

**SAN DIEGO WATER BOARD RESPONSES TO COMMENTS
TENTATIVE ORDER NO R9-2011-0032
NPDES No. CA0107336**

A. Comments submitted by SeaWorld San Diego dated April 13, 2011

GENERAL COMMENTS & MAJOR CONCERNS	SAN DIEGO WATER BOARD RESPONSES
<p>1. New reporting requirements now include submission of annual reports describing all aquaculture drugs, or chemicals used at the facility, for fish systems. Rather than submit the records annually, SeaWorld shall maintain the records and logs and make them available to the board upon request.</p>	<p>The Tentative Order has been revised to require this information be submitted during year 1 and 4 of the permit cycle. This information is needed to maintain accurate records of aquaculture drugs and chemicals used at the Facility as well as to evaluate any potential impacts to Mission Bay associated with the discharge of waste from aquaculture drugs and/or other chemicals.</p>
<p>2. "Facility Contact Information" should now reflect Buddy Burton , Environmental, Health and Safety Director, 619-226-3966</p>	<p>The Tentative Order has been revised. See Errata & Draft Updates No. 4.</p>
<p>3. Influent copper monitoring should be changed from composite to grab</p>	<p>The request is reasonable. The Tentative Order has been revised. See Errata & Draft Updates Nos. 7 and 12.</p>
<p>4. SeaWorld conducts quarterly effluent sampling not monthly as in indicated on page F-46.</p>	<p>The Tentative Order has been revised to maintain the requirements from the existing SeaWorld Order No. R9-2005-0091. See Errata & Draft Updates No. 8.</p>
<p>5. SeaWorld would like to continue sampling for Acute Toxicity annually and Chronic Toxicity "once in five years".</p>	<p>No change to the Tentative Order is warranted. Chronic toxicity is considered to be a more conservative indicator of toxicity. Since monitoring for both acute and chronic would be costly and redundant, acute toxicity monitoring requirements have been removed. See Section IV.5 of the Fact Sheet.</p>
<p>6. Section A. 1., pg. E-6, the permit reads that "the permittee must split a 24 hour composite effluent sample and concurrently conduct ..." and, in the next paragraph it also reads" During year three (3) of the permit, a split of each sample must be analyzed for all</p>	<p>The split sample is referring to a 3-way split that will be used to conduct the three toxicity tests (a fish, an invertebrate, and an alga species).</p>

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<p>other monitored parameters at the minimum frequency of analysis specified by the effluent monitoring program”.</p> <p>SeaWorld feels there is simply no need to conduct split sampling from the same aliquot. The certified laboratory that performs the lab analysis performs appropriate QA/QC functions to verify accuracy and verify results.</p>	
<p>7. On page E-3, section G. General Monitoring Provisions, it states “The Discharger shall have and implement, an acceptable written quality assurance (QA) plan for laboratory analyses....” And,</p> <p>SeaWorld does not perform laboratory analyses of our water samples and therefore should not be required to have a QA plan. SeaWorld hires a certified lab to perform all our water sampling analysis and is the entity that possesses the QA/QC program</p>	<p>No change to the Tentative Order is warranted.</p> <p>The Quality Assurance plan possessed by the laboratory would be sufficient to satisfy this requirement.</p>
<p>8. With respect to duplicate analyses, please clarify for SeaWorld if are we are out of compliance twice or just one for each duplicate sample taken?</p>	<p>Although 2 samples would be analyzed, the Discharger would be considered out of compliance once.</p>
<p>9. On page E-11, B. 2. Storm Water Monitoring, SeaWorld would like to suggest that the permit language be changed to “The Discharger shall conduct visual observations of all storm water discharges to Mission Bay from the storm water by-pass discharge locations <u>during storm events occurring during normal</u></p>	<p>The request is reasonable. The Tentative Order has been revised. See Errata & Draft Updates No. 11.</p>

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<u>business hours.”</u>	
10. Please correct the typo on page F-47 d. third line down”...are also from Mission Bay, not Mission Ban”.	The Tentative Order has been revised. See Errata & Draft Updates No. 3.
11. Pg. E-14. Table E-9 Monitoring and Reporting Schedule . Currently, the table for <i>weekly sampling</i> Monitoring Period reads “Sunday through Saturday,” unless there is a strong reason to have the monitoring period reflect this, SeaWorld would like to change that to read “Monday through Sunday”.	No change to the Tentative Order is warranted. For purposes of compliance, a week is considered to be a calendar week (Sunday through Saturday).
12. SeaWorld requests that sampling constituents & frequency for Chronic Toxicity and Acute Toxicity be added to Table E-3 & Table F-17 on page F-46.	The request is reasonable. The Tentative Order has been revised. See Errata & Draft Updates Nos. 8, 9, and 12.
13. Pg 17, 3. Performance Goals at Discharge Point Nos. 001 and 002. The permit reads” Performance Goal Constituents shall be monitored at EFF-001 & Eff-002, but the results will be used for informational purposes only, not compliance determination”. However, nowhere in the permit do we see “how often” SeaWorld is required to sample for the performance constituents. Unless otherwise requested, SeaWorld will assume the sampling for Performance Goal Constituents will take place “one every five years”, and will maintain results on the premises and provide them to the Water Board upon request.	No change to the Tentative Order is warranted. Effluent monitoring at EFF-001 and EFF-002 for priority pollutants listed in the Ocean Plan, Table B for which Performance Goals have been establish shall be monitored once in 5 years. Results shall are due 180 days prior to the expiration date of the permit.

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<p>14. SeaWorld requests the RWQCB include the exact language of SeaWorld's current SWPPP in this our new NPDES permit so that it is explicitly clear what the board requires of our SWPPP and its testing frequency.</p>	<p>Request is reasonable. The Tentative Order has been revised. See Errata & Draft Updates No. 13.</p>
<p>15. Pg E-2, I. General Monitoring Provisions section A. states "Samples shall be collected at times representative of the "worst case" conditions with respect to compliance with the requirement of this Order".</p> <p>Collecting water samples during "worst case" conditions is contrary to how sampling should be accomplished – which is to collect representative samples on a random basis. Our current sampling program is designed to randomly sample the system during periods that are representative of the typical operating capacity of the facilities. SeaWorld requests that the statement "worst case" be removed from the permit language and that it be replaced with "Samples shall be collected at random intervals that are representative of the typical operating capacity of our facility".</p>	<p>Request is reasonable. The Tentative Order has been revised. See Errata & Draft Updates No. 6.</p>
<p>16. Pg. E-5 Table E-3 Effluent Monitoring, the parameter for Copper needs to reflect a minimum sampling frequency of Quarterly, not monthly.</p>	<p>The Tentative Order has been revised. See Errata & Draft Updates No. 8.</p>
<p>17. Pg. E-10 Receiving Water Monitoring Requirement, requires SW to conduct visual observations in the vicinity of the Discharge points on a monthly basis and document the presence of various materials. It also</p>	<p>No change to the Tentative Order is warranted.</p> <p>The requirements are similar but not the same. The SWPPP requires a minimum of four quarterly visual</p>

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<p>requires SW to summarize and submit receiving water conditions in our monthly monitoring reports. I would like to suggest that this requirement be removed from the draft permit language. SeaWorld will already be conducting monthly visual observations as part of our SWPPP conditions. Why the new requirement?</p>	<p>inspections of all storm water drainage areas. Visual observations to observe the presence of floating and suspended materials, oil and grease, discoloration, turbidity and odor are conducted during storm water discharges only.</p> <p>The receiving water monitoring requires visual observations of Discharge Point's 001 and 002 on a monthly basis regardless of weather conditions.</p>