

EXECUTIVE OFFICER SUMMARY REPORT
August 14, 2013

- ITEM: 8.b
- SUBJECT: Time Schedule Order: A Time Schedule Order Requiring the United States Department of the Navy, Naval Base San Diego Complex to Comply with Requirements Prescribed in Order No. R9-2013-0064, NPDES No. CA0109169 (Tentative Order No. R9-2013-0095) (*Ben Neill*)
- PURPOSE: To receive public testimony and consider adoption of Tentative Time Schedule Order No. R9-2013-0095.
- RECOMMENDATION: Adoption of Tentative Time Schedule Order No. R9-2013-0095 with errata is recommended.
- KEY ISSUES:
1. Time Schedule Order No. R9-2013-0095 (**Supporting Document 1**) is necessary because the Tentative NPDES Order No. R9-2013-0064 (Tentative NPDES Order) for the Naval Base San Diego Complex, which is the subject of Item No. 8.a of today's agenda, prescribes new effluent limitations for the discharge of steam condensate, the graving dock caisson ballast water, the graving dock emergency fire suppression system / salt water supply water, and graving dock deflooding water that Naval Base San Diego cannot meet without additional treatment. Tentative Time Schedule Order No. R9-2013-0095 (Tentative TSO) prescribes a detailed time schedule of specific actions the Discharger is required to take in order to attain compliance with the effluent limitations for these discharges set forth in the Tentative NPDES Order for Naval Base San Diego. The time schedule is as short as possible taking into account the time necessary for Naval Base San Diego to implement actions to comply with the new effluent limitations.
 2. The Tentative TSO prescribes interim effluent limitations for steam condensate, the graving dock caisson ballast water, and the graving dock emergency fire suppression system / salt water supply water discharges that will be effective during the time necessary for Naval Base San

Diego to attain compliance with the final effluent limitations. A temporary discharge meeting the interim effluent limitations is not expected to cause adverse water quality impacts.

DISCUSSION:

The Tentative NPDES Order for Naval Base San Diego (**Supporting Document 2 for agenda item 8.a**) is a comprehensive NPDES permit that proposes to consolidate regulation of all discharges to surface waters from several hundred discharge points at Naval Base San Diego. The Tentative NPDES Order also proposes to consolidate regulation of discharges from the Naval Graving Dock, which is located within Naval Base San Diego and is currently regulated under a separate NPDES Permit. The Tentative NPDES Order proposes to supersede both Naval Base San Diego's existing NPDES Order No. R9-2002-0169 and the Naval Graving Dock's existing NPDES Order No. R9-2003-0365 which are expired but remain in effect under an administrative extension. The discharges proposed for regulation under the Tentative NPDES Order include graving dock saltwater supply system water; graving dock flood dewatering; graving dock caisson gate ballast water; steam condensate; pier boom, fender, and mooring cleaning; utility vault and manhole dewatering; industrial storm water; seawater cooling overboard discharges from vessels in the graving dock; and storm water from a Small Municipal Separate Storm Sewer System (MS4).

In developing the Tentative NPDES Order a reasonable potential analysis was conducted using the monitoring data submitted by Naval Base San Diego during the previous permit cycle. "Reasonable potential" refers to the analysis that is performed to determine what pollutants require water quality-based effluent limitations. The water quality based effluent limitations in the Tentative NPDES Order were established based on the National Toxics Rule and California Toxics Rule, and the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*. These new and more stringent effluent limitations, established based on a reasonable potential analysis, were not prescribed in previous NPDES Orders for Naval Base San Diego and the Naval Graving Dock.

The US Navy cannot immediately comply with some of the new effluent limitations for steam condensate, the graving dock caisson ballast water, the graving dock emergency fire

suppression system / salt water supply water, and graving dock deflooding water without additional treatment. A compliance schedule is appropriate in instances when a discharger must implement actions over time to comply with a more stringent permit limitation, such as designing and constructing facilities or implementing new or significantly expanded programs and securing financing, if necessary. The Tentative TSO (**Supporting Document 1**) establishes a time schedule for bringing the waste discharges into compliance with the new effluent limitations that reflects a realistic assessment of the shortest practicable time required to perform each task taking into account the technological, operational, and economic factors that affect the design, development, and implementation of the control measures that are necessary to comply with the effluent limitations. The compliance schedules contain a final compliance date based on the shortest practicable time required to achieve compliance.

The Tentative TSO includes the following interim effluent limitations that will remain in effect until Naval Base San Diego implements controls to meet the final effluent limitations by the specified final compliance dates:

1. Steam Condensate Interim and Final Effluent Limitations for Copper at Discharge Point Nos. SC-001 through SC-175

Parameter	Unit	Interim Maximum Daily Effluent Limitation	Final Maximum Daily Effluent Limitation
Copper, Total Recoverable	µg/L	130	5.8

The Tentative TSO requires that the steam condensate discharges be terminated no later than October 1, 2018.

2. Graving Dock Caisson Ballast Water Interim and Final Effluent Limitations for Cadmium, Copper, Nickel, Silver, and Zinc at Discharge Point No. NGD-003

Parameter	Unit	Interim Maximum Daily Effluent Limitation	Final Maximum Daily Effluent Limitation
Cadmium, Total Recoverable	µg/L	30	15.4
Copper, Total Recoverable	µg/L	40	13.8
Nickel, Total Recoverable	µg/L	50	13.6
Silver, Total Recoverable	µg/L	10	2.2

Parameter	Unit	Interim Maximum Daily Effluent Limitation	Final Maximum Daily Effluent Limitation
Zinc, Total Recoverable	µg/L	165	95.1

The Tentative TSO requires that the graving dock caisson ballast water discharges comply with final effluent limitations no later than May 1, 2017.

3. Graving Dock Emergency Fire Suppression and Salt Water Supply Water Interim and Final Effluent Limitations for Total Suspended Solids and Copper at Discharge Point No. NGD-004

Parameter	Unit	Interim Maximum Daily Effluent Limitation	Final Average Monthly Effluent Limitation	Final Maximum Daily Effluent Limitation
Total Suspended Solids	mg/L	187	60	-
Copper, Total Recoverable	µg/L	41.5	-	13.8

The Tentative TSO requires that the graving dock emergency fire suppression and salt water supply water discharges comply with final effluent limitations no later than September 30, 2016.

The Tentative TSO also directs the US Navy to submit, no later than September 28, 2013, a compliance plan and schedule of actions to be undertaken to comply with the graving dock deflooding water and salt water rinse water total recoverable copper effluent limitation set forth in section IV.A.2 of the Tentative NPDES Order.

The United States Department of the Navy, Commander Navy Region Southwest (US Navy) submitted three non-substantive comments on the Tentative TSO along with their comments on the Tentative NPDES Order (**Supporting Document 2 for agenda item 8.a**). A Response to Comments Document (**Supporting Document 5 for agenda item 8.a**) provides the San Diego Water Board response to US Navy comments on the Tentative TSO. (see responses to comments 27, 28 and 29 in the Response to Comments Document) An errata sheet has been prepared

which revised the TSO as requested by the US Navy.
(Supporting Document 6 for agenda item 8.a).

LEGAL CONCERNS: None

SUPPORTING DOCUMENTS: 1. Tentative Time Schedule Order No. R9-2013-0095

PUBLIC NOTICE: On June 7, 2013, the Tentative Time Schedule Order was e-mailed to the US Navy and to all known interested persons and posted on the San Diego Water Board's website. On June 7, 2013, a public notice was published in the San Diego Union Tribune and the Orange County Register. Notice was also provided in the Meeting Notice and Agenda for the August 14, 2013 Board meeting, which is posted on the San Diego Water Board's website.