

Dated: May 5, 2021.  
**Kimberly D. Bose,**  
*Secretary.*  
 [FR Doc. 2021-09929 Filed 5-10-21; 8:45 am]  
**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. ER21-1814-000]

**Yellow Pine Energy Center II, LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization**

This is a supplemental notice in the above-referenced proceeding of Yellow Pine Energy Center II, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is May 25, 2021.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in

docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.  
 In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call toll-free, (886) 208-3676 or TTY, (202) 502-8659.

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL 10021-74-Region 3]

**Clean Water Act: No-Discharge Zones for Vessel Sewage in Maryland and Virginia**

**AGENCY:** Environmental Protection Agency (EPA).  
**ACTION:** Notice—final determination.

**SUMMARY:** On behalf of the State of Maryland, the Secretary of the Maryland Department of Natural Resources requested that the Regional Administrator, U.S. Environmental Protection Agency, Region 3 approve a no-discharge zone for thirteen water bodies in Anne Arundel County, Maryland pursuant to the Clean Water Act. After review of Maryland's application, EPA determined that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonable available for all thirteen waterbodies within Anne Arundel County. The

application is available upon request from EPA (at the email address below).  
**DATES:** This approval is effective upon the date of publication in the **Federal Register** on May 11, 2021.

**FOR FURTHER INFORMATION CONTACT:** Ferry Akbar Buchanan, U.S. Environmental Protection Agency—Region III. Telephone: (215) 814-2570; email address: [AkbarBuchanan.Ferry@epa.gov](mailto:AkbarBuchanan.Ferry@epa.gov).

**SUPPLEMENTARY INFORMATION:** Pursuant to Clean Water Act section 312(f)(3), if any state determines that the protection and enhancement of the quality of some or all of the state's waters require greater environmental protection, the state may designate the waters as a vessel sewage no-discharge zone. However, the state may not establish the no-discharge zone until EPA has determined that adequate pumpout facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the proposed waters. EPA's implementing regulations, 40 CFR part 140, require that the state apply to EPA to obtain such a determination, and identify the types of information that must be included in the application. This includes a certification of need for the no-discharge zone and information regarding the vessel population and pumpout facilities.

The proposed no-discharge zone includes thirteen water bodies wholly within Anne Arundel County, Maryland: Stoney Creek, Rock Creek, Bodkin Creek, the Atlantic Marina Resort, Magothy and Little Magothy Rivers, Severn River, South River, West and Rhode Rivers, Podickory Creek, Sandy Point/Mezick Ponds, Whitehall Bay, Oyster Cove and Fishing Creek. While these waterbodies constitute nearly all of the county's waters, a few water bodies have not been proposed for the no-discharge zone designation. These include two inter-jurisdictional rivers that border the county, the Patapsco River and Patuxent River, as well as Curtis Creek. The proposed no-discharge zone encompasses a total area of 27,379 acres, expanding upon an existing 3,500 acre no-discharge zone for Herring Bay that was approved in 2002 (67 FR 1352, January 10, 2002). The table below provides the coordinates delineating the proposed no-discharge zone boundaries for each of the thirteen waterbodies.

Waterbody	Waterbody limits	Area (acres)
Stony Creek .....	39.1723 °N, 76.5171 °W to 39.1725 °N, 76.5126 °W .....	677
Rock Creek .....	39.1614 °N, 76.5004 °W to 39.1625 °N, 76.4862 °W .....	524

Waterbody	Waterbody limits	Area (acres)
South Shore, Patapsco River .....	39.1472 °N, 76.4589 °W to 39.1471 °N, 76.4588 °W .....	2
Bodkin Creek .....	39.1346 °N, 76.4398 °W to 39.1321 °N, 76.4378 °W .....	609
Magothy and Little Magothy Rivers .....	39.0597 °N, 76.4332 °W to 39.0527 °N, 76.4382 °W .....	5,879
Podickory Creek .....	39.0328 °N, 76.4040 °W to 39.0317 °N, 76.4048 °W .....	9
Sandy Point/Mezick Ponds .....	39.0082 °N, 76.4031 °W to 39.0081 °N, 76.4033 °W .....	47
Whitehall Bay .....	38.9748 °N, 76.4547 °W to 38.9871 °N, 76.4268 °W .....	1,599
Severn River .....	38.9748 °N, 76.4547 °W to 38.9411 °N, 76.4502 °W .....	7,497
Oyster Creek .....	38.9274 °N, 76.4638 °W to 38.9273 °N, 76.4634 °W .....	34
Fishing Creek .....	38.9147 °N, 76.4590 °W to 38.9073 °N, 76.4600 °W .....	228
South River .....	38.9073 °N, 76.4600 °W to 38.8877 °N, 76.4898 °W .....	5,904
West and Rhode Rivers .....	38.8877 °N, 76.4898 °W To 38.8531 °N, 76.4959 °W .....	4,370
<b>Total Area</b> .....	.....	<b>27,379</b>

In the application, Maryland certified that the waters of the City of Annapolis and Anne Arundel County require greater environmental protection than provided by currently applicable Federal standards for vessel sewage discharges. The Magothy River, Whitehall Bay/Meredith River, Severn River, South River, Rhode River and West River have been listed on current or previous Clean Water Act 303(d) lists of impaired waters by Maryland as impaired for shellfish harvesting due to fecal coliform. As such, many shellfish beds are restricted or closed. All except Whitehall Bay/Meredith Creek are also impaired for nutrients (nitrogen and phosphorus) and all except the Whitehall Bay/Meredith Creek and West River for total suspended solids. The state anticipates that a no-discharge zone designation would help reduce levels of nutrients, total suspended solids, and fecal coliform within these impaired waters.

The application also highlights the importance of boating in Anne Arundel County. The county is home to the U.S.

Naval Academy, has hosted the U.S. Sailboat and Powerboat Shows annually since 1970, and is known as the “The Nation’s Sailing Capital.” According to the application’s sources, there are approximately 96 recreational boating businesses in Anne Arundel County, plus additional businesses that support and depend on recreational crabbing and fishing.

The State of Maryland provided documentation indicating that the maximum total vessel population is estimated to be 29,789 vessels, the majority of which are recreational. The most conservative vessel population estimates provided by Maryland suggest that there are 7,182 vessels less than 16 feet in length, 10,307 vessels between 16 feet and 26 feet in length, 9,072 vessels between 26 feet and 40 feet in length, and 3,228 vessels greater than 40 feet in length. Commercial traffic on these waterways is limited to boat rental companies, public charter vessels and several small cruise ships. Based on the number and size of vessels and EPA guidance on the subject (“Protecting

Coastal Waters from Vessel and Marina Discharges: A Guide for State and Local Officials, Volume 1. Establishing No-Discharge Areas under section 312 of the Clean Water Act” (EPA 842-B-94-004, August 1994)), the estimated number of vessels requiring pumpout facilities in the City of Annapolis and Anne Arundel County during peak occupancy is 2,924 vessels.

Based on Maryland’s vessel population estimates and EPA guidance, approximately 46 pumpout facilities are needed to adequately service the vessel population. Maryland identified 61 marinas offering public pumpout service, including 59 stationary units, nine portable units and three mobile pumpout boats. The application provides additional information regarding height and draft limitations for accessing pumpout facilities. EPA has determined that vessels using the proposed waters will not be excluded due to any such limitations. A list of the facilities, phone numbers, locations and hours of operation follows.

Station	Location	Phone	Hours	Depth	Off season operation	Limited overhead	Address
<b>AREA: PATAPSCO RIVER (11)</b>							
Atlantic Marina Resort.	Patapsco River (mouth).	410-437-6926	9-5 Daily .....	4'	No .....	NA .....	2010 Knollview Ave, Pasadena, MD 21122.
Blake’s Bar Harbor ...	Patapsco River Rock Creek.	410-255-5500	8-6 Daily .....	4'	No .....	NA .....	208 Bar Harbor Rd, Pasadena, MD 21122.
Fairview Marina .....	Patapsco River Rock Creek.	410-437-3400	Mon-Fri 8-4; Sat-Sun 8-3.	5'	No .....	NA .....	1575 Fairview Beach Rd, Pasadena, MD 21122.
Hammock Island Marina.	Patapsco River Bodkin Creek.	410-437-1870	10-4 daily .....	7'	No .....	NA .....	8083 Ventnor Rd, Pasadena, MD 21122.
Maryland Yacht Club	Patapsco River Rock Creek.	410-255-4444	8-4 daily .....	17'	Yes .....	NA .....	1500 Fairview Beach Rd, Pasadena, MD 21122.
Nabbs Creek Marina	Patapsco River Stoney Creek.	410-437-0402	8:30-5 daily .....	6'	No .....	Yes .....	864 Nabbs Creek Rd, Glen Burnie, MD 21060.
Oak Harbor Marina ...	Patapsco River Rock Creek.	410-255-4070	24-7 .....	15'	No .....	NA .....	1343 Old Water Oak Point Rd, Pasadena, MD 21122.
Pasadena Yacht Yard	Patapsco River Rock Creek.	410-255-1771	9-5 daily .....	4'	No .....	NA .....	8631 Fort Smallwood Road Pasadena, MD 21122.
Pleasure Cove Marina.	Patapsco River Bodkin Creek.	410-437-6600	Mon-Thur 9-6; Fri-Sun 9-8.	8'	Yes .....	NA .....	1701 Poplar Ridge Rd, Pasadena, MD 21122.
Ventnor Marina .....	Patapsco River Bodkin Creek.	410-255-4100	9-5 daily .....	10'	Yes .....	NA .....	8070 Ventnor Rd, Pasadena, MD 21122.
White Rocks Marina & Boatyard.	Patapsco River Rock Creek.	410-255-3800	Mon-Fri 9-3; Sat 11-2.	14'	No .....	NA .....	1402 Colony Rd, Pasadena, MD 21122.

Station	Location	Phone	Hours	Depth	Off season operation	Limited overhead	Address
<b>AREA: MAGOTHY RIVER (7)</b>							
Atlantic Marina on the Magothy.	Magothy River/ Grays Creek.	410-360-2500	9-5 daily .....	6'	No .....	NA .....	487 New York Ave, Pasadena, MD 21122.
Fairwinds Marina .....	Magothy Marina .....	410-974-0758	8-5 daily .....	6'	No .....	NA .....	1000 Fairwinds Dr, Annapolis, MD 21409.
Ferry Point Marina ....	Magothy River/Mill Creek.	410-544-6368	7am-8pm daily .....	14'	Yes .....	NA .....	1606 Marina Dr, Trappe, MD 21673.
Hamilton Harbour Marina.	Magothy River .....	410-647-0733	Thurs-Tues 9-5 .....	12'	No .....	NA .....	368 North Dr, Severna Park, MD 21146.
Magothy Marina .....	Magothy River .....	410-647-2356	Mon-Thur 8-6, Fri-Sun 8-8.	16'	No .....	NA .....	360 Magothy Rd, Severna Park, MD 21146.
Podickory Point Yacht Club.	Chesapeake Bay ....	410-757-8000	9-5 daily .....	5'	No .....	NA .....	2116 Bay Front Terrace, Annapolis, MD 21409.
Sandy Point State Park.	Chesapeake Bay ....	410-974-2149	24-7 .....	6'	No .....	NA .....	1100 E College Pkwy, Annapolis, MD 21409.
<b>AREA: SEVERN RIVER (17)</b>							
Annapolis City Marina	Severn River Spa Creek.	410-268-0660	8-8 daily .....	14'	Upon Request.	NA .....	410 Severn Ave, Annapolis, MD 21403.
Annapolis Landing Marina.	Severn River Back Creek.	410-263-0090	10-5 daily .....	6'	No .....	NA .....	980 Awald Rd, Annapolis, MD 21403.
Annapolis Maryland Capital Yacht Club.	Severn River Back Creek.	410-269-5219	9-5 daily .....	8'	No .....	NA .....	16 Chesapeake Landing, Annapolis, MD 21403
Bert Jabin's Yacht Yard.	Severn River Back Creek.	410-268-9667	8-4:30 daily .....	8'	No .....	NA .....	7310 Edgewood Rd, Annapolis, MD 21403.
Chesapeake Harbour Marina.	Chesapeake Bay ....	410-268-1969	9-5 daily .....	8'	No .....	NA .....	2030 Chesapeake Harbour Dr E, Annapolis, MD 21403.
City of Annapolis Pumpout Boat.	Severn River Spa Creek.	410-320-6852	Mon-Sat 8-4:30 .....	NA	NA .....	NA .....	NA.
Eastport Yacht Center.	Severn River Back Creek.	410-280-9988	8-4 daily .....	8'	No .....	NA .....	726 2nd St, Annapolis, MD 21403.
Horn Point Harbour Marina.	Severn River Back Creek.	410-263-0550	9-5 daily .....	8'	No .....	NA .....	105 Eastern Ave, Annapolis, MD 21403.
JPort Marina .....	Severn River Back Creek.	410-280-8692	9-5 daily .....	9'	No .....	NA .....	7074 Bembe Beach Rd, Annapolis, MD 21403.
Little John Marina .....	Severn River Brewer Creek.	410-841-6491	9-5 daily .....	15'	No .....	NA .....	134 Sherwood Forest Road, Sherwood Forest, MD 21405.
Mears Marina .....	Severn River Back Creek.	410-268-8282	24-7 .....	10'	No .....	NA .....	519 Chester Ave, Annapolis, MD 21403.
Pines on the Severn	Severn River/Chase Creek.	410-370-2948	24-7 .....	10'	No .....	NA .....	21012, Arnold, MD 21012.
Port Annapolis Marina.	Severn River Back Creek.	410-269-1990	8-4:30 daily .....	10'	Yes .....	NA .....	7074 Bembe Beach Rd, Annapolis, MD 21403.
Smith's Marina .....	Severn River Little Round Bay.	410-923-3444	8-8 daily .....	7'	No .....	Yes .....	529 Ridgley Rd, Crownsville, MD 21032.
The President Point ..	Severn River Spa Creek.	410-991-9381	7-7 daily .....	5'	No .....	NA.	
Watergate Pointe Marina.	Severn River/Back Creek.	443-926-1303	24-7 .....	7'	No .....	NA .....	655 Americana Dr, Annapolis, MD 21403.
Yacht Haven of Annapolis.	Severn River Spa Creek.	410-267-7654	Mon-Fri 7:30-4:30	11'	No .....	NA .....	326 First St, Annapolis, MD 21403.
<b>AREA: SOUTH RIVER (13)</b>							
Anchor Yacht Basin ..	South River Selby Bay.	410-798-1431	8-5 daily .....	5'	No .....	NA .....	1048 Turkey Point Rd, Edgewater, MD 21037.
Arundel on the Bay ...	South River/Fishing Creek.	443-253-0596	Dawn to dusk .....	4-6'	Yes .....	NA .....	P.O. Box 4665, Annapolis.
Fishing Creek .....	South River Duvall Creek.	.....	24-7 .....	7'	No .....	NA .....	122 Cherry Lane, Annapolis 21403.
Holiday Point Marina	South River Selby Bay.	410-956-2208	Mon-Fri 7:30-4; Sat by appointment.	6'	Yes .....	NA .....	3774 Beach Dr, Blvd # C, Edgewater, MD 21037.
Liberty Marina .....	South River .....	410-266-5633	8-4:30 daily .....	15'	Yes .....	Yes .....	64 Old South River Rd, Edgewater, MD 21037.
Mayo Ridge Marina ..	South River Ramsey Lake.	410-798-1952	9-7 daily .....	5'	Yes .....	NA .....	1293 Mayo Ridge Rd, Edgewater, MD 21037.
Norris Marina .....	South River Ramsey Lake.	410-798-0275	8-4 daily .....	8'	No .....	Yes .....	1111 Turkey Point Rd, Edgewater, MD 21037.
Oak Grove Marine Center.	South River .....	410-266-6696	Mon-Fri 10-6; Sat-Sun 8-7.	9'	No .....	NA .....	2820 Solomons Island Rd, Edgewater, MD 21037.
Oyster Harbor .....	South River/Oyster Creek.	410-280-8999	24-7 .....	6'	No .....	NA .....	P.O. Box 3174, Annapolis.
Pier 7 Marina .....	South River .....	410-956-2288	9-5 daily .....	12'	No .....	Yes .....	48 S River Road South, Edgewater, MD 21037.
Pocahontas Marina ...	South River/Pocahontas Creek.	410-533-8752	24-7 .....	10'	Yes .....	NA .....	3365 Pocahontas Drive, Edgewater, MD 21037.
Selby Bay Marina .....	South River Selby Bay.	410-798-0232	9-5 daily .....	8'	Yes .....	NA .....	931 Selby Blvd, Edgewater, MD 21037.

Station	Location	Phone	Hours	Depth	Off season operation	Limited overhead	Address
Turkey Point Marina	South River Ramsey Lake.	410-798-1369	Tues-Sat 9-5 .....	4'	No .....	No .....	1107 Turkey Point Rd, Edgewater, MD 21037.

**AREA: RHODE RIVER (5)**

Blue Water Marina ....	Rhode River, Bear Neck Creek.	410-798-6968	10-5 daily .....	10'	No .....	NA .....	1024 Carrs Wharf Rd., Edgewater, MD 21037.
Cadle Creek Marina ..	Rhode River Cadle Creek.	410-798-1915	9-5 daily .....	6'	No .....	NA .....	4159 Cadle Creek Rd, Edgewater, MD 21037.
Casa Rio Marina .....	Rhode River Cadle Creek.	410-798-4731	Mon-Fri 8-4 .....	5'	Yes .....	NA .....	4079 Cadle Creek Rd, Mayo, MD 21106.
Rhode River Marina ..	Rhode River Back Neck Creek.	410-798-1658	8-5 daily .....	9'	No .....	NA .....	3932 Germantown Rd, Edgewater, MD 21037.
West/Rhode Riverkeeper Pumpout Boat.	Rhode River .....	443-221-5104 or VHF channel 71	Fri-Mon 8-6 .....	.....	No .....	NA .....	4800 Atwell Road, Edgewater, MD 21037.

**AREA: WEST RIVER (7)**

Backyard Boats .....	West River/Parrish Creek.	301-261-5115	8-4 daily .....	10'	Yes .....	NA .....	4819 Woods Wharf Rd Shady Side, MD 20764.
Chesapeake Yacht Club.	West River .....	410-867-1500	Wed-Mon 9-4 .....	8'	No .....	NA .....	4943 Hine Dr, Shady Side, MD 20764.
Hartge Yacht Harbor	West River .....	443-607-6306	Mon-Fri 8-5; Sat-Sun 9-5.	10'	No .....	NA .....	4883 Church Ln, Galesville, MD 20765.
Shady Oaks Marina ..	West River .....	410-267-1808	8-8 daily .....	5'	No .....	NA .....	846 Shady Oaks Rd, West River, MD 20778.
West/Rhode River Keeper Pump out.	West River .....	443-221-5104 or VHF channel 71	Fri-Mon 8-6 .....	.....	No .....	NA .....	4800 Atwell Road, Edgewater, MD 21037.
West River Fuel Dock	West River .....	410-867-1444	M-Th 9-5, S/S 8-6, Fri 9-6.	8'	No .....	NA .....	4801 Riverside Dr. Galesville, MD 20765.
West River Yacht Harbor Condo.	West River .....	301-672-3473	8-6 daily .....	7'	Yes .....	NA .....	4801 Riverside Dr, Galesville, MD 20765.

**AREA: WHITEHALL BAY (1)**

Hinkley Yacht Club ...	Whitehall Creek .....	443-951-4380	M-F 8-9, Week-ends by appointment.	12'	Yes .....	NA .....	1656 Homewood Landing Road Whitehall, Annapolis, MD 21409.
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As part of the determination, EPA considered the costs associated with the adequacy and availability of pumpout facilities and determined that costs are minimal. As shown in the table below, pumpout facilities located within the proposed no-discharge zone charge fees that range from \$3 to \$50, with 52 of 61 available facilities charging \$5 or less, including 15 facilities that are free to use. According to Maryland's application, the majority of commercial vessels operating in the proposed no-discharge zone are already equipped with holding tank capacity and therefore are not expected to experience incremental cost increases as a result of the designation.

Fee	Number of pumpout facilities	Proportion of pumpout facilities (percent)
Free .....	15	24
\$3 .....	1	1.5
\$5 .....	37	62
\$10 .....	5	8
\$15 .....	2	3
\$50 .....	1	1.5
Total .....	61	100

In order to solicit input on Maryland's application, EPA published a tentative affirmative determination in the **Federal Register** on September 23, 2020, thereby opening a 30-day public comment period (85 FR 59788). EPA received comments from five individuals regarding establishment of a no-discharge zone in Anne Arundel County and its tributaries. Of those, one supported and three opposed the effort. The other commenter neither supported nor opposed the no-discharge zone, and instead inquired whether the commenter could receive a temporary exemption from enforcement of this no-discharge zone. Since EPA does not enforce this requirement once approved, that comment is outside the scope of EPA's authority to respond. Comments critical of establishing a no-discharge zone focused on three primary issues.

*Issue 1:* Nearby municipalities lack the proper waste treatment system that often overflow and result in spilling sewage to nearby waters.

*Response 1:* In Maryland's application, the state identifies how collected waste is handled by each individual pumpout facility. Some pumpout facilities temporarily store

sewage onsite in a holding tank for later pumpout by a septic hauler that ultimately transports the sewage to a wastewater treatment plant licensed to operate in the state of Maryland. The remaining facilities are directly served by the public sewer, where sewage is directly deposited into the public sewer systems. Maryland confirms that these systems comply all applicable regulations. Treatment facilities are regulated by Maryland through NPDES permits under CWA section 402 and addressed in the Code of Maryland Regulations. Any specific overflows or spills from such facilities may further be addressed further through enforcement and/or compliance efforts. EPA reviewed recent data pertaining to overflows and found no significant violations of such permit requirements. Additionally, there are no Combined Sewer Systems in the proposed waters. EPA does not believe the closest CSO communities have any significant impact on these waters; furthermore, those programs are being adequately addressed through ongoing separation projects and/or in accordance with the schedule for approved long term control plans.

*Issue 2:* The number of available pumpouts is sufficient for the resident vessel population but not for the transient vessel population in Whitehall Bay.

*Response 2:* In addition to the stationary pumpout facility open for public use in Whitehall Bay, nearby facilities are available to the southwest in Severn River (16 facilities) and to the northeast in Sandy Point/Mezick's Pond (one facility). As such, transient vessel operators have an option available to them while operating within Whitehall Bay, as well as before or after transiting through the area.

*Issue 3:* Most pumpout facilities are not open after dark and very few are open during winter.

*Response 3:* The commenter is correct that few pumpout facilities offer around-the-clock service. However, numerous facilities across the proposed no-discharge zone are available to service vessels into the late afternoon and evening. It is reasonable to expect that vessel operators can identify suitable times and locations to pumpout during facility operating hours. During the off-season (winter) months, vessels can be pumped out at the six different pumpout facilities across the proposed no-discharge zone that continue to operate. The Annapolis City pumpout boat also remains in service during this time. While most pumpout facilities are closed, Maryland estimates that only a small percentage of vessels operate during the off-season, and typically only do so for short day trips. As such, EPA has determined that, because the reduction in pumpout service capacity coincides with a reduction in demand for pumpout services, the available facilities during the off-season months remain adequate and reasonably available to the small number of vessels requiring pumpouts.

Based on the information provided by the State of Maryland and after consideration of the comments received, as well as information otherwise available to EPA, EPA hereby issues a final affirmative determination that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the thirteen identified waterbodies located in the City of Annapolis and Anne Arundel County and its tributaries such that the State of Maryland may establish a vessel sewage no-discharge zone.

Through this notification, EPA also amends one of the geographic coordinates from an existing no-discharge zone for Perrin River. EPA's final affirmative determination for Sarah Creek and Perrin River, Virginia,

published in the **Federal Register** on September 23, 2020, incorrectly identified one of the coordinates delineating the no-discharge zone boundary at the mouth of the Perrin River as 37°15'47.18" N, 76°25'20.73" W (85 FR 59796). This notification hereby corrects this coordinate to 37°15'43.52" N, 76°25'25.71" W (NAD 83).

**Diana Esher,**

*Acting Regional Administrator, EPA Region III.*

[FR Doc. 2021-09957 Filed 5-10-21; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[CERCLA 01-2021-0058; FRL-10023-44-Region 1]

### Proposed CERCLA Administrative Cost Recovery Settlement: Former Healy School Site, Fall River, Massachusetts

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of proposed settlement; request for public comments.

**SUMMARY:** Notice is hereby given of a proposed administrative cost settlement for recovery of response costs concerning the Former Healy School Site, located in Fall River, Bristol County, Massachusetts, with the Settling Party, Spindle City Homes, Inc. To settle EPA's claim for recovery of response costs, which amount to approximately \$1,577,000, the proposed settlement requires the Settling Party to pay EPA an amount equal to the sale price of the property of \$450,000 minus \$5,000 for attorney fees, reasonable closing costs, reasonable broker's fees and any outstanding real estate taxes or other municipal liens owed to the City of Fall River at the time of the closing. In exchange, EPA will release its lien and provide the Settling Party with a covenant not to sue for the Site. For 30 days following the date of publication of this notice, the Agency will receive written comments relating to the settlement for recovery of response costs.

**DATES:** Comments must be submitted by June 10, 2021.

**ADDRESSES:** Comments should be addressed to Michelle Lauterback, Senior Enforcement Counsel, Office of Regional Counsel, U.S. Environmental Protection Agency, 5 Post Office Square, Suite 100 (04-2), Boston, MA 02109-3912, (617) 918-1774, [lauterback.michelle@epagov](mailto:lauterback.michelle@epagov), and should reference the Former Healy

School Site, U.S. EPA Docket No: CERCLA 01-2021-0058.

**FOR FURTHER INFORMATION CONTACT:** A copy of the proposed settlement may be obtained from Stacy Greendlinger, Superfund and Emergency Management Division, U.S. Environmental Protection Agency, Region I, 5 Post Office Square, Suite 100 (02-2), Boston, MA 02109-3912, telephone number: (617) 918-1403, email address:

[greendlinger.stacy@epa.gov](mailto:greendlinger.stacy@epa.gov). Direct technical questions to Stacy Greendlinger and legal questions to Michelle Lauterback, Office of Regional Counsel, U.S. Environmental Protection Agency, Region I, 5 Post Office Square, Suite 100 (04-2), Boston, MA 02109-3912, telephone number: (617) 918-1774, email address:

[lauterback.michelle@epa.gov](mailto:lauterback.michelle@epa.gov).

**SUPPLEMENTARY INFORMATION:** This proposed administrative settlement for recovery of response costs concerning the Former Healy School Site, located in Fall River, Bristol County, Massachusetts, is made in accordance with Section 122(h)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). EPA covenants not to sue or take administrative action against the Settling Party, Spindle City Homes, Inc., pursuant to Section 107(a) of CERCLA, 42 U.S.C. 9607(a), for Response Costs. In exchange, the Settling Party agrees to pay to EPA an amount equal to the Net Sale Proceeds minus \$5,000 for attorney fees and expenses. "Net Sale Proceeds" shall mean the \$450,000 sales price set forth in the Purchase and Sale Agreement minus the sum of: (i) Any reasonable closing costs paid regarding the sale; (ii) any reasonable broker's fees regarding the sale; and (iii) any outstanding real estate taxes or other municipal charges owed to the City of Fall River with respect to the Property that are paid to the City of Fall River at the time of closing. Payment of such amount shall be due within 48 hours of the closing of the sale of the property and within 14 days of receiving payment, EPA will provide Settling Party with a release of lien. The Agency will consider all comments received and may modify or withdraw its consent to this cost recovery settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at the Environmental Protection Agency—Region I, 5 Post Office Square, Suite 100, Boston, MA 02109-3912. The Effective Date of the