

**ERRATA SHEET**

**TENTATIVE ORDER NO. R9-2009-0080**  
**NPDES NO. CA0109151**  
**WASTE DISCHARGE REQUIREMENTS**  
**BAE SYSTEMS SAN DIEGO SHIP REPAIR INC.**  
**DISCHARGE TO THE SAN DIEGO BAY**

The following revisions will be made to tentative Order No. R9-2009-0080. Some changes/corrections below are shown in underline/~~strikeout~~ format to indicate added and removed language, respectively.

Errata #	SECTION	REVISION
1.	Limitations and Discharge Requirements  Section II.B.  Page 6	The Discharger operates a shipyard. Discharges from the Facility to the San Diego Bay include drydock ballast tank water, fire protection water, drips of potable water and steam condensate from hoses supplying these services to ships, <u>effluent from weight test bags</u> , and storm water.
2.	Limitations and Discharge Requirements  Section III.D.  Page 13	The discharge of the first flush of storm water runoff from high risk areas 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 acute toxicity limitation specified in section IV.A.1 of this Order. The discharge of the remainder of the storm water must also achieve compliance with the acute toxicity limitations specified in section IV.A. <u>1</u> . of this Order but only needs to be demonstrated twice per year unless under accelerated testing.

Errata #	SECTION	REVISION
3.	Limitations and Discharge Requirements  Section IV.A.2.  Page 15  Footnote 3	Discharges of storm water shall achieve a rating of "Pass" for acute toxicity with compliance determined as specified in section VII. <del>I.A.1</del> of this Order.
4.	Limitations and Discharge Requirements  Section V.A.  Page 18	V. RECEIVING WATER LIMITATIONS  <u>The discharge of waste shall not cause, have the reasonable potential to cause, or contribute to an excursion above the following water quality objectives in the receiving water:</u>  A. Surface Water Limitation  <del>The discharge of waste shall not cause or contribute to an exceedance of any applicable water quality objective or standard contained in applicable statewide water quality control plans, the California Toxics Rule, or the San Diego Basin Plan.</del>  <del>Receiving water limitations are based on water quality objectives contained in the Basin Plan and are a required part of this Order. The discharge shall not cause the following in the receiving water:</del>  1. Physical Characteristics

Errata #	SECTION	REVISION
5.	Limitations and Discharge Requirements  Section V.A.7.  Page 20	<a href="#">7. Other Water Quality Objectives</a>  <a href="#">a. CTR Priority Pollutants as specified in the Table of Paragraph (b)(1) of 40 CFR 131.38.</a>
6.	Monitoring and Reporting Program  Attachment E Section IV.  Pages E-6 to E-9  Tables E-3 E-4 E-5 E-6	Acute Toxicity, <del>TUa</del> <a href="#">Pass or Fail</a> , Grab, 1/year, 1

Errata #	SECTION	REVISION
7.	Monitoring and Reporting Program  Attachment E Section IV.C.1.  Page E-8  Tables E-5  Footnote 4	<del>Effluent flow for water weight bag effluent can be estimated.</del>

Errata #	SECTION	REVISION
8.	<p>Monitoring and Reporting Program</p> <p>Attachment E Section V.A.1.</p> <p>Pages E-9 and E-10</p>	<p>Monitoring Frequency</p> <p>The Discharger shall analyze a representative sample of the discharge for acute toxicity using a grab effluent sample.</p> <p><u>For non-storm water discharges, the Discharger must analyze a representative sample for each discharge location.</u></p> <p><u>For storm water discharges,</u> <del>the</del> Discharger must analyze a representative sample from each area at the Facility at which industrial activities are conducted for acute toxicity during at least two storm water discharge events annually on grab effluent samples. If a single representative sample for an industrial area is not feasible, monitoring of individual discharge points for that area is required.</p> <p>Once each year (July – June), at a different time of year from the previous years, the permittee shall split a single storm water and a single non-storm water effluent sample and concurrently conduct two toxicity tests for each sample using a fish and an invertebrate species. The permittee shall then continue to conduct routine toxicity testing using the single, most sensitive species, including testing for accelerated monitoring, until the next sensitivity testing the following year. The split sample from a storm water location and from a non-storm water location must be from sample locations with the most expected toxicity and, if possible, at a different location from previous years.</p> <p>During years 1 and 5 of the Order, a split of each sample shall be analyzed for all other monitored parameters at the minimum frequency of analysis specified by the effluent monitoring program. For storm water sampling, sampling shall occur during storm events <u>or if collected, prior to release to receiving water.</u> If there are no storm events in the first year then sampling shall occur as soon as possible, likewise for the fifth year, if conditions for administrative extension are met.</p>

Errata #	SECTION	REVISION
9.	Monitoring and Reporting Program  Attachment E Section V.A.4.e.  Page E-11	If either the reference toxicant or effluent toxicity tests do not meet all test acceptability criteria in the test methods manual, then the permittee must resample and retest <u>at the next storm event, within 14 days, or within the shortest time period possible (e.g., the next storm event, or next discharge event).</u>
10.	Monitoring and Reporting Program  Attachment E Section V.A.5.a.  Page E-12	If the results of acute toxicity monitoring are reported as "Fail" and the likely source of toxicity is known (e.g., a temporary plant upset), then the Discharger shall conduct one additional toxicity test using the same species and test method. This test shall begin within 14 days, <u>or within the shortest time period possible (e.g., the next storm event, or next discharge event),</u> of receipt of test results reported as "Fail" for acute toxicity, <u>at the next storm event.</u> If the additional toxicity test does not result in a determination of "Fail", then the Discharger may return to their regular testing frequency. The determination of the likely source of toxicity must be demonstrated by implementing the first two parts of the TRE workplan (VI.C.2.a.i. (a) and (b) of this Order.
11.	Monitoring and Reporting Program  Attachment E Section V.A.5.b.  Page E-12 and E-13	If the results of acute toxicity monitoring are reported as "Fail" and the source of toxicity is not known, then the Discharger shall conduct accelerated toxicity testing using the same species and test method. The accelerated toxicity monitoring shall include monitoring of the next 4 storm events. This testing shall begin within 14, <u>or within the shortest time period possible (e.g., the next storm event, or next discharge event),</u> days of receipt of test results reported as "Fail" for acute toxicity, <u>at the next storm event.</u> If none of the additional toxicity tests result in a determination of "Fail", then the Discharger may return to the regular testing frequency.

Errata #	SECTION	REVISION					
12.	Monitoring and Reporting Program  Attachment E Section V.A.5.c.  Page E-13	If one of the additional toxicity tests (in section V.A.5. a. or b.) are reported as "Fail" for acute toxicity, then, within 14 days of receipt of this test result, <u>at the next storm event</u> , the Discharger shall initiate a TRE as specified in section VI.C.2.a.ii of the Order.					
13.	Monitoring and Reporting Program  Attachment E Section V.A.5.d.  Page E-13	Any TIE conducted as a part of the TRE as specified in section VI.C.2.a of this Order shall be based on the same sample that exhibited toxicity and not from samples collected during subsequent storm events <u>or discharge events</u> . Therefore, the discharger shall collect additional sample volume, sufficient for a TIE, when in an accelerated testing phase.					
14.	Monitoring and Reporting Program  Attachment E Section IX.D.3.c.  Page E-21  Table E-8	Copper, Total Recoverable	µg/L	Grab	2 storms per year	<u>2,34(strikeout)</u>	
		Acute Toxicity <sup>2</sup>	Pass or Fail	Grab	2 storms per year	2	
		Remaining CTR Priority Pollutants <sup>45</sup>	µg/L	Grab	2 storms in Year One 2 storms in Year Five	2	

Errata #	SECTION	REVISION
15.	Monitoring and Reporting Program  Attachment E Section IX.D.3.c.  Page E-21  Table E-8  Footnote *	<p>*Sampling shall occur during storm events, <u>or if collected, prior to release to receiving water</u>. If there are no storm events during the year, then sampling shall occur as soon as possible. If there are no storm events during the fifth year and conditions for administrative extension are met, then sampling shall occur as soon as possible.</p>
16.	Monitoring and Reporting Program  Attachment E Section IX.D.3.c.  Page E-21  Table E-8  Footnotes 3, 4, and 5	<p><sup>3</sup> <del>The presence of acute toxicity in the storm water shall be determined as specified in section VII.I of the Order.</del>  <sup>3</sup> <del>4(strikeout)</del> Influent and effluent samples shall be analyzed for copper according to method 1638 or 1640. The commonly used methods 6010B (Inorganics by ICP-Atomic Emission Spectroscopy) and 200.7 (Trace Elements-ICP) have been found to give inaccurate copper readings in saline-matrix samples due to interference with the sodium-argon complex, which has a molecular weight similar to copper. Method 1638 (ICP/MS) or 1640 (On-Line Chelation) will eliminate the sodium-argon complex before the sample is tested for copper. No inaccurate readings for other metals in a saline-matrix sample that is analyzed by methods 6010B or 200.7 are known.  <sup>4</sup><del>5</del> As specified in the Table of Paragraph (b)(1) of 40 CFR 131.38.</p>

Errata #	SECTION	REVISION			
17.	Monitoring and Reporting Program  Attachment E Section X.B.3.  Page E-32  Table E-13	Annually	Permit Effective Date	July 1 through June 30	<a href="#">September 1</a>  <del>60 days following the end of the monitoring period</del>
		Annual Storm Water Report (IX.D.6 of this MRP)	First day of calendar month following permit effective date or on permit effective date if that date is first day of the month	July 1 through June 30	September 1  <a href="#">Separate report submitted with Annual Report</a>
18.	Monitoring and Reporting Program  Attachment E Section X.D.1.  Page E-35  Table E-14	Attachment G, Provision IX – Annual BMP Site Evaluation			<a href="#">September 1</a>  <a href="#">Separate report submitted with Annual Report</a>  <del>February 28</del>

Errata #	SECTION	REVISION				
19.	Fact Sheet Attachment F Section II.B.2.  Page F-8  Table F-2	SW-002	<a href="#">Contact Non-Industrial</a> storm water	32° 41' 32" N	117° 8' 41" W	San Diego Bay
20.	Fact Sheet Attachment F Section III.C.8.  Page F-15	Vessel General Permit. USEPA signed the 2008 Vessel General Permit (VGP) on December 18, 2008. The VGP became effective on February 6, 2009. The VGP regulates discharges incidental to the normal operation of vessels operating in a capacity as a means of transportation. Vessels <del> tied to a pier or</del> in a dry dock are not operating in a capacity as a means of transportation and are not covered by the VGP. Floating dry docks have been determined to be operating as a means of transportation when it is docking or undocking a vessel inclusive of the transition from that operation. Discharges from vessels at the Facility which are not operating as a means of transportation are regulated by this Order.				

Errata #	SECTION	REVISION
21.	Fact Sheet  Attachment F Section IV.C.5.b.  Page F-31	<p>Chronic Toxicity. Numeric chronic WET effluent limitations have not been included in this order. The SIP contains implementation gaps regarding the appropriate form and implementation of chronic toxicity limits. This has resulted in the petitioning of a NPDES permit in the Los Angeles Region that contained numeric chronic toxicity effluent limitations. To address the petition, the State Water Board adopted WQO 2003-012 directing its staff to revise the toxicity control provisions in the SIP. The State Water Board states the following in WQO 2003-012, "In reviewing this petition and receiving comments from numerous interested persons on the propriety of including numeric effluent limitations for chronic toxicity in NPDES permits for publicly-owned treatment works that discharge to inland waters, we have determined that this issue should be considered in a regulatory setting, in order to allow for full public discussion and deliberation. We intend to modify the SIP to specifically address the issue. We anticipate that review will occur within the next year. We therefore decline to make a determination here regarding the propriety of the final numeric effluent limitations for chronic toxicity contained in these permits." The process to revise the SIP is currently underway. Proposed changes include clarifying the appropriate form of effluent toxicity limits in NPDES permits and general expansion and standardization of toxicity control implementation related to the NPDES permitting process. Since the toxicity control provisions in the SIP are under revision it is infeasible to develop numeric effluent limitations for chronic toxicity. Therefore, 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 <a href="#"><u>because chronic toxicity continues to be a pollutant of concern.</u></a></p>

Errata #	SECTION	REVISION
22.	Fact Sheet  Attachment F Section IV.D.2.  Page F-31  Table F-14	Acute Toxicity, <del>TUa</del> <a href="#">Pass or Fail</a> , --, --, 3
23.	Fact Sheet  Attachment F Section IV.D.2.  Page F-31  Table F-14  Footnote 3	<sup>3</sup> Discharges of storm water shall achieve a rating of "Pass" for acute toxicity based on a t-test with compliance determined as specified in section VII. <del>L.A.1</del> of this Order.
<a href="#">23:24.</a>	Fact Sheet  Attachment F Section VII.B.3.a. Second Paragraph  Page F-43	USEPA's Vessel General Permit determined that numeric effluent limitations were infeasible for many vessel discharges. While a vessel is <a href="#">in dry dock</a> at this Facility, the Vessel General Permit is not applicable, but some of the same discharges can continue such as Seawater Cooling Overboard Discharges (Including Non-Contact Engine Cooling Water; Hydraulic System Cooling Water, Refrigeration Cooling Water). This Order requires that adequate BMPs for vessel cooling water discharges are incorporated into the BMP Plan.

Errata #	SECTION	REVISION
25.	BMP Plan Requirements  Attachment G Section VIII.C. 16. Through 23.  Page G-7	16. Floating dry dock, <del>graving dock, shipbuilding ways, and marine railway cleanup</del> 17. Sally port protection 18. Discharges resulting from wind, tidal action, and site runoff (including rainfall runoff and other miscellaneous water flows) 19. Leaks and spills 20. Waste (including sludge) disposal <del>21. Recovery of ship launch grease/wax</del> <del>21</del> 22. Seawater cooling overboard discharge from vessels (Including non-contact engine cooling water; hydraulic system cooling water, refrigeration cooling water) <del>22</del> 23. Other activities with potential to result in discharges of wastes or pollutants to waters of the United States.
26.	Tentative Order (global)	Other typographical errors and other minor corrections to the wording in the tentative Order have been or will be made prior to sending out the final version.