conducted a number of specific enforcement operations targeting all possible polluters of the marine environment. For two weeks in February this year the Seventh Coast Guard District launched a major environmental enforcement effort using cutters, aircraft, and sensor technology to detect violators of the MARPOL Annex I and V discharge prohibitions off the southeastern coast of Florida. We were ably assisted by the Federal Bureau of Investigation (FBI) and the Environmental Protection Agency (EPA) in this effort. A similar operation has just been conducted in the Eleventh Coast Guard District where all types of vessels were monitored, primarily for Annex V violations, by aircraft as they entered or left port and transited the waters off southern California.

INTERAGENCY COOPERATION

The Coast Guard's compliance/enforcement program is an interagency effort. The Department of Agriculture, Animal Plant Health Inspection Service, or APHIS, has played a significant role by incorporating Annex V compliance checks and education during its vessel boardings to check garbage handling procedures. This has allowed the Coast Guard to reach a much larger segment

of the merchant vessel population than would be possible with our resources alone. The Coast Guard follows up on all potential violations reported by APHIS. These reports are either processed for violations or, if U.S. jurisdiction cannot be proven, APHIS reports and any additional evidence is forwarded to the vessel's Flag State for enforcement action. Between January 1, 1990 and December 30, 1992, APHIS reported 115 potential Annex V violation cases to the Coast Guard. Fourteen of these cases were processed by the Coast Guard for civil penalties and 109 were forwarded to the appropriate Flag State since U.S. jurisdiction could not be established.

APHIS recently agreed to enter into a Memorandum of Understanding (MOU) with the Coast Guard to formalize our coordination effort. We plan to work together to draft the agreement beginning this summer. We have also agreed to reevaluate the Annex V checklist on the APHIS boarding report (PPQ Form 288) to determine whether the questions being asked are adequate or need to be revised.

In other coordination efforts, the Coast Guard recently participated in a conference in New Orleans held by the FBI to look at ways our agencies can work together in pollution enforcement.

CITIZEN PARTICIPATION

Perhaps our most valuable allies in the enforcement of pollution laws are private citizens and citizen action groups. A fine example is the positive working relationship that the Coast

Guard has developed with the Center for Marine Conservation (CMC). CMC personnel have served as liaison between witnesses of potential violations and the local Coast Guard units which investigate the cases. The CMC has also published a large amount of information dealing with marine pollution and provided pamphlets, posters, and placards to our units to augment our education efforts during vessel boardings.

The most significant cases against vessels have been initiated as the result of information received from private citizens. You have already heard about the recent settlement marking the largest fine ever imposed for a discharge of plastic from the vessel REGAL PRINCESS which occurred off the coast of Florida. Without the video tape provided by a private citizen, as well as eyewitness testimony, it would not have been possible for the Department of Justice to successfully prosecute this case. Additionally, a report from a crew member has led to a \$150,000 fine against a fishing vessel in Alaska for the discharge of plastic. Investigation, and successful prosecution of this case was a coordinated effort by Coast Guard special agents, the EPA, FBI, and the Department of Justice.

To further encourage citizen participation, the Coast Guard is expanding the capability of the National Response Center to be able to receive reports of garbage discharges, utilizing the same phone number, 1-800-424-8802, presently in service for the reporting of oil and chemical spills.

COMPLIANCE INITIATIVES

The Coast Guard has taken a number of initiatives to encourage compliance with the pollution discharge regulations, both nationally and worldwide.

We have implemented regulations that require certain U.S. vessels to post Annex V placards detailing garbage discharge restrictions, and to develop and follow shipboard waste management plans that outline procedures for handling waste properly.

We are making progress in the development of regulations requiring manned U.S. vessels 40 feet or more in length engaged in commerce, to maintain records of refuse discharge, a requirement established under the Marine Plastic Pollution Research and Control Act. A Notice of Proposed Rulemaking (NPRM) is scheduled for publication in the near future.

The recordkeeping requirements in an earlier (1989) NPRM were submitted to the Office of Management and Budget (OMB) for review under the Paperwork Reduction Act. OMB did not approve the requirements on the grounds that the Coast Guard had not adequately justified the specific recordkeeping requirements contained in that proposal. The Coast Guard has revised its original proposal by deleting the requirement that entries be made in a standard "Refuse Record Book," which was to be forwarded to Coast Guard Headquarters for periodic review. Rather, the new proposal requires that specific information about refuse disposal practices be recorded without prescribing the

format, allowing the use of existing record books. The NPRM also applies to manned oceangoing U.S. ships 40 feet or more in length, allowing us to monitor the disposal practices of many small commercial fishing vessels.

The Coast Guard is pursuing adoption of an international standard requiring refuse recordkeeping. In this regard, the Coast Guard has submitted and will present an action paper at the International Maritime Organization's Marine Environment Protection Committee session in July 1993. The paper proposes that Annex V be amended to include international requirements for certain ships to post placards, follow waste management plans and maintain records of refuse discharge operations.

EDUCATIONAL OUTREACH

The Coast Guard recognizes that no enforcement effort is ever going to be fully effective without a strong educational outreach program about marine pollution.

In an effort to educate mariners on shipboard waste discharge restrictions under Annex V, the Coast Guard developed the "pollution discharge restrictions wheel," a hand held informational device patterned after a similar reference developed by the U.S. Navy. English, Spanish, and Vietnamese versions of these wheels are being distributed through our vessel boarding and inspection programs. To date, more than 25,000 wheels have been provided to Coast Guard Captain(s) of the Port(s) for distribution. Future plans include translating the

wheels into additional languages such as Portuguese, Italian, Japanese, Korean, and Russian.

The Coast Guard is establishing environmental education and outreach programs on marine pollution (concentrating on oil pollution and marine debris) targeting the public, as well as Coast Guard members who have not traditionally been involved in pollution enforcement. We believe that providing environmental education programs to these groups can bring about a higher level of awareness of oil discharge and garbage disposal prohibitions, thus enhancing the quality of the marine coastal environment.

The Coast Guard's MARPOL enforcement programs have been focused principally on the deep-draft commercial vessels and port communities. While we have made some progress gaining acceptance and compliance with the MARPOL requirements in these communities, we have identified a need to improve MARPOL enforcement in the commercial fishing vessel, recreational boating, and marina communities. We have initiated an external environmental education program to specifically target these constituencies. The program will provide information to them to enhance their awareness of just how they affect the marine environment.

To develop the public education and outreach program, the Coast Guard has contracted with the Center for Marine Conservation, and is finalizing an agreement with the Texas General Land Office to provide appropriate environmental education and outreach materials for recreational boaters, fishing vessel operators, and marina owners and operators. In this process, the Coast Guard has consulted the New Jersey Sea

Grant Program, the National Oceanic and Atmospheric Administration's Marine Entanglement Program, the U.S. Fish and Wildlife Service, and the Environmental Protection Agency's Gulf of Mexico Program.

The Coast Guard Auxiliary, through its Boating Safety Training Courses, Courtesy Motorboat Examinations, Fishing Vessel Examination Program and Marine Dealer Visitation Program will take the lead in carrying out the public education and outreach program. These efforts will be coordinated and supported by the District/Unit MARPOL and fishing vessel coordinators.

An internal program will focus on developing internal education for cognizant Coast Guard communities. This program will provide Coast Guard members with educational materials which enhance their understanding of Coast Guard environmental protection enforcement responsibilities.

The program goals include:

- Enhancing Coast Guard members' understanding of their regulatory role in protecting the marine environment from non-land based pollution.
- Promoting awareness and understanding of the MARPOL Convention.
- Enhancing Coast Guard member's awareness of all regulated activities affecting the marine and port environment.

INTERNATIONAL TECHNICAL ASSISTANCE

In cooperation with the Department of State, the Coast Guard will continue to develop opportunities to work with the international community to solve marine environmental protection problems. One regional issue of high priority with the Coast Guard is bringing into effect the Special Area Requirements for the Wider Caribbean Region under MARPOL Annex V. Special Areas are specific water bodies within which especially stringent discharge prohibitions have been established to protect them from various types of ship-generated pollutants, in this case ship-generated garbage. Actual enforcement of Special Area requirements cannot begin until adequate port reception facilities are in place. When the International Maritime Organization receives sufficient notice of adequate reception facilities from countries bordering the Special Area, parties to the convention will be advised that Special Area rules will be enforced after a period of 12 months.

To promote this, the Coast Guard coordinated a multi-agency MARPOL Annex V Enforcement Workshop in support of the World Bank's Organization of Eastern Caribbean States (OECS) Waste Management Project. This workshop, held in Corpus Christi, Texas from April 28-30, 1993, provided 24 ranking government officials from the OECS, and interested international and regional organizations, as well as industry, and nongovernmental organizations, with information to facilitate implementation of MARPOL Annex V. Ideas for implementing legislation and

enforcement infrastructures and the development of MARPOL Annex V port reception facilities were presented.

The demonstrated cooperation among workshop participants signaled that all affected parties (cruise lines included) recognize and acknowledge that marine debris problems are cross-border environmental problems requiring regional cooperative efforts to resolve. All participants in the workshop were anxious to pledge and commit their support to collectively mobilize technical capabilities, leverage resources, and effect resolutions to the marine debris problems in the Wider Caribbean Region.

MARPOL COORDINATION

The cruise ship industry has been a willing participant in recent Coast Guard-coordinated activities seeking to enhance their awareness of and resolve to correct certain marine debris problems.

On February 26, 1993, the cruise ship industry, represented by the President of the International Council of Cruise Lines and a Vice President of Princess Cruise Lines, participated in a Coast Guard sponsored MARPOL Summit. The purpose of the Summit was to bring Federal agencies, nongovernmental organizations, and industry together to discuss MARPOL Annex V issues and review agency initiatives associated with MARPOL Annex V. The outcome of this first summit was a realization by participants that ongoing dialogue on MARPOL implementation activities was

important and should be continued. The next meeting has been scheduled for May 19, 1993.

During the recent OECS MARPOL Annex V Enforcement Workshop held in Corpus Christi, the Florida Caribbean Cruise Association, which represents 14 cruise lines, volunteered a senior corporate officer to talk about the cruise ship industry's role in MARPOL Annex V compliance. He reviewed efforts initiated by the industry to comply with MARPOL requirements. He talked of the installation of onboard processing equipment and operational and management procedures put into place to handle ship-generated wastes. During this presentation, he pledged the industries' commitment to be a part of the solution to marine debris problems. He said the industry would commit to investing in shoreside facilities in the Caribbean, providing planning support, leadership, technical assistance, and institutional management support.

SUMMARY

In summary, I believe that the cruise ship industry is making an effort to be responsive to the needs of the marine community and to be in compliance with national and international pollution regulations. The Coast Guard will, however, remain vigilant in its enforcement against all vessels, including passenger vessels, and is ready at any time to assist the marine community in gaining a better understanding of the role they play in protecting our marine environment. This concludes my testimony -- I will be happy to answer your questions at this time.

**TESTIMONY OF
ROBERT H. WAYLAND, III
DIRECTOR, OFFICE OF WETLANDS, OCEANS, AND WATERSHEDS
U.S. ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE
HOUSE COMMITTEE ON MERCHANT MARINE AND FISHERIES
SUBCOMMITTEE ON COAST GUARD AND NAVIGATION**

May 11, 1983

My name is Robert H. Wayland, III and I am the Director of the Office of Wetlands, Oceans, and Watersheds of the Environmental Protection Agency (EPA). It is a pleasure to be here today to discuss with you pollution from cruise ships.

Marine debris, whether from vessels or other sources, can have serious adverse effects on marine life and our beaches and shorelines. EPA is concerned about the impacts which marine debris can have, especially plastic debris, and has a number of actions underway to assess and control sources of marine debris. Because your letter of invitation focussed on enforcement aspects, I will first address that issue.

Statutory scheme: The primary statute governing the disposal of wastes generated during the operation of vessels is the Act to Prevent Pollution from Ships (APPS), which implements an international treaty commonly known as MARPOL. Responsibility for MARPOL implementation and administration and enforcement of APPS lies with the USCG. Although EPA does not directly implement MARPOL, we are strong supporters of the convention and participate in treaty meetings in

this regard and support various efforts in the US and elsewhere to help implement MARPOL.

APPS was amended in December 1987 by the Marine Plastic Pollution Research and Control Act in order to implement Annex V of the MARPOL treaty. Annex V of MARPOL prohibits the disposal at sea of plastic wastes generated by ships and establishes certain minimum distances from shore for the disposal of other types of ship-generated garbage. APPS was drafted so as to apply these Annex V restrictions to vessels in Internal US waters, the territorial sea, and the US Exclusive Economic Zone (i.e. out to 200 nautical miles offshore). The Act provides civil and criminal penalties for violations in accordance with international law.

In addition to APPS, the Clean Water Act (CWA), which is administered and enforced by EPA and the States, can be applicable to vessel discharges of garbage. The CWA generally prohibits the discharge of pollutants without a permit, and the Agency's implementing regulations recognize the applicability of this prohibition to garbage disposal from all vessels operating in the waters of the U.S., including the territorial sea. In the case of vessels being used other than as a means of transportation (e.g., factory ships), the prohibition extends beyond the territorial sea and includes the EEZ. The CWA also provides for civil and criminal penalties for violations.

Coordination with USCG: Because most cases of improper garbage disposal by vessels typically would take place more than three miles offshore, APPS is most likely to be the relevant statute for enforcement purposes, and enforcement of that statute has been assigned to the USCG. In addition, it must be recognized that successful enforcement of statutes aimed at disposal of garbage generated on board vessels depends heavily on ship inspections and a visible presence of enforcement personnel in marine waters, activities for which the USCG is equipped and trained.

EPA has been working together closely with the Coast Guard to address illegal vessel generated marine debris. In March of this year EPA held an enforcement training course for its Regional personnel focussed specifically on coastal protection laws. Among other things, this course included instructors from the USCG to better familiarize EPA field personnel with the requirements of APPS and how to effectively coordinate with the USCG when a violation is suspected. Attendance at this course included EPA personnel responsible for EPA's survey vessels ANDERSON and LAKE GUARDIAN, and we intend to develop further materials and procedures for use by personnel on those vessels on the specific steps and notification procedures to be followed when improper disposal of vessel garbage is observed.

In addition, EPA works with USCG to share information on possible violations of APPS. Recently in the Pacific Northwest, EPA and the USCG jointly participated in a criminal investigation of illegal plastics disposal by a fish processing vessel which resulted in a guilty plea to a felony violation of APPS with a \$150,000 fine. Also, Princess Cruises agreed to a record \$500,000 fine for dumping some 20 plastic bags of garbage into the open sea off the Florida coast.

Other activities related to vessels: Although we will continue our efforts to improve enforcement-related coordination with the USCG, I must also point out that the control of marine debris from vessels requires more than just the deterrent created by an effective enforcement regime. To this end, EPA is participating in and working with other Federal agencies to sponsor a National Academy of Science, Marine Board study of MARPOL Annex V. The study will focus on shipboard and shore side waste handling procedures. As one aspect of the study, EPA has asked the Marine Board to specifically determine what the most effective and environmentally acceptable means of shipboard waste handling is, and conduct workshops to address specific technical issues. The results from this study would not only be useful for retrofitting operational vessels to achieve MARPOL Annex V compliance but also to help the shipbuilding industry design and build more environmentally friendly vessels in the future.

We also have been working with other federal agencies, environmental groups and various shipping industries (including the cruise line industry) to convene workshops and conferences to discuss implementation of MARPOL Annex V and develop plans for controlling marine debris. One such workshop was held in Merida, Mexico in August of 1992 to develop action plans for debris in the wider Caribbean. This workshop was attended by cruise line industry representatives, several representatives of US federal Agencies including the Coast Guard, and representatives of over 10 Caribbean countries. The workshop was designed to get all the various attendees talking together to work out realistic solutions to the debris and solid waste problem in the area.

In addition, I participated, along with other Federal, State, and local officials in a seminar organized by the cruise industry in Florida on November 1992, at which the industry was seeking better information on legal requirements and exploring management and technology approaches to better managing wastes generated aboard ships.

Land based sources of marine debris: Vessels are not the only source of marine debris, and EPA is actively working to address these other land-based sources through clean-up activities, identification of sources, public education, and control measures.

Through an Inter-Agency Agreement with the National Oceanic and Atmospheric Administration (NOAA), EPA is a co-sponsor of the International Beach Cleanup events and two Center for Marine Conservation (CMC) public information offices, which distribute various educational materials. EPA has provided funds to CMC for a public service announcement on plastic pollution and partially funded the production of a video, which was broadcast nationwide.

The International Beach Cleanups, which occur in September every year, are a volunteer-supported activity co-sponsored by EPA, NOAA and a variety of national and local groups through a grant to CMC. The Clean-Ups are designed to increase public awareness of ocean pollution and appreciation of coastal environments. These events are becoming more international and popular each year, now having the participation of all coastal states and 32 foreign countries. During the last cleanup, more than 162,000 volunteers from the Nation and around the world participated in the events. The number of volunteers along with the amounts of garbage collected and the total miles of beach cleaned have consequently increased since the inception of this program. The cleanup events are now being expanded in some areas to include inland rivers and streams to also emphasize the impacts of pollution from urban runoff and non-point sources.

Through a separate grant to CMC, EPA also is funding a pilot project to design statistical beach cleanups. This project involves local volunteer groups,

"Citizen Pollution Patrols", in the monitoring and reporting of marine debris. The first year of this pilot study has been completed, and the results indicate that it is possible to use properly trained volunteers to collect statistically valid information on marine debris. This represents an excellent opportunity to obtain reliable data to better help determine where marine debris is coming from and develop control strategies.

In addition, over the last several years, EPA has conducted field investigations of the land-based sources of debris and prepared reports assessing plastics problems in U.S. harbors. To characterize the floating debris in U.S. harbors, EPA surveyed harbors in Boston, New York, Philadelphia, Baltimore, Norfolk, Miami, Houston, San Juan, Mayaguez, Seattle, Tacoma, San Francisco, Oakland, and Honolulu. In general, plastics comprised over 80% of the debris.

During these field studies of marine debris, we noted that plastic pellets, which are the raw feedstock for manufacturing plastic items, were virtually ubiquitous. As a result, we have worked with the Society of Plastics Industry to establish an awareness campaign throughout the industry on the effects of plastic pellets released into the environment. EPA has recently completed a report on this subject, including possible control measures.

We also noted during these field surveys that sewage, medical and drug related debris was found to be most abundant in several cities like New York, Boston, Philadelphia, and Baltimore. These cities have combined sewer systems that discharge raw sewage into the harbors during periods of heavy rainfall. Materials released from several combined sewer overflow points in two cities, Philadelphia, PA, and Boston, MA were identified and quantified. Storm drains have been sampled to determine their significance as a source of marine debris.

Many people do not realize that the trash they throw into the street today will be washed down the storm sewer by rain and out to the nearest waterway tomorrow. To better control this source we are strengthening our regulations under the CWA, and developing technical guidance for municipalities to use to improve the quality of their storm sewer and CSO effluent. We are also strongly advocating recycling and reuse of plastic and other materials.

To better educate the public, which can be a significant source of marine debris, we have developed a marine debris curriculum for grade school students. This curriculum educates our children on the impacts of marine debris, especially plastics, and teaches them about pollution prevention techniques. We presently are working on a Spanish translation of this curriculum, which will be an excellent teaching tool for the Gulf of Mexico area and the wider Caribbean.

Whether from land or from ships, the biggest source of debris to our waterways is people who do not know or do not care about the impacts of trash. The challenge before us is to change the understanding and attitude of these people, and implement cost effective, environmentally acceptable alternatives.

Certainly, one key element to meeting that challenge is the effective use of enforcement as a deterrent, and EPA will continue to work with the USCG and provide assistance with regard to enforcement of laws governing disposal of wastes generated by ships. However, control of marine debris does not begin and end solely with enforcement, nor is marine debris solely a matter of concern due to vessels. Rather, consideration must be given to all sources of marine debris and effective measures, including both public education and regulatory controls, developed and implemented. EPA is developing and sponsoring such activities in order to address the many sources of marine debris and will continue its efforts in cooperation with other Federal agencies.

This concludes my testimony and I would be pleased to answer any questions you might have.



Carnival Cruise Lines

Celebrate Cruises

Commodore Cruise Lines

Costa Cruise Lines NV

Cystal Cruises Inc

Cunard Line Ltd

Dolphin Cruise Line

Epitohiki Lines Inc

Fantasy Cruises

Holland America Line

Norwegian Cruise Line

Premier Cruise Lines

Princess Cruises

Royal Caribbean Cruises Ltd

Royal Cruise Line

Royal Viking Line

Sun Line Cruises

Windstar Cruises

Statement of the
International Council of Cruise Lines
Before the
Coast Guard and Navigation Subcommittee
of the
House Merchant Marine and
Fisheries Committee

May 11, 1993

COAST GUARD AND NAVIGATION SUBCOMMITTEE
MAY 11, 1993

Mr. Chairman, my name is John T. Estes and I am President, International Council of Cruise Lines (ICCL). I am here on behalf of the ICCL, an international industry association representing 20 cruise lines comprising over 90 percent of the cruise industry worldwide.

Mr. Chairman, we welcome your invitation to appear here today and greatly appreciate the opportunity to describe this industry's interest in issues relating to the marine environment. We wish to emphasize three points:

- * First, this industry is extremely environmentally conscious and constantly striving to improve its performance. This is not an easy task and from time-to-time there are occasions when company policies are disregarded by crew members or passengers, but our effort is to eliminate those indiscretions. We welcome the vigorous enforcement of all environmental laws affecting the total marine environment.
- * Second, our industry is regulated, as you know, under an established body of international conventions which include environmental supervision by agencies of the United States and our flag states.
- * Finally, every member of our industry is committed to continued improvement in environmental performance and to implementing programs and practices to conduct our operations in a safe and environmentally sound manner.

Last year, as you may know, we carried over 4,000,000 passengers on our ships and we employed onboard our vessels over 36,000 employees from dozens of countries. The technical and operational difficulties associated with shipboard waste management on large megaliners is complicated by the sheer volume of passengers we carry and the cultural disparity of our crew members. Nevertheless, we hope this testimony will provide you some appreciation of the task confronting us, the determination which we have to succeed, and the programs that are in place to accomplish this objective.

Mr. Chairman, to set the stage permit me to walk you through a state-of-the-art waste disposal process one could see on today's modern cruise ships. You will note that this process consists of recycling, incineration, compaction, sorting, sanitation, and packaging methods. We start in the galley where food is prepared. Here is where the packaging and scraps are separated for disposal. Some ships use distinctively marked trash cans, placing glass and metal in one, paper and plastic in another. Food scraps are washed down the drains through pulpers. The waste food, as a slurry, is fed into a separator where the fresh water is squeezed out and the now thicker slurry is sent to the incinerator where it is consumed, or it can be sent to a holding tank for safe and permissible discharge at sea. I should note here that Annex V of MARPOL 73/78 (the International Maritime Organization Convention and implementing regulations governing disposal of ship generated waste) permits discharge of a specific range of processed waste into the sea. Many of our members do not, however, discharge at sea, opting instead for port reception facilities. To continue our explanation, the trash cans are taken to the garbage room where the glass and aluminum are sorted then each is crushed separately, bagged, and stored for recycling in port where possible. The paper and plastic is fed through a shredder and then into the incinerator. The incinerator ash is either sent to a silo for discharge at sea, or held in containers to be taken to a landfill. Medical waste from the ship hospital is handled separately and specially disposed of through an authorized company or agency on land.

When the passenger leaves the cabin in the morning, the room steward removes the refuse and sorts it into metals, glass, and burnables. He will take this to the garbage room where it is handled in the same manner as that which comes from the galley.

Our business is transporting and entertaining passengers. We must be sure that our passengers also understand the seriousness of protecting the environment. Announcements appear in the daily ship newsletters, which are delivered to every cabin, cautioning against throwing trash overboard (see Appendix "A" as an example). Reminders are also repeated at informal

passenger gatherings, and frequently before the beginning of the evening's entertainment. Separate refuse cans are placed on decks to encourage passengers to participate in the process. We have found that most passengers are not only familiar with recycling, because they do it at home, but they want to participate. A sample request to passengers which can be found on ships is:

RESPECT FOR THE SEA ENVIRONMENT

Dear S.S. Cruiseship Guest:

PLEASE do not throw ANYTHING from the ship into the water AT ANY TIME.

Cruiseship Lines is dedicated to the preservation of the quality of the ocean environment.

Disposal at sea of various forms of shipboard originated wastes is governed by international treaties which specify how and where it is permitted, if at all. Waste disposal into ports and harbors is largely prohibited by the laws of most of the countries we will be visiting.

Please cooperate by using the ship's receptacles for all waste matter.

Management of shipboard trash and garbage is a difficult and challenging problem for all commercial and military vessels, and for recreational boats. For centuries seafarers had thrown their garbage "over the side". Waste products in earlier days were from natural materials and mostly biodegradable. But, today's packaging of food products brings all sorts of less environmentally desirable materials onboard a modern cruise ship. Plastic wrappers and containers, heavy duty plastic jugs, aluminum cans, tin cans, glass bottles and jars, and cardboard. In our industry this has resulted in an entirely new consideration in cruise ship management *viz.*, (a) waste minimization programs to decrease waste from provisions brought onboard the ship; (b) purchasing in bulk to further reduce shipboard waste; (c) utilizing reusable packaging where possible; (d) using washable items and limiting the use of disposable cups, utensils, dishes, and towels; and perhaps most importantly (e) purchasing whenever possible provisions packaged in materials other than disposable plastic sheeting or the familiar six-pack plastic can rings.

A large cruise ship today carries 2,500 passengers. With an average crew of 800, that means as many as 3,300 people are onboard. Much of the waste generated as a result of carrying this large number of people starts out in the fresh provision store rooms. It cannot be returned to these spaces for sanitation reasons. So a separate space within the ship must be set aside to store the trash and garbage. The volume of waste that must be processed and handled in the context of strict shipboard space limitations presents a major operational problem.

It is appropriate to ask the cruise industry what steps it is taking to reduce the amounts of potential trash that are brought onboard initially, usually as stores and provisions. We are talking to the packaging industry to urge them to use materials which are easier for us to handle and do not generate waste. We can reduce the amount of disposable plastics used on a cruise ship by using washable heavy duty plastic drink containers instead of lightweight plastic cups, paper instead of styrofoam coffee cups, china instead of plastic plates in the buffet lines, paper instead of plastic laundry bags. All of these plastic items could be incinerated, but paper is more desirable because it will incinerate into a cleaner ash, more likely to result in an acceptable discharge into the ocean. See Appendix "B" for a cruise line policy statement on waste minimization from a current marketing brochure.

Waste management on a cruise ship is an extremely complex and sensitive issue demanding training, education, and information. Our passengers expect a standard of operation far in excess of MARPOL 73/78. A cruise ship's purpose is to satisfy passengers and to be welcomed in the many beautiful ports of call around the world. Failure to maintain an acceptable level of waste management in the eyes of the passenger or port authorities will severely hurt the economic success of a cruise line. There is accordingly a constant effort to raise the level of awareness on the part of both the crew and passengers including distribution of onboard printed materials, brochures, posters, and mandatory crew training programs and seminars. A summary of action taken by various cruise lines includes the following:

- * All new crew members receive training on fire and safety as well as environmental issues, especially on the proper disposal of trash and garbage.
- * Onboard ships regular meetings are held relating to environmental and safety issues. A committee consisting of officers and regular crew from all departments onboard meets regularly to review methods of improving performance, including better and more effective environmental practices.
- * Colorful posters are placed in crew and passenger areas reminding all not to pollute the ocean.
- * At the beginning of every cruise, the Captain reminds everyone onboard (including crew and passengers) over the public address system not to throw anything overboard in port or at sea.
- * On every voyage, issues of the cruise newsletter highlights to the passengers our concern about the environment and requests their cooperation.
- * The Captain requests at his passenger receptions, which are held on every ship, the same message and stresses the need to preserve the oceans from manmade wastes.
- * Every crew member that deals with passengers is prepared to answer their questions and provide information on the ships' environmental policies.

A cruise ship has two options: One - process the garbage every day using approved methods, or, Two - make space available to hold the material until a port can be found which will off load the garbage. The first option involves a proper mix of safe onboard incineration, discharge at sea, and landing garbage which is suitable for landfills and recycling. The second option requires the capabilities of the ports called on during the voyage to process the garbage. But conflicts arise. The Caribbean, for example, is one of the most popular cruising areas in the world. Some island nations receiving cruise ships struggle with over taxed landfills. Many of the ports in the United States are also not in a position to process this large quantity of refuse. Therefore, part of the solution is the design of ships to properly process the quantities of garbage generated while reducing to a minimum the volume that must be disposed of in ports. It should be noted, however, that in the short four and one half years that Annex V has been in force (it was in force internationally on January 1, 1989) great progress has been made regarding the adequacy of port reception facilities for ship generated garbage, although much remains to be done in certain geographical areas where already overburdened or improperly managed local facilities cannot sufficiently handle ship generated waste.

Ships are built with waste management equipment to grind food wastes, incinerate paper and plastics, shred incombustible trash for disposal at sea, and compact glass, metal, and cardboard for recycling. The ideal process eliminates as much as possible the need to discharge materials into the sea. An example of a modern waste treatment process now on the market is shown at Appendix "C".

Waste management programs are a fact of life on modern cruise ships. Most programs have five basic elements: collecting, sorting, processing, storing, and disposing. Not only must these elements be handled in an economical manner, but with consideration for available storage space -- which is very limited -- and strict sanitation requirements. When all of these elements have been factored in, there remains one additional critical consideration: the waste management system will vary from ship-to-ship and seldom, if ever, be the same procedure. This results from the fact that (a) the type and size of the ship will vary (some are new, some old, some carry many passengers, some few); (b) the ships operating area will be different (some far from land, some closer); (c) the onboard equipment for garbage processing may be different (some ships with state-of-the-art incinerators, some with little new equipment); (d) the duration of the voyage will change (some are short with little waste generation, some are long with a great deal); (e) storage space onboard varies, and perhaps most importantly (f) the availability of reception facilities (many ports provide none at all).

Much has been done by the cruise industry throughout the world to improve its performance relative to the protection of the marine environment. Environmental protection is, as we all know and are becoming increasingly aware on an almost daily basis, an international concern requiring a cooperative effort by many nations. The efforts of the International Maritime

Organization (IMO) and the U.S. Coast Guard have largely put into place a procedure from which we can expect continued progress. ICCL has been in the forefront in working with both of these organizations, particularly with the U.S. Coast Guard, in this regard.

How can the government help? There are several areas where innovative policies should be considered:

- a. Encourage manufacturers and processors either directly or through various incentives to use environmentally acceptable packaging materials;
- b. Aggressively encourage the use of recycled material -- the larger the market for recycled material the greater the incentive will be to conserve the discarded material;
- c. Assure that the appropriate regulatory agencies continue to enforce on the total marine community clear and concise regulatory prohibitions in a fair and even handed manner;
- d. Encourage countries who have not done so, particularly those in the Wider Caribbean area, to become a "Contracting Party" to Annex V¹; and
- e. Assist the Wider Caribbean in becoming a Special Area under the MARPOL 73/78 Convention which will require adequate port reception facilities in place by all countries in the region.

In summary, in a rapidly growing industry like ours, there is always more that can be done. Examples of the kinds of programs and activities undertaken by our industry include:

1. Intensive education and training programs for onboard employees regarding the proper handling of garbage. Employee training is taken seriously. This training is an urgent requirement and is recognized as such. When new crew members are hired instruction and refresher follow-up classes are held to teach employees the strict details of waste disposal policies and precise operating procedures that must be followed onboard ship. Additional training is provided periodically thereafter.
2. Clear and concise policies are communicated to all employees regarding the proper disposal of garbage. Regulations are posted giving employees detailed information on proper disposal of waste. Information from the Center for Marine Conservation is circulated. Passengers, too, are made aware of the ships' environmental policies. The concern does not stop at the company board room but is stressed throughout the organization and at all levels of management.
3. Companies are employing trained and experienced environmental professionals to develop programs and assist in implementing policies that are technically, practically, and legally responsible to the marine environment.
4. Onboard, a management level employee, generally the person in charge of food service management, is given the important responsibility of managing the waste processing operation. That person, in turn, coordinates activities with a superior officer. Frequently two or three crew members will be assigned, round the clock, to the incinerator and processing rooms to process incoming wastes. Further, assigned employees on each deck have the responsibility to separate garbage into assigned categories, using approved containers, and transport the garbage to the processing room to dump or sort. Detailed and precise written instructions outlining specific duties to identified employees are used to formulate work responsibilities and accountability for proper performance.
5. Strict disciplinary measures have been taken against employees violating company environmental policies. Disciplinary action for infractions of company environmental policies range from warnings to suspension to employee dismissal.

¹ In the Wider Caribbean countries that have not adopted Annex V are: Barbados, Belize, Costa Rica, Cuba, Dominica, Dominican Republic, Grenada, Guatemala, Guyana, Haiti, Honduras, Mexico, Nicaragua, St. Kitts and Nevis, St. Lucia, Trinidad and Tobago, and Venezuela.

6. Regardless of certain MARPOL regulations which allow dumping of specified materials and wastes, some cruise lines have determined they will dump nothing at sea. Instead, all garbage is carried onboard until reaching a port where proper waste disposal facilities are available.
7. Modern cruise ships are being built with state-of-the-art environmental waste management systems, as shown in Appendix "C", which include equipment to grind food wastes, incinerate paper and plastics, shred incombustible trash for disposal at sea, and compact glass, metal, and cardboard for recycling. (See Appendix "D" for an example of a system currently in use which includes a description of the total waste processing system.) Since each passenger cruise vessel is a unique, one-of-a-kind design, the equipment must also be specified to comply with strict safety and stability standards for that passenger vessel. Costs for designing and installing these systems are substantial for new ships, and sometimes more on older ships if they must be redesigned for retrofitting. In addition to the out-of-pocket costs, a major consideration is the space requirement since on each vessel space is at a premium.

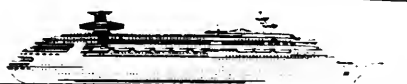
Mr. Chairman, those of us who make our livings from the sea recognize perhaps more than others that the seas and oceans of the world are part of a delicately balanced ecosystem requiring constant care and attention. The cruise industry is keenly aware of the critical role it plays in this balance and welcomes the responsibility to do all it can to safeguard our marine environment.

I will be happy to answer your questions.

APPENDIX A



CRUISE COMPASS



Royal Caribbean Cruise Line

Sovereign of the Seas

Saturday, April 24, 1993

We take pleasure and pride in welcoming you aboard our ship,
M/S Sovereign of the Seas. It will be the happy task of all Officers, Crew and
Cruise Staff to devote our entire effort towards making this voyage a memorable one.
We trust that you will relax, forget your cares and enjoy your cruise to the fullest.

HOURS FOR DINING AND FOOD SERVICES

Miami (Embarkation Day)

We respectfully request our passengers to observe the Dining Schedule so that all may receive the best possible service.

12:30 p.m. — 3:30 p.m.	EMBARKATION SNACK SERVICE At the Windjammer Cafe, Sun Deck (11)	12:30 p.m. — 3:30 p.m.
Main Sitting 6:15 p.m.	WELCOME ABOARD DINNER Kismet and Gigi Dining Rooms, Main Deck (4) and A Deck (3)	Second Sitting 8:30 p.m.
12 Midnight — 1:00 a.m.	ALL AMERICAN BUFFET Poolside, Sun Deck (11)	12 Midnight — 1:00 a.m.

Table Reservations: Passengers who have not yet been assigned a dining room table allocation, are requested to contact the Dining Room Manager between 1:00 p.m. and 4:00 p.m. in the Small Card/Conference Room, Centrum Deck (7).

SMOKING POLICY: We have designated smoking and non-smoking areas in the Lounges on board and require that these areas be observed. It is also Company Policy not to permit Pipe or Cigar smoking in the Dining Rooms. Thank you for your cooperation.

SAVE THE WAVES: "Royal Caribbean Cruise Line requests that all passengers kindly refrain from the throwing anything overboard both in port and at sea. Please deposit trash in the proper receptacles/ashtrays located throughout the vessel. We're doing everything we can to protect the fragile ecological balance of the oceans that support cruising... and we're grateful for your cooperation in these efforts."

BRIDGE-ENGINE ROOM-GALLEY: Regrettably these areas cannot be visited by passengers due to strict safety measures and compliance with our policies. However the award winning R.C.C.L. documentary called "Behind the Scenes" does give you a glimpse at these areas. This is a 25 minute documentary. Shown periodically in the Cinema and on the cabin T.V.

INTERDENOMINATIONAL CHURCH SERVICE: This interdenominational service will be conducted for interested passengers tomorrow Sunday at 9:30 a.m. in the Music Man Lounge on Deck (8) Aft.

BAR SERVICE HOURS

We are not permitted to serve alcoholic beverages to anyone under the age of eighteen (18). Our Bar Staff check for proof of age in doubtful cases. We ask that no one buy alcoholic beverages for those under age and request cooperation of parents and teenagers in enforcing this regulation.

FORWARD POOL BAR	1:00 p.m. — 4:45 p.m. 5:15 p.m. — 6:30 p.m. 11:00 p.m. — 1:30 a.m.	CHAMPAGNE BAR	2:00 p.m. — 4:00 p.m. 6:00 p.m. — Midnight
AFT POOL BAR	1:00 p.m. — 4:45 p.m. 5:15 p.m. — 6:30 p.m. 2:00 p.m. — 4:45 p.m.	ANYTHING GOES LOUNGE	11:00 p.m. — 3:00 a.m.
MAST BAR	5:15 p.m. — 6:30 p.m. 9:30 p.m. — 1:30 a.m.	Viking Crown	1:00 p.m. — Midnight
MUSIC MAN LOUNGE	5:15 p.m. — 6:30 p.m. 9:30 p.m. — 1:30 a.m.	SCHOONER BAR	11:00 a.m. — 2:30 a.m.
FOLLIES LOUNGE	4:00 p.m. — 5:00 p.m. 7:30 p.m. — 11:45 p.m.	FINIANS RAINBOW LOUNGE	2:00 p.m. — 12:30 a.m.
		CASINO BAR	6:00 p.m. — 3:00 a.m.

SPECIAL DRINK OF THE DAY: MIAMI WHAMMY

Champagne Bar: On Deck 7 is a truly elegant and intimate Lounge where a fine selection of Wines and Champagne is served. Before dinner, with your Champagne and Wine, we also offer complimentary hot Hors D'oeuvres for your pleasure. If you wish, "Bekuga" and "Osetra" Caviar is also available to tempt your palate.

GUEST SERVICES

Beauty Salon - Ring 2342	ShipShape Center	Shore Excursion Desk - Ring 1231
Appointments Taken	2:00 p.m. — 4:00 p.m.	5:30 p.m. — 8:00 p.m.
1:00 p.m. — 7:00 p.m.	6:00 p.m. — 8:00 p.m.	FOR DROP OFF ORDERS ONLY
Sauna/Massage - Ring 2352	Bridge Deck (10), Aft	Medical Facility - Ring 01
Appointments Taken	ShipShape Boutique	4:00 p.m. — 6:00 p.m.
1:00 p.m. — 7:00 p.m.	6:00 p.m. — 8:00 p.m.	Telecommunications
Casino Royale:	Shops of Centrum	For Ship to Shore Phone Calls refer to the Telephone Directory. All ship to shore calls: \$15.50 per minute
Slot Machines	6:30 p.m. — 10:30 p.m.	Departure Miami — 1:00 a.m.
6:00 p.m. — 3:00 a.m.	Logo Shop	Photo Gallery
Tables	5:00 p.m. — 10:30 p.m.	9:00 p.m. — 11:00 p.m.
6:00 p.m. — 3:00 a.m.	Purser's Office - Ring 05	F-Stop Shop
Ball Station - Ring 06	OPEN 24 HOURS	7:00 p.m. — 9:00 p.m.
Open 24 Hours	(No cash transactions after midnight until 7:00 a.m.)	

PASSENGERS UNDER THE AGE OF 18 ARE NOT ALLOWED IN THE CASINO OR THE ANYTHING GOES LOUNGE
THE SATELLITE WORLD NEWS IS BROADCAST ON CHANNEL 35
SE PUEDE CONSEGUIR EL CRUISE COMPASS EN ESPANOL EN EL PURSER'S DESK, CUBIERTA (4).
DER CRUISE COMPASS IN DEUTSCH IST AM PURSERS DESK ERHAELTICH



Save The Waves

Pristine oceans are the lifeblood of the cruise industry. For this reason, Royal Caribbean and the entire cruise industry are working hard to protect this precious resource. We support strong international maritime pollution (MARPOL) regulations and are working to do even better voluntarily. We would like to report on our efforts.

The three main objectives of our program are to reduce or eliminate unnecessary waste, to recycle waste where practical and to dispose safely of all remaining waste.

The best way to protect against pollution is, of course, not to create it in the first place. We have been gradually eliminating all the disposable plastics our passengers use on board our ships and substituting products such as glass, stainless steel and reusable plastic.

Other ways we work to preserve the environment include beverage systems that have reduced the number of cans used by millions per year, special shower heads to save water and the use of recycled water from our air-conditioning systems in our laundries.

Royal Caribbean ships use a growing proportion of recycled paper products. In addition, streamers thrown at bon voyage parties and even the discs used for skeet shooting are biodegradable.

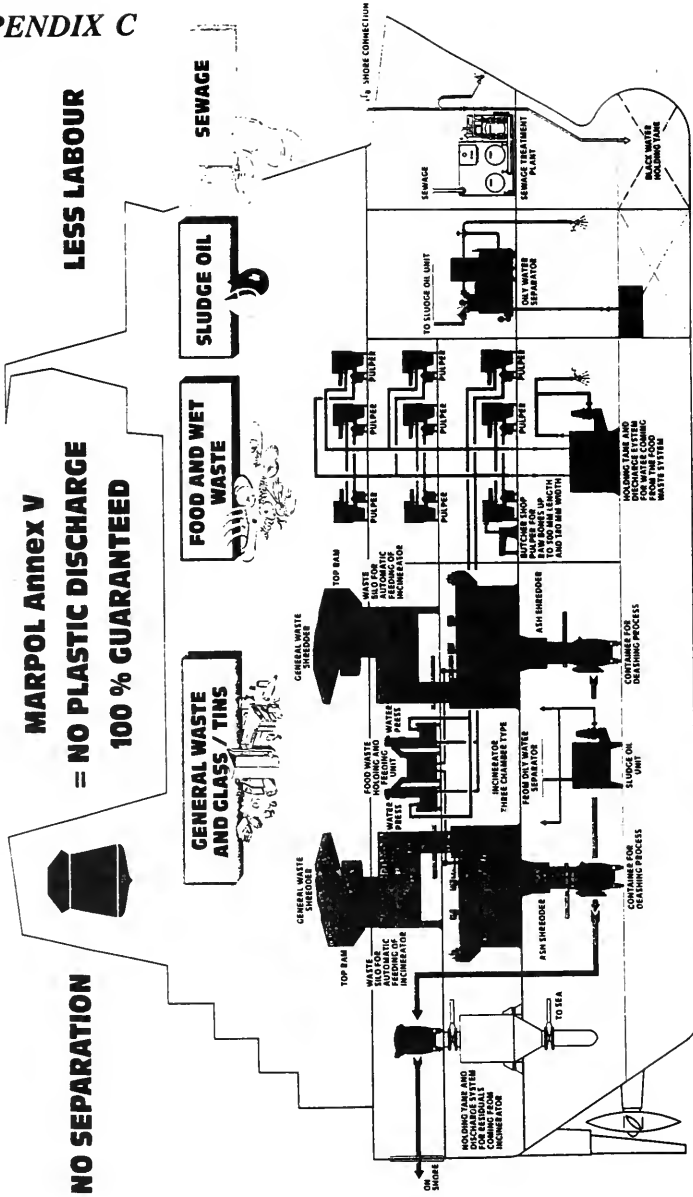
These items are only an indication of the many things we, and others in our industry, are doing. But this effort can only succeed with everyone's cooperation. Our crew members share our concern about the seas and we reinforce this constantly. We are also working with our suppliers to reduce unnecessary packaging. And we *definitely* need your help. Please be careful not to throw anything overboard.

As a world leader in cruising, we believe it is our responsibility to abide by sound environmental practices. We are continually looking for new ways to protect and improve the health of our planet. While we realize that we all have a long way to go and that we need to keep improving, Royal Caribbean remains committed to preserving our maritime resources for our own prosperity and for future generations.

The Employees of Royal Caribbean

NEW TOTAL WASTE TREATMENT CONCEPT FOR CRUISE LINERS AND FERRIES

APPENDIX C



NO SEPARATION

MARPOL Annex V

= NO PLASTIC DISCHARGE

100 % GUARANTEED

LESS LABOUR

DEERBERG-SYSTEMS · Moltkestraße 6 a · D-2900 Oldenburg
 Telephone: + 49 - 441 - 77 60 62 · Telefax: + 49 - 441 - 77 73 37 · Telex: 2 54 945 desys d

- 1. GENERAL**
- The garbage disposal system in the vessel, including collection, sorting and storage, is integrated to form a complete and efficient system.
 - The garbage disposal arrangements comply with Annex V of MARPOL 1973 Regulations for Prevention of Pollution by Garbage From Ships.
 - The system comprises four pulpers (ZA/566A-D), one pulper (ZA/566E) with a shredder (ZA/566F), two dehydration presses (ZA/566A/B), one holding tank (DA/566H) with two homogenising pumps, two ejectors (ZA/566C/D), a glass and tin treatment unit and automatic feeding incinerators are also provided. These are described in detail in 6.12 Incinerator Unit.
 - Pulper ZA/566D, positioned in the catalytic gallery at Deck 12 level, is supplied with recycled fresh water from the holding tank at Deck 1 by a booster pump.
 - Collected garbage is sorted into the following categories:
 - Non burnable garbage, bottles and tins, see 6.12 Incinerator Unit
 - Food waste
 - Burnable garbage, see 6.12 Incinerator Unit
 - Discarded food may be processed in any of the five pulpers. The shredder (ZA/566F) is exclusively used for treatment of waste from the fish and vegetable preparation and butchery shops and through the fish and vegetable preparation and butchery shops. Fresh water extracted from these presses is recirculated back to the pulpers.
 - The semi-dry pulp is led to the holding tank. Homogenising pumps constantly cycle the pulp to prevent it from setting.
 - The holding tank has a capacity of 35m³ and is capable of storing waste for up to 5 days. The holding tank contents may be pumped directly onboard using the sea water driven ejectors.
 - The garbage disposal system has to be cleaned and sanitised after each mealtime.
- 2. INSTRUCTIONS**
- 2.1 Operation of Glass and Tin Shredder**
 - At the control panel, set the main switch to position '1' (power status lamp illuminates)
 - Ensure that STOP button is disengaged from the stop position (fully depressed) by rotating the button clockwise
- 2.2 Operation of a Dehydration Press**
- Ensure inspection and cleaning doors are shut
 - Close manual drain valve
 - Open fresh water supply for cleaning the cylindrical sleeve
 - Set main inhibitor switch to both units to ON
 - Depress emergency off button to reset stealer
 - The machine is now ready for operation
 - To empty the dehydration press system, push PUMP-OUT button. The programme will run automatically and a pilot lamp will illuminate
 - Should a fault occur in the operating dehydration press, the second dehydration press will automatically be activated and the red FAULT lamp will illuminate
- 2.3 Operation of Pulpers (ZA/566A-D)**
- Follow steps (1) to (6) of Para 2.2
 - Press ON button, when pilot lamps will extinguish, green USE! READY lamp will illuminate
 - Load waste into pulper taking care not to overload the machine. Should overloading of the pulper occur, the emergency switch the machine on and off until the backage has cleared
 - The pulper can be stopped at any time by pushing the STOP button. A time control allows materials to run for a short period after the unit has been switched off
 - On completion of pulping operation, via the machine empty for approximately 10 minutes
- 2.4 Operation of Pulper/Freshredder ZA/566E/F**
- Follow steps (1) to (5) of Para 2.3
 - The freshredder will not function if any of the other pulpers are operating. Should the occur, pilot lamp (OC) will be illuminated
 - Open the cover on the loading chute and fill with shreddable waste up to a maximum of 25kg
 - Close chute cover and press NORMAL OPERATION button, the unit will operate
 - A full 25kg load will take approximately 15 minutes to process. On completion open the chute cover and refill the loading chute
 - Should the shredder become jammed, operate the REVERSE OPERATION button for a few seconds to clear the backage
 - After use run the pulper empty for approximately 10 minutes
- 2.5 Operation of Ejectors and Sea Water Pumps**
- Open ejector suction valve from Holding Tank (A/566H)
 - Open ejector discharge overboard valves
 - Open selected ejector operating pump suction and discharge valves
 - Open driving water supply valve to ejector
 - When operation is complete, stop ejector operating pump and shut all valves
- NOTE**
Do not run ejector operating pump unless discharge for prolonged periods as this will cause rapid overheating of the pumps

2.6 Cleaning Instructions for Pulpers and Dehydration Presses

- (1) Allow the pulpers to run empty for approximately 10 minutes
- (2) Push the OFF pushbutton for the pulpers
- (3) Push the CLEAN pushbutton for the dehydration presses. The wash water lamp illuminates and the cleaning programme will run automatically
- (4) After the cleaning procedure is finished, the load chute as well as the pulper tank should be sprayed with warm water
- (5) Empty the metal trap basket and replace it

2.7 Cleaning Instructions for Holding Tank

2.7.1 The holding tank system for wet garbage is operated by one switch only and the whole sequence is automatically controlled

2.7.2 Before operation of the system, check that all the manually operated valves are in the open position, including the overboard discharge valve

2.7.3 By pressing the EMPTY HOLDING TANK pushbutton the sequence commences as follows:

- (1) Drive water valves to the ejectors open
- (2) Ejector operating pump starts
- (3) Bottom valves in the holding tank open and emptying commences
- (4) When the LOW/LOW level is reached, the homogenising pumps stop. A timer is started which measures the rest of the emptying schedule
- (5) When the emptying sequence is completed, washing valve opens and the washing starts
- (6) On completion of washing, the tank is again emptied on the timer
- (7) When the emptying is finished, the ejector operating pump stops
- (8) The valves close
- (9) The tank is filled with fresh water to the low level
- (10) When the low level is reached, the filling is stopped. Both homogenising pumps start

- 1. GENERAL**
- 1.1 All burnable waste, including plastic, generated on board the vessel is collected in the ash hopper (Z045586) situated at Deck 4. For clarity, unit Z04558A only is described.
- 1.2 A common shredder (Z04558A) supplies both units with feed and a common gas/wash air.
- 1.3 The incinerator unit comprises Conveyors (Z07558AA, Z07558AB and Z07558AC), a Gas/Wash Air Fan (Z04558AB), Air Mixing Battery (Z04558A) and Flue Gas Fan (Z04558AC).
- 2. OPERATION**
- 2.1 Burnable waste is manually fed into the shredder, the shredded waste is conveyed to the ash hopper and the gas/wash air is delivered to the incinerator where it is burnt. The ash outlet and incinerator feeding system are controlled by hydraulically operated gates. This is to ensure that at least one gate is closed to prevent fire from spreading to the next unit. The ash hopper is equipped with a fire alarm and stop the shredder.
- 2.2 Should a blockage occur in the shredder, an automatic reverse cycle is introduced for 5 seconds which should disengage any hard material before normal rotation of the blades is resumed. If this cycle is repeated too frequently in a short time (the package obviously has not cleared), the shredder will stop and the blades will be retracted. The material removed. The thermal relay has to be reset before the shredder can be restarted.
- 2.3 The resulting ash and slag are transferred by the ash conveyor to the ash shredder and then by ash removing conveyor to the gas/wash air hopper prior to disposal onboard.
- 2.4 The exhaust gas is continuously monitored to detect any malfunction of the incinerator. The monitoring lamp and detector are kept clean by a purging fan. The exhaust gases are led to an exhaust gas air mixing battery. After the exhaust gas has been cooled to a temperature below 200°C, the separator is filled with water and the ash is collected in the ash hopper at 10% O₂. A flue gas fan is provided to produce an area of low pressure in the primary chamber. The pressure is measured by a regulator that positions a regulating flap accordingly.
- 2.5 The primary and secondary burners are fed with fuel from the MEO Incinerator Service Tank (0103).
- 2.6 The automatic control of the regulating, feeding and ash removal systems is by a programmable logic control system.
- 2.7 The cleaning of the ash shredder, cooling conveyors is normally done by means of water. The water is pumped from the deck to the metal surfaces. Bad odours may be suppressed by spraying a detergent into the shredder and onto the conveyors. Avoid using an excessive amount of water.
- 3. INSTRUCTIONS**
- (1) Ensure incinerator combustion chambers are free from large metal or glass debris and that grates and masonry are free from serious defects.
- (2) Check all oil levels.
- (3) Remove any large deposits from the ash tank.
- (4) Check all ash and inspection doors are shut.
- (5) Turn acceleration switch to REMOTE, this ensures automatic operation of the incinerator.
- (6) Turn switch 01 on burners to position '1'.
- (7) Turn flame switch on burners to HIGH FLAME. IF FLAME FAILURE is indicated, reset by pressing red reset lamp.
- (8) Test the emergency button. EMERGENCY COOLING will be indicated, radiator filler test.
- (9) Check for fault indication. All faults are to be investigated before starting the incinerator.
- (10) Turn key switch to ON, all lamps will light for a 30 second test sequence.
- (11) Start incinerator by pressing the START button.
- (12) The fans and hydraulic pump will start and after a short delay the burners will light.
- (13) When primary and secondary chamber temperatures have been reached the first charge will be fed into the incinerator.
- (14) Check instrumentation for the following:
- Primary chamber temperature between 600°C and 900°C
 - Secondary chamber temperature above 900°C
 - Exhaust gas temperature after air mixing battery below 200°C
 - Smoke density monitor, scale reading below 3
- (15) The next charge will be fed into the incinerator when the temperatures in the primary chamber fall below a preset value.
- (16) Ash is automatically removed after a preset number of charges.
- (17) To shut down the incinerator press the STOP button. The charging process will stop and the burners will shut off when the remaining charge has been burnt. The fans will continue to run until a low temperature set point has been reached.
- (18) In the event of a power failure, (blackout) the cooling air inlet flap and the flue gas stop flap will be fully open. This will ensure that the primary chamber low pressure area is maintained and temperatures are kept within safe limits.
- (19) Should a fire occur in the incinerator flume a will be extinguished by CO₂ gas, see 9.6 CO₂ System. To increase leakage of CO₂ through the incinerator, the primary and secondary air flaps are closed. The CO₂ gas is supplied from the deck through the air and vacuum regulating air flap open fully. If the fans in the engine room or casing, the incinerator will stop. The fans in the cooling air inlet from the casing will also close.

The Society of the
Plastics Industry, Inc.



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May 25, 1993

The Honorable Billy Tauzin
Chairman
House Subcommittee on Coast Guard
and Navigation
541 Ford House Office Building
Third & D Streets, S.W.
Washington, D.C. 20515

Dear Chairman Tauzin:

The Society of the Plastics Industry (SPI), Inc., offers the following comments for the hearing on pollution from cruise ships and Coast Guard enforcement of Pollution Prevention laws and International agreements, held May 11, 1993, in your Subcommittee. Founded in 1937, SPI is the major national trade association of and the voice for the plastics industry. Our some 2000 members include the resin producers, processors, and equipment manufacturers.

SPI is and has been committed to a leadership role in protecting the marine environment. Plastics' durability and light weight have made them ideal for many uses on or near the water, and the use of plastic products has yielded many benefits to commercial fishermen, the maritime industry, recreational boaters and others. Unfortunately, improper disposal of these plastic products is causing problems that range from unsightly beaches to endangerment of marine life.

Responding to the problem of marine debris, the plastics industry--through SPI--has been an active participant in efforts to help abate this problem. For example, SPI has:

- * Testified before Congress in support of Annex V of the MARPOL Convention, which is now in effect and prohibits the dumping of plastics waste into the oceans of the world;

- * Participated in a series of ongoing "roundtable" discussions with the federal government, private industry, environmental groups and the plastics trade press on how to solve the marine debris problem; and,
- * Developed an ongoing public information campaign to inform targeted audiences about the consequences of improper disposal of plastics in the marine environment.

Undertaken in cooperation with the Center for Marine Conservation and the National Oceanic and Atmospheric Administration, the information campaign's initial effort consisted of two phases. Phase I was aimed at the commercial fishing, maritime shipping and plastics industries. Phase II was targeted at recreational boaters and sport fishermen.

The centerpiece of this campaign was a series of advertisements and brochures. In addition, Phase II included the creation of a "Citizen's Guide to Plastics in the Ocean." Personal visits with editors and publishers of the major publications for each audience were also incorporated into this educational effort. (Attached is a publication-- "Plastics and Marine Debris" which chronicles the results of this public education and service campaign.)

The level of concern within the plastics industry is embodied in a policy statement approved by the Board of Directors of SPI. This policy directive states, in part:

"The SPI supports the responsible use of its industry's materials and proper disposal of those products when they become waste. Plastics should not be discarded into the ocean or any other body of water."

Also attached is the latest full page ad to discourage ocean dumping from ships. SPI continues to have these ads placed in the various publications which target the affected audiences.

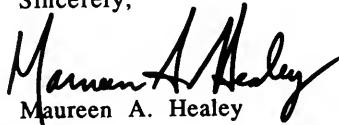
In addition to this vigorous effort to abate ocean dumping, SPI has shown its concern for the environment in another fashion. For the last three years this trade association has been involved with the Environmental Protection Agency (EPA) in an educational and

informational program to prevent the loss of resin pellets into the marine environment. As you will recall, EPA witness, Mr. Robert H. Wayland, III, specifically referenced this program, Operation Clean Sweep, in his testimony.

SPI wishes to reconfirm its commitment and leadership role in this national effort to protect the marine environment. Educating citizens and securing their cooperation is an essential part of the solution to this solvable problem. We remain committed to ensuring a safe and clean marine environment.

We are pleased to submit these comments for the record and welcome this opportunity to express SPI's total commitment to a safe and healthy marine environment.

Sincerely,



Maureen A. Healey
Director,
Federal Environment and
Transportation Issues

Attachments (2)

cc: The Honorable Gerry Studds
Chairman
House Merchant Marine and Fisheries Committee
1334 Longworth House Office Building

The Honorable Jack Fields
Ranking Minority Member
House Merchant Marine and Fisheries Committee
1337 Longworth House Office Building

The Honorable Howard Coble
Ranking Minority Member
House Coast Guard and Navigation Subcommittee
577 Ford House Office Building

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