

Statement of Edward N. Sailer, CHMM, LEP
Environment Committee
Senate Bill 78
February 19, 2016

Dear Sen. Kennedy, Rep. Albis, Sen. Chapin, Rep. Shaban and members of the committee:

My name is Edward N. Sailer. I reside in Guilford and I am here today representing _____ . I would like to offer brief comments on Senate Bill 78, An Act Concerning the Disposition of Dredged Materials from Certain Harbors and Ports on Long Island Sound.

As an environmental scientist who has been involved in both open water disposal and upland disposal of dredged materials for over 30 years and as a former member of the Board of Directors of the Connecticut Marine Trades Association (CMTA) and the current Co-Chair of the CMTA Environment Committee, I am well aware of the issues surrounding the relocation of dredge spoils in Long Island Sound. I have been involved in reviewing and commenting on the US Environmental Protection Agency (EPA) and US Army Corps of Engineers studies of open water disposal and the designation and management of the disposal sites in Long Island Sound for more than 15 years.

This January the US Army Corps of Engineers (USACE) adopted the Long Island Sound Dredged Materials Management Plan (DMMP) based on millions of dollars' worth of sound science. In the DMMP the USACE found that open water disposal is an environmentally acceptable method of handling much of the fine grained material dredged in Long Island Sound.

The DMMP also recommends procedures to be followed to evaluate alternatives to open water disposal and to use those alternatives where it is feasible. On February 10, 2016, EPA proposed to amend 40 CFR Part 268: Ocean Disposal; Proposed Amendments to Restrictions on Use of Dredged Material Disposal Sites in the Central and Western Portions of Long Island Sound; Connecticut. This proposed rule will require for all federal projects and nonfederal projects greater than 25,000 cubic yards finding by the Long Island Sound Regional Dredging Team (LIS RDT) that there are no practicable alternatives to open water disposal before a project can be approved for open water disposal by the USACE. This is the vehicle that should be used to regulate the disposal of dredge materials, **NOT** Senate Bill 78.

With regard to smaller nonfederal projects, Senate Bill 78 is also not acceptable. Presently, there is no meaningful upland disposal capacity available within an economically viable distance of the dredge projects. There are also no large scale dewatering sites available to make the dredge material safe for over the road transportation. Even if such sites were available, dewatering and transporting those materials to large scale brownfields projects in New Jersey or mine reclamation projects in Pennsylvania is not logistically or economically viable.

In closing, I have serious concerns with this legislation and would ask that you consider the points I have made here. I appreciate the opportunity to testify today and look forward to working with you on SB 78 in the days and weeks ahead. Thank you.