



Paul J. Diodati  
Director

# Commonwealth of Massachusetts

## Division of Marine Fisheries

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May 30, 2012

Board of Selectmen  
Town Hall  
Eastham, MA 02642

Board of Selectmen  
Town Hall  
Orleans, MA 02653

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that **bivalve shellfish** from area OC:3, (Roberts Cove/Mill Pond in the Town of Orleans) defined below, **no longer contain biotoxins (Paralytic Shellfish Poison-(PSP))** from the phytoplankton *Alexandrium (spp.)* in excess of established standards. Area **OC:6, Salt Pond** in Eastham, remains **closed** to all shellfish harvesting. All areas in the Nauset system (OC:2 through OC:6) remain closed to the harvesting of **Moon snails (*Polinices duplicatus and Lunatia heros*)**.


Therefore, under authority of Massachusetts General Laws, Chapter 130, sections 74A and 75 and 322 CMR sections 7.01 (7), 7.02 and 10.00, the PSP closure for **bivalve shellfish** issued on March 7, 2012 **will be rescinded at sunrise on May 31, 2012** in area OC:3 (Roberts Cove/Mill Pond). Bivalve shellfish in areas currently classified as APPROVED and in the "open" status may now be harvested for direct human consumption subject to local rules and regulations under authority of Massachusetts General Laws Chapter 130, section 52. Similarly, those areas classified as CONDITIONALLY APPROVED and in the "open" status are subject to the classification conditions. All areas OC:2 through OC:6 remain closed to the harvesting of **Moon snails (*Polinices duplicatus and Lunatia heros*)**.

**Status: Open to Bivalve Shellfish Harvesting.** This area remains closed to the harvesting of **Moon snails (*Polinices duplicatus and Lunatia heros*)**.

### OC:3 ROBERTS COVE/MILL POND, ORLEANS

The waters, flats and all tributaries of Mill Pond in the Town of Orleans, southerly of a line drawn across the mouth of Roberts Cove.

Sincerely,

  
Paul J. Diodati  
Director

-over-

cc: A. Gross, J. Tulik, L. Roberts, E. Burns, DELE  
D. McKiernan, M. Hickey, T. Shields, DMF  
WPC, DEP  
FDA  
DPH  
D. Farber, Orleans Shellfish Constable  
M. O'Connor, Eastham Shellfish Constable

