

**World Wildlife Fund* The Oceans Conservancy
Defenders of Wildlife* Natural Resources Defense Council
Oceana* Sierra Club**

August 7, 2002

To Members of the Conference Committee Addressing The Maritime Transportation Antiterrorism Act of 2002:

On behalf of the millions of Americans who are members of the undersigned organizations, we urge you to remove section 204 of the House version of S. 1214, the Senate's Port Security Bill. By making the Act to Prevent Pollution from Ships (which implements MARPOL Annex V) the exclusive statute governing discharges of agricultural cargo residue materials, the proposed amendment would sanction the dumping of dangerous toxic chemicals and other materials into U.S. waters.

Our organizations resolutely support the views expressed by the Department of Justice (6.18.02), the Department of Commerce (6.17.02), the Department of Transportation (6.21.02), and the Environmental Protection Agency (7.22.02) in calling for deletion of Section 204. As these letters point out, agricultural cargo residues could contain pesticides, fertilizers, animal wastes and carcasses, oils and fats, invasive species, and other materials in U.S. ports. There exists no valid rationale for permitting the release of these pollutants into waters of the United States.

Agricultural discharges such as pesticides and fertilizers pose a serious public health and environmental hazard. In addition to the millions of Americans who work, live and vacation near coastal waters, an abundance of natural resources including fishes, whales, and sea birds, would be put at risk by such pollution. Certain agricultural residue materials may also present hazards for navigation. At the same time, section 204 could actually increase security threats by creating a new vulnerability to potentially catastrophic discharges of chemicals in an era when homeland security is a prime concern for all Americans.

In summary, our organizations hope you will reconsider the inclusion of section 204. In the interests of environmental protection, safe navigation, and port security, we urge you to delete this section from the bill.

Sincerely,

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