

Discharge Point	Effluent Description.	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
NAS-006	Industrial Storm Water	32° 42' 9"	117° 13' 27"	San Diego Bay
NAS-007	Industrial Storm Water	32° 42' 18"	117° 13' 22"	San Diego Bay
NAS-008	Industrial Storm Water	32° 42' 24"	117° 13' 16"	San Diego Bay
NAS-009	Industrial Storm Water	32° 42' 30"	117° 13' 10"	San Diego Bay
NAS-010	Industrial Storm Water	32° 42' 46"	117° 12' 38"	San Diego Bay
NAS-011	Industrial Storm Water	32° 42' 48"	117° 12' 35"	San Diego Bay
NAS-012	Industrial Storm Water	32° 42' 50"	117° 12' 25"	San Diego Bay
NAS-013	Industrial Storm Water	32° 42' 53"	117° 12' 6"	San Diego Bay
NAS-014	Industrial Storm Water	32° 42' 38"	117° 11' 20"	San Diego Bay
NAS-015	Industrial Storm Water	32° 42' 35"	117° 11' 22"	San Diego Bay
NAS-016	Industrial Storm Water	32° 42' 35"	117° 11' 21"	San Diego Bay
NAS-017	Industrial Storm Water	32° 42' 32"	117° 11' 23"	San Diego Bay
NAS-018	Industrial Storm Water	32° 42' 34"	117° 11' 26"	San Diego Bay
NAS-019	Industrial Storm Water	32° 42' 30"	117° 11' 23"	San Diego Bay
NAS-020	Industrial Storm Water	32° 42' 25"	117° 11' 26"	San Diego Bay
NAS-021	Industrial Storm Water	32° 42' 24"	117° 11' 26"	San Diego Bay
NAS-022	Industrial Storm Water	32° 42' 23"	117° 11' 25"	San Diego Bay
NAS-023	Industrial Storm Water	32° 42' 23"	117° 11' 24"	San Diego Bay
NAS-024	Industrial Storm Water	32° 42' 22"	117° 11' 19"	San Diego Bay
NAS-025	Industrial Storm Water	32° 42' 21"	117° 11' 17"	San Diego Bay
NAS-026	Industrial Storm Water	32° 42' 21"	117° 11' 16"	San Diego Bay
NAS-027	Industrial Storm Water	32° 42' 20"	117° 11' 15"	San Diego Bay
NAS-028	Industrial Storm Water	32° 42' 20"	117° 11' 14"	San Diego Bay
NAS-029	Industrial Storm Water	32° 42' 19"	117° 11' 11"	San Diego Bay
NAS-030	Industrial Storm Water	32° 42' 18"	117° 11' 7"	San Diego Bay
NAS-031	Industrial Storm Water	32° 42' 17"	117° 11' 4"	San Diego Bay
NAS-032	Industrial Storm Water	32° 42' 16"	117° 11' 0"	San Diego Bay
NAS-033	Industrial Storm Water	32° 42' 15"	117° 10' 57"	San Diego Bay
NAS-034	Industrial Storm Water	32° 42' 14"	117° 10' 54"	San Diego Bay
NAS-035	Industrial Storm Water	32° 42' 13"	117° 10' 52"	San Diego Bay
NAS-036	Industrial Storm Water	32° 41' 24"	117° 12' 24"	Pacific Ocean
NAS-037	Industrial Storm Water	32° 41' 43"	117° 13' 37"	San Diego Bay
NAS-039	Industrial Storm Water	32° 42' 41"	117° 12' 53"	San Diego Bay
NAS-040	Industrial Storm Water	32° 42' 53"	117° 12' 10"	San Diego Bay
NAS-041	Industrial Storm Water	32° 42' 53"	117° 11' 56"	San Diego Bay
NAS-042	Industrial Storm Water	32° 42' 52"	117° 11' 41"	San Diego Bay
NAS-043	Industrial Storm Water	32° 42' 52"	117° 11' 37"	San Diego Bay
NAS-044	Industrial Storm Water	32° 42' 51"	117° 11' 37"	San Diego Bay
NAS-045	Industrial Storm Water	32° 42' 49"	117° 11' 33"	San Diego Bay
NAS-046	Industrial Storm Water	32° 42' 49"	117° 11' 29"	San Diego Bay
NAS-047	Industrial Storm Water	32° 42' 41"	117° 11' 18"	San Diego Bay
NAS-048	Industrial Storm Water	32° 42' 36"	117° 11' 20"	San Diego Bay
NAS-049	Industrial Storm Water	32° 42' 52"	117° 11' 43"	San Diego Bay
NAS-050	Industrial Storm Water	32° 42' 39"	117° 11' 19"	San Diego Bay
NAS-051	Industrial Storm Water	32° 42' 33"	117° 11' 22"	San Diego Bay
NAS-052	Industrial Storm Water	32° 42' 40"	117° 11' 18"	San Diego Bay
NAS-053	Industrial Storm Water	32° 42' 49"	117° 11' 29"	San Diego Bay

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
NAS-054	Industrial Storm Water	32° 42' 48"	117° 11' 27"	San Diego Bay
NAS-055	Industrial Storm Water	32° 42' 47"	117° 11' 25"	San Diego Bay
NAS-056	Industrial Storm Water	32° 42' 46"	117° 11' 23"	San Diego Bay
NAS-057	Industrial Storm Water	32° 42' 45"	117° 11' 22"	San Diego Bay
NAS-058	Industrial Storm Water	32° 42' 43"	117° 11' 18"	San Diego Bay
NAB-001	Industrial Storm Water	32° 40' 30"	117° 9' 58"	San Diego Bay
NAB-002	Industrial Storm Water	32° 40' 30"	117° 9' 54"	San Diego Bay
NAB-003	Industrial Storm Water	32° 40' 31"	117° 9' 52"	San Diego Bay
NAB-004	Industrial Storm Water	32° 40' 42"	117° 9' 37"	San Diego Bay
NAB-005	Industrial Storm Water	32° 40' 47"	117° 9' 31"	San Diego Bay
NAB-006	Industrial Storm Water	32° 40' 49"	117° 9' 28"	San Diego Bay
NAB-007	Industrial Storm Water	32° 40' 33"	117° 9' 18"	San Diego Bay
NAB-008	Industrial Storm Water	32° 40' 32"	117° 9' 19"	San Diego Bay
NAB-009	Industrial Storm Water	32° 40' 32"	117° 9' 20"	San Diego Bay
NAB-010	Industrial Storm Water	32° 40' 16"	117° 9' 37"	San Diego Bay
NAB-011	Industrial Storm Water	32° 40' 30"	117° 10' 4"	San Diego Bay
NAB-012	Industrial Storm Water	32° 40' 34"	117° 9' 47"	San Diego Bay
NAB-013	Industrial Storm Water	32° 40' 36"	117° 9' 45"	San Diego Bay
NAB-014	Industrial Storm Water	32° 40' 40"	117° 9' 39"	San Diego Bay
NAB-015	Industrial Storm Water	32° 40' 41"	117° 9' 38"	San Diego Bay
NAB-016	Industrial Storm Water	32° 40' 30"	117° 9' 56"	San Diego Bay
NAB-017	Industrial Storm Water	32° 40' 49"	117° 9' 26"	San Diego Bay
NAB-018	Industrial Storm Water	32° 40' 49"	117° 9' 26"	San Diego Bay
NAB-019	Industrial Storm Water	32° 40' 47"	117° 9' 24"	San Diego Bay
NAB-020	Industrial Storm Water	32° 40' 45"	117° 9' 21"	San Diego Bay
NAB-021	Industrial Storm Water	32° 40' 47"	117° 9' 31"	San Diego Bay
NAB-022	Industrial Storm Water	32° 40' 43"	117° 9' 35"	San Diego Bay
NAB-023	Industrial Storm Water	32° 40' 31"	117° 9' 18"	San Diego Bay
NAB-025	Industrial Storm Water	32° 40' 34"	117° 9' 47"	San Diego Bay
NAB-026	Industrial Storm Water	32° 40' 35"	117° 9' 46"	San Diego Bay
NAB-027	Industrial Storm Water	32° 40' 37"	117° 9' 43"	San Diego Bay
NAB-028	Industrial Storm Water	32° 40' 38"	117° 9' 42"	San Diego Bay
NAB-029	Industrial Storm Water	32° 40' 39"	117° 9' 40"	San Diego Bay
NAB-030	Industrial Storm Water	32° 40' 43"	117° 9' 36"	San Diego Bay
NAB-031	Industrial Storm Water	32° 40' 40"	117° 9' 35"	San Diego Bay
NAB-032	Industrial Storm Water	32° 40' 37"	117° 9' 51"	San Diego Bay
NAB-033	Industrial Storm Water	32° 40' 38"	117° 9' 50"	San Diego Bay
NAB-034	Industrial Storm Water	32° 40' 38"	117° 9' 48"	San Diego Bay
NAB-035	Industrial Storm Water	32° 40' 39"	117° 9' 47"	San Diego Bay
NAB-036	Industrial Storm Water	32° 40' 39"	117° 9' 46"	San Diego Bay
NAB-037	Industrial Storm Water	32° 40' 40"	117° 9' 45"	San Diego Bay
NAB-038	Industrial Storm Water	32° 40' 41"	117° 9' 45"	San Diego Bay
NAB-039	Industrial Storm Water	32° 40' 42"	117° 9' 44"	San Diego Bay
NAB-040	Industrial Storm Water	32° 40' 42"	117° 9' 43"	San Diego Bay
NAB-041	Industrial Storm Water	32° 40' 43"	117° 9' 42"	San Diego Bay

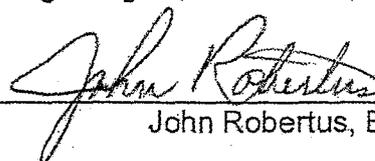
Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
NAB-042	Industrial Storm Water	32° 40' 44"	117° 9' 41"	San Diego Bay
NAB-043	Industrial Storm Water	32° 40' 45"	117° 9' 40"	San Diego Bay
NAB-044	Industrial Storm Water	32° 40' 45"	117° 9' 39"	San Diego Bay
NAB-045	Industrial Storm Water	32° 40' 46"	117° 9' 38"	San Diego Bay
NAB-046	Industrial Storm Water	32° 40' 44"	117° 9' 34"	San Diego Bay
NAB-047	Industrial Storm Water	32° 40' 29"	117° 9' 55"	San Diego Bay
NAB-048	Industrial Storm Water	32° 40' 32"	117° 9' 50"	San Diego Bay
NAB-049	Industrial Storm Water	32° 40' 30"	117° 9' 23"	San Diego Bay
NAB-050	Industrial Storm Water	32° 40' 49"	117° 9' 36"	San Diego Bay
NAB-051	Industrial Storm Water	32° 40' 49"	117° 9' 27"	San Diego Bay
NAB-052	Industrial Storm Water	32° 40' 47"	117° 9' 31"	San Diego Bay
NOLF-001	Industrial Storm Water	32° 33' 50"	117° 6' 28"	Tijuana River
NOLF-002	Industrial Storm Water	32° 33' 50"	117° 6' 25"	Tijuana River
NOLF-003	Industrial Storm Water	32° 33' 51"	117° 6' 21"	Tijuana River
NOLF-004	Industrial Storm Water	32° 33' 53"	117° 6' 14"	Tijuana River

- Discharge points for boom cleaning are primarily around the quay wall and the other two aircraft carrier piers at Naval Air Station, North Island (NASNI), but pier boom cleaning can occur at any point where pier booms are installed. The discharge point identified in the table represents a point along the quay wall at NASNI in the general area where most of the discharges occur.
- 2 Discharges of product water from the Reverse Osmosis Water Purification Unit (ROWPU) training exercises occur along the beaches both bayside and surfside (oceanside). The discharge point identified in the table represents a point along the shoreline on the southeastern side of the Naval Amphibious Base (NAB) peninsula in the general area where the discharges occur.
  - 3 Discharges from boat rinsing activities may occur at industrial outfalls depending on the actual location of the rinsing activity at NAB. The discharge points identified in the table represent the location of two boat ramps in the general area where most of the discharges occur.
  - 4 The discharge points identified in the table represent the location of the showers at NAB at Buildings 164 and 215.
  - 5 The discharge point identified in the table represents the general location of the marine mammal enclosures at NAB.

**Table 3. Administrative Information**

This Order was adopted by the Regional Water Quality Control Board on:	<b>June 10, 2009</b>
This Order shall become effective on:	<b>June 10, 2009</b>
This Order shall expire on:	<b>June 10, 2014</b>
The Discharger shall file a Report of Waste Discharge in accordance with title 23, California Code of Regulations, as application for issuance of new waste discharge requirements no later than:	<b>December 12, 2013</b>

I, John Robertus, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region, on June 10, 2009.



John Robertus, Executive Officer

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### I. FACILITY INFORMATION

The following Discharger is subject to waste discharge requirements as set forth in this Order:

**Table 4. Facility Information**

<b>Discharger</b>	United States Department of the Navy
<b>Name of Facility</b>	Naval Base Coronado
<b>Facility Address</b>	937 N. Harbor Drive
	San Diego, CA 92132-00058
	San Diego County
<b>Facility Contact, Title, and Phone</b>	Luis Perez, Installation Environmental Program Manager, (619) 545-3429
<b>Mailing Address</b>	Same as Facility Address
<b>Type of Facility</b>	Naval Base
<b>Facility Design Flow</b>	Not Applicable

## II. FINDINGS

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Water Board), finds:

**A. Background.** The United States Department of the Navy (hereinafter Discharger) is currently discharging pursuant to Order No. R9-2003-0008 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0109185. The Discharger submitted a Report of Waste Discharge, dated November 2007, and applied for a NPDES permit renewal to discharge steam condensate; diesel engine cooling water; pier boom cleaning wastewater; utility vault and manhole dewatering wastewater; pier washing wastewater; Reverse Osmosis Water Purification Unit (ROWPU) product water; boat rinsing wastewater; swimmer rinsing wastewater; marine mammal enclosure cleaning wastewater; miscellaneous wastewater; and industrial storm water at numerous discharge locations from Naval Base Coronado, hereinafter Facility. The application was deemed complete on March 27, 2008.

For the purposes of this Order, references to the "discharger" or "permittee" in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

### **B. Facility Description.**

The Discharger manages several naval installations in the San Diego area. These installations are aligned into three major naval bases, including the Facility, Naval Base Point Loma (NBPL), and Naval Base San Diego (NBSD). The Facility is comprised of the following installations: Naval Air Station, North Island (NASNI); Naval Amphibious Base, Coronado (NAB); Naval Outlying Landing Field, Imperial Beach (NOLF); Naval Radio Receiving Facility (NRRF); Naval Auxiliary Landing Field, San Clemente Island (NALF); Survival, Evasion, Resistance, and Escape Training School (SERE); La Posta Mountain Warfare Training Center (La Posta MWTC); and Camp Morena.

Of the eight installations aligned under the Facility, only NASNI, NAB, NOLF, NRRF, and NALF have discharges subject to NPDES permitting. NALF is located in the Los Angeles Regional Water Quality Control Board jurisdictional area and, therefore, is not regulated by this Order.

Wastewater is discharged from Discharge Point Nos. SC-001 through SC-066, CW-001 through CW-004, BW-001, UV-001 through UV-036, PW-001, RO-001, BR-001 and BR-002, SR-001 and SR-002, ME-001, NAS-001 through NAS-58, NAB-001 through NAB-052, and NOLF-001 through NOLF-003 (see table on cover page) to the Pacific Ocean, the San Diego Bay, and the Tijuana River, waters of the United States.

A description of each discharge is provided in section II.A of Attachment F (Fact Sheet) to this Order. Figure B-1 of Attachment B provides a map of the area around the Facility. Attachment C provides flow schematics for the Facility.

- C. Legal Authorities.** This Order is issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. Environmental Protection Agency (USEPA) and chapter 5.5, division 7 of the California Water Code (commencing with section 13370). It shall serve as a NPDES permit for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the Water Code (commencing with section 13260).
- D. Background and Rationale for Requirements.** The Regional Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for Order requirements, is hereby incorporated into this Order and constitutes part of the Findings for this Order. Attachments A through E and G through I are also incorporated into this Order.
- E. California Environmental Quality Act (CEQA).** Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of CEQA, Public Resources Code sections 21100-21177.
- F. Technology-based Effluent Limitations.** Section 301(b) of the CWA and implementing USEPA permit regulations at section 122.44, title 40 of the Code of Federal Regulations<sup>1</sup>, require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharge authorized by this Order must meet minimum federal technology-based requirements based on Best Professional Judgment (BPJ) in accordance with Part 125, section 125.3. A detailed discussion of the technology-based effluent limitations development is included in the Fact Sheet (Attachment F).
- G. Water Quality-based Effluent Limitations.** Section 301(b) of the CWA and section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

Section 122.44(d)(1)(i) mandates that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, water quality-based effluent limitations (WQBELs) must be established using: (1) USEPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information, as provided in section 122.44(d)(1)(vi).

<sup>1</sup> All further statutory references are to title 40 of the Code of Federal Regulations unless otherwise indicated.

**H. Water Quality Control Plans.** The Regional Water Board adopted a *Water Quality Control Plan for the San Diego Basin* (hereinafter Basin Plan) on September 8, 1994, and last amended on April 25, 2007, that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Beneficial uses applicable to the San Diego Bay are as follows:

**Table 5. Basin Plan Beneficial Uses**

Discharge Point	Receiving Water Name	Beneficial Use(s)
CW-002, CW-003, RO-001, NAS-001 through NAS-004, and NAS-036	Pacific Ocean	<u>Existing:</u> Industrial service supply; navigation; contact water recreation; non-contact water recreation; commercial and sport fishing; preservation of biological habitats of special significance; wildlife habitat; preservation of rare, threatened or endangered species; marine habitat; aquaculture; migration of aquatic organisms; spawning, reproduction, and/or early development; shellfish harvesting
SC-001 through SC-066, CW-001, CW-004, BW-001, UV-001 through UV-036, PW-001, RO-001, BR-001, BR-002, SR-001, SR-002, ME-001, NAS-005 through NAS-035 and NAS-037 through NAS-058, and NAB-001 through NAB-52	San Diego Bay	<u>Existing:</u> Industrial service supply; navigation; contact water recreation; non-contact water recreation; commercial and sport fishing; preservation of biological habitats of special significance; estuarine habitat; wildlife habitat; preservation of rare, threatened or endangered species; marine habitat; migration of aquatic organisms; spawning, reproduction, and/or early development; shellfish harvesting
NOLF-001 through NOLF-003	Tijuana River (within the Tijuana River Estuary)	<u>Existing:</u> Contact water recreation; non-contact water recreation; commercial and sport fishing; preservation of biological habitats of special significance; estuarine habitat; wildlife habitat; preservation of rare, threatened or endangered species; marine habitat; migration of aquatic organisms; spawning, reproduction, and/or early development; shellfish harvesting

Under section 303(d) of the 1972 Clean Water Act, states, territories and authorized tribes are required to develop lists of water quality limited segments. The waters on these lists do not meet water quality standards, even after point sources of pollution have installed the minimum required levels of pollution control technology. On November 30, 2006 USEPA gave final approval to California's 2006 section 303(d) List of Water Quality Limited Segments. The San Diego Bay, as a whole, is listed as impaired for polychlorinated biphenyls (PCBs). Additionally, a portion of the San Diego Bay, "San Diego Bay Shoreline, Glorietta Bay," is adjacent to NAB. This portion of the San Diego Bay is listed in the 303(d) list as impaired for copper. No applicable TMDL has been adopted by the Regional Water Board and approved by USEPA.

The State Water Board adopted the *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California* (Thermal Plan) on May 18, 1972, and amended this plan on September 18, 1975. This plan contains temperature objectives for surface waters.

The State Water Board adopted the *Water Quality Control Plan for Ocean Waters of California, California Ocean Plan* (Ocean Plan) in 1972 and amended it in 1978, 1983, 1988, 1990, 1997, 2000, and 2005. The State Water Board adopted the latest amendment on April 21, 2005 and it became effective on February 14, 2006. The Ocean Plan is applicable, in its entirety, to point source discharges to the ocean. The Ocean Plan identifies beneficial uses of ocean waters of the State to be protected as summarized below:

**Table 6. Ocean Plan Beneficial Uses**

Discharge Point	Receiving Water	Beneficial Uses
CW-002, CW-003, RO-001, NAS-001 through NAS-004, and NAS-036	Pacific Ocean	Industrial water supply; water contact and non-contact recreation, including aesthetic enjoyment; navigation; commercial and sport fishing; mariculture; preservation and enhancement of designated Areas of Special Biological Significance (ASBS); rare and endangered species; marine habitat; fish spawning and shellfish harvesting

In order to protect the beneficial uses, the Ocean Plan establishes water quality objectives and a program of implementation.

The requirements of this Order implement the applicable water quality control plans.

**I. National Toxics Rule (NTR) and California Toxics Rule (CTR).** USEPA adopted the NTR on December 22, 1992, and later amended it on May 4, 1995 and November 9, 1999. About 40 criteria in the NTR applied in California. On May 18, 2000, USEPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was amended on February 13, 2001. These rules contain water quality criteria for priority pollutants. These rules include water quality criteria for priority pollutants and are applicable to this discharge.

**J. State Implementation Policy.** On March 2, 2000, the State Water Board adopted the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy or SIP). The SIP became effective on April 28, 2000 with respect to the priority pollutant criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by the Regional Water Board in the Basin Plan. The SIP became effective on May 18, 2000 with respect to the priority pollutant criteria promulgated by the USEPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005 that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for

chronic toxicity control. Requirements of this Order implement the SIP. The SIP is not applicable to the storm water discharges authorized by this Order.

- K. Compliance Schedules and Interim Requirements.** Section 2.1 of the SIP provides that, based on a Discharger's request and demonstration that it is infeasible for an existing Discharger to achieve immediate compliance with an effluent limitation derived from a CTR criterion, compliance schedules may be allowed in an NPDES permit. Unless an exception has been granted under section 5.3 of the SIP, a compliance schedule may not exceed 5 years from the date that the permit is issued or reissued, nor may it extend beyond 10 years from the effective date of the SIP (or May 18, 2010) to establish and comply with CTR criterion-based effluent limitations. Where a compliance schedule for a final effluent limitation exceeds 1 year, the Order must include interim numeric limitations for that constituent or parameter. Where allowed by the Basin Plan, compliance schedules and interim effluent limitations or discharge specifications may also be granted to allow time to implement a new or revised water quality objective. This Order includes compliance schedules and interim effluent limitations. A detailed discussion of the basis for the compliance schedule(s) and interim effluent limitation(s) and/or discharge specifications is included in the Fact Sheet.
- L. Alaska Rule.** On March 30, 2000, USEPA revised its regulation that specifies when new and revised state and tribal water quality standards (WQS) become effective for CWA purposes. (40 CFR § 131.21; 65 Fed. Reg. 24641 (April 27, 2000).) Under the revised regulation (also known as the Alaska rule), new and revised standards submitted to USEPA after May 30, 2000, must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by May 30, 2000 may be used for CWA purposes, whether or not approved by USEPA.
- M. Stringency of Requirements for Individual Pollutants.** This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. The technology-based effluent limitations applied in the Order consist of restrictions on oil and grease, suspended solids, settleable solids, turbidity, and pH as specified in Table A of the Ocean Plan; a requirement to continue to implement a PLAN for utility vault and manhole dewatering discharges; a requirement to develop and maintain a BMP Plan for discharges from pier boom cleaning, pier cleaning, boat rinsing, swimmer rinsing, and marine mammal enclosure cleaning; and a requirement to continue to implement a SWPPP for toxic pollutants and hazardous substances in storm water runoff. These restrictions and requirements are discussed in section IV.B.2. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. These limitations are not more stringent than required by the CWA.

WQBELs have been scientifically derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant WQBELs were derived from the CTR, the CTR is the applicable standard pursuant to section 131.38. The scientific procedures

for calculating the individual WQBELs for priority pollutants for discharges to the San Diego Bay are based on the CTR-SIP, which was approved by USEPA on May 18, 2000. The scientific procedures for calculating the individual WQBELs for constituents contained in Table B of the Ocean Plan for discharges to the Pacific Ocean are based on the Ocean Plan, which was approved by the USEPA on February 14, 2006. All beneficial uses and water quality objectives contained in the Basin Plan and the Ocean Plan were approved under state law and submitted to and approved by USEPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to USEPA prior to May 30, 2000, but not approved by USEPA before that date, are nonetheless "applicable water quality standards for purposes of the CWA" pursuant to section 131.21(c)(1). Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA.

- N. Antidegradation Policy.** Section 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements, and incorporates by reference, both the state and federal antidegradation policies. As discussed in detail in the Fact Sheet the permitted discharge is consistent with the antidegradation provision of section 131.12 and State Water Board Resolution No. 68-16.
- O. Anti-Backsliding Requirements.** Sections 402(o)(2) and 303(d)(4) of the CWA and federal regulations at title 40, Code of Federal Regulations section 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. All effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order.
- P. Endangered Species Act.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). This Order requires compliance with effluent limits, receiving water limits, and other requirements to protect the beneficial uses of waters of the state. The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.
- Q. Monitoring and Reporting.** Section 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. Water Code sections 13267 and 13383 authorizes the Regional Water Board to require technical and monitoring reports. The Monitoring and Reporting Program establishes monitoring and reporting requirements to implement federal and State requirements. This Monitoring and Reporting Program is provided in Attachment E.

- R. Standard and Special Provisions.** Standard Provisions, which apply to all NPDES permits in accordance with section 122.41, and additional conditions applicable to specified categories of permits in accordance with section 122.42, are provided in Attachment D. The Discharger must comply with all standard provisions and with those additional conditions that are applicable under section 122.42. The Regional Water Board has also included in this Order special provisions applicable to the Discharger. A rationale for the special provisions contained in this Order is provided in the attached Fact Sheet.
- S. Provisions and Requirements Implementing State Law.** The provisions/requirements in section VI.A.2.1 of this Order are included to implement State law only. These provisions/requirements are not required or authorized under the federal CWA; consequently, violations of these provisions/requirements are not subject to the enforcement remedies that are available for NPDES violations.
- T. Notification of Interested Parties.** The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of notification are provided in the Fact Sheet of this Order.
- U. Consideration of Public Comment.** The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet of this Order.
- V. Atomic Energy Act.** Pursuant to the *Atomic Energy Act*, the Regional Water Board does not have jurisdictional authority to regulate the discharge of radioactive wastes. Therefore, this Order does not regulate discharges of radioactive wastes from nuclear propulsion plants or from nuclear support facilities.

**THEREFORE, IT IS HEREBY ORDERED**, that this Order supercedes Order No. R9-2003-0008 except for enforcement purposes, and, in order to meet the provisions contained in division 7 of the Water Code (commencing with section 13000) and regulations adopted thereunder, and the provisions of the federal Clean Water Act (CWA) and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order.

### III. DISCHARGE PROHIBITIONS

A. Discharge of the following wastes are prohibited:

1. paint chips;
2. blasting materials
3. paint over spray;
4. paint spills;
5. water contaminated with abrasive blast materials, paint, oils, fuels, lubricants, solvents, or petroleum;
6. hydro-blast water;
7. tank cleaning water from tank cleaning to remove sludge and/or dirt;
8. clarified water from oil and water separator, except for storm water discharges treated by an oil and water separator and reported by the Discharger to the Regional Water Board;
9. steam cleaning water;
10. pipe and tank hydrostatic test water, unless regulated by an NPDES permit;
11. saltbox water;
12. hydraulic oil leaks and spills;
13. fuel leaks and spills;
14. trash;
15. miscellaneous refuse and rubbish;
16. fiberglass dust;
17. swept materials;
18. ship repair and maintenance activity debris;
19. demineralizer and reverse osmosis brine; and
20. oily bilge water.

B. Diesel engine cooling water discharges having a maximum temperature greater than 4°F above the natural temperature of the receiving water are prohibited.

C. Boat rinsing and marine mammal enclosure cleaning discharges having a maximum temperature greater than 20°F above the natural receiving water are prohibited.

D. The Discharger shall comply with all requirements of the Basin Plan Waste Discharge Prohibitions which are hereby included in this Order by reference.

E. Discharges of wastes not specifically authorized by this Order or in a manner or location not specifically described in this Order are prohibited unless regulated by applicable WDRs.

- F. Except as allowed in Attachment G of this Order [Storm Water Pollution Prevention Plan (SWPPP) requirements], non-storm water discharges that discharge either directly or indirectly to waters of the United States are prohibited. Prohibited non-storm water discharges must be either eliminated or permitted by a separate NPDES permit.
- G. Industrial storm water discharges and authorized or permitted non-storm water discharges shall not cause or threaten to cause pollution, contamination, or nuisance as defined in CWC Section 13050.
- H. Wastes shall not be discharged into or adjacent to areas where the protection of beneficial uses requires spatial separation from waste fields.
- I. The discharge of the first ¼ inch (first flush) of storm water runoff from high risk areas<sup>1</sup> is prohibited, except if the pollutants in the discharge are reduced to the extent and demonstrated through testing that the discharge achieves compliance with the toxicity limitation specified in section IV.A.5 of this Order. The discharge of the remainder of the storm water must also achieve compliance with the toxicity limitation specified in this Order but only needs to be demonstrated twice per year, unless under accelerated testing.
- J. The discharge of wastes that cause or contribute to the violation of water quality standards (designated beneficial uses and water quality objectives developed to protect beneficial uses) is prohibited.

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<sup>1</sup> *High risk areas* are areas where wastes or pollutants of significant quantities (including abrasive blast grit material, primer, paint, paint chips, solvents, oils, fuels, sludges, detergents, cleansers, hazardous substances, toxic pollutants, non-conventional pollutants, materials of petroleum origin, or other substances of water quality significance) are subject to precipitation, run-on, and/or runoff.

**IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS**

**A. Effluent Limitations – Discharge Point Nos. SC-001 through SC-066, CW-001 through CW-004, RO-001, NAS-001 through NAS-058 (except NAS-038), NAB-001 through NAB-052 (except NAB-024), and NOLF-001 through NOLF-004**

**1. Final Effluent Limitations – Discharge Point Nos. SC-001 through SC-066**

The Discharger shall maintain compliance with the following effluent limitations at Discharge Point Nos. SC-001 through SC-066, with compliance measured at Monitoring Location Nos. SC-001 through SC-066 as described in the attached Monitoring and Reporting Program (MRP):

**Table 7. Effluent Limitations For Steam Condensate**

Parameter	Units	Effluent Limitations				
		Average Monthly	Weekly Average	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
<b>Conventional Pollutants</b>						
Oil and Grease	mg/L	25	40	--	--	75
pH	pH units	--	--	--	7.0	9.0
<b>Priority Pollutants</b>						
Copper, Total Recoverable	µg/L	2.0	--	5.8	--	--
Lead, Total Recoverable	µg/L	6.3	--	15.5	--	--
TCDD-Equivalents	µg/L	1.4 x 10 <sup>-8</sup>	--	2.8 x 10 <sup>-8</sup>	--	--
Bis (2-ethylhexyl) Phthalate	µg/L	5.9	--	11.8	--	--
<b>Non-Conventional Pollutants</b>						
Settleable Solids	ml/L	1.0	1.5	--	--	3.0
Temperature	°F	--	--	--	--	1
Turbidity	NTU	75	100	--	--	225

At no time shall any discharge be greater than 20° F over the natural temperature of the receiving water.

**2. Final Effluent Limitations – Discharge Point Nos. CW-001 and CW-004**

The Discharger shall maintain compliance with the following effluent limitations at Discharge Point Nos. CW-001 and CW-004, with compliance measured at Monitoring Location Nos. CW-001 and CW-004 as described in the attached MRP:

**Table 8. Summary of Effluent Limitations for Diesel Engine Cooling Water**

Parameter	Units	Effluent Limitations				
		Average Monthly	Weekly Average	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
<b>Conventional Pollutants</b>						
Oil and	mg/L	25	40	--	--	75

Parameter	Units	Effluent Limitations				
		Average Monthly	Weekly Average	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Grease						
pH	pH units	--	--	--	7.0	9.0
<b>Priority Pollutants</b>						
Copper, Total Recoverable	µg/L	2.2	--	5.8	--	--
Lead, Total Recoverable	µg/L	5.8	--	15.8	--	--
Mercury, Total Recoverable	µg/L	0.051	--	0.102	--	--
Zinc, Total Recoverable	µg/L	38.4	--	95.1	--	--
TCDD-Equivalents	µg/L	1.4 x 10 <sup>-8</sup>	--	2.8 x 10 <sup>-8</sup>	--	--
4,4-DDE	µg/L	0.00059	--	0.00118	--	--
<b>Non-Conventional Pollutants</b>						
Settleable Solids	ml/L	1.0	1.5	--	--	3.0
Turbidity	NTU	75	100	--	--	225

**3. Final Effluent Limitations – Discharge Point Nos. CW-002 and CW-003**

The Discharger shall maintain compliance with the following effluent limitations at Discharge Point Nos. CW-002 and CW-003, with compliance measured at Monitoring Location Nos. CW-002 and CW-003 as described in the attached MRP:

**Table 9. Summary of Effluent Limitations for Diesel Engine Cooling Water**

Parameter	Units	Effluent Limitations					
		6-Month Median	Average Monthly	Weekly Average	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
<b>Conventional Pollutants</b>							
Oil and Grease	mg/L	--	25	40	--	--	75
pH	pH units	--	--	--	--	7.0	9.0
<b>Ocean Plan Pollutants</b>							
Arsenic, Total Recoverable	µg/L	8	--	--	32	--	80
Cadmium, Total Recoverable	µg/L	1	--	--	4	--	10
Chromium, Total Recoverable	µg/L	2	--	--	8	--	20
Copper, Total Recoverable	µg/L	3	--	--	12	--	30
Lead, Total Recoverable	µg/L	2	--	--	8	--	20
Mercury, Total Recoverable	µg/L	0.04	--	--	0.16	--	0.4
Nickel, Total	µg/L	5	--	--	20	--	50

Parameter	Units	Effluent Limitations					
		6-Month Median	Average Monthly	Weekly Average	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Recoverable							
Zinc, Total Recoverable	µg/L	20	--	--	80	--	200
DDT <sup>1</sup>	µg/L	--	0.00017	--	--	--	--
TCDD-Equivalents	µg/L	--	3.9 x 10 <sup>-9</sup>	--	--	--	--
<b>Non-Conventional Pollutants</b>							
Settleable Solids	ml/L	--	1.0	1.5	--	--	3.0
Turbidity	NTU	--	75	100	--	--	225

<sup>1</sup> Applies to the sum of 4,4-DDT, 2,4-DDT, 4,4-DDE, 2,4-DDE, 4,4-DDD, and 2,4-DDD.

**4. Final Effluent Limitations – Discharge Point No. RO-001**

The Discharger shall maintain compliance with the following effluent limitations at Discharge Point No. RO-001, with compliance measured at Monitoring Location No. RO-001 as described in the attached MRP:

**Table 10. Summary of Effluent Limitations for ROWPU Product Water**

Parameter	Units	Effluent Limitations				
		Average Monthly	Weekly Average	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
<b>Conventional Pollutants</b>						
Oil and Grease	mg/L	25	40	--	--	75
pH	pH units	--	--	--	7.0	9.0
<b>Non-Conventional Pollutants</b>						
Settleable Solids	ml/L	1.0	1.5	--	--	3.0
Turbidity	NTU	75	100	--	--	225

**5. Final Effluent Limitations – Discharge Point Nos. NAS-001 through NAS-058 (except NAS-038), NAB-001 through NAB-052 (except NAB-024), and NOLF-001 through NOLF-004**

Discharges of storm water at Discharge Point Nos. NAS-001 through NAS-058 (except NAS-038), NAB-001 through NAB-052 (except NAB-024), and NOLF-001 through NOLF-004 shall achieve a rating of "Pass" for acute toxicity with compliance determined as specified in section VII.H of this Order.

**6. Interim Effluent Limitations**

- a. During the period beginning the effective date of this Order and ending on May 18, 2010, the Discharger shall maintain compliance with the following limitations at Discharge Point Nos. SC-001 through SC-066, with compliance measured at Monitoring Location Nos. SC-001 through SC-066 as described in the attached MRP. These interim effluent limitations shall apply in lieu of the corresponding

final effluent limitations specified for the same parameters during the time period indicated in this provision.

**Table 11. Interim Effluent Limitations for Steam Condensate**

Parameter	Units	Maximum Daily
Copper, Total Recoverable	µg/L	370
Lead, Total Recoverable	µg/L	22.8
TCDD-equivalents	µg/L	5.7 x 10 <sup>-8</sup>
Bis (2-ethylhexyl) Phthalate	µg/L	11.8

- b. During the period beginning the effective date of this Order and ending on May 18, 2010, the Discharger shall maintain compliance with the following limitations at Discharge Point Nos. CW-001 and CW-004, with compliance measured at Monitoring Location Nos. CW-001 and CW-004 as described in the attached MRP. These interim effluent limitations shall apply in lieu of the corresponding final effluent limitations specified for the same parameters during the time period indicated in this provision.

**Table 12. Interim Effluent Limitations for Diesel Engine Cooling Water**

Parameter	Units	Maximum Daily
Copper, Total Recoverable	µg/L	97
Lead, Total Recoverable	µg/L	23
Mercury, Total Recoverable	µg/L	0.44
Zinc, Total Recoverable	µg/L	150
TCDD-equivalents	µg/L	7.2 x 10 <sup>-8</sup>
4,4-DDE	µg/L	0.0126

- c. During the period beginning the effective date of this Order and ending on June 25, 2011, the Discharger shall maintain compliance with the following limitations at Discharge Point Nos. CW-002 and CW-003, with compliance measured at Monitoring Location Nos. CW-002 and CW-003 as described in the attached MRP. These interim effluent limitations shall apply in lieu of the corresponding final effluent limitations specified for the same parameters during the time period indicated in this provision.

**Table 13. Interim Effluent Limitations for Diesel Engine Cooling Water**

Parameter	Units	Maximum Daily	Instantaneous Maximum
Arsenic, Total Recoverable	µg/L	32	80
Cadmium, Total Recoverable	µg/L	4	10
Chromium, Total Recoverable	µg/L	8	20
Copper, Total Recoverable	µg/L	97	--
Lead, Total Recoverable	µg/L	23	--
Mercury, Total Recoverable	µg/L	0.44	--
Zinc, Total Recoverable	µg/L	150	200
DDT <sup>1</sup>	µg/L	0.0126	--

Parameter	Units	Maximum Daily	Instantaneous Maximum
TCDD-Equivalents	µg/L	$7.15 \times 10^{-8}$	--

<sup>1</sup> Applies to the sum of 4,4-DDT, 2,4-DDT, 4,4-DDE, 2,4-DDE, 4,4-DDD, and 2,4-DDD.

**B. Land Discharge Specifications**

[Not Applicable]

**C. Reclamation Specifications**

[Not Applicable]

## V. RECEIVING WATER LIMITATIONS

The discharge of waste shall not cause or contribute to an excursion above the following water quality objectives in the receiving water:

### A. Surface Water Limitation

#### 1. Physical Characteristics

- a. Waters shall not contain oils, greases waxes, or other materials in concentrations which result in visible film or coating on the surface of the water or on objects in the water, or which cause nuisance or which otherwise adversely affect beneficial uses.
- b. Waters shall not contain floating material, including solids, liquids, foams, and scum in concentrations which cause nuisance or adversely affect beneficial uses.
- c. The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses.
- d. Waters shall not contain suspended and settleable solids in concentrations of solids that cause nuisance or adversely affect beneficial uses.
- e. Waters shall not contain taste or odor producing substances at concentrations, which cause a nuisance or adversely affect beneficial uses.
- f. Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. The transparency of the waters in lagoons and estuaries shall not be less than 50 percent of the depth at locations where measurement is made by means of a standard Secchi disk, except where lesser transparency is caused by rainfall runoff from undisturbed natural areas and dredging projects conducted in conformance with waste discharge requirements of the Regional Water Board. With these two exceptions, increases in turbidity attributable to controllable water quality factors shall not exceed the following limits:

**Table 14. Receiving Water Turbidity Objectives**

Natural Turbidity	Maximum Increase
0 – 50 NTU	20% over natural turbidity level
50 – 100 NTU	10 NTU
Greater than 100 NTU	10% over natural turbidity level

## 2. Chemical Characteristics

- a. Dissolved oxygen levels shall not be less than 5.0 mg/L in waters of the San Diego Bay. The annual mean dissolved oxygen concentration shall not be less than 7 mg/L.
- b. The pH shall not be changed at any time more than 0.2 units from that which occurs naturally. The pH shall not be depressed below 7.0 nor raised above 9.0.
- c. Waters of the San Diego Bay shall not contain biostimulatory substances in concentrations that promote aquatic growth to the extent that such growths cause nuisance or adversely affect beneficial uses.
- d. The discharge of wastes shall not cause concentrations of un-ionized ammonia ( $\text{NH}_3$ ) to exceed 0.025 mg/L (as N) in the San Diego Bay.
- e. No individual pesticide or combination of pesticides shall be present in the water column, sediments or biota at concentration(s) that adversely affect beneficial uses. Pesticides shall not be present at levels which will bioaccumulate in aquatic organisms to levels which are harmful to human health, wildlife or aquatic organisms.

## 3. Bacteriological Characteristics

- a. In waters designated for contact recreation (REC-1), the fecal coliform concentration based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200/100 ml, nor shall more than 10 percent of the total samples during any 30-day period exceed 400 per 100 ml.
- b. In waters designated for shell fish harvesting (SHELL), the median total coliform concentration throughout the water column for any 30-day period shall not exceed 70/100 ml nor shall more than 10 percent of the samples collected during any 30-day period exceed 230/100 ml for five-tube decimal dilution test or 330/100 ml when a three-tube decimal dilution test is used.
- c. In waters designated for contact recreation (REC-1), the enterococci concentration shall not exceed 35/100 ml in all areas, 104/100 ml in designated beach areas, 276/100 ml in moderately or lightly used areas, and 500/100 ml in infrequently used areas.

## 4. Biological Characteristics

- a. Marine communities, including vertebrate, invertebrate, and plant species, shall not be degraded.
- b. The natural taste, odor, and color of fish, shellfish, or other marine resources used for human consumption shall not be altered.

- c. The concentration of organic materials in fish, shellfish, or other marine resources used for human consumption shall not bioaccumulate to levels that are harmful to human health.

**5. Radioactivity**

Radionuclides shall not be present in concentrations that are deleterious to human, plant animal, or aquatic life nor that result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal or aquatic life.

**6. Toxicity**

All waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life. Compliance with this objective will be determined by use of indicator organisms, analyses of species diversity, population density, growth anomalies, bioassays of appropriate duration, or other appropriate methods as specified by the Regional Water Board.

**7. Other Water Quality Objectives**

- a. CTR Priority Pollutants as specified in the Table of Paragraph (b)(1) of 40 CFR 131.38.
- b. Ocean Plan Water Quality Objectives as specified in Table B.

**B. Groundwater Limitations**

**[Not Applicable]**

## VI. PROVISIONS

### A. Standard Provisions

1. **Federal Standard Provisions.** The Discharger shall comply with all Standard Provisions included in Attachment D of this Order.
2. **Regional Water Board Standard Provisions.** The Discharger shall comply with the following provisions:
  - a. The Discharger shall comply with all requirements and conditions of this Order. Any permit non-compliance constitutes a violation of the CWA and/or of the CWC and is grounds for enforcement action, permit termination, revocation and reissuance, or modification, or for denial of an application for permit renewal, modification, or reissuance.
  - b. The Discharger shall comply with all applicable federal, state, and local laws and regulations for handling, transport, treatment, or disposal of waste or the discharge of waste to waters of the State in a manner which causes or threatens to cause a condition of pollution, contamination or nuisance as those terms are defined in CWC 13050.
  - c. The Porter-Cologne Water Quality Control Act provides for civil and criminal penalties comparable to, and in some cases greater than, those provided for under the CWA.
  - d. Any noncompliance with this Order is a violation of the CWC and/or the CWA and is grounds for denial of an application for Order renewal or modification.
  - e. No discharge of waste into waters of the State, whether or not the discharge is made pursuant to WDRs, shall create a vested right to continue the discharge. All discharges of wastes into waters of the State are privileges, not rights.
  - f. For purposes of this Order, the term "permittee" used in parts of 40 CFR incorporated into this Order by reference and/or applicable to this Order shall have the same meaning as the term "Discharger" used elsewhere in this Order.
  - g. This Order expires on June 10, 2014, after which, the terms and conditions of this permit are automatically continued pending issuance of a new Order, provided that all requirements of USEPA's NPDES regulations at 40 CFR 122.6 and the State's regulations at CCR Title 23, section 2235.4 regarding the continuation of expired Orders and waste discharge requirements are met.
  - h. Except as provided for in 40 CFR 122.7, no information or documents submitted in accordance with or in application for this permit will be considered confidential, and all such information and documents shall be available for review by the public at the office of the Regional Water Board.

- i. A copy of this Order shall be maintained on-site at the Facility, and shall be available to Regional Water Board, State Water Board, and USEPA personnel and/or their authorized representative at all times.
- j. The Discharger shall comply with any interim limitations established by addendum, enforcement action, or revised waste discharge requirements that have been or may be adopted by the Regional Water Board.
- k. Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges from this facility, may subject the Discharger to administrative or civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.
- l. In the event the Discharger does not comply or will be unable to comply for any reason, with any prohibition, effluent limitation, discharge specification, or receiving water limitation of this Order, the Discharger shall notify the Regional Water Board by telephone (858) 467-2952 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Regional Water Board waives confirmation. The written notification shall state the nature, time, duration, and cause of noncompliance, and shall describe the measures being taken to remedy the current noncompliance and prevent recurrence including, where applicable, a schedule of implementation. Other noncompliance requires written notification as above at the time of the normal monitoring report.

#### **B. Monitoring and Reporting Program (MRP) Requirements**

1. The Discharger shall comply with the MRP, and future revisions thereto, in Attachment E of this Order.
2. Reports required to be submitted to this Regional Water Board shall be sent to:

Executive Officer  
California Regional Water Quality Control Board  
San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340

Notifications required to be provided to this Regional Water Board shall be made to:

Telephone – (858) 467-2952  
Facsimile – (858) 571-6972

3. After notification by the State or Regional Water Board, the Discharger may be required to electronically submit self-monitoring reports. Until such time as

electronic submission of self-monitoring reports is required, the Discharger shall submit discharge monitoring reports (DMRs) in accordance with the requirements described further below.

DMRs must be signed and certified as required by the standard provisions (Attachment D). The Discharger shall submit the original DMR and one copy to:

State Water Resources Control Board, Division of Water Quality  
Discharge Monitoring Report Processing Center  
Post Office Box 100  
Sacramento, CA 95812

All discharge monitoring results must be reported on the official USEPA pre-printed DMR forms (USEPA Form 3320-1). Forms that are self generated or modified cannot be accepted.

## C. Special Provisions

### 1. Reopener Provisions

- a. This Order may be reopened and modified in accordance with NPDES regulations at 40 CFR Part 122 and 124, as necessary, to include additional conditions or limitations based on newly available information or to implement any USEPA approved, new, State water quality objective.

This Order may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:

- i. Violations of any terms or conditions of this Order.
  - ii. Obtaining this Order by misrepresentation or failure to disclose fully all relevant facts.
  - iii. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- b. This Order may be re-opened and modified, to incorporate in accordance with the provisions set forth in 40 CFR Parts 122 and 124, to include requirements for the implementation of the watershed management approach.
  - c. This Order may be re-opened and modified, revoked, and reissued or terminated in accordance with the provisions of 40 CFR sections 122.44, 122.62 to 122.64, 125.62, and 125.64. Causes for taking such actions include, but are not limited to, failure to comply with any condition of this Order and permit, and endangerment to human health or the environment resulting from the permitted activity.

- d. This Order may be re-opened and modified, to incorporate additional limitations, prohibitions, and requirements, based on the results of additional monitoring required by the MRP.
- e. The filing of a request by the Discharger for modifications, revocation and reissuance, or termination of this Order, or a notification of planned change in or anticipated noncompliance with this Order does not stay any condition of this Order.
- f. **ROWPU Brine and Backwash Water Study.** The discharge of ROWPU brine and backwash water are not authorized by this Order. If the Discharger performs studies to determine the discharges of ROWPU brine and backwash water do not negatively affect/impact the beneficial uses of the receiving water, this Order may be reopened for authorization of ROWPU brine and backwash water and to include appropriate effluent limitations and/or discharge specifications.
- g. **Toxicity Reopener.** In accordance with 40 CFR Parts 122 and 124, this permit may be modified to include effluent limitations or permit conditions to address acute toxicity in the effluent or receiving waterbody, as a result of the discharge; or to implement new, revised, or newly interpreted water quality standards applicable to acute or chronic toxicity.
- h. **Intake Water Credits.** . The Discharger may submit a report as detailed in section 1.4.4 of the SIP demonstrating that the required conditions are met for intake water credits. Where the conditions are met, the Regional Board may modify effluent limitations allowing the Facility to discharge a mass and concentration of the intake water pollutant that is no greater than the mass and concentration found in the Facility's intake water.

## 2. Special Studies, Technical Reports and Additional Monitoring Requirements

### a. Toxicity Reduction Requirements

#### i. Initial Investigation TRE Workplan

Within 90 days of the permit effective date, the Discharger shall prepare and submit a copy of their Initial Investigation Toxicity Reduction Evaluation (TRE) Workplan (1-2 pages) to the Regional Water Board for review. This plan shall include steps the Discharger intends to follow if the results of acute toxicity testing are "Fail" as determined in section VII.H and should include, at minimum:

- (a) A description of the investigation and evaluation techniques that would be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency.
- (b) A description of methods for maximizing in-house treatment system efficiency, good housekeeping practices, and a list of all chemicals used in operations at the Facility.

(c) If a Toxicity Identification Evaluation (TIE) is necessary, an indication of who would conduct the TIEs (i.e., an in-house expert or outside contractor).

(d) The determination of when a TIE is necessary.

## ii. Accelerated Toxicity Testing and TRE/TIE Process

(a) If one of the additional toxicity tests (Attachment E, section V.E) is reported as "Fail", then, within 14 days of receipt of this test result, the Discharger shall initiate a TRE using, based on the type of treatment facility, EPA manual *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants* (EPA/833/B-99/002, 1999) or EPA manual *Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations* (EPA/600/2-88/070, 1989). In conjunction, the Discharger shall develop and implement a detailed TRE Workplan which shall include: further actions undertaken by the Discharger to investigate, identify, and correct the causes of toxicity; actions the Discharger will take to mitigate the impact of the discharge and prevent the recurrence of toxicity; and a schedule for these actions.

(b) The Discharger may initiate a Toxicity Identification Evaluation (TIE) as part of a TRE to identify the causes of toxicity using the same species and test method and, as guidance, EPA test method manuals: *Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures* (EPA/600/6-91/003, 1991); *Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/080, 1993); *Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/081, 1993); and *Marine Toxicity Identification Evaluation (TIE): Phase I Guidance Document* (EPA/600/R-96-054, 1996).

## 3. Best Management Practices and Pollution Prevention

### a. Pollution Prevention Plan (PLAN) for Utility Vault and Manhole Dewatering Discharges

The Discharger shall continue to implement a PLAN for utility vault and manhole dewatering discharges from Discharge Point Nos. UV-001 through UV-036 that prevents the discharge of pollutants into the receiving waters at levels that would contribute to the degradation of the receiving waters or otherwise negatively affect the beneficial uses of the receiving water. At a minimum, the PLAN shall be developed and implemented in accordance with Attachment H to prevent, or minimize the potential for, the release of pollutants to waters of the State and waters of the United States.

**b. Best Management Practices (BMP) Plan for Pier Boom Cleaning, Pier Cleaning, Boat Rinsing, Swimmer Rinsing, and Marine Mammal Enclosure Cleaning Discharges**

The Discharger shall develop and implement a BMP Plan for discharges from pier boom cleaning (Discharge Point Nos. BW-001), pier cleaning (Discharge Point Nos. PW-001), boat rinsing (Discharge Point Nos. BR-001 and BR-002), swimmer rinsing (Discharge Point Nos. SR-001 and SR-002), and marine mammal enclosure cleaning (ME-001) that prevents the discharge of pollutants into the receiving waters at levels that would contribute to the degradation of the receiving waters or otherwise negatively affect the beneficial uses of the receiving water. At a minimum, the BMP Plan shall be developed and implemented in accordance with Attachment I to prevent, or minimize the potential for, the release of pollutants to waters of the State and waters of the United States.

**c. Storm Water Pollution Prevention Plan (SWPPP)**

- i. The Discharger shall continue to implement a SWPPP that prevents the discharge of pollutants into the receiving waters at levels that would contribute to the degradation of the receiving waters or otherwise negatively affect the beneficial uses of the receiving water. At a minimum, the SWPPP shall be developed and implemented in accordance with Attachment G to prevent, or minimize the potential for, the release of pollutants to waters of the State and waters of the United States.
- ii. The Discharger shall comply with all receiving water limitations through timely implementation of control measures and other actions to reduce or prevent pollutants in the discharges in accordance with the SWPPP and other requirements of this Order including any modifications. The SWPPP shall be developed and implemented to achieve compliance with all receiving water limitations. If exceedances of water quality objectives or water quality standards persist notwithstanding implementation of the SWPPP and other requirements of this Order, the Discharger shall assure compliance with all receiving water limitations by complying with the following procedure:
  - a) Within 30 days after a determination by either the Discharger or this Regional Water Board that discharges are causing or contributing to an exceedance of an applicable water quality objective or water quality standard, the Discharger shall submit a report to this Regional Water Board that describes the BMPs that are currently being implemented and the additional BMPs that will be implemented to prevent or reduce any pollutants that are causing or contributing to the exceedance. The report shall include an implementation schedule. This Regional Water Board may direct an earlier report submittal or may require modifications to the report.

- b) Submit any modifications to the report required by this Regional Water Board within 30 days of notification.
- c) Within 30 days following submittal of the modifications required above, the Discharger shall revise the SWPPP and monitoring program to incorporate the required modified BMPs that have been and will be implemented, implementation schedule, and any additional monitoring required.
- d) Implement the revised SWPPP and monitoring program in accordance with the required schedule.

If the Discharger has complied with the above procedures and is implementing the revised SWPPP, the Discharger does not have to repeat the same procedure for continuing or recurring exceedances of the same receiving water limitations unless directed by this Regional Water Board to develop additional BMPs.

**d. Benchmark Values**

Whenever the analysis of an industrial storm water discharge from any industrial activity contains a copper concentration greater than 63.6 µg/L or a zinc concentration greater than 117 µg/L, the Discharger shall perform the following tasks:

- i. Review and modify the SWPPP as necessary to reduce the concentrations of copper and zinc;
  - ii. After modifying the SWPPP, sample and analyze the next two storm water runoff events; and
  - iii. Document the review and the modifications to the SWPPP, and document the sampling analysis.
- e. Evaluation and Minimization Plan for Copper and Zinc in Storm Water.** The Discharger shall prepare an evaluation and minimization plan to address sources of copper and zinc in storm water from the Facility. The plan shall be completed and submitted to the Regional Water Board within **9 months of the adoption date** of this Order for the approval by the Executive Officer.

**4. Construction, Operation and Maintenance Specifications**

- c. All waste treatment, containment, and disposal facilities shall be protected against 100-year peak stream flows as defined by the San Diego County Flood Control Agency.
- d. All waste treatment, containment, and disposal facilities shall be protected against erosion, overland runoff, and other impacts resulting from a 100-year frequency 24-hour storm.
- e. The Facility shall be operated and maintained in a manner consistent with the SWPPP as specified in section VI.C.3.c of this Order.

**5. Special Provisions for Municipal Facilities (POTWs Only)**

**[Not Applicable]**

**6. Other Special Provisions**

- a. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed of in compliance with appropriate local, regional, state, and federal regulations or statutes.

**7. Compliance Schedules**

**a. Compliance Schedules for Final Effluent Limitations for Steam Condensate Discharges of Copper, Lead, TCDD-Equivalents, and Bis (2-Ethylhexyl) Phthalate**

- i. By May 18, 2010, the Discharger shall comply with the final effluent limitations at Discharge Point Nos. SC-001 through SC-066 for copper, lead, TCDD-equivalents, and bis (2-ethylhexyl) phthalate. Data submitted by the Discharger over the term of Order No. R9-2003-0008 indicates that the Discharger cannot immediately meet applicable water quality criteria.

1. By July 10, 2009, and by the end of every other subsequent month, the Discharger shall submit a progress report on achieving compliance with the final effluent limits.

- ii. **Pollution Prevention Plan.** The Discharger shall prepare and implement a pollution prevention plan for steam condensate discharges for copper, lead, TCDD-equivalents, and bis (2-ethylhexyl) phthalate, in accordance with CWC section 13263.3(d)(2). The minimum requirements for the pollution prevention plan are outlined in the Fact Sheet, Attachment F, section VII.B.3.f. A work plan and time schedule for preparation of the pollution prevention plan shall be completed and submitted to the Regional Water Board **within 3 months of the effective date of this Order**. The Pollution Prevention Plan shall be completed and submitted to the Regional Water Board **within nine (9) months of the effective date of this Order**.

**b. Compliance Schedules for Final Effluent Limitations for Diesel Engine Cooling Water Discharges of Copper, Lead, Mercury, Zinc, TCDD-Equivalents, and 4,4-DDE**

- i. By May 18, 2010, the Discharger shall comply with the final effluent limitations at Discharge Point Nos. CW-001 and CW-004 for copper, lead, mercury, zinc, TCDD-equivalents, and 4,4-DDE. Data submitted by the Discharger over the term of Order No. R9-2003-0008 indicates that the Discharger cannot immediately meet applicable water quality criteria.

1. By July 10, 2009, and by the end of every other subsequent month, the Discharger shall submit a progress report on achieving compliance with the final effluent limits.
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- ii. **Pollution Prevention Plan.** The Discharger shall prepare and implement a pollution prevention plan for diesel engine cooling water discharges for copper, lead, mercury, zinc, TCDD-equivalents, and 4,4-DDE, in accordance with CWC section 13263.3(d)(2). The minimum requirements for the pollution prevention plan are outlined in the Fact Sheet, Attachment F, section VII.B.3.f. A work plan and time schedule for preparation of the pollution prevention plan shall be completed and submitted to the Regional Water Board **within 3 months of the effective date of this Order.** The Pollution Prevention Plan shall be completed and submitted to the Regional Water Board **within nine (9) months of the effective date of this Order.**
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- c. **Compliance Schedules for Final Effluent Limitations for Diesel Engine Cooling Water Discharges of Arsenic, Cadmium, Chromium, Copper, Lead, Mercury, Zinc, DDT, and TCDD-Equivalents**
    - i. By June 10, 2012, the Discharger shall comply with the final effluent limitations at Discharge Point Nos. CW-002 and CW-003 for arsenic, cadmium, chromium, copper, lead, mercury, zinc, DDT, and TCDD-equivalents. Data submitted by the Discharger over the term of Order No. R9-2003-0008 indicates that the Discharger cannot immediately meet applicable water quality criteria.
      1. By July 10, 2009, and by the end of every other subsequent month, the Discharger shall submit a progress report on achieving compliance with the final effluent limits.
    - ii. **Pollution Prevention Plan.** The Discharger shall prepare and implement a pollution prevention plan for diesel engine cooling water discharges for arsenic, cadmium, chromium, copper, lead, mercury, zinc, DDT, and TCDD-equivalents, in accordance with CWC section 13263.3(d)(2). The minimum requirements for the pollution prevention plan are outlined in the Fact Sheet, Attachment F, section VII.B.3.f. A work plan and time schedule for preparation of the pollution prevention plan shall be completed and submitted to the Regional Water Board **within 3 months of the effective date of this Order.** The Pollution Prevention Plan shall be completed and submitted to the Regional Water Board **within nine (9) months of the effective date of this Order.**

## VII. COMPLIANCE DETERMINATION

Compliance with the effluent limitations contained in section IV of this Order will be determined as specified below:

#### **A. General.**

Compliance with effluent limitation shall be determined using sample reporting protocols defined in the MRP and Attachment A of this Order. For purpose of reporting and administrative enforcement by the Regional and State Water Boards, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the constituent in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL) or lowest quantifiable level.

#### **B. Multiple Sample Data.**

When determining compliance with an average monthly effluent limitation (AMEL) or maximum daily effluent limitation (MDEL) and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determination of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

1. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, following by quantified values (if any). The order of individual ND or DNQ determinations is unimportant.
2. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

#### **C. Average Monthly Effluent Limitation (AMEL).**

If the average (or when applicable, the median determined by subsection B above for multiple sample data) of daily discharges over a calendar month exceeds the AMEL for a given parameter, this will represent a single violation, though the Discharger will be considered out of compliance for each discharge day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month). If only a single sample is taken during the calendar month and the analytical result for that sample exceeds the AMEL, the Discharger will be considered out of compliance for days when the discharge occurs. For any one calendar month during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar month.

#### **D. Maximum Daily Effluent Limitation (MDEL)**

If a daily discharge (or when applicable, the median determined by subsection B above for multiple sample data of a daily discharge) exceeds the MDEL for a given parameter, the Discharger will be considered out of compliance for that parameter for

that 1 day only within the reporting period. For any 1 day during which no sample is taken, no compliance determination can be made for that day.

**E. Instantaneous Minimum Effluent Limitation.**

If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both are lower than the instantaneous minimum effluent limitation would result in two instances of non-compliance with the instantaneous minimum effluent limitation).

**F. Instantaneous Maximum Effluent Limitation.**

If the analytical result of a single grab sample is higher than the instantaneous maximum effluent limitation for a parameter, the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both exceed the instantaneous maximum effluent limitation would result in two instances of non-compliance with the instantaneous maximum effluent limitation).

**G. Ocean Plan Tables A and B Constituents.**

1. Sufficient sampling and analysis shall be required to determine compliance with the effluent limitation.

a. Compliance with Single-Constituent Effluent Limitations

The Discharger shall be deemed out of compliance with an effluent limitation or discharge specification if the concentration of the constituent in the monitoring sample is greater than the effluent limitation or discharge specification and greater than or equal to the ML.

b. Compliance with Effluent Limitations expressed as a Sum of Several Constituents

Dischargers are out of compliance with an effluent limitation that applies to the sum of a group of chemicals (e.g., PCB's) if the sum of the individual pollutant concentrations is greater than the effluent limitation. Individual pollutants of the group will be considered to have a concentration of zero if the constituent is reported as ND or DNQ.

c. Multiple Sample Data Reduction

The concentration of the pollutant in the effluent may be estimated from the result of a single sample analysis or by a measure of central tendency (arithmetic mean, geometric mean, median, etc.) of multiple sample analyses when all

sample results are quantifiable (i.e., greater than or equal to the reported ML). When one or more sample results are reported as ND or DNQ, the central tendency concentration of the pollutant shall be the median (middle) value of the multiple samples. If, in an even number of samples, one or both of the middle values is ND or DNQ, the median will be the lower of the two middle values.

#### **H. Acute Toxicity**

The effluent limitation for acute toxicity of discharges of industrial storm water is "Pass" for any one test result. For this Order, the determination of Pass or Fail from a single-effluent-concentration (paired) acute toxicity test is determined using a one-tailed hypothesis test called a t-test. The objective of a Pass or Fail test is to determine if survival in the single treatment (100% effluent) is significantly different from survival in the control (0% effluent). Following section 11.3 in the fifth edition of Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms (EPA/821/R-02/012, 2002), the t statistic for the single-effluent concentration acute toxicity test shall be calculated and compared with the critical t set at the 5% level of significance. If the calculated t does not exceed the critical t, then the mean responses for the single treatment and control are declared "not statistically different" and the Discharger shall report "Pass" on the DMR form. If the calculated t does exceed the critical t, then the mean responses for the single treatment and control are declared "statistically different" and the Discharger shall report "Fail" on the DMR form. This Order requires additional toxicity testing if the effluent limitation for acute toxicity is reported as "Fail" as specified in the Monitoring and Reporting Program.