

[FRL 497-7]

WISCONSIN**Marine Sanitation Device Standard**

On August 26, 1975, notice was given that the State of Wisconsin had petitioned the Administrator, Environmental Protection Agency, to determine that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels within the State are reasonably available for all waters of the State. The action was requested pursuant to section 312(f) (3) of P. L. 9-500 (40 FR 37252, August 26, 1975).

Section 312(f) (3) states, "[A]fter 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 water within such State requires 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 waters to which such petition would apply." Following an examination of the petition and supporting information, and a consideration of all comments received pursuant to the August 26 FEDERAL REGISTER notice, I have determined that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the waters of the State of Wisconsin, with the exception of the Wisconsin waters of Lake Superior, the Mississippi River and the St. Croix River to North Hudson. This determination is made pursuant to section 312(f) (3) of P.L. 92-500.

The information submitted to me indicates that there are commercially navigable waters within the State of Wisconsin for

Lake Superior, Lake Michigan, Green Bay, the Mississippi River, the St. Croix River to North Hudson, the Fox River and the mouths of a few streams discharging to Lake Michigan. The State has certified that licensed septic tank pump-out trucks can service commercial vessels in the Ashland Port in Lake Superior. The Superior Port is a high volume port with large numbers of lake boats and ocean vessels arriving annually. A licensed shore-based truck is reported to be available on call for the Superior Port but could service only a portion of the vessels using this Port. Comments from the Lake Carriers' Association state that they cannot drive a truck over the docks to reach a vessel to pump it out at the Superior Port.

In regard to the commercial waste handling facilities, the state has certified that for Lake Michigan, the Ports of Green Bay, Milwaukee, Racine, and Kenosha have private licensed shore-based trucks available for sanitary wastes. Oil, grease and garbage. The Ports of Sturgeon Bay, Manitowoc, Sheboygan, Two Rivers, and Marinette, have pump-out facilities available for recreational craft and shore-based pump-out trucks available for commercial vessels. In addition, pump-out facilities are available for recreational vessels at Port Washington and Oat Creek. I have determined that facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for Green Bay and the Wisconsin waters of Lake Michigan.

Along the Mississippi River, the distances between the availability of the pump-out and treatment facilities for recreational vessels are as much as 50 to 60 miles. Also, there are no "in-place" pump-out facilities for commercial vessels along the Mississippi River, such vessels currently must use facilities in the State of Illinois to the south or in the State of Minnesota to the north. There is the possibility of service from a licensed shore-based septic tank pump-out truck at La Crosse,

Wisconsin. I believe that these facts do not support a determination of reasonable availability of pump-out and treatment facilities for the Wisconsin waters of the Mississippi [page 11876] River and the St. Croix River to North Hudson.

The Agency received no comments pursuant to recreational pump-out facilities on the internal waters of the State. From an examination of the information submitted by the State of Wisconsin, I have no indications contrary to the state's certification that pump-out facilities are reasonably available for all internal waters of the State of Wisconsin. The information received indicates that waste from existing pump-out facilities are disposed of through on-site soil absorption systems or by discharge to a municipal treatment system. Such treatment methods are in conformance with both State and Federal law.

Based on the information indicated above, I have determined that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the State of Wisconsin, except for the Wisconsin waters of Lake Superior, the Mississippi River, and the St. Croix River to North Hudson. In the excepted waters commercial shipping occurs, but facilities to remove sanitary wastes from commercial vessels are not reasonably available and pump-out facilities for recreational craft are sparsely located and would involve travel distances between such locations of as much as 50 or 60 miles in some areas, which are not reasonably available pump-out facilities.

Dated: March 12, 1976.

RUSSELL E. TRAIN,
Administrator.
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