

POLICY POSITIONS

9. OCEAN INCINERATION OF TOXIC WASTE

The Southern Legislative Conference recognizes the following efforts put forth by the Environmental Protection Agency (EPA) in responding to the concerns of southern states:

- o Specific ocean incineration regulations are to be promulgated prior to issuance of any special permits; proposed regulations are expected by August, 1984.
- o Public participation will be sought in reviewing proposed regulations.
- o Research permits were denied based upon the following rationale:
 - the hearing officer's recommendation departed significantly from the original application;
 - the research permit should include consideration of the need to test and evaluate stack and environmental monitoring methods and to further understand effects of ocean incineration on the marine environment;
 - the proposed research permits have not been subject to procedures set forth in EPA's ocean dumping regulations to ensure that all legal, technical, and operational issues are addressed and the public provided adequate opportunity for meaningful comment;
- o A comprehensive research plan was requested to explore further research needs, including consideration of other ports and incineration sites in the Atlantic and Pacific oceans; input is to be sought from affected states, applicants, citizen groups, and other interested parties.

While acknowledging these efforts by EPA, the Southern Legislative Conference also realizes the need for specific and satisfactory responses to the following concerns:

- o Prior to further consideration of any permit applications for ocean incineration, a determination of need must be established, as required under the Ocean Dumping Act. The public should be given early and full opportunity for review and comment concerning such a determination.
- o Satisfactory liability coverage must be provided as a condition to any ocean incineration permit.