



Clean Ocean Action

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(Via Email)

Water Docket
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Attn: OW-2004-0003

To Whom It May Concern:

Enclosed are comments on behalf of Clean Ocean Action (COA, representing 170 organizations), including the American Littoral Society, on the **USEPA Draft National Guidance: Best Management Practices for Preparing Vessels Intended to Create Artificial Reefs** released August 2, 2004.

COA is pleased with the release of the draft Best Management Practices (BMP) as a positive step towards creating consistency in the management and regulation of artificial reef materials. The document does a fairly good job of identifying materials of concern and provides specific information on where to find such materials on vessels and how to remove them prior to placement. However, there are important issues of concern regarding contaminants and language. In general, there are a few statements that appear to contradict the concept of preparing vessels in an environmentally-responsible manner and some of the language in the document needs to be clarified to prevent ambiguity and possible abuse. These comments are addressed in more detail below, beginning with the relevant section of the document in bold typeface.

Contaminants Issues:

1. Guidance for Preparation of Ships to create Artificial Reef Habitat Section (beginning on Pg 14)

The Environmental Impacts subsections in each of the six contaminant sections contain little or no information on the effects of the contaminants on marine organisms. This information can be found in Appendix C. ***It is essential that this vital information be moved up front into the body of the guidelines within the sections addressing "Environmental Impacts."*** It is imperative that reef managers and clean-up project managers are informed and aware of the impacts of these contaminants on marine communities and understand the importance of thoroughly removing them from the vessel or isolating them from marine life for the duration of the reef.

2. Oil and Grease Section (Pg 17, 3rd ¶)

It is not acceptable to leave dried/solidified oil and grease on the vessels as they can become re-suspended with exposure to seawater. All remnants of oil and grease should be cleaned and/or removed.

3. Asbestos Section (Pg. 21-23)

This section requires removal or encapsulating of certain asbestos and asbestos containing materials. However, on page 23 statements that allow some intact friable asbestos to remain on the vessel needs to be reconciled with statements in Appendix C regarding documented adverse effects of asbestos exposure on marine organisms, which also should include grazing and burrowing activities. In particular, the "very friable asbestos paste" and "friable asbestos" on pipe wrappings in the engine room would be expected to degrade in the marine environment.

4. PCB Section (Pgs 25-27)

In keeping with the stated mission of the Artificial Reef program to "enhance marine resources and benefit the marine environment" any reference to the possibility of allowing PCB-contaminated solid materials to remain on the ship by obtaining a disposal permit should be omitted from this document. The document should clarify that NO PCB-containing materials should be allowed to remain on the ship. The decision to allow solid materials containing PCBs ≤ 50 ppm to remain on the ship is contradictory. PCBs have been shown to bioaccumulate in aquatic organisms and biotransfer through the food web and should not be purposely introduced into a habitat area especially one that is designed to attract fish and fisherman.

Language Issues:

1. Placement of a vessel to create an artificial reef should: (Pg. 11)

Bullet 5: The use of the term "minimize" in reference to environmental, personal and public health risks is too vague and may allow interpretation that is contradictory to the intentions of this document.

Bullet 7: It is not clear how "best information available" will be used.

2. Siting of Artificial Reefs (Page 11, 2nd ¶)

"Artificial reefs should not cause harm to existing living marine resources and habitats."

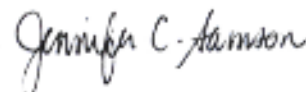
The statement "should not cause harm" suggests something significantly less rigorous than "enhance marine resources and benefit the marine environment" which is stated as primary mission in the **Executive Summary (Page 5, 2nd ¶)** and throughout the document.

The incorporation of our comments into the final BMP would ensure proper protection of the marine environment and result in a document that COA would encourage state and federal agencies to adopt as part of their artificial reef programs.

Sincerely,



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Executive Director, COA



Jennifer Samson
Principal Scientist, COA

And for:
Tim Dillingham
Executive Director
American Littoral Society