

SUPPLEMENTAL
EXECUTIVE OFFICER SUMMARY REPORT
March 16, 2015

- ITEM: 6
- SUBJECT: National Pollutant Discharge Elimination System (NPDES) Permit Reissuance for Continental Maritime of San Diego Discharge to San Diego Bay (Tentative Order No. R9-2015-0009, NPDES No. CA0109142) (*Kristin Schwall*)
- PURPOSE: To receive public testimony and consider adoption of Tentative Order No. R9-2015-0009 (Tentative Order).
- RECOMMENDATION: Adoption of the Tentative Order (**Supporting Document No. 1**) with errata (**Supporting Document No. 7**) is recommended.
- DISCUSSION: This Executive Officer Summary Report (EOSR) supplements the EOSR agenda package provided for Item No. 6, of the March 16, 2015 San Diego Water Board meeting, to Board members and interested parties on March 3, 2015. Subsequent to the distribution of the agenda package, the San Diego Water Board received notification that, by letter dated February 11, 2015, the U.S. Environmental Protection withdrew its previous statewide approval of an Alternate Test Procedure (ATP) that was applicable when using the Test of Significant Toxicity (TST) statistical approach for analyzing acute and chronic toxicity test data (**Supporting Document No. 6**). The ATP had authorized the use of two concentrations in lieu of the required five concentrations plus a control specified in whole effluent toxicity (WET) test methods, when using the TST statistical approach for toxicity data analysis. U.S.EPA's decision to withdraw approval of the ATP has triggered the need to delete text allowing use of the ATP in the Tentative Order on page E-5, section III.C.2, of Attachment E. An errata sheet for the Tentative Order has been prepared with the necessary correction and is included as **Supporting Document No. 7**. This change will ensure that the Tentative Order is in conformance with the U.S.EPA letter withdrawing approval of the ATP and that chronic toxicity tests are conducted using U.S.EPA approved methods

specified in 40 CFR 136, *Guidelines Establishing Test Procedures for the Analysis of Pollutants under the Clean Water Act*, as required in section E.1.B in Attachment E of the Tentative Order.

This supplemental EOSR and supporting documents were sent to all interested parties and posted on the San Diego Water Board website on March 12, 2015.

**SUPPORTING
DOCUMENTS:**

6. U.S. Environmental Protection Agency Letter dated February 11, 2015.
7. Tentative Order Errata Sheet