

[FRL. 596-7]

CALIFORNIA

Marine Sanitation Device Standard

On May 26, 1976, notice was given that the State of California had petitioned the Administrator, Environmental Protection Agency, to determine, pursuant to section 312 (f) (3) of Pub. L. 92-500 that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for that portion of San Diego Bay that is less than 30 feet deep at mean lower low water (MLLW), Mission Bay, Oceanside Harbor, and Dana Point Harbor (41 FR 21516, May 26, 1976). The portions of San Diego Bay affected by this determination from the most recent National Oceanic and Atmospheric Administration chart. Section 312 (f) (3) states: After the effective date of the initial standards and regulations promulgated under this section, if any State determines that the protection and enhancement of the quality of some or all of the waters within such State require greater environmental protection, such State may completely prohibit the discharge from all vessels of any sewage, whether treated or not, into such waters, except that no such prohibition shall apply until the Administrator determines that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for such waters to which such petition would apply.

Following an examination of the petition and supporting information, and in pursuant to the May 26 FEDERAL REGISTER notice, I have determined that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for that portion of San Diego Bay, Oceanside harbor, and Dana Point Harbor. This determination is made pursuant to section 312(f) (3) of Pub. L. 92-500.

In its petition, the State of California certified that there are six

pump-out facilities for San Diego Bay, which include harbor Police, Pearson Standard, Union Oil, Harbor Island Marina, Marina Cortez, and Coronado Cay's Marina, two pump-out facilities for Mission Bay, one pump-out facility in Oceanside Harbor, and two pump-out facilities for Dana Point Harbor. The State certified that adequate treatment is available for sewage removal from all vessels.

All pump-out facilities in San Diego Bay have an adjacent water depth of at least 10 feet and the Harbor Police facility has an approximate water depth of 20 feet. Pump-out facilities in the Bay can serve pleasure crafts and small boats that are able to dock. Merchant vessels for which adequate pump-out facilities are not provided in San Diego Bay, would not be subject to this determination since these vessels would not be able to traverse areas of less than 30 foot depth because of their greater drafts. Such ships would require berthing accommodations located outside the designated area. Areas in San Diego Bay deeper than 30 feet should have greater flushing action in those waters, and therefore, less potential for pollution from vessel sewage discharges.

One of the facilities at Mission Bay has an adjacent water depth of 20 feet, which is the depth of the dredged entrance channel. The other pump-out facility in Mission Bay has an adjacent water depth of eight feet. The Harbor District pump-out facility in Oceanside Harbor is located immediately adjacent to the entrance channel, which they dredge to approximately 19 feet. Both of the pump-out facilities located in Dana Point Harbor have an adjacent water depth of approximately 10 feet, which will accommodate all vessels that can use the other harbor facilities.

Each bay or harbor addressed by this determination has at least one pump-out facility that is available for use on a 24-hour basis. Other privately operated facilities normally are available during daylight hours. The pump-out rates of the dockside facilities vary between five and ten gallons per minute and all of the pumping units discharge directly to

the sanitary sewer and to a treatment facility that meets State and Federal requirements. A survey conducted by the California Regional Water Quality Control Board revealed no evidence of boat overcrowding at any of the pump-out facilities. Most boats require only five minutes to empty the holding tanks.

The Agency received only one comment pursuant to the May 26 FEDERAL REGISTER notice of receipt of the State of California's petition; the San Diego County Department of Public Health commented in support of the State's petition.

Dated August 6, 1976

John Quarles,

Acting Administrator.

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