

TESTIMONY OF  
THE HONORABLE THOMAS H. KEAN  
GOVERNOR OF NEW JERSEY  
BEFORE THE  
U.S. ENVIRONMENTAL PROTECTION AGENCY  
AT THE  
PUBLIC HEARINGS ON OCEAN DISPOSAL OF MUNICIPAL SEWAGE SLUDGE  
MONMOUTH COLLEGE  
WEST LONG BRANCH, NEW JERSEY  
JUNE 18, 1984

GOOD MORNING. I VERY MUCH APPRECIATE THE CHANCE  
TO OPEN THE E.P.A.'S PUBLIC HEARING PROCESS HERE IN NEW  
JERSEY ON ONE OF THE CRITICAL ISSUES FACING OUR STATE: THE  
ENVIRONMENTAL QUALITY OF THE OCEAN WHICH FORMS SO MUCH OF  
OUR BORDER. IT IS A SUBJECT I FEEL COMPELLED TO COMMENT ON.

NEW JERSEY HAS ONE OF THE LONGEST STRETCHES OF SANDY  
WHITE BEACH IN AMERICA. IT HELPS SUPPORT A TOURISM  
INDUSTRY THAT IS OUR STATE'S SECOND LARGEST -- EMPLOYING  
OVER 275,000 PEOPLE AND GENERATING OVER \$9 BILLION FOR THE  
STATE'S ECONOMY. HERE IN THE SHORE AREA, TOURISM IS IN FACT  
THE LARGEST INDUSTRY.

OUR COASTAL AREAS ARE ALSO HEAVILY DEPENDENT ON A  
COMMERCIAL AND RECREATIONAL FISHING INDUSTRY THAT IS WORTH  
ANOTHER \$1 BILLION.

NEW JERSEYANS FROM ALL WALKS OF LIFE AND FROM ALL PARTS  
OF THE STATE ARE PROUD OF OUR MARINE HERITAGE AND OF OUR  
BEAUTIFUL BEACHES. MILLIONS OF OUR OWN RESIDENTS AND  
VISITORS ENJOY THIS SHORE AREA EVERY YEAR. AND MANY DEPEND  
ON IT TO MAKE A LIVING.

AS YOU ARE WELL AWARE, FOR MANY YEARS NOW WE IN NEW JERSEY HAVE BEEN VERY CONCERNED ABOUT THE DEGRADATION OF THE OCEAN ENVIRONMENT IMMEDIATELY OFF OUR COAST, AND ABOUT THE IMPACTS THIS COULD HAVE ON THE SHORE AREA, ITS ECONOMY, AND ITS FUTURE.

THE ISSUE, HOWEVER, IS MORE THAN AN ECONOMIC ONE -- IT IS A PROFOUNDLY HUMAN ONE AS WELL. OCEAN POLLUTION DOES MORE THAN TARNISH A PRECIOUS TREASURE, IT THREATENS THE HEALTH OF LIVING ORGANISMS -- INCLUDING HUMAN BEINGS.

BY CONTAMINATING THE MARINE ENVIRONMENT, WE ARE CONTAMINATING THE FOOD CHAIN. AND THE RESULTS OF THAT ARE CLEAR: WE RISK POISONING OURSELVES AND OUR CHILDREN.

THE THREATS TO THAT OCEAN ENVIRONMENT ARE MANY: SEWAGE SLUDGE, THE SUBJECT OF TODAY'S HEARING, IS JUST ONE. CERTAINLY, THE CONTINUED DISPOSAL OF UNTREATED SEWAGE BY NEW YORK CITY AND OTHER MUNICIPALITIES INTO THE HUDSON RIVER AND OTHER RIVERS AND ESTUARIES, THE DUMPING OF CONTAMINATED

DREDGED MATERIALS, AND THE DISPOSAL OF OTHER KINDS OF WASTES IN THE VICINITY OF THE NEW YORK BIGHT APEX ARE CAUSE FOR SERIOUS CONCERN. THEY SHOULD BE ADDRESSED.

BUT THE SCIENTIFIC EVIDENCE AVAILABLE TO US CLEARLY INDICATES THAT THE DUMPING OF SEWAGE SLUDGE AT THE SO-CALLED 12-MILE SITE IS CONTRIBUTING TO THE ENVIRONMENTAL DEGRADATION OF THE OCEAN.

FOR THAT REASON, MR. CHAIRMAN, I BELIEVE IT SHOULD BE STOPPED, AND I APPLAUD THE E.P.A.'S PROPOSAL TO MOVE THIS DUMPING TO A SITE WHICH CAN BETTER ACCOMODATE THE VOLUME OF SLUDGE BEING DISPOSED.

THE AGENCY'S OWN SCIENTIFIC ANALYSIS HAS SHOWN THAT THE SO-CALLED 12-MILE SITE HAS GROWN FAR BEYOND ITS ORIGINALLY ANTICIPATED SIZE. IT NOW COVERS AN AREA OF 20 TO 30 SQUARE MILES, TO THE POINT WHERE SLUDGE IS NOW FAR CLOSER THAN 12 MILES FROM OUR COAST -- IN SOME PLACES, IS MORE LIKE 5 OR 6 MILES OUT.

AND THE VOLUME OF SEWAGE SLUDGE BEING DISPOSED AT THE 12 MILE SITE IS INCREASING SHARPLY. IT HAS ALMOST DOUBLED IN THE PAST DECADE, FROM ABOUT FOUR AND ONE-HALF MILLION WET TONS IN 1973 TO OVER 8 MILLION WET TONS LAST YEAR.

MY CONCERN, AND THE CONCERN OF MANY OF THE PEOPLE OF NEW JERSEY, IS THAT WITH THE VOLUME OF SEWAGE SLUDGE INCREASING AS IT IS, THE DUMPING AREA COULD SPREAD EVEN WIDER, THE THREAT TO THE MARINE ENVIRONMENT COULD GROW EVEN GREATER, THE PROXIMITY OF SLUDGE TO OUR SHORELINE COULD BECOME EVEN CLOSER.

WE SIMPLY CANNOT AFFORD TO RISK THE ENVIRONMENTAL HEALTH OF OUR OCEANS, THE ECONOMIC HEALTH OF OUR COASTAL AREAS, AND THE PERSONAL HEALTH OF OURSELVES AND OUR FAMILIES BY DOING NOTHING.

THE TIME FOR ACTION IS NOW.

THE STATE OF NEW JERSEY, THE U.S. CONGRESS, AND I THINK THE AMERICAN PEOPLE HAVE RECOGNIZED THE NEED FOR ACTION ON THE QUESTION OF OCEAN DUMPING FOR SOME TIME NOW. AS YOU KNOW, CONGRESS PASSED LEGISLATION IN 1977 WHICH ORDERED AN END TO OCEAN DUMPING OF SEWAGE SLUDGE BY DECEMBER 31, 1981. THAT LAW WAS NEVER ENFORCED BECAUSE OF A SUCCESSFUL COURT CHALLENGE FROM OUR NEIGHBORS IN NEW YORK.

BUT PASSAGE OF THAT LAW -- LIKE YOUR PRESENCE HERE TODAY -- REFLECTS A CONCERN THAT A SITE WHICH HAS BEEN USED FOR SIXTY YEARS CAN ONLY ABSORB SO MUCH SLUDGE.

IT SEEMS TO ME ALMOST SELF-EVIDENT THAT AN OCEAN SITE WITH 5,000 TO 7,500 FEET OF WATER, AS THE 106 MILE SITE HAS, WILL BE ABLE TO BETTER DISPERSE LARGE VOLUMES OF SLUDGE THAN A SITE WITH A DEPTH OF ONLY 120 FEET -- THE DEPTH OF THE 12-MILE SITE.

FOR THAT REASON, I STRONGLY SUPPORT THE AGENCY'S PROPOSED ACTION TO DESIGNATE THE 106-MILE SITE AS THE SITE FOR SEWAGE SLUDGE DISPOSAL AND TO DENY PERMITS TO ALLOW CONTINUED DUMPING AT THE 12 MILE SITE.

AS YOU KNOW, I HAD WRITTEN ADMINISTRATOR RUCKLESHAUS IN FEBRUARY OF THIS YEAR URGING HIM TO TAKE THIS ACTION, AND I AM HAPPY THAT THE AGENCY HAS DONE SO.

THE DEEPER WATER SITE ALSO TAKES SEWAGE SLUDGE DUMPING GENERALLY OUT OF THE RANGE WHERE THE FISH WHICH MANY OF US EAT COMMONLY BREED. I WOULD POINT OUT THAT THE FACT THAT CERTAIN POPULAR FISH ARE BEARING THE SIGNS OF OCEAN POLLUTION POINTS TO THE FACT THAT THIS IS AN IMPORTANT NATIONAL PUBLIC HEALTH ISSUE. THESE FISH MIGRATE. WHEN THE FISH IN THE NEW YORK AND NEW JERSEY AREA ARE CONTAMINATED, IT IS NOT JUST THE RESIDENTS OF OUR AREA WHO SHOULD WORRY. IT IS EVERYONE ON THE EAST COAST.

I RECOGNIZE THAT MANY OF THE MUNICIPALITIES AND SEWAGE AUTHORITIES FROM WHOM YOU WILL HEAR IN THESE HEARINGS ARE WORRIED ABOUT THE INCREASED COST OF DUMPING AT THE FARTHER SITE. I BELIEVE THAT THESE COSTS ARE MANAGEABLE. OUR DEPARTMENT OF ENVIRONMENTAL PROTECTION ANALYSIS HAS SHOWN THAT, WHEN SPREAD THROUGHOUT THE REGION, THEY WOULD BE UNDER \$5 PER HOUSEHOLD.

I BELIEVE THAT IS A SMALL PRICE TO PAY FOR A CLEANER OCEAN, ONE THAT WILL CONTINUE TO ENRICH OUR LIVES IN SO MANY WAYS.

I ALSO KNOW THAT YOU ARE CONCERNED TODAY WITH THE TIMING OF THE PHASE OUT OF THE 12 MILE SITE. I THINK IT SHOULD BE ACCOMPLISHED AS SOON AS IS REALISTICALLY POSSIBLE. WE MUST ALLOW FOR SEWAGE AUTHORITIES TO MAKE THE ORDERLY TRANSITION TO 106 MILES. THIS WILL REQUIRE SEVERAL CHANGES IN THEIR OPERATIONS, AND I HAVE HEARD VARYING ESTIMATES OF ANYWHERE FROM 9 TO 36 MONTHS AS THE TIME NECESSARY TO ACCOMPLISH THESE CHANGES.



OUR DEPARTMENT OF ENVIRONMENTAL PROTECTION WILL ADDRESS THESE ISSUES FURTHER IN ITS WRITTEN COMMENTS TO YOU. I WOULD ONLY SAY THAT I HOPE THAT THE TRANSITION CAN BE ACCOMPLISHED IN AS TIMELY A MANNER AS POSSIBLE.

TO MAKE SURE THAT WE DO NOT FACE CONTINUED DELAY IN IMPLEMENTATION OF THIS PROPOSED MOVE, THE STATE OF NEW JERSEY SUPPORTS H.R. 4364, THE BILL ORIGINALLY INTRODUCED BY CONGRESSMAN BILL HUGHES AND THE LATE CONGRESSMAN ED FORSYTHE.

PASSAGE OF THIS BILL WOULD GIVE THE FORCE OF LAW TO THIS SITE DESIGNATION, AND IT WOULD HELP WARD OFF COURT CHALLENGES DESIGNED TO DELAY THE MOVE TO THE 106 MILE SITE. AS REPORTED OUT OF SUBCOMMITTEE, THE BILL CALLS FOR AN 18 MONTH TIME FRAME IN IMPLEMENTING THE CHANGE FROM 12 MILES TO 106 MILES.

SENATOR FRANK LAUTENBERG, FROM WHOM YOU WILL BE HEARING SHORTLY, HAS INTRODUCED SIMILAR LEGISLATION IN THE SENATE, WITH SIMILAR INTENT. I APPLAUD HIS EFFORTS.

THESE BILLS CALL FOR SOMETHING THAT IS JUST AS IMPORTANT AS DISCONTINUING USE OF THE 12 MILE SITE -- AND THAT IS A MORE COMPLETE STUDY OF ALL OF THE CAUSES OF OCEAN POLLUTION AND ALL OF THE MEANS AT OUR DISPOSAL TO ADDRESS THEM.

RE-DESIGNATION OF THE SITE FOR SEWAGE SLUDGE DISPOSAL WILL NOT, IN AND OF ITSELF, STOP SERIOUS ENVIRONMENTAL DAMAGE FROM BEING DONE TO OUR OCEAN.

FIRST OF ALL, WE NEED TO EXAMINE WHETHER OCEAN DISPOSAL AT ANY SITE IS THE BEST LONG-TERM OPTION FOR SEWAGE SLUDGE. I THEREFORE SUPPORT A REGIONAL, MULTI-MEDIA STUDY OF ALL OF THE OPTIONS FOR SLUDGE DISPOSAL WHICH WOULD TAKE INTO ACCOUNT BOTH SHORT- AND LONG-TERM HEALTH, ENVIRONMENTAL, AND COST QUESTIONS.

BEYOND THAT, THERE ARE A NUMBER OF OTHER SOURCES OF OCEAN POLLUTION, INCLUDING THE PLUME CAUSED BY UNTREATED WASTEWATER AND URBAN RUNOFF AND THE DUMPING OF DREDGED MATERIALS, WHICH MUST BE ADDRESSED AS WELL.

WHAT IS NEEDED IS A COMPREHENSIVE PLAN FOR SAVING OUR OCEANS. THEREFORE, I SPECIFICALLY AND EMPHATICALLY ENDORSE THE PROVISIONS OF THESE BILLS WHICH CALL UPON THE E.P.A. TO PREPARE A COMPREHENSIVE NEW YORK BIGHT APEX RESTORATION PLAN.

REGARDLESS OF THE DISPOSAL ALTERNATIVES AND SITES CHOSEN, ALL OF OUR TASKS WILL BE MADE EASIER BY CONTINUED EFFORTS TO IMPROVE THE QUALITY BOTH OF THE SLUDGE AND OF THE WASTE WHICH IS NOW BEING DISCHARGED DIRECTLY INTO THE HUDSON AND RARITAN RIVER BASINS.

IN THE CASE OF SEWAGE SLUDGE, IMPROVEMENTS CAN HELP INCREASE THE CHANCES THAT LAND-BASED DISPOSAL OR INCINERATION CAN BE DEVELOPED INTO VIABLE ALTERNATIVES TO OCEAN DUMPING FOR THOSE AUTHORITIES THAT STILL USE THE OCEAN.

THE CASE OF LIQUID WASTES WHICH ARE BEING DISCHARGED DIRECTLY INTO OUR RIVERS AND HARBORS MAY BE EVEN MORE CRITICAL. OVER 2 BILLION GALLONS A DAY OF TREATED, SEMI-TREATED, AND UNTREATED WASTE IS NOW CONTRIBUTING TO THE EFFLUENT PLUME WHICH IS A MAJOR SOURCE OF OCEAN POLLUTION IN THE NEW YORK BIGHT APEX.

NEW JERSEYANS ARE ESPECIALLY CONCERNED, AND RIGHTLY SO, WITH THE 230 MILLION GALLONS A DAY OF RAW SEWAGE BEING DISCHARGED INTO THE HUDSON RIVER BY NEW YORK CITY, EVEN AS THE CITY PLANS THE CONSTRUCTION OF MAJOR FACILITIES THAT WILL CONTRIBUTE TO THAT FLOW.

BUT BOTH STATES SHARE SOME RESPONSIBILITY FOR CONTRIBUTING TO THE PLUME, AND BOTH MUST TAKE ACTION.

IN NEW JERSEY, I HAVE PROPOSED A MEANS OF FINANCING THE CONSTRUCTION OF WASTEWATER TREATMENT FACILITIES THAT MAKES MAXIMUM USE OF THE FEDERAL FUNDS THAT EPA IS MAKING AVAILABLE. THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST -- OR INFRASTRUCTURE BANK -- CAN HELP US MOVE AHEAD ON THE 284 PROJECTS REQUIRED TO MEET FEDERAL CLEAN WATER GOALS. AT CURRENT FEDERAL AUTHORIZATION LEVELS, WITHOUT THE BANK, ONLY 11 OF THESE PROJECTS CAN BE FUNDED.

AS I CONTINUE TO PRESS OUR STATE LEGISLATURE TO ADOPT THIS PLAN, I ALSO CALL UPON OUR NEIGHBORS IN NEW YORK TO TAKE A MORE AGGRESSIVE APPROACH IN COMPLETING NEEDED SEWAGE TREATMENT PROJECTS.

I HAVE ALSO PROPOSED LEGISLATION HERE IN NEW JERSEY TO ENCOURAGE PRIVATE SECTOR INVOLVEMENT IN THE CONSTRUCTION AND/OR OPERATION OF MUNICIPAL WASTEWATER TREATMENT FACILITIES AS A MEANS OF ADDRESSING OUR CLEAN WATER NEEDS.

IN SHORT, WE IN NEW JERSEY ARE WORKING TO ADDRESS A NUMBER OF THE SOURCES WHICH WE KNOW CONTRIBUTE TO THE PROBLEM OF OCEAN POLLUTION, AND WE LOOK FORWARD TO WORKING WITH THE E.P.A. ON A COMPREHENSIVE PLAN TO ATTACK ALL OF THE SOURCES.

YOUR PROPOSED RULEMAKING ON THE 12 MILE SITE AND DESIGNATION OF THE 106 MILE SITE IS A FIRST STEP. I CONGRATULATE YOU ON IT.

BUT IT IS ONLY A FIRST STEP ON A LONG AND DIFFICULT ROAD.

I STAND READY TO WORK WITH YOU AS WE TAKE THE OTHER, MORE DIFFICULT STEPS THAT LAY AHEAD.

IN MY VIEW, THE ADDED COST OF MOVING AWAY FROM 12  
MILES PALES IN COMPARISON TO THE COST OF DAMAGING ONE OF OUR  
STATE'S -- AND OUR NATION'S -- MOST PRECIOUS RESOURCES.

IF WE ARE NOT PREPARED TO PAY THIS SMALL COST NOW, WILL  
WE BE PREPARED TO PAY THE MUCH GREATER COST LATER?

IF WE ARE NOT PREPARED TO STOP DAMAGE TO THE OCEAN NOW,  
WILL WE BE PREPARED TO FOREGO ITS BENEFITS LATER?

I THINK NOT.

AND THAT'S WHY I THINK THE AGENCIES PROPOSALS ARE  
TIMELY, JUSTIFIED, AND WISE.

THANK YOU.