



# California Regional Water Quality Control Board San Diego Region



Linda S. Adams  
Acting Secretary for  
Environmental Protection

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

Edmund G. Brown Jr.  
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353  
(858) 467-2952 • Fax (858) 571-6972  
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

## NOTICE OF PUBLIC WORKSHOP

**The California Regional Water Quality Control Board, San Diego Region  
will hold a Workshop to Receive Comments regarding a Draft General NPDES  
Permit for Residual Firework Pollutant Waste Discharges  
to Waters of the United States in the San Diego Region  
from the Public Display of Fireworks**

The **Public Workshop** will be held  
on  
**Friday, March 11, 2011**  
from **9:00 a.m. - 3:00 p.m.**

in the  
Regional Water Board Room  
San Diego Water Board Office Building  
9174 Sky Park Court  
San Diego, CA 92123-4340

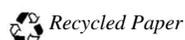
### SUBJECT OF WORKSHOP

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) will accept comments regarding the revised draft General NPDES Permit for Residual Firework Pollutant Waste Discharges to Waters of the United States in the San Diego Region from the Public Display of Fireworks (Tentative Order No. R9-2011-0022). A quorum of San Diego Water Board members may be present. The revised Tentative Order can be viewed 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).

### BACKGROUND

The San Diego Water Board is considering development and adoption of General Waste Discharge Requirements and National Pollutant Discharge Elimination System (NPDES) Permit for discharges to surface waters associated with the public display of fireworks in the San Diego Region. On September 23, 2010, the San Diego Water Board circulated, for public review and comment, a tentative version of the draft General NPDES Permit (see Tentative Order No. R9-2010-0124 at the above referenced web link). On December 16, 2010, the San Diego Water Board held a public Workshop to allow interested persons the opportunity to comment on the September 23, 2010 version of the Tentative Order. The San Diego Water Board heard comments from various public agencies and municipalities, private individuals, and representatives of elected officials. A written summary of the presentations made by San Diego Water Board staff and other interested persons as well as the follow-up discussion on specific issues at the Workshop is posted at the above referenced San Diego Water Board web link.

*California Environmental Protection Agency*



Following the December 16 Workshop the San Diego Water Board made revisions to the Tentative Order based on comments received at the Workshop and other written submittals by interested persons received to date. The revised Tentative Order (see Tentative Order No. R9-2011-0022) is available for review at the above referenced web link. The revisions include:

- Enhanced permit language regarding application of federal Clean Water Act NPDES permit program requirements to point source discharges of residual firework pollutant waste to waters of the United States;
- Development of an annual firework pollutant mass-based net explosive weight threshold of 1,000 pounds or more to classify dischargers who must conduct or participate in receiving water monitoring in Mission Bay or San Diego Bay. This revision would eliminate all receiving water monitoring requirements for firework events in Mission Bay or San Diego Bay that are below the 1,000 pounds annual net explosive weight threshold;
- Elimination of all receiving water monitoring requirements for firework events conducted in or adjacent to the Pacific Ocean and all water bodies in the San Diego Region other than Mission Bay or San Diego Bay;
- Provisions to allow for continuance of annual Fourth of July firework events over or adjacent to the La Jolla Area of Special Biological Significance ASBS in San Diego County and the Heisler Park ASBS in Orange County; and
- Consolidation of firework event reporting requirements by elimination of pre- firework event reporting.

### **PROCEDURAL MATTERS**

The March 11, 2011, Workshop will be informal and there will be no sworn testimony or cross-examination of participants. San Diego Water Board staff will summarize significant elements of the revised Tentative Order and Workshop participants may present comments and ask clarifying questions regarding the Tentative Order. Participants may submit written comments to the address below prior to or at the Workshop. At the Workshop, participants will be given an opportunity to summarize and supplement their written materials with oral presentations. The San Diego Water Board may respond to, but will not necessarily provide oral or written responses to the comments received at the Workshop. The comments will, however, be included in the final administrative record and significant comments will be responded to in writing prior to San Diego Water Board action to adopt the Tentative Order at a future board meeting (see below).

In order to be fully considered at the Workshop, written comments on the current Tentative Order must be received by the San Diego Water Board no later than 5:00 p.m. on March 7, 2011. **Please indicate in the subject line “Comment Letter – 03/11/2011 Board Workshop – Fireworks Draft Permit.”** When mailing comments, address the comments to:

Michelle Mata  
Water Resource Control Engineer  
San Diego Regional Water Quality Control Board  
9174 Sky Park Court  
San Diego, California 92123-4340

***California Environmental Protection Agency***



Written comments submitted via e-mail should be sent to Ms. Mata at [mmata@waterboards.ca.gov](mailto:mmata@waterboards.ca.gov).

To ensure a productive and efficient Workshop, and to ensure that all participants have an opportunity to participate, oral presentations from any interested persons will be limited to three (3) minutes or otherwise limited at the discretion of the San Diego Water staff conducting the Workshop. Participants with similar comments are requested to make joint presentations.

Following the Workshop all comments received will be reviewed and considered in the San Diego Water Board's development of a final Tentative Order. The San Diego Water Board will issue a separate public hearing notice announcing the release of the final Tentative Order for public review and comment, the deadline for submission of final comments, and the date of the public hearing for the Board to consider the comments received, public testimony, and adoption of the final Tentative Order. The public hearing date is tentatively scheduled for the May 11, 2011 San Diego Water Board meeting.

#### **ELECTRONIC MAIL LIST SUBSCRIPTION**

The San Diego Water Board has established an electronic mail list specifically for information and notices on the development of a tentative General NPDES Permit for Public Firework Displays. The San Diego Water Board will use the email list to notify interested persons of upcoming important events and the availability of on-line documents. Persons interested in receiving future notices and information on this specific project can subscribe to the electronic mail list titled "Public Fireworks Displays General NPDES Permit" located on the San Diego Water Board website at:

[http://www.waterboards.ca.gov/resources/email\\_subscriptions/reg9\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/reg9_subscribe.shtml)

Please bring this matter to the attention of any person known to you who may be affected by the Tentative Order.

#### **INFORMATION REGARDING WORKSHOP**

If you have any questions or wish to receive a hard copy of the Tentative Order, please contact Michelle Mata at (858) 467-2981 or via e-mail at [mmata@waterboards.ca.gov](mailto:mmata@waterboards.ca.gov).

\_\_February 8, 2011\_\_\_\_\_  
Date

