
San Diego Regional Water Quality Control Board

March 27, 2025

Eric Icke
Vice President and General Manager
BAE Systems San Diego Ship Repair Inc.
2205 E. Belt Street
San Diego, CA 92113
eric.icke@baesystems.com

In reply refer to/attn:
257991:EKnight

Subject: Notice of Applicability, Order R9-2023-0012, National Pollutant Discharge Elimination System Permit CAG039001, General Waste Discharge Requirements for Discharges from Shipyards to San Diego Bay
BAE Systems San Diego Ship Repair

Eric Icke:

On May 10, 2023, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) adopted *Order R9-2023-0012, National Pollutant Discharge Elimination System (NPDES) Permit CAG039001, Waste Discharge Requirements for Discharges from Shipyards to San Diego Bay* (General Order). The General Order allows any owner or operator of a shipyard located adjacent to San Diego Bay to submit a Notice of Intent (NOI) application for coverage under the General Order. Regulatory coverage under the General Order will commence when the San Diego Water Board approves the NOI and issues a Notice of Applicability (NOA). The NOA may include additional or increased monitoring or other facility-specific requirements due to site-specific circumstances. The Discharger will be authorized to discharge starting on the effective date specified in the NOA and shall comply with the terms and conditions of the General Order and the NOA.

On September 29, 2023, BAE Systems San Diego Ship Repair Inc. (BAE Systems or Discharger) submitted an NOI application for coverage under the General Order. On November 9, 2023, the Discharger submitted supplemental information to the NOI application.

This NOA is to inform the Discharger that the BAE Systems San Diego Ship Repair shipyard (Facility) is enrolled in the General Order effective on the date of this NOA.

Order R9-2015-0034, NPDES Permit CA0109151 (Previous Order), an individual NPDES Permit that regulates discharges to San Diego Bay from the Facility is hereby rescinded. Pursuant to Order R9-2023-0012, the Previous Order will be rescinded upon the effective date of this NOA. (See page 11 of Order R9-2023-0012).

The Facility meets the enrollment eligibility criteria included in the General Order. An electronic copy of the General Order is available online at the following website:

https://www.waterboards.ca.gov/sandiego/board_decisions/adopted_orders/orders2023.html

NOA INFORMATION

The Discharger Information, Discharge Location, and Enrollment Information are summarized in Tables 1 through 3 below. Table 4, Administrative Information, contains the NOA issuance date, and enrollment effective date.

Table 1- Discharger Information

Discharger	BAE Systems San Diego Ship Repair Inc.
Name of Facility	BAE Systems San Diego Ship Repair
Facility Address	2205 E. Belt Street San Diego, CA 92113

Table 2 – Discharge Locations

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
BW-001	Dry dock ballast water (Pride of San Diego)	32.69139	117.14500	San Diego Bay
BW-002	Dry dock ballast water (Pride of California)	32.69222	117.14556	San Diego Bay
SW-000	Stormwater (SW) associated with industrial activity	32.69278	117.14528	San Diego Bay
SW-001	SW associated with industrial activity	32.6925	117.14583	San Diego Bay
SW-002	Roof run-off (non-industrial)	32.69222	117.14472	San Diego Bay
SW-003	SW associated with industrial activity	32.69222	117.14444	San Diego Bay
SW-004	SW associated with industrial activity	32.69167	117.14333	San Diego Bay
SW-005	SW associated with industrial activity	32.69139	117.14306	San Diego Bay
SW-006	Roof run-off (non-industrial)	32.69139	117.14306	San Diego Bay
SW-007	Roof run-off (non-industrial)	32.69111	117.14306	San Diego Bay
SW-008	SW associated with industrial activity	32.69111	117.14305	San Diego Bay

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
SW-009	Roof run-off (non-industrial)	32.69028	117.14278	San Diego Bay
SW-010	Roof run-off (non-industrial)	32.69139	117.14389	San Diego Bay

Table 3 – Enrollment Information

WDID	9 000000137
Facility Contact, Title, Agency, Phone, and Email	Sandor (Shaun) Halvax (Acting) Environmental Manager BAE Systems San Diego Ship Repair Inc. 619-288-5274 Sandor.Halvax@baesystems.us
Authorized Person to Sign and Submit Reports	Sandor (Shaun) Halvax
Mailing Address	2205 E. Belt Street San Diego, CA 92113
Billing Address	Same as above
Type of Facility	Ship Repair (SIC Code 3731)
Major or Minor Facility	Major
Discharge Category	1 – Highest Threat to Water Quality
Facility Permitted Flow	Industrial stormwater discharge to be calculated at the time of discharge event.
Watershed	908.22 – Pueblo San Diego Hydrologic Unit, San Diego Mesa Hydrologic Area, Chollas Hydrologic Subarea
Receiving Water	San Diego Bay

Table 4 – Administrative Information

This NOA was issued by the Executive Officer on:	March 27, 2025
This Enrollment is effective as of:	March 27, 2025

NOA FINDINGS AND REQUIREMENTS

The Discharger must comply with all applicable requirements in the General Order and any additional requirement included in this NOA, upon the effective date of enrollment in the General Order.

1. FACILITY AND DISCHARGE DESCRIPTION

1.1. Facility Description

BAE Systems is a ship repair company in the San Diego area, serving primarily non-nuclear Navy vessels but also commercial customers. The Discharger currently leases 13.6 acres of land and 20.6 acres of water from the San Diego Unified Port District (District). In addition to these District-leased and permitted areas, the Discharger leases 3.5 acres of submerged land outside of the District's jurisdiction (beyond the U.S. Pierhead Line) from the California State Lands Commission (SLC).

The site consists of three working piers (five wet berths), and two floating dry docks, all of which are used to modernize, repair, and overhaul various marine vessels. The smaller of the two dry docks, the Pride of San Diego (POSD), has been on site since 1984. In 2017, the larger dry dock, Pride of California (POCA), was commissioned to meet the growing needs of the Discharger's customers.

The piers and wharves moor and support berthed vessels that are undergoing repair operations, as well as berthing barges used to house vessel crews while ship repairs are being conducted. Wastes staged and transported across piers may include spent abrasives, paint, petroleum products, sanitary waste, and general refuse and debris.

The dry docks are used to conduct repair and maintenance activities which cannot normally be conducted while the vessel is waterborne. These activities generally include: exterior hull, shaft, propeller, and rudder repair; abrasive blasting; hydroblasting; painting; and the repair or replacement of valves and fittings below the waterline. Ship launching and recovery is accomplished by means of integral ballast tanks, which take in and discharge seawater used to raise and lower the dry docks. Wastes generated from ship repair operations may include spent abrasives, paint, rust, petroleum products, marine growth and general refuse. The dry docks are contained to prevent stormwater and wash water from entering San Diego Bay.

On-shore facilities include a painting and abrasive blasting area located at the foot of Pier 3. On the north end of the Facility is an area used for steam cleaning/pressure washing of vehicles and equipment, which includes a sump where effluents are collected and drained to a three-stage clarifier and discharged to the publicly owned treatment works (POTW). Manufacturing, storage areas, and material staging areas are also located on-site to support ship repair operations.

The perimeter of the Facility, including piers and dry docks is bermed to prevent the discharge of stormwater associated with industrial activity. Stormwater collection is achieved by connecting stormwater catch basins/drains together in varying groups, and pumping stormwater to above ground holding tanks. There exists nine primary holding tank areas, which vary in capacity and configuration depending on the surface area and flow.

1.2. Description of Wastewater

A description of the types of wastewater generated at the Facility is provided in the subsections below.

1.2.1. Floating Dry Dock Ballast Water

A floating dry dock is a vessel which can be submerged and raised to bring another vessel out of the water to conduct repairs. Sinking and floating of the POSD and POCA Floating Dry Docks are accomplished by flooding and emptying the ballast tanks of the floating dry dock. Ballast tanks are also used to adjust the trim of the dock. Ballast water from the POSD Floating Dry Dock is discharged through Discharge Point No. BW-001 and ballast water from the POCA Floating Dry Dock is discharged through Discharge Point No. BW-002 to San Diego Bay. Discharges of ballast water while docking or undocking a vessel are not regulated by the General Order nor the NOA but are regulated by the United States Environmental Protection Agency (USEPA) Vessel General Permit (VGP) under Permit Tracking No. VPBC32800 and VPABF9040. Discharges of ballast water while a floating dry dock is not operating as a means of transportation, such as when the floating dry dock is at its mooring position to conduct ship repair activity, are regulated by the General Order.

1.2.3. Stormwater

The perimeter of the Facility, including piers and dry docks is bermed to prevent surface runoff of stormwater associated with industrial activity. The majority of stormwater is collected in the Discharger's Stormwater Diversion System (SWDS) and subsequently discharged to the POTW. The SWDS includes a series of drains, piping, and tanks that collect stormwater from areas of industrial activity, including the hazardous waste storage area, solid waste reclamation area, wharfs, Piers 1 through 4, dry docks, and outdoor storage and manufacturing areas. When rainfall exceeds the storage or throughput capacity of the SWDS, the outfalls may be opened to release the excess runoff to prevent catastrophic flooding of the shipyard.

2. FACILITY REQUIREMENTS

The Discharger must implement the requirements contained in the General Order and this NOA.

3. EFFLUENT LIMITATIONS

3.1. Reasonable Potential Analysis

The San Diego Water Board has reviewed the NOI and determined that an additional Reasonable Potential Analysis is not required because there is only industrial stormwater discharge.

3.2. Effluent Limitations

No additional effluent limitations.

3.3. Anti-Backsliding Requirements

Sections 402(o) and 303(d)(4) of the Clean Water Act (CWA) and federal regulations at Title 40 of the Code of Federal Regulations (40 CFR) section 122.44(l) restrict backsliding in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed. The effluent limitation values are the same as the General Order and they are the same or more stringent than the previous order.

3.4. Antidegradation Policy

Federal regulation 40 CFR section 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution 68-16 ("Statement of Policy with Respect to Maintaining High Quality of Waters in California"). Resolution 68-16 is deemed to incorporate the federal antidegradation policy where the federal policy applies under federal law. Resolution 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. The San Diego Water Board's Basin Plan implements, and incorporates by reference, both the state and federal antidegradation policies. The permitted discharge must be consistent with the antidegradation provision of 40 CFR section 131.12 and State Water Board Resolution 68-16.

4. RECEIVING WATER LIMITATIONS

4.1. Receiving Water Limitations and Sediment Limitations

The Discharger shall not cause violations of the requirements contained in section 6 of the General Order.

5. MONITORING AND REPORTING PROGRAM

5.1. Effluent Monitoring

The Discharger shall monitor as required in section 3.2 and 7.3 of the MRP of the General Order.

5.2. Receiving Water Monitoring

5.2.1. Receiving Water Monitoring Plan

The Discharger shall submit a Receiving Water Monitoring Plan within twelve months of the effective date of this NOA. The plan shall include the requirements

in section 4.3 of the MRP of the General Order and the parameters from Table E-5 of the General Order.

5.2.2. Sediment Monitoring Plan

The Discharger shall submit a Sediment Monitoring Plan within twelve months of the effective date of this NOA. This plan shall include the requirements in section 4.4 of the MRP of the General Order and a schedule of Sediment Monitoring Report submittals.

5.2.3. Sediment Monitoring Report

The Discharger shall submit a Sediment Monitoring Report every 2 years in accordance with the schedule in the Sediment Monitoring Plan.

5.3. Self-Monitoring Reports

The Discharger shall submit all supporting documentation with the Self-Monitoring Reports (SMR), including but not limited to laboratory reports and chain-of-custody forms.

5.3.1. No Discharge Certification

For any monitoring period in which no discharge occurred, the SMR shall include a statement certifying that no discharge occurred during the monitoring period.

5.3.2. Electronic Submittals

The Discharger shall electronically submit all monitoring reports and documents required by this NOA and the General Order using the State Water Board's California Integrated Water Quality System (CIWQS) website (https://www.waterboards.ca.gov/water_issues/programs/ciwqs). The Discharger shall maintain sufficient staffing and resources to ensure submittals are complete and timely.

The CIWQS website will provide additional information for submittals in the event there will be a planned service interruption for electronic submittal. In an unexpected event send the submittal by email to sandiego@waterboards.ca.gov and include in a carbon copy to the San Diego Water Board staff. Include in the subject the reference code **257991:EKnight**. Routine email correspondence may be sent directly to individual San Diego Water Board staff members.

5.4. Reporting Schedule

Table 5. NOA Reporting Schedule

Report Name	MRP Section of the General Order	Due Date (date)
Initial Investigation TRE Work Plan	3.3.1.9.1	Within 90 days of the effective date of the NOA
Detailed TRE Work Plan	3.3.1.9.4	Within 30 days of receiving the validated results for a TRE trigger
TIE Work Plan	3.3.1.9.5	As required by the San Diego Water Board
TRE/TIE Progress Reports	3.3.1.9.6	February 1 and August 1 each year following the TRE trigger
TRE/TIE Final Report	3.3.1.9.8	As described in the Detail TRE Work Plan
Receiving Water Monitoring Plan	4.3	Within 12 months of the effective date of the NOA
Sediment Monitoring Plan	4.4	Within 12 months of the effective date of the NOA
Receiving Water Monitoring Report	4.3	Annually, by September 1, as described in the Receiving Water Monitoring Plan
Sediment Monitoring Report	4.4	Every two years, by September 1, as described in the Sediment Monitoring Plan
Climate Change Action Plan	6.1	Within three years of the effective date of the NOA
Quarterly Report	8.2.7.1	May 1 August 1 November 1 February 1
Annual Report	8.2.7.2	September 1
Industrial Stormwater Annual Report	7.3.5	September 1

6. ENFORCEMENT

The Discharger must review and ensure this NOA completely and accurately reflects the Facility's discharge. If the Discharger violates the terms or conditions listed in this NOA or the General Order, the San Diego Water Board may take enforcement action, including assessment of administrative civil liability.

Pursuant to Water Code section 13385, subdivisions (h) and (i), violations of effluent limitations contained in a NPDES permit subject the Discharger to a Mandatory Minimum Penalty (MMP) of \$3,000 for each serious violation, or for the fourth and each subsequent non-serious violation in a six-month period. The Discharger is also subject to discretionary administrative civil liability for each NPDES permit violation in an amount not to exceed the sum of both the following pursuant to Water Code section 13385, subdivision (c): \$10,000 for each day in which the violation occurs; and \$10 for each gallon of discharge not cleaned up in excess of 1,000 gallons.

7. OTHER INFORMATION

7.1. 30-Day Comment Period

A tentative version of this NOA was noticed and released for public review and comment on February 14, 2025, with comments due by March 17, 2025. The Notice of Opportunity to Comment (Notice) was posted on the San Diego Water Board website for the duration of the comment period and sent to the Discharger and all known interested parties. The Notice announced the availability of the Tentative NOA for review and provided instructions for submittal of written comments.

7.2. Additional Modifications

This NOA may be modified to require technical or monitoring reports to assess the quality of the discharge and its potential impact on the water quality and beneficial uses of the receiving water.

7.3. Petition for Review

Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 et seq. The State Water Board must receive the petition by 5:00 p.m., 30 calendar days after the date of this letter. Copies of the law and regulations applicable to filing petitions may be found on the Internet at http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

In the subject line of any response, please include the reference **257991:EKnight**. If you have any questions regarding this NOA or the discharge requirements of the

Eric Icke
BAE Systems San Diego Ship Repair Inc.

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General Order, please contact Ella Knight at Ella.Knight@waterboards.ca.gov or (619) 521-3342

Respectfully,

David W. Gibson
Executive Officer

Copies to:

Sandor (Shaun) Halvax, (Acting) Environmental Manager, BAE Systems San Diego Ship Repair Inc., Sandor.Halvax@baesystems.us

Tech Staff Info & Use	
General Order	R9-2023-0012
General NPDES Permit	CAG039001
Previous Order	R9-2015-0034
Previous NPDES Permit	CA0109151
CW Place ID (BAE Systems San Diego Ship Repair)	257991
CW Party/Organization ID (BAE Systems San Diego Ship Repair Inc)	40631
CW Party/Person ID (Eric Icke)	639192
CW Party/Person ID (Sandor Halvax)	525880
CW Regulatory Measure (General Order)	453413
CW Regulatory Measure (NOA Enrollment)	459093
Previous CW Regulatory Measure (R9-2015-0034)	401444
WDID	9 000000137