

[FRL-5063-4]

**Massachusetts Marine Sanitation Device Standards for Coastal Waters of Westport; Notice of Determination**

On July 19, 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 Westport Harbor and the East and West Branches of the Westport River that border the Town of Westport, within the State of Massachusetts (56 FR 36758). 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 the 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 not 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 State of Massachusetts has certified that there are two pump-out facilities available to service vessels in the Westport Harbor and the Westport River.

Pump-out facility No. 1, which is mobile, is located at the Town Pier on the north side of the Westport Harbor. This facility has a holding capacity of 650 gallons and it is marked with a yellow and maroon U.S. EPA issued boat pump-out sign. The hours of operation will be upon request during the summer season from Memorial Day through Columbus Day seven days a week from 8 a.m. to 2 p.m. by calling the Harbormaster's office at (508) 636-

1105 or by radio on channel 9 VHF. The mobile boat pump-out has a draft requirement of 2 feet. Vessels located in waters with depths of less than 2 feet may need to move to deeper water to be pumped out. The cost is free and will be absorbed through boating licenses for the season.

Pump-out facility No. 2 will be established at Tripps Marina. The hours of operation during the summer season from Memorial Day through Columbus Day are seven days a week from 8 a.m. to 5 p.m. Monday through Friday, and from 9 a.m. to 5 p.m. Saturday and Sunday. There is no fee to use the pump-out facility. Tripps is the largest marina in Westport with 250 slips and 150 moorings. There are fuel facilities, on-shore toilet and shower facilities, and a waste oil receptacle available to boaters.

The Town operates and maintains a 1000 gallon above ground holding tank for septage with secondary containment on the south side of Westport Harbor. The tank is located adjacent to the State Boat Ramp and may be accessed from the water.

Septage is collected by Ocean Arks, Inc., a research facility located in Marion, MA. In the event the Ocean Arks, Inc. ceases to accept the boat septage, the Town of Westport has a renewable contract with New England Sanitation, a licensed septic hauler, located in Westport, MA. Septage that is removed by New England Sanitation will be treated at the Fall River Wastewater Treatment Facility in Fall River, MA.

There are an estimated 350 moored boats in the East Branch of the Westport River, 100 moored boats in the West Branch, 770 moored boats in the Westport Harbor, and approximately 20 transient vessels which enter the harbor each day through the mouth of the harbor during the boating season. Westport is approximately 14 miles long, 5.2 miles wide, with a total area of 57 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 July 19, 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 the Westport Harbor and the East and West Branch of the Westport River, 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: August 23, 1994.

**John P. DeVillars,**  
Regional Administrator

[FR Doc. 94-21588 Filed 9-1-94;  
8:45 am]

BILLING CODE 6530-50-P