

THE MARINE PROTECTION, RESEARCH AND SANCTUARIES ACT

ISSUE SUMMARY:

For over 50 years, the EPA has implemented the *Marine Protection, Research and Sanctuaries Act of 1972 (MPRSA)* to regulate the disposition of materials into ocean waters while protecting human health, the marine environment, and other uses of the ocean. Under the MPRSA, the EPA issues permits, designates and expands sites for the disposition of materials, conducts oceanographic monitoring surveys, and concurs on dredged material disposal actions by the Army Corps of Engineers. In 2024, the EPA issued a public notice for the first MPRSA permit applications for marine carbon dioxide removal research activities.

The MPRSA implements international treaty obligations under the *London Convention*, one of the first international agreements for the protection of the marine environment from human activities. The United States has signed but not ratified the *London Protocol*, a free-standing treaty intended to modernize and eventually replace the *London Convention*. The EPA serves as the Head of the United States Delegation for the annual London Convention and London Protocol Scientific Groups Meetings, serves as Alternate Head of the United States Delegation for the annual Consultative Meeting of the London Convention and London Protocol Parties, and represents the United States at the annual London Protocol Compliance Group Meeting.

UPCOMING MILESTONES:

- The EPA will survey approximately nine designated ocean sites in fiscal years 2024 and 2025 to ensure that MPRSA-regulated activities will not unreasonably degrade or endanger human health or the environment, to verify that unanticipated adverse effects are not occurring from past or continued use of the site, and to ensure that terms of the permits/federal project authorizations are met.
- The EPA will make a final determination on two marine carbon dioxide removal research permits and continue to work with other potential permit applicants.

BACKGROUND:

In October 1972, Congress enacted the MPRSA, which regulates the transportation and disposition (dumping) of any material into ocean waters unless a specific disposition or a specific material is expressly excluded in the Act. The MPRSA prohibits or restricts disposition into the ocean that would adversely affect human health, welfare, amenities, the marine environment, ecological systems or economic potentialities, primarily through prohibitions and permits. Generally, the MPRSA applies in ocean waters, which include the open seas lying seaward of the baseline of the territorial seas. With the enactment of the MPRSA, the EPA began regulating the transportation and disposition of wastes and other materials, such as radioactive materials, sewage sludge, chemical wastes, biological warfare agents and many others, into the ocean. These have since been banned. The EPA, U.S. Army Corps of Engineers and U.S. Coast Guard are responsible for compliance and enforcement of the MPRSA. More information can be found on the EPA's [Marine Protection, Research and Sanctuaries Act web page](#).

Permits and Ocean Sites:

The EPA is responsible for establishing environmental criteria for reviewing and evaluating all MPRSA permit applications, and as the permitting authority for the disposition in the ocean of all materials other than dredged material, the EPA may issue general, special, research and emergency permits under the MPRSA. (40 CFR parts 220-229). The EPA is also responsible for establishing the criteria for the designation of ocean sites and for designating, managing and monitoring ocean sites under the MPRSA where the disposition of materials may be permitted. The EPA currently manages approximately 100 ocean sites, including 99 sites for dredged material disposition and one site for fish wastes. Management of ocean sites involves regulating the times, quantities and characteristics of material released at the site and establishing specific controls, conditions and requirements to avoid or minimize potential impacts to the marine environment. The EPA conducts routine oceanographic surveys at each ocean site to monitor the impacts of MPRSA-regulated activities and to verify that unanticipated adverse effects are not occurring from past or continued use of the site, and to ensure that terms of the permit/federal project authorizations are met.

The MPRSA requires all designated ocean sites to have site management and monitoring plans, which are developed by the EPA and U.S. Army Corps of Engineers and outline management and monitoring strategies for each site. Under the MPRSA, the EPA designates new ocean sites through rulemaking if the proposed/selected sites meet established criteria. Also, through rulemaking, the EPA de-designates ocean sites that are no longer needed and modifies existing ocean sites to ensure adequate capacity or address any navigation, infrastructure or environmental concerns.

Dredged Material Management and Infrastructure Expansion:

The EPA co-regulates the disposition of dredged material in the ocean with the U.S. Army Corps of Engineers. The U.S. Army Corps of Engineers uses the EPA’s environmental criteria to issue MPRSA permits—or authorize federal projects—for the transportation and disposition of dredged material in the ocean, and these permits and authorizations are subject to the EPA’s independent review for concurrence.

Ocean-Based Climate Change Mitigation:

United States agencies, academic researchers, industry, non-profits and other entities are researching marine carbon dioxide removal (mCDR) and marine solar radiation management (mSRM) to investigate their potential to mitigate the adverse impacts of climate change. Approaches for mCDR, such as ocean alkalinity enhancement and deep ocean biomass sinking, may remove excess carbon dioxide from the atmosphere and store it for long periods of time in the ocean. Some mCDR and mSRM activities, including ocean-based research, may involve the transportation and disposition of material in ocean waters and would require a MPRSA permit issued by the EPA. For more information on these techniques and resources for permitting under the MPRSA, please visit [the EPA’s webpages on mCDR and mSRM](#).

London Convention and London Protocol:

The Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter 1972 (London Convention) is one of the first international agreements for the protection of the marine environment from human activities. <https://www.epa.gov/ocean-dumping/regulations-guidance-and-additional-ocean-dumping-information#odlrt>. The United States implements the London Convention through the MPRSA and has been a leader in marine protection. The United States has signed but not yet ratified the London Protocol, a newer treaty that is intended to modernize and eventually replace the London Convention. Among other things, Contracting Parties to the London Convention and London Protocol have taken steps to address potential harm to the marine environment from the evaluation of new experimental technologies designed to reduce carbon dioxide in the atmosphere or mitigate its adverse effects.

KEY EXTERNAL STAKEHOLDERS:

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| <input checked="" type="checkbox"/> Congress | <input checked="" type="checkbox"/> Industry | <input checked="" type="checkbox"/> States | <input checked="" type="checkbox"/> Tribes | <input checked="" type="checkbox"/> Media | <input checked="" type="checkbox"/> Other Federal Agency |
| <input checked="" type="checkbox"/> NGO | <input checked="" type="checkbox"/> Local Governments | <input checked="" type="checkbox"/> Other (name of stakeholder) <u>The public, researchers</u> | | | |

MOVING FORWARD:

- The EPA will continue to address ocean site designations and modifications needed due to the increased volume in dredged material from domestic infrastructure expansion.
- The EPA will continue to manage approximately 100 EPA-designated MPRSA ocean sites and conduct oceanographic surveys at approximately four to six of these ocean sites annually.
- The EPA will continue to evaluate and process applications for proposed mCDR and mSRM activities involving the disposition of material into the ocean, and issue emergency, general and special permits for the transportation and disposition of all materials except dredged materials.
- The EPA will work to maintain national program capacity by training EPA staff and developing technical/regulatory tools to improve permitting, site designation, and site management and monitoring.
- The EPA will continue to represent the United States at meetings of the *London Convention* and *London Protocol*.