



**INTERNATIONAL JOINT COMMISSION
UNITED STATES AND CANADA**

November 13, 2002

James D. Watkins, Admiral
U.S. Navy (retired)
Chairman
US Commission on Ocean Policy
1120 20th Street, NW
Suite 200 North
Washington, DC 20036

Dear Admiral Watkins:

The International Joint Commission (IJC) was most pleased to participate in the recent (September, 2002) Great Lakes Regional Meeting of the U.S. Commission on Ocean Policy. The meeting was enlightening and highlighted common challenges for both our organizations.

We wish to take this opportunity to respond to your 16 October, follow-up questions:

Question 1

How can we pay for cleanup of contaminated sediment in urban harbors while maintaining the appropriate balance of private party and public responsibility? Should the Superfund tax that generated between \$1 and \$2 billion annually, and which was not reauthorized in 1996, be reinstated to help with the clean up of Superfund sites? How has the level of funding for Superfund cleanup changed since 1996?

Answer 1

The cleanup of contaminated sediment in urban harbors and whether the Superfund tax should be reinstated to help with this process are important national questions that need to be resolved through domestic political processes. Regarding the cleanup of sediment in urban harbors, the IJC has previously recommended that the governments of the US and Canada provide dedicated funding and programs focused on contaminated sediment remediation in the Great Lakes Areas of Concern, but has not made specific recommendations on how to balance the public and private responsibilities. The IJC does not have information on the amount of funding that has been made available for Superfund cleanups in recent years. The USEPA is likely the best source of this information.

Question 2

With a declining Superfund, and limited appropriations for that and other Federal programs, how should we set priorities for cleanup among the many areas with severe sediment contamination?

Answer 2

Setting priorities for the cleanup among the many areas with severe sediment contamination is extremely important. While recognizing that there are many political and technical questions, our suggestion is that emphasis be placed on highly polluted, though not necessarily the most severely polluted, areas where there is greater potential for the contaminated sediment to migrate from the near shore to the open lakes where they are harder to capture in the future.

Question 3

How has the Great Lakes region balanced environmental protection and coastal economic redevelopment? What have been the greatest challenges and are there any suggestions for improving the Federal contribution toward this effort?

Answer 3

The IJC is not aware of a strategic regional approach to balancing environmental protection and coastal economic development. Our impression is that the issue of balancing competing interests is being addressed on a more ad hoc basis, primarily at the state level. The Great Lakes Commission might have information on efforts to achieve a more consistent approach throughout the Great Lakes region.

Question 4

Commercial and recreational shipping are important economic and recreational concerns to the Great Lakes. How has the region dealt with the difficult problem of dredge material disposal and public concern about the quality and placement of these materials?

Answer 4

We concur that commercial shipping and recreational boating are important economic and recreational concerns in the Great Lakes. Dredging for recreational purposes is on a lesser scale than that for commercial dredging. The IJC is aware that when commercial dredging is planned for navigation or environmental clean up, sediment toxicity testing based on joint USEPA and USACE protocols is preformed. The results of the assessment and environmental impact are posted in a USACE Public Notice in conformance with 33 CFR 337.1, and the public is given an opportunity to comment. Depending on the results of the toxicity testing, the material may be used to build up wetlands, enrich local beaches, or may be approved for open water disposal. Alternatively, contaminated material may be required to be disposed of in a confined disposal facility or designated for other hazardous waste treatment and disposal. The Great Lakes Dredging Team, a U.S. committee created in 1996 by the Department of Transportation, Maritime Administration, has been a strong advocate for research and development related to dredging technologies, sediment management and related environmental issues. While Canadian participation to date has been on an ad hoc basis, the IJC believes that their full partnership would enhance binational cooperation and oversight of the environmental consequences of navigation dredging.

The International Joint Commission is pleased to have been of assistance. Should you have any further questions, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. E. Galloway', with a long horizontal stroke extending to the right.

Gerald E. Galloway, PE, PLD
U.S. Section International Joint Commission