



**DEPARTMENT OF THE NAVY**  
COMMANDER NAVY REGION SOUTHWEST  
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SAN DIEGO, CALIFORNIA 92132-0058

IN REPLY REFER TO:  
5090  
Ser N45JWW.bg/138  
July 5, 2013

Mr. David W. Gibson  
Executive Officer  
California Regional Water Quality Control Board  
San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340

Dear Mr. Gibson:

SUBJECT: COMMENT - TENTATIVE ORDER NO. R9-2013-0064, PLACE ID:  
243989 (NAVY COMMENTS)

Enclosed are the Navy's comments on the subject tentative order. If there are any questions regarding this submittal, please contact Sarah Koppel at (619) 532-3676 or myself at (619) 532-2273.

Sincerely,

  
B. S. GORDON  
By direction

Enclosure: Navy Comments on Tentative Order R9-2013-0064

Copy to: CO, NBSD

**COMMENT/RESPONSE MATRIX - Tentative Order R9-2013-0064**

#	Page #	Section/Location	Comment
<b>Comments on Tentative Order R9-2013-0064, Waste Discharge Requirements</b>			
1	21	III.D	Small typo on second line. Change "...or materials others than..." to "or materials other than..."
2	25	IV.A./Table 11	The Navy may be able to limit this discharge so that it only occurs only for a few minutes approximately once every 3 months. Applying a monthly limitation to this type of discharge is inappropriate. Request, similar to other discharges in the permit, a footnote be added to the table stating that the Average Monthly limitation only applies if there is a discharge more than one day in a 30 day period.
3	31	IV.F.2.b	The order states "The SWPPP shall serve as the framework for identification, assignment, and implementation of measures and BMPs to control MS4 discharges from industrial activities in the Industrial No Exposure, Industrial Low Risk, and Industrial High Risk Areas of the NBSD. The BMPs and measures shall be selected to achieve BAT/BCT and compliance with all receiving water limitations." The required action is unclear. The section requires the SWPPP to serve as a framework to control MS4 discharges. Does "framework" mean that the required actions are to be included in the SWPPP? Additionally, per the Attachment A, Definitions, an MS4 area is an area where no industrial activity occurs. This section refers to MS4 discharge from industrial activities, which is contradictory with the MS4 definition.
4	31	IV.F.3.a.i	The order states "The Discharger shall determine the average concentration for each parameter using the results of all the sampling and analytical results for the entire facility for the reporting year (i.e., all "effluent" data) and compare this value to the corresponding annual NAL values in Table G-1." The size of industrial drainage basin areas at NBSD – Main Base varies by up to a factor of 60. Since the Discharger is required to submit estimated discharge volumes for sampled outfalls, there should be an option to calculate NAL values adjusted for discharge volumes. Please revise text to allow for volume-adjusted NAL calculations. This is tied better to pollutant loading.
5	52	VII.H.2	This item incorrectly states "chronic toxicity" under the section discussing acute toxicity. Request "chronic toxicity" be changed to "acute toxicity".
<b>Comments on Attachment E, MRP</b>			

6	E-3	I.A	This section states "Samples shall be collected at times representative of "worst case" conditions with respect to compliance with the requirements of this Order." It appears that no other San Diego NPDES permits have this condition. Worst case is not defined. It seems contradictory to require samples to be representative of the volume and nature of the discharge while also being representative of the worst case conditions. Request the last sentence be deleted.
7	E-3	I.D	This section states "Records shall be maintained for a minimum of five years from the...". Section IV.A of attachment D (Standard Provisions) requires maintenance of monitoring records for 3 years. Please clarify which requirement is correct.
8	E-5	II.B.3	This section states "Where a single drainage area, or similar <b>adjacent</b> drainage areas, discharges to multiple discharge points, the Discharger may propose a single monitoring location for that drainage area..." Recommend deleting "adjacent" in order to make the text similar to Section XI.C.3.a of the July 2012 Draft Industrial General Permit. Substantially similar industrial activities can occur in non-contiguous drainage areas.
9	E-7	IV.A.1., Table E-3	This table requires monthly flow monitoring for steam condensate discharges. Table E-13 requires that all monthly monitoring be reported in quarterly reports, but with the exception of flow all monitoring required for steam condensate is performed semi-annually or less frequently. Semi-annual monitoring is required to be reported in semi-annual self monitoring reports. As currently written the reporting requirements could be interpreted to require quarterly reporting of flow for steam condensate and then semi-annual reporting for all other parameters. Rather than send in a quarterly report that only includes flow for this discharge request a footnote to Table E-3 be added that states the following - "The estimated daily flow for each month shall be reported in the semi-annual self monitoring reports due on August 1 and February 1 of each year."
10	E-7 – E-30	Tables E-3 - E-8	To ensure that pH can be performed within 15 minutes of sample collection, the test method for Tables E-3 through E-8 and E-10 through E-11 should be clarified to reflect the test method indicated in Table G-1 - "Field test with calibrated portable instrument, or lab sample in accordance with 40 CFR 136."
11	E-8 - E-10	Tables E-4, E-5 and E-6	Request to change Sample Type for Flow from Grab to Estimate. A grab sample during a docking/undocking event is not an appropriate method of determining flow for these discharges.
12	E-9	Table E-5	Delete "and Saltwater Supply System Water" from the title of the table. This is covered in Table E-6.

13	E-9, E-10	Tables E-5, E-6	These table requires flow as a daily estimate for the Caisson and EFS/SSS discharges . Rather than send a quarterly report with just flow for this discharge, request this be reported in the annual report and add a footnote, "The estimated daily flow for each month shall be reported in the annual self monitoring reports due on September 1." All other caisson and EFS/SSS monitoring is due Annually.
14	E-12	E-10 – E11	Last line of this paragraph includes "steam vault discharge". NBSD does not have a steam vault discharge so request deleting reference to steam vault discharge.
15	E-13	V.A.2	This section states "The Discharger shall conduct a species sensitivity screening for acute toxicity which shall include..." This section should be rewritten to clarify that only one sample from one outfall during the first round of sampling is to be subject to sensitivity screening. Request this change be included to reduce the cost and effort for the sensitivity testing.
16	E-14	V.B.2	This section states "The Discharger shall conduct a species sensitivity screening for chronic toxicity which shall include..." This section should be rewritten to clarify that only one sample from one outfall during the first round of sampling is to be subject to sensitivity screening. Request this change be included to reduce the cost and effort for the sensitivity testing.
17	E-14	V.A.4	The last sentence of this paragraph requires an additional test during the same calendar month of the exceedance or the next qualifying storm event. We may not receive the laboratory monitoring results during the same month when the sampling was performed and so we may not be aware of an exceedance in the same calendar month as the sampling. Request this sentence be revised to state "...within the same calendar month or next qualifying storm event after receiving results of an exceedance...".
18	E-16	V.B.4.	Last sentence of this paragraph. Many of the process water discharges occur infrequently so it may not be possible to conduct an additional toxicity test during the same calendar month. In addition we may not receive the laboratory monitoring results during the same month when the sampling was performed and so we may not be aware of an exceedance in the same calendar month as the sampling. Request this sentence be revised to state "...within the same calendar month or the next discharge event after receiving results of an exceedance...".

19	E-21	VIII.A.1.	This section requires that sediment monitoring outside the Graving Dock facility continue until the new sediment monitoring program is implemented. The cost to perform the sediment sampling, analyses, and reporting is approximately \$50,0000 (\$49,436 in FY12). The Navy has submitted annual sediment monitoring reports to the SDRWQCB for over two decades so there is already significant data available for evaluation if necessary. The Navy has also performed preliminary sediment sampling for the 303(d) listed water body in the middle pier area at NBSD. At this point there is no benefit to conducting additional sediment monitoring in front of the Graving Dock facility when we are required to implement a new sediment monitoring program for the entire installation. The \$50,000 required for conducting one additional monitoring event would be better used in developing a new receiving water and sediment monitoring program in accordance with the new permit requirements. The data from one additional monitoring event will not change how the new program is implemented, and there is no need for more monitoring data. Request the requirement to continue sediment monitoring under the existing permit requirement requirements be deleted so we can use those resources towards compliance with the new permit requirements.
20	E-26	IX.A.2.b.ii	This section request states "From a storm event that was preceded by 72 hours of dry weather." To simplify logistics for planning storm water sampling and observations request the text be revised to indicate this means "three calendar days of dry weather."
21	E-27	IX.A.3.e.	This section requires sampling the next QSE during the wet season when there is no discharge from the first QSE. Because the monitoring is broken down into semiannual periods referring to the wet season may not be appropriate. Request "wet season" be replaced with "semi-annual period" in this paragraph. This change should be made to other sections as appropriate. In addition, it is unclear what is required if there is no QSE during a semi-annual period. For example if there is no QSE during the July through December semi-annual monitoring period then our interpretation of the requirements is that we are still only required to collect one sample during the January through June monitoring period. Request this be clarified.
22	E-30	Footnote *	The first discharge point listed is called "BSD-068," needs to be changed to "NBSD-068."
23	E-31	IX.A.5	Since sample collection is completed during semi-annual periods recommend the term "wet season" be replaced with "semi-annual period".

24	E-32	IX.B	<p>This section requires storm water sampling and observations for non-industrial areas. The Navy understands the need to implement monitoring for discharges to Chollas Creek to comply with the TMDL, but requests the remaining portions of the installation have similar monitoring requirements as the statewide Phase II MS4 permit. This is the first permit issued to the Navy with specific MS4 program requirements and it will take time to implement the required programs. For this permit term the Navy requests the storm water monitoring requirements be consistent with the statewide Phase II permit. This would also be in accordance with previous discussions with staff on this issue.</p>
25	E-32	IX.A.5.c/d	<p>This section states "c. The Discharger shall ensure that all industrial storm water discharge sampling locations are representative of only those drainage areas associated with industrial activities. The storm water discharge observed and collected from these sampling locations shall be representative of the storm water discharge generated in each drainage area. For sheet flow, the Discharger shall determine the appropriate sampling location(s) which represent industrial storm water discharges generated from the corresponding drainage area. d. Dischargers shall identify practicable alternate sample collection locations representative of the facility's storm water discharge if: i. Specific drainage areas at the facility are affected by storm water run-on from off-site areas or on-site non-industrial areas;"</p> <p>The facility's storm drainage system for individual outfalls has not been designed to exclusively receive runoff from only non-industrial facilities or from only industrial facilities. Some of the facility's storm drainage systems that receive runoff from industrial facilities also receive non-industrial runoff. Sections IX.A.5.c and IX.A.5.d appear to be contradictory. Section IX.A.5.d appears to accept the limitations of the drainage system and require sampling at locations that are not affected by on-site non-storm water "run-on" where it can be accomplished (practicable). Alternatively, Section IX.A.5.c simply states that the "the Discharger shall ensure that all industrial storm water discharge sampling locations are representative of only those areas associated with industrial activities." This statement appears to exclude the inclusion of any non-industrial runoff (run-on) at the sampling location, which in most cases would be impossible given the current storm drainage configuration. For clarity, adding the phrase "where practicable" to the end of the first sentence of Section IX.A5.c would eliminate the apparent contradiction with Section IX.A.5.d and the creation of a currently impossible sampling situation.</p>

26	E-35	Table E-13	Under sampling frequency, the last row in Table E-13 references Section IX.A.7 of the MRP – there does not appear to be a Section IX.A.7 in the MRP. A Storm Water Annual Report for Industrial High Risk Areas, Industrial Low Risk Areas and Small MS4 Areas is described in Section IX.C.
<b>Comments on Tentative Order R9-2013-0095, Time Schedule Order</b>			
27	1	Finding 1	Request seawater cooling overboard discharge be added to the list of discharges.
28	3	Finding 8.a	Last sentence there is an extra period.
29	3	Finding 8.b	Request last sentence be revised to be consistent with compliance schedule. Change sentence to read "... indicates compliance could be achieved as early as May 1, 2014. However, if extensive infrastructure changes are required achieving compliance could be delayed to May 1, 2017 to allow time to obtain funding and contracting services."
<b>Comments on Attachment A</b>			
30	A-4	Definitions	The definition for Industrial Low Risk Areas in Attachment A is not the same as the definition written in the Order. Request the definition in Attachment A be revised to match the definition in the Order
31	A-8	Definitions	The definition for Seawater Cooling Overboard Discharge should be in bold font.
32	A-9	Definitions	First sentence in the definition for Storm Water Discharge Associated with Industrial Activity currently reads "...processing or raw materials storage areas at an industrial plan." Change "industrial plan" to "industrial plant" to be consistent with 40 CFR 122.26.
<b>Comments on Attachment B - No Comments</b>			
<b>Comments on Attachment C</b>			
33	C-2	Figure C-6	After further discussions with the staff at the Graving Dock facility it has been determined that the Caisson discharge volume per event is approximately 31,500 gallons, not the 180,000 gallons included on the process water line drawing. Request the following changes: 1) on the line drawing change "180,000 gallons per event" to "31,500 gallons per event; 2) change the footnote to read "The Caisson Gate discharges 31,500 gallons of captured bay-water per de-flooding event. The Caisson Gate is de-flooded twice per vessel repair evolution. The may be as few as 2 and as many as 6 evolutions per year. The resulting estimated Caisson Gate discharge ranges from 63,000 to 189,000 gallons of captured bay-water per year."

34	C-3	Figure C-7	<p>This figure no longer accurately describes this discharge. Please include the following revisions: 1) Change title to "Graving Dock Emergency Fire Suppression Water and Salt Water Supply Water"; 2) Change the line drawing regarding the 67,000 gallons to read "20 gallons per discharge event when supply is initially connected to ship and 2 gallons per minute (leaking past valve) while connected to ship."; 3) Change footnote to "When salt water supply is initially connected to the ship there is a short duration discharge from the system's relief valve to San Diego Bay. The discharge duration is approximately 45 seconds with a discharge volume of 20 gallons. After the initial discharge there is a 2 gallon per minute discharge of salt water that leaks past the valve. Assuming there are 3 docking events in a year and a vessel is in the dock 6 months during the year, the annual discharge volume is equal to: (20 gallons/docking event)(3 docking events) + (2 gallons per minute)(60 min/hour)(24 hours/day)(180 days) = 518,460 gallons</p>
<b>Comments on Attachment D - No Comments</b>			
<b>Comments on Attachment G</b>			
35	G-12	Footnotes for Table G-1	<p>Footnote 2 for this table requires the use of test methods 1638 and 1640 to analyze for copper. Storm water runoff is not a saline-matrix so the use of these more expensive methods should not be required. Request the footnotes be revised to require testing in accordance with 40CFR Part 136. This would also be consistent with the requirements included in the MRP.</p>
<b>Comments on Attachment H - No Comments</b>			
<b>Comments on Attachment I</b>			
36	I-1	II. Purpose	<p>Requires a BMP Plan be developed for multiple discharges including, "seawater cooling and overboard discharges." Does not currently specify that these are specific to ships in the Graving Dock; needs to be specified as such, so that it is not applied to UNDS discharges on vessels in the water. The Fact Sheet on page F-13, paragraph 3., does address this, however it should be clear in Section II as well.</p>
37	I-1	III. Objectives, Part C.	<p>States the evaluation shall include...pier cleaning (among other items called out earlier). Why is pier cleaning included in this section, and Seawater Cooling and overboard Discharges (specific to the GDF) are not? Remove pier cleaning from this section.</p>
<b>Comments on Attachment J - No Comments</b>			
<b>Comments on Attachment K - No Comments</b>			



<b>Comments on Attachment L - No Comments</b>			
<b>Comments on Attachment F</b>			
38	F-4	Table F-1 Facility Information	NBSD Zip Code needs to be corrected, 91236-5084 needs to be changed to 92136-5084
39	F-17	b.	Section states the pollutants in the GD deflood water may be from any contaminants the water comes into contact with in the Dock. Add, contaminants already in the Bay water entering the dock, and any contaminants that leach off a docking/undocking vessel's anti fouling paint.
40	F-17	c.	The Graving Dock Caisson discharge volume should be changed from "...0.050 million gallons..." to "...0.032 million gallons..."
41	F-36	Table F-6	Top left cell should include NGD-005.