California Regional Water Quality Control Board

San Diego Region

Over 50 Years Serving San Diego, Orange, and Riverside Counties Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

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TO: John Robertus, Executive Officer Shipyard Sediment Site Advisory Team

- FROM: David Barker, Supervising Water Resources Control Engineer Shipyard Sediment Site Cleanup Team SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD
- **DATE:** March 25, 2008

SUBJECT: SHIPYARD SEDIMENT SITE TENTATIVE CLEANUP AND ABATEMENT ORDER NO. R9-2005-0126; RECOMMENDED FORMAT FOR WRITTEN COMMENTS

The January 30, 2006 First Amended Order of Proceedings (First Amended Order) provides on Page 6, Item 4, Paragraph 4, that the Cleanup Team submit to the Advisory Team a recommended specific format for written comments to be used by all Designated Parties throughout the proceedings.

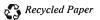
The recommended format is attached.

The attached format does not include protocols on the formatting of documents submitted electronically or on compact disk (CD) media to the San Diego Water Board. We anticipate that the Advisory Team will be establishing appropriate protocols in a public notice or some similar public directive requiring that electronic or CD document submittals be formatted as portable document format (PDF) files with Optical Character Recognition (OCR). The OCR attribute will ensure that document submittals are accessible and compatible with document text search and copy / paste functions.

Enclosure: Comment Format, Shipyard Sediment Site, March 25, 2008

cc: Shipyard Sediment Distribution List

California Environmental Protection Agency



COMMENT FORMAT SHIPYARD SEDIMENT SITE

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INSTRUCTIONS: Persons representing Designated Parties to the Cleanup and Abatement Order (CAO) Proceeding, excluding the San Diego Water Board Cleanup Team, shall submit all written testimony, argument, and exhibits¹ to the San Diego Water Board in the format presented below.

The following list identifies participants, excluding the San Diego Water Board Cleanup Team, who are currently as of March 25, 2008 designated by the San Diego Water Board as Parties to the Cleanup and Abatement Order Proceeding²:

- BAE Systems San Diego Ship Repair, Inc. (formerly Southwest Marine Inc.)
- National Steel and Shipbuilding Company (NASSCO)
- San Diego Gas & Electric Company, a subsidiary of Sempra Energy Co.
- Chevron USA, a subsidiary of ChevronTexaco
- BP, the parent company and successor to Atlantic Richfield Co, (ARCO)
- U.S. Navy

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- City of San Diego
- Marine Construction and Design Company / Campbell Industries, Inc.
- San Diego Coastkeeper (formerly known as San Diego Baykeeper)
- Environmental Health Coalition
- San Diego Port Tenants Association

¹ Exhibits may include written testimony, technical documentation, factual information, expert opinions, statements of qualifications of expert witnesses, and other documents to be used as evidence.

² This current list of Parties may be expanded during the course of the proceedings to include any other person whom the San Diego Water Board determines should be designated as a Party to the proceedings. Any person designated as a Party by the San Diego Water Board during the course of the proceedings is subject to the comment form guidelines described in this document.

Each submittal by persons representing Parties to the proceeding shall provide the following information on the cover page of their submittal:

Name:	
Title:	
Company/Agency:	
Street Address:	
City, State, Zip Code:	
Phone Number:	
Email Address:	
Party Representing:	

Each comment³ shall be categorized by the type of document that is the subject of the comment (i.e., Tentative Cleanup and Abatement Order, Draft Technical Report for Tentative Cleanup & Abatement Order, Shipyard Administrative Record, or Written Testimony, Argument, and Exhibits Submitted by Other Participants). <u>Each comment shall be preceded by one of the information</u> <u>tables described below. A different information table shall be used for</u> <u>each individual comment. Consolidating comments that refer to the same</u> <u>document type is not acceptable. While one page can contain multiple</u> <u>comments, each comment must be preceded by its own separate</u> <u>information table. Comments which do not conform to this format may be</u> <u>stricken by the presiding Hearing Officer and excluded from the</u> <u>administrative record.</u>

Document Name	Tentative CAO No. R9-2005-0126
Document Date	
Finding or Directive	
Number	
Page, Paragraph, and	
Sentence Number	
Concise Summary of	
Issue	

Tentative Cleanup & Abatement Order Comment Information

Draft Technical Report for Tentative Cleanup & Abatement Order Comment Information

Document Name	Draft Technical Report for Tentative CAO No. R9-2005-0126
Document Date	
Section Number	
Page, Paragraph, and Sentence Number	
Concise Summary of	
Issue	

³ A "comment" is defined as any reasonably segregable issue, concern, or argument.

Shipyard Administrative Record⁴

Document Name	
Document Date	
Document Type	Shipyard Administrative Record
SAR Number ⁵	
Page, Paragraph, and	
Sentence Number	
Concise Summary of	
Issue	

Written Testimony, Argument, and Exhibits Submitted by other Participants⁶

Document Name	
Name of "Person" and	
Organization Document	
is From	
Document Date	
Document Type	Public Comment
Page, Paragraph, and	
Sentence Number	
Concise Summary of	
Issue	

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⁴ The term "Shipyard Administrative Record" refers to the indexed administrative record in electronic format provided by the San Diego Water Board to the Parties to the Cleanup and Abatement Order Proceeding.

⁵ An individual Shipyard Administrative Record (SAR) Number is assigned to every document in the electronic Shipyard Administrative Record.

⁶ Participants in the San Diego Water proceedings are either "parties" or "interested persons".