



# California Regional Water Quality Control Board

## San Diego Region



Linda S. Adams  
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Over 50 Years Serving San Diego, Orange, and Riverside Counties  
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

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### TENTATIVE ORDER NO. R9-2010-0124 NPDES NO. CAG999002

## GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT FOR RESIDUAL FIREWORK POLLUTANTS DISCHARGES TO WATERS OF THE UNITED STATES IN THE SAN DIEGO REGION FROM THE PUBLIC DISPLAY OF FIREWORKS

### Question and Answer Information Sheet

**Q. Will the San Diego Water Board vote on this at the December 16<sup>th</sup> workshop?**

A. No. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) will not be voting to adopt the Tentative Order at the December 16<sup>th</sup> workshop. The primary purpose of the December 16 workshop is to allow interested persons the opportunity to discuss the regulation of fireworks in the San Diego Region and to comment on the Tentative Order originally released for public review and comment on September 23, 2010.

**Q. What is the San Diego Water Board doing regarding public fireworks displays?**

A. The San Diego Water Board staff is working on a proposed National Pollutant Discharge Elimination System (NPDES) permit under the authority of the federal Clean Water Act (CWA) to regulate residual firework pollutant discharges to water of the United States in the San Diego Region from the public display of fireworks. Public displays of fireworks are conducted throughout the year at various locations within the San Diego Region. Although the Tentative Order does not precisely specify the point(s) at which fireworks residue becomes a pollutant, discharges from the public display of fireworks contain pollutants that have a potential to cause excursions of applicable water and sediment quality objectives. Residual firework pollutants discharged into surface waters constitutes discharge of a pollutant from a point source within the meaning of the CWA. Therefore, coverage under an NPDES permit is required. The proposed general order is also aimed at simplifying the process of requesting permission to host a public display of fireworks over surface waters in the San Diego Region.

**Q. How do you define a public display of fireworks?**

A. A public display of fireworks refers to a display that has an entertainment feature where the public or a private group is invited to view the display of fireworks.

**Q. How do fireworks displays pollute water?**

A. After fireworks explode, they can release some polluting chemicals and materials in to the waters below including, but not limited to aluminum, antimony, barium, carbon, calcium, chlorine, cesium, copper, iron, potassium, lithium, magnesium, oxidizers including nitrates, chlorates and perchlorates, phosphorus, sodium sulfur, strontium, titanium, and zinc. In addition, particulate matter and debris from exploded fireworks and un-ignited pyrotechnic material as well as paper, cardboard, wires and fuses from ignited pyrotechnic material can also adversely impact the quality of receiving waters. With the exception of SeaWorld San Diego, discharges associated with public fireworks events have previously been unregulated in the San Diego Region by the San Diego Water Board.

**Q. What would a fireworks permit require of the sponsor of the public fireworks display?**

A. If adopted, a stipulation of the permit would be that the sponsor implement a best management practices (BMPs) plan to clean up the debris left after the fireworks show is over. The sponsor would also be required to submit a post-firework event report form to the San Diego Water Board containing information on the event and the BMPs implemented.

**Q. Is the San Diego Water Board opposed to public fireworks displays?**

A. The San Diego Water Board is required by law to protect water quality in its geographic area, which includes a large portion of San Diego County, portions of South Orange County, and the southwestern portion of Riverside County. If adopted, the Tentative Order would ensure that public firework events conducted over surface waters in the San Diego Region comply with all state and federal water quality laws and regulations.

**Q. Has this order been adopted?**

A. No. The San Diego Water Board has made the proposed permit available for public comment. In addition, public workshops are being held so that the San Diego Water Board and its staff have the opportunity to fully study and consider comments people have to make in order to decide whether revisions need to be made.

**Q. Will there be high fees that might put some non-profits out of the fireworks business?**

A. The proposed permit is not final and the San Diego Water Board and its staff will listen to and consider the concerns about fees. As currently proposed, and based on the statewide fee schedule for NPDES permits, a sponsor of a public fireworks display would pay an enrollment fee of \$1,452.00, which covers the first annual fee. Each year after that, if the sponsor wishes to continue to be covered by the permit, the sponsor would be billed the same amount on an annual basis. A single sponsor could enroll and pay a single fee for more than one show at one location.

**Q. What is your timeline for consideration of the proposed by the San Diego Water Board?**

A. The San Diego Water Board plans to consider adoption of a Tentative Order at their regularly scheduled March 9, 2011 Board meeting. This would provide sufficient time for sponsors to obtain enrollment under the general permit prior to the 2011 4<sup>th</sup> of July firework events.

**Q. If there is no order in place regarding fireworks; will there be enforcement action against the sponsors of public fireworks displays?**

A. If adequate Best Management Practices are used to minimize environmental impacts, the San Diego Water Board is not planning to initiate enforcement action.

**Q. How do I find out more information on fireworks regulations in the San Diego Region and the Tentative Order?**

A. You may visit the San Diego Water Board's fireworks regulation webpage at:

[http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/npdes/fireworks/fireworks.shtml](http://www.waterboards.ca.gov/sandiego/water_issues/programs/npdes/fireworks/fireworks.shtml)

You may sign up on the interested persons notification list for the General Fireworks Permit at:  
[http://www.waterboards.ca.gov/resources/email\\_subscriptions/req9\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/req9_subscribe.shtml)

You may contact the San Diego Water Board staff at:

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