

ERRATA SHEET

TENTATIVE ORDER NO. R9-2009-0099
NPDES NO. CA0109134
WASTE DISCHARGE REQUIREMENTS
GENERAL DYNAMICS
NATIONAL STEEL AND SHIPBUILDING COMPANY
(NASSCO)
DISCHARGE TO THE SAN DIEGO BAY

The following revisions will be made to tentative Order No. R9-2009-0099. Some changes/corrections below are shown in underline/~~strikeout~~ format to indicate added and removed language, respectively.

Errata #	SECTION	REVISION
1.	Provisions Section VI.C.7. Page 27	<p>7. Compliance Schedules</p> <p>a. Compliance Schedules for Final Effluent Limitations for Cadmium, Copper, Nickel, and Zinc</p> <p>i. By May 18, 2010, the Discharger shall comply with the final effluent limitations for cadmium, copper, nickel, and zinc. Data submitted by the Discharger over the term of Order No. R9-2003-0005 indicates that the Discharger can not immediately meet applicable water quality criteria. The Discharger shall submit progress reports in accordance with the Monitoring and Reporting Program. <u>The Discharger is pursuing several methods of achieving compliance including a treatment system, discharge to sanitary sewer, and improved BMPs. If the Discharger decides to achieve compliance without installing a treatment system, the following compliance schedule is not applicable, but progress reports are required to document that compliance has been achieved. Progress reports shall be submitted according to the schedule in Table E-7 and shall continue until compliance is achieved.</u> The Discharger shall comply with the following schedule and submit appropriate reports documenting compliance with the task by the compliance date:</p>
2.	Fact Sheet, Determining the Need for WQBELs	<p>NASSCO is planning to install a treatment system remove copper-taking steps to ensure that it does not add a mass or concentration of copper to its discharge and/or removes copper from its waste stream so that the copper in the waste streams</p>

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	<p>Section IV.C.3 Page F-29</p>	<p>are equal to or less than the copper in the intake water. NASSCO is pursuing several methods of achieving compliance including a treatment system, discharge to sanitary sewer, and improved BMPs.</p>										
<p>3.</p>	<p>Fact Sheet, Compliance Schedules Section VII.B.7 Page F-55</p>	<p>The Discharger shall submit progress reports in accordance with the Monitoring and Reporting Program. By letter dated July 2, 2009, the Discharger submitted the following schedule in Table F-26 which is incorporated into this Order. The Discharger is pursuing several methods of achieving compliance including a treatment system, discharge to sanitary sewer, and improved BMPs. If the Discharger decides to achieve compliance without installing a treatment system, the following compliance schedule is not applicable, but progress reports are required to document that compliance has been achieved. Progress reports shall be submitted according to the schedule in Table E-7 and shall continue until compliance is achieved.</p>										
<p>4.</p>	<p>Monitoring and Reporting Program Section IV.A.1 Table E-2 Page E-7</p>	<p>Table E-2. Effluent Monitoring for Hydrostatic Relief Water</p> <table border="1" data-bbox="625 1029 1437 1165"> <thead> <tr> <th>Parameter</th> <th>Units</th> <th>Sample Type</th> <th>Minimum Sampling Frequency</th> <th>Required Analytical Test Method</th> </tr> </thead> <tbody> <tr> <td>Flow</td> <td>GPD</td> <td>Grab</td> <td>1/daymonth</td> <td>MeterEstimate</td> </tr> </tbody> </table>	Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method	Flow	GPD	Grab	1/daymonth	MeterEstimate
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<p>5.</p>	<p>Monitoring and Reporting Program Section IV.A.1 Table E-2 Page E-8</p>	<p>Table E-3. Effluent Monitoring for Miscellaneous Effluents</p> <table border="1" data-bbox="617 1323 1453 1459"> <thead> <tr> <th>Parameter</th> <th>Units</th> <th>Sample Type</th> <th>Minimum Sampling Frequency^{4, 5}</th> <th>Required Analytical Test Method</th> </tr> </thead> <tbody> <tr> <td>Flow</td> <td>GPD</td> <td>Grab</td> <td>1/daymonth</td> <td>MeterEstimate</td> </tr> </tbody> </table>	Parameter	Units	Sample Type	Minimum Sampling Frequency ^{4, 5}	Required Analytical Test Method	Flow	GPD	Grab	1/daymonth	MeterEstimate
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<p>6.</p>	<p>Findings, Anti-Backsliding Requirements Section II.P Page 12</p>	<p>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. As discussed in Section IV.D.4 of the Fact Sheet, the application of numeric chronic toxicity limitations is not appropriate for the flood water discharges (M-2, 3, and 4).</p>										

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7.	Effluent Limitations Section IV.A.1 Table 6. Footnote 4 Page 15	⁴ Discharges from HR-1, HR-2, and HR-3 shall achieve a rating of 1 TUc for chronic toxicity with compliance determined as specified in section VII.I. of this Order.					
8.	Monitoring and Reporting Program, Monitoring Locations M-1 through M-4 and M-8 Section IV.B Table E-3. Page E-8	<table border="1" data-bbox="626 541 1438 579"> <tr> <td>Chronic Toxicity⁶</td> <td>TUc</td> <td>Grab</td> <td>1/year</td> <td>1</td> </tr> </table> <p>⁶ Chronic toxicity testing is not required for the flood water discharges (M-2, 3, and 4).</p>	Chronic Toxicity ⁶	TUc	Grab	1/year	1
Chronic Toxicity ⁶	TUc	Grab	1/year	1			
9.	Fact Sheet, Whole Effluent Toxicity (WET) Section IV.C.6.b Page F-40	<p>Chronic Toxicity. Numeric chronic WET effluent limitations have been included in this order for the hydrostatic relief discharges (HR-1, 2, and 3). The numeric chronic toxicity effluent limitations are the same as in the previous permit. Numeric chronic WET effluent limitations are not included for the flood water discharges (M-2, 3, and 4) because these are short term, intermittent discharges and as such do not have a reasonable potential to cause chronic toxicity effects.</p> <p>In addition, this Order requires that the Discharger meet best management practices for compliance with the Basin Plan's narrative toxicity objective, as allowed under 40 CFR 122.44(k) and maintain compliance with any applicable acute toxicity limitations. Monitoring for chronic toxicity is continued for applicable discharges because chronic toxicity continues to be a pollutant of concern.</p>					
10.	Fact Sheet, Final Effluent Limitations Section IV.D.1 Table F-23 Footnote 4 Page F-41	⁴ Discharges from HR-1, HR-2, and HR-3 shall achieve a rating of 1 TUc for chronic toxicity with compliance determined as specified in section VII.I. of this Order.					

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11.	<p>Fact Sheet, Satisfaction of Anti-Backsliding Requirements</p> <p>Section IV.D.4</p> <p>Page F-42</p>	<p>As discussed in section IV.C.6.b of this Fact Sheet, the application of numeric chronic toxicity limitations is appropriate at this time <u>for the hydrostatic relief discharges (HR-1, 2, and 3,</u> and the effluent limitation for chronic toxicity established in the previous Order has been carried over. <u>Numeric chronic effluent limitations are not appropriate for the flood water discharges (M-2, 3, and 4) because these are short term, intermittent discharges and as such do not have a reasonable potential to cause chronic toxicity effects. Monitoring during the previous permit cycle showed not chronic toxicity as shown in Table F-6.</u></p>
12.	<p>Fact Sheet, Satisfaction of Antidegradation Policy</p> <p>Section IV.D.5</p> <p>Page F-43</p>	<p><u>Numeric chronic effluent limitations are not appropriate for the flood water discharges (M-2, 3, and 4) because these are short term, intermittent discharges and as such do not have a reasonable potential to cause chronic toxicity effects. Monitoring during the previous permit cycle showed no chronic toxicity as shown in Table F-6. Because there is not a reasonable potential for chronic effects from a short term, intermittent discharge and no chronic effects have been documented in the monitoring, a numeric chronic toxicity limitation is not needed to protect water quality.</u></p> <p>The limitations and requirements of this Order are more stringent than established in the previous Order.</p>
13.	<p>Fact Sheet, Whole Effluent Toxicity Testing Requirements</p> <p>Section VI.C</p> <p>Page F-49</p>	<p>This order carries over the monitoring requirements for acute toxicity and chronic toxicity <u>except chronic toxicity monitoring is not required for the flood discharges (M-2, 3, and 4).</u></p>

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14.	Fact Sheet, Permit Information	Table F-1. Facility Information			
	Section I. Table F-1	<table border="1"> <tr> <td data-bbox="576 241 885 283">WDID</td> <td data-bbox="885 241 1485 283"></td> </tr> </table>	WDID		
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	Page F-5	<table border="1"> <tr> <td data-bbox="576 283 885 352">Discharger</td> <td data-bbox="885 283 1485 352">General Dynamics National Steel and Shipbuilding Company (NASSCO)</td> </tr> </table>	Discharger	General Dynamics National Steel and Shipbuilding Company (NASSCO)	
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15.	Compliance Determination Section VII. Page 29	<p>C. Average Annual Effluent Limitation (AAEL).</p> <p>If the average (or when applicable, the median determined by subsection B above for multiple sample data) of daily discharges over a 12-month period exceeds the AAEL for a given parameter, this will represent a single violation for the purpose of assessing mandatory minimum penalties under Water Code Section 13385. Because the AAEL is a rolling average calculated once each month, 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) for discretionary penalties. Each discharge day of the year is determined to be either in compliance or out of compliance for the AAEL only once, during the month in which the day falls. For any one calendar month during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar month and no penalty assessed. The AAEL will be effective when the final effluent limitations are effective. For the first month and until there is 12 months of effluent data, the samples collected since the effluent limitation became effective shall be averaged and compared to the 12-month AAEL.</p> <p>D. Average Monthly Effluent Limitation (AMEL).</p> <p>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 for the purpose of assessing mandatory minimum penalties under Water Code section 13385, 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) for discretionary penalties. 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 only 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 and no penalty assessed.</p>

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16.	Interim Effluent Limitations Section IV.A.5 Table 10 Page 18	<p style="text-align: center;">Table 10. Interim Effluent Limitations for Flood Dewatering</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Discharge Location</th> <th style="width: 35%;">Parameter</th> <th style="width: 15%;">Units</th> <th style="width: 25%;">Interim Maximum Daily</th> </tr> </thead> <tbody> <tr> <td rowspan="2">M-2 (Graving Dock Flood Dewatering)</td> <td>Copper, Total Recoverable</td> <td>µg/L</td> <td>41.5</td> </tr> <tr> <td>Nickel, Total Recoverable</td> <td>µg/L</td> <td>18.7</td> </tr> <tr> <td>M-3 (Ways 3 Flood Dewatering)</td> <td>Copper, Total Recoverable</td> <td>µg/L</td> <td>9.0912.8</td> </tr> <tr> <td>M-4 (Ways 4 Flood Dewatering)</td> <td>Copper, Total Recoverable</td> <td>µg/L</td> <td>10.912.8</td> </tr> </tbody> </table>	Discharge Location	Parameter	Units	Interim Maximum Daily	M-2 (Graving Dock Flood Dewatering)	Copper, Total Recoverable	µg/L	41.5	Nickel, Total Recoverable	µg/L	18.7	M-3 (Ways 3 Flood Dewatering)	Copper, Total Recoverable	µg/L	9.09 12.8	M-4 (Ways 4 Flood Dewatering)	Copper, Total Recoverable	µg/L	10.9 12.8																												
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17.	Fact Sheet, Interim Effluent Limitations Section IV.E Table F-25 Page F-45	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 35%;">Discharge Location</th> <th style="width: 20%;">Parameter</th> <th style="width: 15%;">Units</th> <th style="width: 30%;">Maximum Daily</th> </tr> </thead> <tbody> <tr> <td rowspan="2">HR-1 (Graving Dock Hydraulic Relief)</td> <td>Copper</td> <td>µg/L</td> <td>13.12</td> </tr> <tr> <td>Zinc</td> <td>µg/L</td> <td>362</td> </tr> <tr> <td rowspan="3">HR-2 (Ways 3 Hydraulic Relief)</td> <td>Cadmium</td> <td>µg/L</td> <td>15.38</td> </tr> <tr> <td>Copper</td> <td>µg/L</td> <td>66.84</td> </tr> <tr> <td>Nickel</td> <td>µg/L</td> <td>13.60</td> </tr> <tr> <td rowspan="2">HR-3 (Ways 4 Hydraulic Relief)</td> <td>Zinc</td> <td>µg/L</td> <td>331</td> </tr> <tr> <td>Copper</td> <td>µg/L</td> <td>42.8</td> </tr> <tr> <td rowspan="2">M-2 (Graving Dock Flood Dewatering)</td> <td>Nickel</td> <td>µg/L</td> <td>15.26</td> </tr> <tr> <td>Copper</td> <td>µg/L</td> <td>41.5</td> </tr> <tr> <td>M-3 (Ways 3 Flood Dewatering)</td> <td>Nickel</td> <td>µg/L</td> <td>18.7</td> </tr> <tr> <td>M-3 (Ways 3 Flood Dewatering)</td> <td>Copper</td> <td>µg/L</td> <td>9.0912.8</td> </tr> <tr> <td>M-4 (Ways 4 Flood Dewatering)</td> <td>Copper</td> <td>µg/L</td> <td>10.912.8</td> </tr> </tbody> </table>	Discharge Location	Parameter	Units	Maximum Daily	HR-1 (Graving Dock Hydraulic Relief)	Copper	µg/L	13.12	Zinc	µg/L	362	HR-2 (Ways 3 Hydraulic Relief)	Cadmium	µg/L	15.38	Copper	µg/L	66.84	Nickel	µg/L	13.60	HR-3 (Ways 4 Hydraulic Relief)	Zinc	µg/L	331	Copper	µg/L	42.8	M-2 (Graving Dock Flood Dewatering)	Nickel	µg/L	15.26	Copper	µg/L	41.5	M-3 (Ways 3 Flood Dewatering)	Nickel	µg/L	18.7	M-3 (Ways 3 Flood Dewatering)	Copper	µg/L	9.09 12.8	M-4 (Ways 4 Flood Dewatering)	Copper	µg/L	10.9 12.8
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18.	Findings, Intake Water Credits Section II.K Page 10	<p>Intake Water Credits. Section 1.4.4 of the SIP provides that the Regional Board may consider priority pollutants in intake water, through application of Intake Water Credits. By letters dated December 17, 2008 and July 8, 2009, NASSCO submitted a request for the application of Intake Water Credits for copper and nickel. Where the conditions are met, the Regional Board may establish 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. Intake water credits are applied in this Order for copper <u>and nickel</u>. A detailed discussion of the basis for the intake water credits is included in the Fact Sheet.</p>																																															

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19.	<p>Final Effluent Limitations</p> <p>Section IV.A.2 Table 7 and 8</p> <p>Page 16</p>	<p>Add the following footnote to both tables:</p> <p>Nickel, Total Recoverable²</p> <p><u>² These effluent limitations do not apply if the Discharger documents that the intake water concentration at the time of the discharge exceeds the effluent limitation. If the intake water concentration exceeds the effluent limitation, the Average Monthly and Maximum Daily effluent limitation shall be equal to the intake water concentration.</u></p>
20.	<p>Fact Sheet, Determining the Need for WQBELs</p> <p>Section IV.C.3</p> <p>Page F-28</p>	<p>Fire Protection Water discharges (FP-1 through FP-5) have been eliminated so no intake water credits are applied to this discharge. Intake water credits are not <u>rarely</u> applicable for nickel because only one receiving water sample out of 44 samples exceeded the criteria for nickel <u>in the last permit cycle. From the period of June 1999 through July 2002, all 4 samples exceeded the criteria for nickel. It is likely that NASSCO will be able to meet the nickel effluent limitations in this Order, but if the intake water nickel concentration exceeds the effluent limitations, then the intake water nickel concentration will be the effluent limitation.</u></p>
21.	<p>Fact Sheet Calculation of Intake Water Credits</p> <p>Section IV.C.5</p> <p>Page F-36</p>	<p>Add the following:</p> <p><u>c. Intake water credits for nickel are applicable only if the intake water concentration at the time of the discharge exceeds the effluent limitation. If the intake water concentration exceeds the effluent limitation, the Average Monthly and Maximum Daily effluent limitation shall be equal to the intake water concentration.</u></p>
22.	<p>Fact Sheet, Final Effluent Limitations</p> <p>Section IV.D Table F-24</p> <p>Page F-41</p>	<p>Add the following footnote to nickel in the table:</p> <p>Nickel²</p> <p><u>² These effluent limitations do not apply if the Discharger documents that the intake water concentration at the time of the discharge exceeds the effluent limitation. If the intake water concentration exceeds the effluent limitation, the Average Monthly and Maximum Daily effluent limitation shall be equal to the intake water concentration.</u></p>

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23.	Final Effluent Limitations Section IV.A.3 Table 8 Page 16	<table border="1" data-bbox="574 275 1435 657"> <thead> <tr> <th rowspan="2">Discharge Location</th> <th rowspan="2">Parameter</th> <th rowspan="2">Units</th> <th colspan="3">Effluent Limitations</th> </tr> <tr> <th>Annual Average</th> <th>Average Monthly</th> <th>Maximum Daily</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Flood Dewatering (Graving Dock, Building Ways 3, and Building Ways 4)</td> <td>Copper, Total Recoverable</td> <td>µg/L</td> <td>+</td> <td>--</td> <td>12.8</td> </tr> <tr> <td>Nickel, Total Recoverable</td> <td>µg/L</td> <td>--</td> <td>6.78</td> <td>13.60</td> </tr> </tbody> </table> <p data-bbox="623 659 1490 810">¹ Discharges shall achieve an annual average effluent concentration that is no greater than the running annual average of the receiving water concentration. The annual average of the effluent concentrations shall be calculated once each month and compared to the average of the receiving water concentrations for the same 12-month time period.</p>	Discharge Location	Parameter	Units	Effluent Limitations			Annual Average	Average Monthly	Maximum Daily	Flood Dewatering (Graving Dock, Building Ways 3, and Building Ways 4)	Copper, Total Recoverable	µg/L	+	--	12.8	Nickel, Total Recoverable	µg/L	--	6.78	13.60							
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24.	Fact Sheet, Calculation of Intake Water Credit Effluent Limitations Section IV.C.5 Page F-36	Intake Water Credit Effluent Limitations for the Flood Water discharges (M-2, M-3, and M-4) were calculated using the Background copper concentration of 12.8 µg/L as the Maximum Daily Effluent Limitation (MDEL). In addition, to ensure that the Facility discharges a mass and concentration of copper that is no greater than the intake water, an annual average effluent limitation is being established at no greater than the running annual average of the receiving water concentration.																											
25.	Fact Sheet, WQBEL Calculations Section IV.C.4 Table F-21 Page F-36	<table border="1" data-bbox="581 1243 1482 1472"> <tbody> <tr> <td rowspan="2">M-2 (Graving Dock Flood Dewatering)</td> <td>Copper</td> <td>µg/L</td> <td>2.88</td> <td>5.78</td> </tr> <tr> <td>Nickel</td> <td>µg/L</td> <td>6.78¹</td> <td>13.60</td> </tr> <tr> <td rowspan="2">M-3 (Ways 3 Flood Dewatering)</td> <td>Copper</td> <td>µg/L</td> <td>2.88</td> <td>5.78</td> </tr> <tr> <td>Nickel</td> <td>µg/L</td> <td>6.78¹</td> <td>13.60</td> </tr> <tr> <td rowspan="2">M-4 (Ways 4 Flood Dewatering)</td> <td>Copper</td> <td>µg/L</td> <td>2.88</td> <td>5.78</td> </tr> <tr> <td>Nickel</td> <td>µg/L</td> <td>6.78¹</td> <td>13.60</td> </tr> </tbody> </table> <p data-bbox="574 1514 1482 1619">¹ <u>Average Monthly Effluent Limitations are not applicable for the flood water discharges (M-2, 3, and 4) due to the short term and intermittent nature of the discharges.</u></p>	M-2 (Graving Dock Flood Dewatering)	Copper	µg/L	2.88	5.78	Nickel	µg/L	6.78 ¹	13.60	M-3 (Ways 3 Flood Dewatering)	Copper	µg/L	2.88	5.78	Nickel	µg/L	6.78 ¹	13.60	M-4 (Ways 4 Flood Dewatering)	Copper	µg/L	2.88	5.78	Nickel	µg/L	6.78 ¹	13.60
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26.	Monitoring and Reporting Program, Acute Toxicity Section V.A.6 Page E-12	A full laboratory report for all toxicity testing shall be submitted as an attachment to the DMR for the month in which the toxicity test was conducted and shall also include: the toxicity test results— for determination of Pass/Fail; LC50; TUa = 100/LC50; NOAEC; TUa = 100/NOAEC —reported according to the test methods manual chapter on report preparation and test review; the dates of sample collection and initiation of each toxicity test; all results for effluent parameters monitored concurrently with the toxicity test(s); and progress reports on TRE/TIE investigations.
27.	Discharge Prohibitions Section III. Page 14	<u>L. The discharge of flood waters from the graving dock (M-2), Ways 3 (M-3), and Ways 4 (M-4) more than 15 times per year total is prohibited.</u>