

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES
REGION**

ORDER NO. R4-2002-0172

**REVISED WASTE DISCHARGE REQUIREMENTS
FOR
PORT OF LONG BEACH
(TERMINAL ISLAND CONTAINER FACILITIES EXPANSION DREDGING PROJECT)
(FILE NO. 99-144)**

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board), finds:

1. The Port of Long Beach (the Port) filed an application for revision of the Waste Discharge Requirements contained in Regional Board Order No. 99-139, adopted on December 9, 1999, for the Terminal Island Container Facilities Expansion Dredging Project in Long Beach Harbor.
2. The Port originally proposed to conduct a dredging project to expand its Terminal Island container facilities located on Pier S and Pier T. The proposed project included dredging of berthing areas, construction of a 1325-foot long by 112-foot wide concrete wharf, filling of Dry Docks #2 and #3, demolition of Piers 2 and 3 and construction of a 22-acre fill to widen the Navy Mole. The Port proposed to dredge up to 3.2 million cubic yards of sediment and excavate approximately 320,000 cubic yards of earth and rock.
3. The Port completed the wharf extension project in September 2001. Operating under Order No. 99-139, the Port dredged approximately 400,000 cubic yards of sediment and disposed of this material in Dry Docks #2 and #3, and dredged approximately 1 million cubic yards of sediment from the Western Anchorage Sediment Storage Site and placed this material within the newly created 22-acre Navy Mole fill site.
4. The Port subsequently determined that it would be infeasible to construct a ship repair facility at the Terminal Island site as originally planned. The Port now plans to incorporate this area into the Pier T Marine Terminal by extending the existing wharf, dredging an additional portion of the West Basin and filling Dry Dock #1. The modified project would consist of demolition of an existing sea wall and Piers 1, 2 and 3; dredging of approximately 1 million cubic yards of sediment from the West Basin; removal of approximately 300,000 cubic yards of wharf excavation material; and construction of a 1,300-foot long, 112-foot wide concrete wharf (Figures 1 and 2).
5. The Port plans to dredge an area of approximately 30 acres of the West Basin on the southern boundary of Pier T (between Piers 1, 2 and 3) to a depth of -51 feet Mean Lower Low Water (MLLW), plus a two-foot overdredge. The sediment would be removed by means of hydraulic or clamshell dredging equipment. In addition, an area along the

October 7, 2002

existing shoreline would be dredged and excavated to a depth of -60 feet MLLW to accommodate the toe of the new rock dike, and the area immediately in front of the wharf face would be dredged to -56 feet MLLW (Figure 3).

- The sediments to be dredged have been tested by the Port, in support of the Pier T Marine Terminal Project, and by the United States Navy, as part of its site assessment and remedial investigations (Table 1). Due to elevated levels of several contaminants of concern (including polynuclear aromatic hydrocarbons, polycyclic biphenyls, chromium, copper, lead, mercury and zinc), the United States Environmental Protection Agency (EPA) has determined that the top five feet of sediment in the area to be dredged would be unsuitable for unconfined aquatic disposal. Therefore, approximately 490,000 cubic yards of this unsuitable dredge material from the West Basin will be disposed of in Dry Dock #1 and the surrounding upland area and contained within concrete-lined or bermed areas. However, EPA has determined that sediments in the deeper layer below five feet would be suitable for unconfined aquatic disposal. Consequently, approximately 510,000 cubic yards of suitable dredged material will be disposed of in the Western Anchorage Sediment Storage Site, where it would be available for future beneficial re-use.

Table 1. Summary of sediment characterization, West Basin Dredging Project, 1998.

Constituent	Area A		Area B		Area C	Area D
	Upper	Lower	Upper	Lower		
Arsenic	8.5 ppm	2.2 ppm	7.0 ppm	3.3 ppm	6.4 ppm	6.3 ppm
Cadmium	1.1 ppm	<0.12 ppm	0.4 ppm	<0.13 ppm	0.3 ppm	0.3 ppm
Chromium	140.0 ppm	11.0 ppm	24.0 ppm	12.0 ppm	21.0 ppm	21.0 ppm
Copper	160.0 ppm	21.0 ppm	110.0 ppm	11.0 ppm	43.0 ppm	37.0 ppm
Lead	140.0 ppm	4.5 ppm	35.0 ppm	3.8 ppm	21.0 ppm	20.0 ppm
Mercury	1.51 ppm	<0.02 ppm	0.61 ppm	<0.03 ppm	0.2 ppm	0.16 ppm
Nickel	17.0 ppm	8.9 ppm	14.0 ppm	9.4 ppm	15.0 ppm	15.0 ppm
Selenium	0.4 ppm	<0.12 ppm	0.3 ppm	<0.13 ppm	0.2 ppm	0.3 ppm
Silver	0.4 ppm	<0.12 ppm	0.3 ppm	<0.13 ppm	0.2 ppm	0.2 ppm
Zinc	410 ppm	35 ppm	100 ppm	35 ppm	110 ppm	71 ppm
Total PCBs	474 ppb	78 ppb	106 ppb	<13 ppb	80 ppb	34 ppb
Total DDT	<3 ppb	<2.5 ppb	<2.8 ppb	<2.7 ppb	<3 ppb	<3 ppb
Total PAHs	29458 ppb	392 ppb	4381 ppb	81 ppb	761 ppb	294 ppb
Sand	50.0 %	69.2 %	50.7 %	79.7 %	61.4 %	39.2 %
Silt	32.7 %	24.2 %	37.0 %	14.1 %	27.7 %	42.9 %
Clay	16.4 %	6.0 %	12.2 %	5.0 %	10.6 %	17.8 %

Ppm = parts per million; ppb = parts per billion; ; DDT = dichloro-diphenyl-trichloroethane; PCB = polychlorinated biphenyls; PAH = polynuclear aromatic hydrocarbons

- The Regional Board adopted a revised Water Quality Control Plan for the Los Angeles

River Basin on June 13, 1994. The Water Quality Control Plan contains water quality objectives for the Los Angeles-Long Beach Harbor. The requirements contained in this Order as they are met will be in conformance with the goals of the Water Quality Control Plan.

8. The beneficial uses of the inner harbor waters are: industrial service supply, navigation, water contact recreation (potential use), non-contact water recreation, commercial and sport fishing, marine habitat, preservation of rare and endangered species, and shellfish harvesting (potential use). The beneficial uses of the outer harbor waters are: navigation, water contact recreation, non-contact water recreation, commercial and sport fishing, marine habitat, preservation of rare and endangered species, and shellfish harvesting (potential use).
9. The final Environmental Impact Statement/Environmental Impact Report for the Disposal and Reuse of the Long Beach Naval Complex was adopted on September 1, 1998, pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et seq.). In March 2002, the Port approved an addendum to the Environmental Impact Report (SCH #97071071) to address the modification of the 20-acre ship repair operation into container terminal uses.
10. With proper management of the dredging and disposal operations, the project is not expected to release significant levels of contaminants to the Harbor waters or other State waters nor adversely impact beneficial uses.

The Regional Board has notified the Port and interested agencies and persons of its intent to prescribe revised waste discharge requirements for this discharge and has provided them with an opportunity to submit their written views and recommendations.

The Regional Board, in a public meeting, heard and considered all comments pertaining to the Port's revised project and associated discharge, and to the tentative revised requirements.

IT IS HEREBY ORDERED that the Port of Long Beach, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Clean Water Act as amended, and regulations and guidelines adopted thereunder, shall comply with the following waste discharge requirements:

A. Discharge Requirements

1. The removal and placement of dredged/excavated material shall be managed such that the concentrations of toxic pollutants in the water column, sediments or biota shall not adversely affect the beneficial uses of state waters, in particular those identified in finding no. 8 above.
2. Enclosed bay and estuarine communities and populations, including vertebrate,

invertebrate and plant species, shall not be degraded as a result of the discharge of waste.

3. The natural taste and odor of fish, shellfish or other enclosed bay and estuarine resources used for human consumption shall not be impaired as a result of the discharge of waste.
4. Toxic pollutants, as defined by law, shall not be discharged at levels that will bioaccumulate in aquatic resources to levels that are harmful to human health.
5. There shall be no acute toxicity or chronic toxicity, as defined by law, in ambient waters as a result of the discharge of waste.
6. The Port shall conduct the monitoring required and comply with the reporting requirements outlined in the attached Monitoring and Reporting Program, which is incorporated by reference as part of these Waste Discharge Requirements.
7. Dredging, excavation or disposal of dredge spoils shall not cause any of the following conditions in the receiving waters:
 - a. The formation of sludge banks or deposits of waste origin that would adversely affect the composition of the bottom fauna and flora, interfere with fish propagation or deleteriously affect fish habitat, or adversely change the physical or chemical nature of the harbor or ocean bottom.
 - b. Turbidity that would cause substantial visible contrast with the natural appearance of the water outside the immediate area of operation. This is interpreted as increases in turbidity that exceed 30% of the background levels at control sites.
 - c. Discoloration of water outside the immediate area of operation.
 - d. Visible material, including oil and grease, either floating on or suspended in the water or deposited on beaches, shores, or channel structures outside the immediate area of operation.
 - e. Objectionable odors emanating from the water surface.
 - f. Depression of dissolved oxygen concentrations below 5.0 milligrams per liter at any time outside the immediate area of operation.
 - g. Any condition of pollution or nuisance.

B. Provisions

1. The Discharge Requirements specified above are valid only for dredging and disposal of bottom material as proposed by the Port.
2. The Port shall notify the Regional Board immediately by telephone of any adverse conditions in receiving waters or adjacent areas resulting from the removal of dredge materials; written confirmation by the Port to the Regional Board shall follow within one week.
3. A copy of this Order shall be made available at all times to project construction personnel.
4. The Port shall provide the following information to the Regional Board:
 - a. The scheduled date of commencement of each dredging operation, at least two weeks prior to commencement.
 - b. Notice of termination of the operation, within one week following the termination date.
5. The Port shall submit, under penalty of perjury, technical reports to the Regional Board in accordance with specifications prepared by the Regional Board Executive Officer.
6. In accordance with section 13260(c) of the Water Code, the Port shall file a report of any material change or proposed change in the character, location, or volume of the waste discharged.
7. These requirements do not exempt the Port from compliance with any other laws, regulations, or ordinances which may be applicable: they do not legalize this waste discharge, and they leave unaffected any further restraint on the disposal of wastes at this site which may be contained in other statutes or required by other agencies.
8. In accordance with Water Code section 13263(g), these requirements shall not create a vested right to continue to discharge wastes and are subject to rescission or modification. All discharges of waste into waters of the State are privileges, not rights.
9. This Order includes Attachment N: "Standard Provisions, General Monitoring and Reporting Requirements" ("Standard Provisions"), which is incorporated herein by reference. If there is any conflict between provisions stated hereinbefore and said "Standard Provisions", those provisions stated hereinbefore prevail. If there is any conflict between requirements stated in the attached Monitoring and Reporting Program and said "Standard Provisions", the former shall prevail.

10. This Order fulfills the requirements for a Clean Water Act section 401 Water Quality Certification for the proposed project. Pursuant to section 3860 of title 23 of the California Code of Regulations (23 CCR), the following three standard conditions shall apply to this project:
 - a. this certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and Article 6 (commencing with 23 CCR section 3867);
 - b. this certification is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought;
 - c. this certification is conditioned upon total payment of any fee required pursuant to 23 CCR, division 3, chapter 28 (commencing at section 3830) and owed by the applicant.
11. This Order shall expire on June 30, 2007.
12. This Order rescinds the requirements and provisions of Regional Board Order No. R4-2002-0138, except for enforcement purposes.

I, Dennis A. Dickerson, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on December 12, 2002.

DENNIS A. DICKERSON
Executive Officer

\jml