

S 3661

Safe Dispersants Act

Congress: 111 (2009–2011, Ended)

Chamber: Senate

Policy Area: Environmental Protection

Introduced: Jul 28, 2010

Current Status: Read twice and referred to the Committee on Environment and Public Works.

Latest Action: Read twice and referred to the Committee on Environment and Public Works. (Jul 28, 2010)

Official Text: <https://www.congress.gov/bill/111th-congress/senate-bill/3661>

Sponsor

Name: Sen. Lautenberg, Frank R. [D-NJ]

Party: Democratic • **State:** NJ • **Chamber:** Senate

Cosponsors (6 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Jul 28, 2010
Sen. Kerry, John F. [D-MA]	D · MA		Jul 28, 2010
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Jul 28, 2010
Sen. Nelson, Bill [D-FL]	D · FL		Aug 2, 2010
Sen. Bennet, Michael F. [D-CO]	D · CO		Aug 5, 2010
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Sep 14, 2010

Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Referred To	Jul 28, 2010

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

Bill	Relationship	Last Action
111 HR 6119	Identical bill	Sep 15, 2010: Referred to the Subcommittee on Water Resources and Environment.

Safe Dispersants Act - Amends the Federal Water Pollution Control Act (commonly known as the Clean Water Act) to prohibit the use of a dispersant in response to a discharge of oil or hazardous substances unless the dispersant has been listed by the Administrator of the Environmental Protection Agency (EPA) on the National Contingency Plan Product Schedule. Authorizes the Administrator to list a dispersant on the Schedule if: (1) the dispersant meets such standards as shall be established by the Administrator governing maximum allowable toxicity and minimum acceptable effectiveness; and (2) the adverse effect from its use is less than that from allowing the discharged oil or hazardous substance to be dispersed by natural or physical means, to degrade by natural processes, to be removed by technologically feasible physical methods, or to undergo any combination of such processes.

Directs the Administrator, in determining the adverse effect from the use of a dispersant, to consider: (1) acute, chronic, short- and long-term health and environmental effects of the dispersant or any individual component of the dispersant formulation; (2) additive or synergistic effects of the dispersant in combination with oil or hazardous substances and other environmental factors and components; and (3) persistence, bioavailability, and bioaccumulation potential.

Requires the Administrator to promulgate regulations specifying the minimum data set applicable to dispersants listed on the Schedule, which shall: (1) include information necessary to determine the potential for dispersants to persist or accumulate in, or to create or contribute to adverse effects on, environments, ecosystems, organisms, workers, and exposed individuals; (2) include specified information on ingredients and the efficacy of the dispersants under different conditions and at different concentrations; and (3) be sufficient to assist the Administrator in determining whether the combination of dispersant and hazardous substance can increase or decrease the persistence, bioaccumulation potential, or toxicity relative to either alone, the potential for dispersant components to persist or accumulate in the environment or biota or to contribute to adverse effects under any scale or manner of application, and whether use of the dispersant would cause less harm to health and the environment than responding without it.

Directs the Administrator to: (1) consider health and safety information for a dispersant listed for use under the Schedule to mean information from any study of any effect of a dispersant on health or the environment; and (2) make such information available to the public, as well as information on the concentrations of all dispersant ingredients if public availability of such information is necessary to prevent substantial endangerment to human health or the environment or is otherwise in the public interest .

Requires the Administrator to: (1) initiate a study evaluating the adequacy of existing capabilities and legal authorities of the federal government to make informed decisions regarding the health and environmental impacts of dispersants placed on the Schedule; and (2) determine whether to propose revisions to subpart J of the National Contingency Plan and to National Response System regulations to ensure the effectiveness and safety of dispersants.

Actions Timeline

- **Jul 28, 2010:** Introduced in Senate
- **Jul 28, 2010:** Read twice and referred to the Committee on Environment and Public Works.