



Announcement of Legislative Development

January 2007

Marine Debris Research, Prevention, and Reduction Act Signed into Law

On December 22, 2006, President George W. Bush signed the Marine Debris Research, Prevention, and Reduction Act into law. The Act establishes programs to identify, assess, reduce, and prevent marine debris and its effects on the marine environment and navigation safety.

Marine Debris Prevention and Removal Program

The Act establishes a Marine Debris Prevention and Removal Program within NOAA. NOAA must work in conjunction with federal agencies, such as the Environmental Protection Agency (EPA) and the U.S. Coast Guard, to build on existing inventories of marine debris and document its impact on the navigable waters of the United States and the United States exclusive economic zone.

The organizations are directed to use measures such as oceanographic, atmospheric, satellite, and remote sensing data to identify the origin, location, and projected movement of marine debris within these waters. The program must also develop strategies for preventing and removing marine debris.

The Act specifically targets fishing gear as a threat to the marine environment and navigation safety and authorizes the research and development of alternative types of fishing gear to enhance the tracking and recovery of discarded gear. The Act allows the use of voluntary, non-regulatory incentives to promote recovery and the reduction of lost or discarded fishing gear.

The Act authorizes NOAA to offer grants for state, local, or tribal governments working toward the research or regulation of marine debris and for institutions of higher education, nonprofit organizations, or commercial organizations with expertise in the field of marine debris identification and removal. NOAA is required to maintain a federal information clearinghouse on marine debris. The information will be available to interested parties, subject to confidentiality requirements.

Directives to Coast Guard

The Act requires the Coast Guard to improve the implementation of MARPOL Annex V

requirements regarding the disposal of plastics and other garbage from vessels. Annex V is an international agreement designed to regulate the disposal of garbage from ships. The agreement completely bans the disposal of all forms of plastics from vessels. The Coast Guard must ensure that U.S. ports and terminals maintain and monitor the adequacy of receptacles for disposal of plastics and other garbage, pursuant to Annex V and the Act to Prevent Pollution from Ships. The Coast Guard is authorized to implement a voluntary reporting program targeting industry and recreational boaters in order to improve ship-board waste management.

The bill also requires the Coast Guard to contract with the National Research Council for the preparation of a report evaluating the effectiveness of international and national measures to prevent and reduce marine debris and its impact. The report must be submitted to the appropriate committees in both the House of Representatives and the Senate no later than June 2008, or 18 months after the enactment of the Act.

The report must contain an evaluation of international and domestic implementation of Annex V and the Act to Prevent Pollution from Ships. Congress also requires the Coast Guard and the NRC to recommend cost-effective actions to improve implementation of and compliance with marine debris reduction measures and to suggest additional federal or international actions. The report will specifically examine the role of floating fish aggregation devices in contributing to marine debris, suggest legal mechanisms to reduce those impacts, and focus on the impacts of the devices in the Western Pacific and Central Pacific regions.

Interagency Marine Debris Coordinating Committee

The Act reactivates the Interagency Marine Debris Coordinating Committee to encourage a comprehensive approach to marine debris research and reduction among federal agencies. The Interagency Committee must provide a report identifying the source of marine debris, its impact, costs, and recommendations. The Interagency Committee will be required to provide a report every other year, detailing the status of the committee's recommendations and a review of the NOAA and Coast Guard programs.

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