New York State Prohibition on Marine Discharges of Vessel Sewage; Notice of Final Affirmative Determination

Notice is hereby given that a final affirmative determination has been made by the New York State Department of Environmental Conservation (NYSDEC) in cooperation with the Town of Brookhaven. Upon receipt of an affirmative determination in response to the petition, NYSDEC will completely prohibit the discharge of sewage, whether treated or not, from any vessel in the Port Jefferson Harbor Complex in accordance with section 312(f)(3) of the Clean Water Act and 40 CFR 140.4(a).

The Port Jefferson Harbor Complex is located on the north shore of Long Island with approximately 64 miles of tidal shoreline contiguous to Long Island Sound. Port Jefferson’s marine waters are comprised of approximately 2,000 acres of harbors, bays and tidal wetlands. The Harbor complex is a major producer of hard clams, soft clams and quahog clams and oysters in New York State.

The Harbor complex is used extensively by recreational boaters. Seasonal and transient mooring areas, as well as private and public marinas and boat ramps, are located in the area.

Information submitted by the State of New York and the Town of Brookhaven indicate that there are two existing pumpout facilities and two pumpout boats available to service vessels which use the Port Jefferson Harbor Complex. The Town of Brookhaven operates a fixed pumpout station at the Port Jefferson Marine. The pumpout is available 24 hours a day beginning May 1 through October 31 and is self-service. No fee is charged for the use of the pumpout. Water Depth is 10-feet at mean low water making it accessible to all recreational boats. The Town of Brookhaven operates a mobile pumpout vessel which is dedicated to the Harbor complex from mid-May through mid-September. The hours of operations are Saturdays from 10 am to 5 pm, Sundays from 8 am to 5 pm and holidays from 8 am to 5 pm. The pumpout vessel is also available for pumpouts on Fridays and Mondays by appointment. No fee is charged for the service. The Town has a second pumpout vessel that during periods of heavy demand also services Port Jefferson Harbor. Danfords Marina located on East Broadway, Port Jefferson, operates a pumpout. The pumpout is available during normal business hours from May through October. A $10.00 fee is charged for the use of the pumpout. Water depth is 6 feet at mean low water.

Vessel waste generated from the pumpout facilities located at the Town of Brookhaven’s Port Jefferson Marina and their pumpout vessel, and at the Danfords Marina is hauled by privately operated waste haulers. All hauled waste from the pumpout facilities is discharged into and treated at the Suffolk County sewage treatment plant at Bergen Point located in Babylon.

There are five pumpouts located in harbors adjacent to the Port Jefferson Harbor Complex. Two pumpouts are located in Stony Brook Harbor. One pumpout is located in the Nissequoque River while two more are located in Mt. Sinai Harbor.

According to the State’s petition, the maximum daily vessel population for the waters of Port Jefferson Harbor Complex is approximately 900 vessels which are docked or moored. An inventory was developed including the number of recreational, commercial and estimated transient vessels that occupy the harbor bay complex. The ratio of boats to pumpout facilities has been based on the number of vessels which could be expected. With two shore-side pumpout facilities and one pumpout vessel available to boaters, the ratio of docked or moored boats (including transients) is approximately 300 vessels per pumpout. Standard guidelines refer to acceptable ratios failing in the range of 300 to 600 vessels per pumpout. If the EPA calculation is employed (as listed in the guidance manual entitled, “Protecting Coastal Waters from Vessel and Marina Discharges: A Guide for State and Local Officials—April 1994”), it estimates that two pumpouts are needed to provide adequate facilities.

Several commercial vessel operators are active in and around the harbor. These include the Bridgeport/Port Jefferson Ferry, Miller Marine, Barker Marine, Buchanan Marine, Ltd., Martha Jefferson Paddlewheel Cruises, Port Jefferson Ace and Prowler Recreational/Charter Fishing, and Osprey Recreational/Charter Fishing. These businesses were contacted by the Town of Brookhaven and asked to provide information regarding their methods for treating their vessel sewage. Most of the operators contacted use holding tanks to retain their sewage. The operators that currently use flow-through systems have made commitments to retrofit and comply with the No Discharge Area when finalized.

The EPA hereby makes a final affirmative determination that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available.

This petition was made by the New York State Marine, EPA has determined that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available.

This final determination on this matter...
will result in a New York State prohibition of any sewage discharges from vessels in the Port Jefferson Harbor Complex.

William J. Muszynski,
Acting Regional Administrator, Region 2.

[FRC Doc. 01–25589 Filed 10–10–01; 8:45 am]"SUPPLEMENTARY INFORMATION:"

The elimination of FCC/CIB–1, “Informal Complaints and Inquiries,” as amended: The amended and altered system of records incorporates the provisions of FCC/CIB–4, “Telephone and Electronic Contacts,” reviews two routine uses to incorporate comments received following the initial publication of the altered system of records, and makes other edits and revisions as necessary. The FCC will eliminate FCC/CIB–4.

DATES: The amended and altered system, which incorporates the comments received following the initial publication, shall become effective October 11, 2001.

FOR FURTHER INFORMATION: Contact Les Smith, Performance Evaluation and Records Management, Room 1–A804, Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554, or via the Internet at lessmith@fcc.gov or Arthur Scrutchins, Staff Attorney, Office of the Bureau Chief, Consumer Information Bureau, Room 3–A234, Federal Communications Commission, at (202) 418–2184, or via the Internet at ascrutich@fcc.gov.

SUPPLEMENTARY INFORMATION: As required by the Privacy Act of 1974, 5 U.S.C. 552a(e)(4), this document sets forth notice of the amendment of the proposed alteration of a system of records maintained by the FCC, in response to comments received following the initial publication in the Federal Register. The purpose of altering FCC/CIB–1, “Informal Complaints and Inquiries,” is to enable the Consumer Information Bureau to handle and process informal complaints filed against common carriers received from individuals, groups, and other entities. Records in this system are available for public inspection after redaction of information, which could identify the complainant or correspondent, i.e., name, address, and/or telephone number.

The Commission’s proposal achieves this purpose by amending and altering this system of records, FCC/CIB–1, “Informal Complaints and Inquiries,” with these changes:

The incorporation of the data elements of another system of records, FCC/CIB–4, “Telephone and Electronic Contacts,” into FCC/CIB–1;

The elimination of FCC/CIB–4;

The amendment of the proposed revision of one routine use to address informal complaints filed against common carriers, pursuant to Section 208 of the Communications Act of 1934, as amended:

Routine use (1) to allow disclosure when a record in this system involves an informal complaint filed against a common carrier, the complaint may be...