

QUESTION 9: ENVIRONMENTAL IMPACT

Ingalls has concluded that the activities which form the basis of this application do not have an impact on the environment which necessitates an Environmental Assessment. That conclusion is based on the findings described below.

47 CFR 1.1307, entitled “Actions That May Have A Significant Environmental Effect For Which Environmental Assessments (EAs) Must Be Prepared”, paragraph (b)(1) states:

*“The appropriate exposure limits in Secs. 1.1310 and 2.1093 of this chapter are generally applicable to all facilities, operations and transmitters regulated by the Commission. However, **a determination of compliance with the exposure limits in Sec. 1.1310 or Sec. 2.1093 of this chapter (routine environmental evaluation), and preparation of an EA if the limits are exceeded, is necessary only for facilities, operations and transmitters that fall into the categories listed in table 1, or those specified in paragraph (b)(2) of this section. All other facilities, operations and transmitters are categorically excluded from making such studies or preparing an EA**, except as indicated in paragraphs (c) and (d) of this section...”*

Ingalls determined that the entry (i.e., “service”) from Table 1 of 47 CFR 1.1307(b)(1) most appropriate to its application is a **“Station in the Maritime Service”** which requires an environmental evaluation for:

“ship earth stations only”.

47 CFR 1.1307(b)(2) likewise requires environmental evaluations for:

“ship earth stations only”.

A “ship earth station” as defined by 47 CFR 80 [the regulation prescribed by 47 CFR 1.1307 for “Stations in the Maritime Service”] Section 5 is :

“a mobile earth station in the maritime mobile-satellite service located on board ship”.

47 CFR 80.5 further defines “mobile-satellite service” as:

“a mobile-satellite service in which mobile earth stations are located on board ships”.

Ingalls will not be using satellite technology and has concluded that the definitions are not applicable to its activities. Ingalls’ activities under the application can best be described as a “maritime mobile service” which is defined by 47 CFR 80.5 as:

“a mobile service between coast stations and ship stations, or between ship stations, or between associated on-board communication stations”

47 CFR 1.1307 does not require Environmental Assessments for “maritime mobile services”.