

[FRL-4884-5]

Massachusetts Marine Sanitation Device Standard for Coastal Waters of Falmouth Mashpee

Notice of Determination

On March 10, 1994, notice was published that the State of Massachusetts had petitioned the Regional Administrator, Environmental Protection Agency, to determine that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the coastal waters of Waquoit Bay, that border the Towns of Falmouth and Mashpee, within the State of Massachusetts (56 FR 57891). The petition was filed pursuant to section 312(f) (3) of Pub. L 92-500 as amended by Pub. L. 95-217 and Pub. L. 100-4.

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 States 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 water to which such prohibition would apply.

The information submitted to me by the State of Massachusetts certified that there are two pump-out facilities available to service vessels in Waquoit Bay that border the coastal waters of Falmouth and Mashpee.

Pump-out facility No. 1 is located at the Edwards Boat Yard, on the Childs River in Falmouth. This facility will provide stationary pump-out service and will be available seven days a week from 8:00 a.m. to 4:30 p.m. Memorial Day through Columbus Day. During the rest of the year, the pumpout facility will operate Monday through Friday from 8:00 a.m. until 4:30 p.m., and half days on Saturdays several

weeks before Memorial Day and after Columbus Day. There will be a \$5.00 fee per pump-out.

Pump-out facility No 2 is located at the Little River Boat Yard, on Seconsett Island in Mashpee. This facility will provide stationary/mobile pump-out service seven days a week from 7 a.m. to 7 p.m. Memorial Day through Columbus Day. Business hours at other times for the year will be Monday through Friday from 8 a.m. to 4:30 p.m. During the summer season, the mobile service will make a scheduled round of Waquoit Bay to provide service to moored boats throughout the bay, including transient boats located along the shores of Washburn Island. Mariners will be able to contact the operator by marine radio (Channel 09 VHF-FM) or visible signal to request a pump-out. The remainder of the time, the facility will be docked so that pump-out service will be available for any boats wishing to use it. There will be a \$5.00 fee per pump-out.

All pump-out waste will be stored in a 2000 gallon licensed tight tank at the Edward's Boat Yard. A licensed hauler will remove the waste and dispose of it in the Falmouth Sewage Treatment Plant which is approved by the Massachusetts Department of Environmental Protection to receive waste.

Marinas are found along the Childs and Little River and docks line the bay's tributaries and salt ponds. Currently, there are an estimated 2610 boats in Waquoit Bay and its tributaries and salt ponds with approximately 570 boats having some type of Marine Sanitation Device (MSD) based on their size classification. Waquoit Bay is 931 acres in size with a watershed of approximately 20 square miles.

There were no comments received by the Agency on the merits of the petition prior to the deadline for receipt of comments as stated in the March 10, 1994, **Federal Register** "Receipt of Petition" notice.

Based on an examination of the petition, and its supporting information which included a site visit by EPA Region I staff, and the fact that the Agency received no comments concerning the petition, I

have determined that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for Waquoit Bay and its tributaries and salt ponds that border the Towns of Falmouth and Mashpee, within the State of Massachusetts, to qualify as a "No Discharge Area".

This determination is made pursuant to Section 312(f) (3) of Pub. L 92-500, as amended by Pub. L 95-217 and Pub. L. 100-4.

Dated: May 2, 1994

John P. DeVillars,
Regional Administrator.

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