



California Regional Water Quality Control Board San Diego Region

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Matthew Rodriguez
Secretary for
Environmental Protection

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Edmund G. Brown Jr.
Governor

January 26, 2012

In reply refer to:
CRU: 9 00000111:KSchwall
CIWQS Place ID: 245792

John S. Tyrell
Oceanside Marine Centre
1550 N. Harbor Drive
Oceanside, CA 92054

SUBJECT: REVIEW OF SELF MONITORING REPORTS; ORDER NO. R9-2006-0021; NPDES NO. CA0109304 FOR THE PERIOD JULY 2006 THROUGH SEPTEMBER 2011

**FACILITY: OCEANSIDE MARINE CENTRE
1550 N. HARBOR DRIVE, OCEANSIDE, CA 92054**

Dear Mr. Tyrell,

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) has reviewed the following reports:

MONITORING REPORTS REVIEWED FOR ORDER NO R9-2006-0021				
FREQUENCY	PERIOD	REPORT DATE	DATE RECEIVED	VIOLATION(S)
Quarterly	July – September 2011	July 26, 2011	November 9, 2011	Yes
	April – June 2011	July 26, 2011	August 1, 2011	No
	January – March 2011	April 14, 2011	April 19, 2011	No
	October – December 2010	January 3, 2011	January 5, 2011	No
	July – September 2010	October 1, 2010	October 12, 2010	No
	April – June 2010	N/A	Missing	Yes
	January – March 2010	April 22, 2010	April 27, 2010	No
	October – December 2009	January 7, 2010	February 1, 2010	No
	July – September 2009	N/A	Missing	Yes
	April – June 2009	July 29, 2009	July 29, 2009	No
	January – March 2009	April 25, 2009	April 29, 2009	No
	October – December 2008	January 7, 2009	January 9, 2009	No
	July – September 2008	October 27, 2008	October 30, 2008	No
	April – June 2008	July 10, 2008	July 22, 2008	No
	January – March 2008	April 22, 2008	April 23, 2008	No
	October – December 2007	January 27, 2008	January 29, 2008	No
	July – September 2007	October 9, 2007	October 19, 2007	No
April – June 2007	July 9, 2007	July 16, 2007	No	
January – March 2007	April 1, 2007	May 3, 2007	Yes	
Annual	July 2010 – June 2011	August 15, 2011	August 17, 2011	Yes
	July 2009 – June 2010	July 26, 2010	August 17, 2010	Yes

MONITORING REPORTS REVIEWED FOR ORDER NO R9-2006-0021				
FREQUENCY	PERIOD	REPORT DATE	DATE RECEIVED	VIOLATION(S)
	July 2008 – June 2009	No Date	August 17, 2009	Yes
	July 2007 – June 2008	No Date	August 8, 2008	Yes
	July 2006 – June 2007	No Date	June 29, 2007	Yes

The San Diego Water Board has completed review of the referenced reports for the subject facility. Please note the following **violations** on the reports received:

I. July – September 2011 Quarterly Monitoring Report:

- A. The Quarterly Monitoring Report was not submitted by the due date of November 1, 2011. Order No. R9-2006-0021 (Attachment E.X.B) states that monitoring periods and reporting for all required monitoring shall be completed according to the schedule presented in Table 7.

II. July 2010 – June 2011 Annual Monitoring Report:

- A. The Annual Monitoring Report was not submitted by the due date of August 1, 2011. Order No. R9-2006-0021 (Attachment E.X.B), monitoring periods and reporting for all required monitoring shall be completed according to the schedule presented in Table 7.
- B. The Annual Storm Water Monitoring Report was not submitted as required by Order No. R9-2006-0021 (Attachment E.IX.F).
- C. The Annual Sediment Monitoring Report was not submitted as required by Order No. R9-2006-0021 (Attachment E.IX.H).
- D. The Annual Compliance Certification was not submitted as required by Order No. R9-2006-0021 (Attachment E.IX.A.1). An annual certification is required for six statements including elimination of process water, diversion of storm water, implementation of BMPs, isolation of work areas, notification of vessel owners, and assessment of BMP effectiveness. The certification must include a copy of the form letter used to notify vessel owners and a statement certifying that each vessel owner/operator at the Facility has been notified of their obligation to comply with the Basin Plan prohibitions regarding sewage discharge. The certification must also briefly report on any corrective actions taken against the discharger.

III. July 2009 – June 2010 Annual Monitoring Report:

- A. The Annual Monitoring Report was not submitted by the due date of August 1, 2010. Order No. R9-2006-0021 (Attachment E.X.B), monitoring periods and reporting for all required monitoring shall be completed according to the schedule presented in Table 7 of Attachment E to Order No. R9-2006-0021.
- B. The Annual Storm Water Monitoring Report was not submitted as required by Order No. R9-2006-0021 (Attachment E.IX.F).
- C. The Annual Compliance Certification was incomplete. Order No. R9-2006-0021 (Attachment E.IX.A.1.) requires that the discharger must certify whether or not it has eliminated industrial process water discharges (A.1.a), and whether or not it has a storm water diversion system (A.1.b). Additionally, the Annual Vessel Owner Compliance Certification was not submitted as required by order No. R9-2006-0021 (Attachment E.X.B).

IV. July 2008 – June 2009 Annual Monitoring Report:

- A. The Annual Monitoring Report was not submitted by the due date of August 1, 2009. Order No. R9-2006-0021 (Attachment E.X.B), monitoring periods and reporting for all required monitoring shall be completed according to the schedule presented in Table 7 of Attachment E to Order No. R9-2006-0021.
- B. The Annual Compliance Certification was incomplete. Order No. R9-2006-0021 (Attachment E.IX.A.1) requires that the discharger must certify whether or not it has eliminated industrial process water discharges (A.1.a), and whether or not it has a storm water diversion system (A.1.b). Additionally, the Annual Waste Hauling Log was not submitted as required by Order No. R9-2006-0021 (Attachment E.IX.E).
- C. No analytical results were provided in the Annual Storm Water Monitoring Report for the storm event occurring on December 8, 2008. The minimum frequency of sampling for storm water is 2 storms per year as shown in Table 2 in Order No. R9-2006-0021 (Attachment E.IV.A). Sample results from only one storm was included in the report.
- D. The acute toxicity was reported to be thirty percent (30%) for the sample dated December 15, 2008. Order No. R9-2006-0021 (Section IV.A.1) requires that the acute toxicity of storm water runoff shall not be less than seventy percent (70%).

V. July 2007 – June 2008 Annual Monitoring Report:

- A.** The Annual Monitoring Report was not submitted by the due date of August 1, 2008. Order No. R9-2006-0021 (Attachment E.X.B), monitoring periods and reporting for all required monitoring shall be completed according to the schedule presented in Table 7 of Attachment E to Order No. R9-2006-0021.
- B.** The Annual Compliance Certification was incomplete. Order No. R9-2006-0021 (Attachment E.IX.A.) requires that the discharger must certify whether or not it has eliminated industrial process water discharges (A.1.a), and whether or not it has a storm water diversion system (A.1.b). The Annual Vessel Owner Compliance Certification was not submitted as required by order No. R9-2006-0021 (Attachment E.X.B).
- C.** The Chemical Utilization Audit was not submitted as required by Order No. R9-2006-0021 (Attachment E.IX.C).
- D.** The Annual Waste Hauling Log was not submitted as required by Order No. R9-2006-0021 (Attachment E.IX.E).
- E.** Sample analysis was not provided in the Annual Storm Water Monitoring Report for the parameter of Total Petroleum Hydrocarbons for the first storm event dated November 30, 2007. Order No. R9-2006-0021 (Attachment E Section IV. A) requires monitoring be conducted for 2 storms per year for each of the parameters listed in Table 2 of Attachment E to Order No. R9-2006-0021.
- F.** Sample analysis was not provided in the Annual Storm Water Monitoring Log for the parameters of Volume of Discharge, Total Suspended Solids, Settleable Solids, and Copper for the second storm event dated December 19, 2007. Order No. R9-2006-0021 (Attachment E Section IV. A) requires monitoring be conducted for 2 storms per year for each of the parameters listed in Table 2 of Attachment E to Order No. R9-2006-0021.
- G.** Sample analysis was not provided for Acute Toxicity for either storm event on November 30 or December 19, 2007. Order No. R9-2006-0021 (Attachment E Section IV. A) states that the discharger shall conduct grab sampling for one storm per year for Acute Toxicity.

VI. July 2006 – June 2007 Annual Monitoring Report:

- A.** The Annual Compliance Certification was incomplete. Order No. R9-2006-0021 (Attachment E.IX.A.) requires that the discharger must certify whether or not it has eliminated industrial process water discharges (A.1.a), and whether

- or not it has a storm water diversion system (A.1.b). The Annual Vessel Owner Compliance Certification was not submitted as required by order No. R9-2006-0021 (Attachment E.X.B).
- B. The Chemical Utilization Audit was not submitted as required by Order No. R9-2006-0021 (Attachment E.IX.C).
 - C. The Annual Waste Hauling Log was not submitted as required by Order No. R9-2006-0021 (Attachment E.IX.E).
 - D. Sample analysis was not provided in the Annual Storm Water Monitoring Report for the parameters of Settleable Solids and pH for the first storm event dated February 22, 2007. Order No. R9-2006-0021 (Attachment E Section IV. A) requires grab sampling for 2 storms per year for each of the parameters listed.
 - E. The Annual Storm Water Monitoring Report was incomplete. Sample analysis was not provided for the parameters of Volume of Discharge, Total Petroleum Hydrocarbons, Settleable Solids, and pH for the second storm event dated April 20, 2007. Order No. R9-2006-0021 (Attachment E Section IV. A) requires grab sampling for 2 storms per year for each of the parameters listed.
 - F. No sample analysis for Acute Toxicity was provided for either the storm event on February 22 or April 20, 2007. Order No. R9-2006-0021 (Attachment E Section IV. A) requires grab sampling for 1 storm event per year for Acute Toxicity.

VII. January – March 2007 Quarterly Monitoring Report

- A. The Quarterly Monitoring Report was not submitted by the due date of May 1, 2007. Order No. R9-2006-0021 (Attachment E.X.B), monitoring periods and reporting for all required monitoring shall be completed according to the schedule presented in Table 7.

VIII. April – June 2010 Quarterly Monitoring Report

- A. The Quarterly Monitoring Report was not submitted.

IX. July – September 2009 Quarterly Monitoring Report

- A. The Quarterly Monitoring Report was not submitted.

In addition, please note the following **comments** in reference to the reports received:

X. July 2008 – June 2009 Annual Monitoring Report:

- A. The storm water samples for Copper and Zinc during the first storm event dated November 26, 2008 exceeded the benchmark values of 0.0636 mg/L and 0.117 mg/L, respectively. The North Outfall reported 1.4 mg/L of Copper, and 0.21 mg/L of Zinc while the South Outfall reported 1.8 mg/L of Copper, and 0.26 mg/L of Zinc.

XI. July 2007 – June 2008 Annual Monitoring Report:

- A. The storm water samples for Copper and Zinc during the first storm event dated November 30, 2007 exceeded the benchmark values of 0.0636 mg/L and 0.117 mg/L, respectively. The North Outfall reported 1.6 mg/L of Copper, and 0.3 mg/L of Zinc while the South Outfall reported 0.92 mg/L of Copper.
- B. The storm water sample during the first storm event dated November 30, 2007 exceeded the pH benchmark value of 9.0. The South Outfall reported a value of 9.6.

XII. July 2006 – June 2007 Annual Monitoring Report:

- A. The storm water samples during the first (February 22, 2007) and second (April 20, 2007) storm events exceeded the benchmark value of 100.0 mg/L for Total Suspended Solids. During the first storm event, the North Outfall reported 1,100 mg/L, and the South Outfall 820 mg/L. During the second storm event, the North Outfall reported 370 mg/L and the South Outfall 160 mg/L.
- B. The storm water samples during the first (February 22, 2007) and second (April 20, 2007) storm events exceeded the benchmark values of 0.0636 mg/L and 0.117 mg/L for Copper and Zinc, respectively. During the first storm, the South Outfall reported 0.087 mg/L of Copper. During the second storm event, the North Outfall reported 4.1 mg/L of Copper and 0.8 mg/L of Zinc while the South Outfall reported 3.6 mg/L of Copper and 0.98 mg/L of Zinc.

Please take steps to ensure that the violations noted above do not occur in the future. Pursuant to the California Water Code (CWC), the violations noted above are subject to additional enforcement action(s) by the San Diego Water Board including issuance of a time schedule order, cease and desist order, cleanup and abatement order, imposition of administrative civil liability, referral to the district attorney for criminal prosecution, or referral to the attorney general. Administrative civil liability amounts that may be imposed by the San Diego Water Board under authority of CWC Section 13350 include up to \$10,000 per day, or up to \$10 per gallon for each gallon of waste discharged.

John S. Tyrell
Oceanside Marine Centre

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January 26, 2012

The heading portion of this letter includes a San Diego Water Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the San Diego Water Board pertaining to this matter.

If you have any questions regarding the above, please contact Kristin Schwall at (858) 467-2345 or KSchwall@waterboards.ca.gov.

Respectfully,


Robert Morris

Robert Morris
Senior Water Resource Control Engineer

WDID: 9 000000111
Order No.: R9-2006-0021
NPDES No.: CA0109304
CIWQS Place ID: 245792

V: 916635 (I.A), 916638 (II.A-D), 916640 (III.A-C), 916645 (IV.A-C), 916649 (IV.D), 916650 (V.A-G), 916654 (VI.A-F), 916661 (VII.A), 916665 (VIII.A), 916667 (IX.A)
RM: 382813

California Environmental Protection Agency

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