



DEPARTMENT OF THE NAVY
COMMANDER NAVY REGION SOUTHWEST
937 NO. HARBOR DR.
SAN DIEGO, CALIFORNIA 92132-0058

IN REPLY REFER TO:
5090
Ser N45JWW.1s/0283
October 26, 2009

Mr. John Robertus
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4353

Dear Mr. Robertus:

SUBJECT: NAVY COMMENTS ON PROPOSED TMDL CLEAN WATER ACT SECTION
305(b)/303(d) INTEGRATED REPORT 2008 PCB LISTING FOR SAN
DIEGO BAY NEAR SUBASE

This letter presents a justification for removing Polychlorinated biphenyls (PCBs) from the new proposed 2008 303(d) Toxic Maximum Daily Load (TMDL) list for San Diego Bay near Naval Submarine Base (SUBASE), San Diego. The listing should be removed from the list because:

- 1) The 2008 PCB TMDL proposed for San Diego Bay near SUBASE is redundant with a previous PCB listing for the San Diego Bay proposed in 2006 and adopted in 2008. The additional listing for a site specific SUBASE PCB TMDL derives no additional regulatory benefit or drivers for handling the PCB impairment in San Diego Bay. The current PCB TMDL for San Diego Bay (2006) has the same regulatory drivers as the SUBASE site specific listing.
- 2) The redundant listing will cause confusion on which TMDL deadline is applicable to the site, the bay-wide TMDL (Deadline of 2019) or the SUBASE TMDL (Deadline of 2021).
- 3) Redundant listings may cause duplicate studies and double the number reports for the same PCB condition.
- 4) In the quoted lines of evidence, it was stated that the PCB concentration was over the OEHHA screening level of 20 nanograms per gram at the site. The average concentrations of PCBs found at the site were below that found in reference station samples collected throughout San Diego Bay. This indicates a San Diego Bay-wide issue and not a site specific issue.

Also, it should be noted that the new listings of Copper and Chromium for Paleta Creek were based upon a Southern California Coastal Water Research Project (SCCWRP) sampling point that is upstream from Naval Base San Diego (NBSD). NBSD should not be listed as a stakeholder in this new TMDL since NBSD is

downgradient of the sample point used to establish the line of evidence.

If you need further information regarding this submittal, please contact Mr. Len Sinfield, telephone (619)532-2280.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian S. Gordon". The signature is fluid and cursive, with the first name "Brian" and last name "Gordon" clearly legible.

Brian S. Gordon
Director, Compliance and
Technical Division
By direction