

EXECUTIVE OFFICER SUMMARY REPORT
June 26, 2014

- ITEM: 6
- SUBJECT: National Pollutant Discharge Elimination System (NPDES) Permit Reissuance for the United States Department of the Navy (U.S. Navy), Naval Base Point Loma Complex (NBPL), San Diego County (Revised Tentative Order No. R9-2014-0037, NPDES No. CA0109363) (*Kristin Schwall and Ben Neill*)
- PURPOSE: To receive public testimony and consider adoption of Revised Tentative Order No. R9-2014-0037 (Revised Tentative Order).
- RECOMMENDATION: Adoption of Revised Tentative Order No. R9-2014-0037 is recommended.
- KEY ISSUES:
1. When certain classifications of submarines are docked at NBPL, the U.S. Navy uses topside chlorinator / dechlorinator units to prevent the fouling of onboard seawater cooling systems. The chlorinator portion of the unit creates chlorine from seawater and injects the chlorine into the Bay immediately in front of the intake system only when the intake system is operating. The dechlorinator portion of the system neutralizes the chlorine immediately upstream of the discharge into the Bay. A sample is taken from the system after dechlorination before water is released to the Bay every time the unit is in operation. The units are only permitted to operate 2 hours per day per submarine. The Revised Tentative Order establishes end-of-pipe total residual chlorine effluent limitations for these discharges. The Revised Tentative Order (section VI.C.2.b) also requires evaluation of the long- and short-term effects of the topside chlorinator / dechlorinator units on the bay.
 2. Consistent with the NPDES permit for Naval Base San Diego, the Revised Tentative Order establishes acute toxicity effluent limitations for "high risk" industrial storm water discharges (section IV.A). The Revised Tentative Order requires use of the United States Environmental

Protection Agency Test of Significant Toxicity approach to determine whether or not a discharge is toxic. The Revised Tentative Order also requires chronic toxicity monitoring of high risk industrial storm water discharges with numerical thresholds for performing toxicity reduction and toxicity identification evaluations. Best management practices (BMPs) are required for the remaining process water discharges and municipal storm water discharges.

3. The Revised Tentative Order (section VI.C.2.a) requires the U.S. Navy to develop a work plan for a detailed study regarding the future application of chronic toxicity effluent limitations with mixing zones and dilution credits applicable to industrial storm water discharges to San Diego Bay.

PRACTICAL VISION: The Revised Tentative Order was developed consistent with the San Diego Water Board's Practical Vision. NPDES permits, such as the Tentative Order, are the chief regulatory approach for controlling point source pollutant discharges. Consistent with the mission of the *Strategy for Healthy Waters* chapter of the Practical Vision, the Revised Tentative Order integrates all applicable standards to optimize protection of water quality and beneficial uses in ocean waters and in San Diego Bay. Staff made only the highest priority updates to the permit in an effort to streamline the permit reissuance process and to ensure a sustainable NPDES program. This ensures that important basic information is produced including information about the discharger's compliance with the terms and conditions of the Revised Tentative Order, the condition of the receiving water (Pacific Ocean and San Diego Bay), and the overall effectiveness of the Revised Tentative Order. Additionally, the Revised Tentative Order has provisions allowing future modification of monitoring requirements to allow the Discharger to participate in improved monitoring and assessment programs in keeping with San Diego Water Board Resolution No. R9-2012-0069, *Resolution in Support of a Regional Monitoring Framework*.

DISCUSSION: The U.S. Navy owns and operates three separate military bases located on the San Diego Bay waterfront: NBPL, currently regulated by Order No. R9-2002-0002; Naval Base San Diego, regulated by Order No. R9-2013-0064; Naval Base Coronado, regulated by Order No. R9-2009-0081. Discharges from each of these military bases are regulated under separate NPDES Permits.

Naval Base Point Loma is comprised of nine separate installations:

- Naval Base Point Loma (NBPL-Main Base);
- Fleet Logistics Center San Diego (FLC San Diego);
- Naval Mine and Anti-Submarine Warfare Complex (NMAWC);
- Fleet Combat Training Center, Pacific (FCTCPAC) and Commander Third Fleet;
- Fleet Intelligence Training Center, Pacific (FITCPAC);
- Magnetic Silencing Facility (MSF);
- Naval Facilities Engineering Command Southwest, Taylor Street Facility (NAVFAC SW TSF);
- Space and Naval Warfare Systems Center Pacific, Point Loma Campus (SSC Pacific PLC); and
- Space and Naval Warfare Systems Center Pacific, Old Town Campus (SSC Pacific OTC).

NBPL discharges into San Diego Bay and the Pacific Ocean (**see Supporting Document No. 1 for a Facility Location Map**). There are 235 distinct discharge points at NBPL for the discharge of industrial process wastewater, industrial storm water, and municipal storm water. The Revised Tentative Order (**Supporting Document No. 2**) is a comprehensive NPDES permit that proposes to establish effluent limitations and/or provisions to control discharges from all discharge points. If adopted, the Revised Tentative Order will remain in effect for a five-year fixed term.

The Tentative Order was noticed and released for formal public review and comment on April 21, 2014. The written comment period ended on May 21, 2014. A letter was received from the U.S Navy and is included as **Supporting Document No. 3**. This was the only comment letter received. San Diego Water Board responses to these comments are provided in **Supporting Document No. 4**. Additionally, the Tentative Order has been revised in response to these comments and a Revised Tentative Order was posted for public review prior to today's meeting.

In general, the US Navy requested non-substantive clarifications and corrections to the Tentative Order's requirements. For the most part, the San Diego Water Board staff agreed with the various US Navy's requests to revise the Tentative Order with the following exceptions:

1. The U.S. Navy requested to begin the new storm water monitoring program on July 1, 2015, instead of August 1, 2014. As a compromise, the Revised Tentative Order requires storm water monitoring to begin January 1, 2015. The U.S. Navy has informally agreed to this change.
2. The requirement to eliminate residual chlorine, algaecide, filter backwash, and other pollutants from swimming pool discharges has not been deleted from section F.1 of the Revised Tentative Order as requested. This requirement is necessary to protect surface waters and is consistent with Order No. R9-2013-0001, the San Diego Region Municipal Separate Storm Sewer System (MS4) Permit. The U.S. Navy has informally agreed to keep this requirement.
3. The Revised Tentative Order keeps the requirement for BMPs before discharging fire suppression maintenance discharges (e.g., sprinkler line flushing). The U.S. Navy has informally agreed to keep this requirement.

**SIGNIFICANT
CHANGES:**

The Revised Tentative Order contains the following significant changes from Order No. R9-2002-0002:

1. The Revised Tentative Order contains updated acute toxicity effluent limitations for industrial storm water discharges, consistent with the recently adopted Order for Naval Base San Diego, Order No. R9-2013-0064 (see sections IV.C and VII.I and J of the Revised Tentative Order).
2. The Revised Tentative Order establishes total residual chlorine effluent limitations on submarine topside chlorinator / dechlorinator units, as described in the KEY ISSUES section above (see section IV.A.2 of the Revised Tentative Order).
3. The Revised Tentative Order segregates regulation of industrial storm water discharges by high risk, low risk, and no exposure areas. This tiered regulatory approach provides for more effective regulation of discharges from NBPL that present the greatest threat to water quality, and is consistent with the recently adopted Order for Naval Base San Diego, Order No. R9-2013-0064 (see section IV.B of the Revised Tentative Order).

4. The Revised Tentative Order establishes requirements for small MS4 storm water discharges that are generally consistent with the requirements in the statewide Small (Phase II) MS4 General Permit, Order No. 2013-0001-DWQ (see section IV.D of the Revised Tentative Order).
5. The Revised Tentative Order establishes bacteria receiving water monitoring to evaluate the impact of the marine mammal pens and pools on San Diego Bay. This monitoring will be especially important while the marine mammals are temporarily located at the Naval Mine and Anti-Submarine Warfare Complex (NMAWC), which is near the beach at Spanish Landing.

LEGAL CONCERNS: None

SUPPORTING DOCUMENTS:

1. Location Map
2. Revised Tentative Order No. R9-2014-0037, June 11, 2014 version
3. U.S. Navy comment letter dated May 21, 2014
4. San Diego Water Board Response to Comments

PUBLIC NOTICE: The Tentative Order was noticed and released for formal public review and comment on April 21, 2014. On April 21, 2014, a public notice was published in the San Diego Union Tribune. Notice was also provided in the Meeting Notice and Agenda for the June 26, 2014 Board meeting, which is posted on the San Diego Water Board's website.