

November 10, 2003

Board of Selectmen
Town Hall
Wareham, MA 02571

Ladies and Gentlemen:

In accordance with Chapter 130, Section 74A of the Massachusetts General Laws, The Division of Marine Fisheries has re-examined the area listed below in the Town of Wareham, closed on April 30, 2003 due to the release of oil from Bouchard Barge #120.

As a result of this examination which included advice from the Massachusetts Department of Public Health, Bureau of Environmental Health Assessment and the Food Protection Program and consultation with the Massachusetts Department of Environmental Protection, the Division has determined that the ban on shellfish harvesting due to oil contamination may be rescinded in the area listed below. **All bacterial closures in effect prior to the oil spill closure of April 30, 2003 in any portions of the area listed below shall remain in full force and effect.**

Therefore, the below-listed area, **provided it is not closed due to bacterial contamination as noted above**, is open to the harvest of shellfish for direct human consumption, effective at sunrise November 12, 2003 and further subject to local rules and regulations under the authority of Massachusetts General Laws, Chapter 130, Section 52.

STATUS; OIL BAN RESCINED

The ban on shellfishing due to oil has been rescinded in the following state designated shellfish area in their entirety.

BB:36 Wareham River, Wareham

Sincerely,

Paul J. Diodati
Director

OVER

Cc: R. Murray, J. Hanlon, K. Dolan, P. Hanlon, DELE
D. McKiernan, M. Hickey, DMF
R. Packard, WPC, DEP
S. Condon, E. Krueger, P. Tierney, DPH
FDA
M. Landry, USCG
Shellfish Constables of above City and Towns