

**[1FRL-4094-81]
Massachusetts Marine Sanitation
Device Standard for Coastal
Waters of Wareham;
Determination**

On November 14, 1991, 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 the Town or Wareham, County or Plymouth, within the State of Massachusetts (56 FR 57891). The petition was filed pursuant to section 312(f)(3) of Public Law 92-500 as amended by Public Law 98-217 and Public Law 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 seven pump-out facilities available to service vessels in Wareham coastal waters. Pump-out facility No.1 is located at Bevan's Marina, near the head or Buttermilk Bay. Service is limited to vessels less than seven feet in height because of two bridges crossing the mouth of the Bay. This facility is open from 8 a.m. to 5 p.m., seven days a week and has a \$5.00 fee per pump-out. Pump-out facility No.2 is located at Onset Bay

Marine, on the northern shore of Onset Bay, and will accommodate vessels with a draft of six feet. This facility is open from 7:30 a.m. to 6 p.m. Sunday through Friday, and 7:30 a.m. to 7 p.m. on Saturday. There is a \$5.00 fee per pump-out with a resident sticker or purchase of \$10.00 or more at the marina store, or \$15.00 fee per pump-out without those conditions.

Pump-out facility No.3 is located at the Point Independence Yacht Club, the northern shore of Onset Bay, and will accommodate vessels with a draft six feet. This facility is open from a.m. to 5 p.m., seven days a week and there is no charge per pump-out.

Pump-out facility No.4 is located at Stonebridge Marina, on the northern shore of Onset Bay. Stonebridge Marina, located on East Avenue and the East River, just north of the Onset Avenue Bridge. The height of the bridge, 11 feet low tide, prohibits some boats from using this marina. This facility is open from 9 a.m. to 7 p.m., seven days a week and there is no charge per pump-out.

Pump-out facility No. 5 is located at the Onset Town Pier, on the northern shore of Onset Bay near the mouth of Sunset Cove, and will accommodate vessels with a draft of 16 feet. This facility is open from 8 a.m. to 4 p.m. seven days a week, and is free to the public.

Pump-out facility No.6 is located at Warr's Marine, on the Wareham River, and can accommodate vessels with a draft of 6 feet. This facility is open from 9 a.m. to 4 p.m., and charges a \$10.00 per pump-out.

Pump-out facility No. 7 is located at the Wareham Boat Yard, on the Weweantic River. The Wareham Boat Yard is located on Rose Point Avenue north of the Route 6 bridge. The bridge, which has a clearance of 6 feet, and foot water depth prohibit larger boats from accessing the marina. This facility open from 9 a.m. to 5 p.m. seven days week, and there is no charge per pump-out.

All pump-out facilities are tied into the municipal sewage system with the exception of Bevan's Marine, which is scheduled to be connected by Spring 1992 and the Wareham Boat yard, which treats its pump-out waste in an on-site septic system

and which services primarily small vessels without MSDs. The Wareham Water Pollution Control Facility is located on Route 6, and discharges to the Agawam River. This complying with provisions in a State program approved by the EPA should be considered in compliance with the revised Federal Criteria.

Compliance With Executive Order 12291

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive order 12291.

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this tentative approval will not have a significant economic impact on a substantial number of small entities. It does not impose new burdens on small entities. This proposed rule, therefore, does not require a regulatory flexibility analysis.

Authority: This notice is issued under the authority of section 4005 of the Solid Waste Disposal Act as amended 42 U.S.C. 6907, 6927, 6928, 6947, 6974(b).

Dated: September 18, 1992.
Valdas V. Adamkus,
Regional Administrator.
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