

## **FINDING OF NO SIGNIFICANT IMPACT**

### **1.0 NAME OF THE PROPOSED ACTION**

Transfer of National Defense Reserve Fleet (NDRF) vessels from the James River Reserve Fleet (JRRF) for Disposal at Able UK Facilities, Teesside, U.K.

### **2.0 DESCRIPTION**

The U.S. Department of Transportation, Maritime Administration (MARAD) proposes to transfer approximately nine obsolete vessels (or tonnage equivalent) from the NDRF to Post Remediation Partners (PRP) for disposal at the Able UK facility in Teesside, U.K. The vessels are inactive and obsolete vessels that Congress has directed MARAD to dispose of under the National Maritime Heritage Act, as amended by the National Defense Authorization Act for FY 2001, Pub. L. 106-§3502(b)(Act).

The underlying need for the Proposed Action is to dispose of obsolete vessels from the NDRF by September 30, 2006, as directed by Congress. The Act also imposed the requirement that MARAD select dismantling facilities on a "best value" basis, without predisposition toward domestic or foreign qualified facilities, in order to address the growing backlog of obsolete vessels in the NDRF.

### **3.0 PROPOSED ACTION ALTERNATIVE**

The Proposed Action is to transfer approximately nine obsolete vessels (or tonnage equivalent) from the JRRF to the Able UK facilities for the purpose of disposal of the vessels.

Nine vessels are currently identified as potential vessels to be transferred for disposal (EA Table 2-1). However, MARAD may substitute other vessels by mutual agreement with PRP, subject to finalization of the terms of any such agreement; vessels would be substituted only after completion of inspections and tow survey for each vessel.

### **4.0 NO ACTION ALTERNATIVE**

Under the No Action Alternative, MARAD would not transfer the nine NDRF vessels (or tonnage equivalent) to the Able UK facility for disposal. These vessels would remain moored at the JRRF until funding was available and/or they were disposed of via another cost-effective, best value proposal made through the Program Research and Development Announcement (PRDA) process, or through an invitation for bid. Leaving the vessels moored at the JRRF for an indefinite period would not be responsive to the Congressional directive or the Purpose and Need of the Proposed Action.

## **5.0 ALTERNATIVES CONSIDERED BUT NOT CARRIED FORWARD**

In addition to the Proposed Action Alternative and the No Action Alternative detailed in the Environmental Assessment (EA), MARAD considered a number of other alternative approaches to meeting the Congressional directive. The following alternatives were initially evaluated but found not to meet the Purpose and Need of the action, and therefore were not carried forward for additional analysis in the EA.

### **4.1 Domestic Disposal Facilities**

As discussed in Section 1.2 of the EA, Congress imposed on MARAD a deadline of September 30, 2006, to dispose of all NDRF vessels. In order to meet this deadline, additional capacity and ship disposal facilities that can accommodate a number of obsolete vessels simultaneously are needed.

MARAD routinely contracts with domestic facilities to dispose of obsolete vessels. Under the PRDA process, domestic ship disposal facilities submitted qualified proposals that met the basic evaluation criteria. However, no U.S. disposal facility currently had the capacity to accommodate a large number of ships simultaneously or could fully meet the cost effectiveness required by MARAD to meet the September 2006 deadline, especially given the level of funding appropriated. Domestic facilities included those that responded to MARAD solicitations for ship disposal and were in the competitive range, and/or facilities that have been awarded MARAD disposal contracts and have actually disposed of or are in the process of disposing of MARAD vessels.

### **4.2 Other Foreign Disposal Facilities**

The Able UK facility was the only foreign facility under the PRDA process that was assessed to be capable of meeting appropriate technical, environmental and safety standards for complete disposal of the vessels. Given the due diligence process necessary to properly assess and qualify foreign facilities, Able UK was judged to be the best value at the time of award.

## **6.0 CONCLUSIONS**

On the basis of the findings of this EA, no significant impact to human health or the natural environment would be expected from implementation of the Proposed Action. Therefore, a Finding of No Significant Impact (FONSI) is warranted, and preparation of an Environmental Impact Statement, pursuant to the National Environmental Policy Act of 1969 (Public Law 91-190) is not required.

There are a number of safety and environmental checks, reviews, and approvals (described in Sections 3.8 and 4.8 of the EA) by the United States Coast Guard (USCG), the Environmental Protection Agency, the United Kingdom Environmental Agency (UKEA), and the United Kingdom Maritime and Coastguard Agency (MCA) that must occur prior to towing any vessel from the JRRF for disposal in the U.K. These agencies review and

approve a number of steps in the Proposed Action (described in Section 2.1 and Table 2-2) and provide recommendations that must be followed to ensure the safety of the proposed tows. These include, as described in Sections 4.8.1 through 4.8.4, vessel surveys, preparation of vessels prior to towing, USCG and MCA reviews and approvals prior to tows, implementation of USCG recommendations, including the Oil Spill Contingency Plan, and UKEA licenses and approvals of Able UK ship disposal facilities. In addition and as discussed in Section 4.8.3, the recent history of dead-ship tows in the area has not resulted in any previous known pollution incidents, based on the USCG review and approval processes.

Based on the requirements, plans, and certifications that are required to be obtained prior to towing obsolete vessels, the potential environmental effects of the Proposed Action specifically, the potential for release of hazardous materials into the environment during tow activities would not be significant, and will be adequately considered, mitigated, and planned for, in accordance with the listed Agency requirements.

Potential effects on areas outside of U.S. territory would be similar

This FONSI is based on the attached contractor-prepared EA which has been independently evaluated by MARAD and determined to adequately and accurately discuss the environmental issues, proposed mitigation, and impacts of the Proposed Action and provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. MARAD takes full responsibility for the accuracy, scope, and content of the attached EA.

5/27/04 Debra A. Aheron  
Date DEBRA A. AHERON  
Environmental Protection Specialist/NEPA Program Manager

5/27/04 Michael C. Carter  
Date MICHAEL C. CARTER  
Director, Office of Environmental Activities

I have considered the information contained in the EA, which is the basis for this FONSI. Based on the information in the EA and this FONSI document, I agree that the Proposed Action as described in 3.0 above, and in the EA, will have no significant impact on the human or natural environment.

6/25/04 Richard S. Walker  
Date MARGRIT D. BLUM  
for Associate Administrator for Port, Intermodal,  
and Environmental Activities