

## California Regional Water Quality Control Board, San Diego Region

August 11, 2016

Mr. Sandor Halvax  
Manager—Environmental Programs (West)  
BAE Systems San Diego Ship Repair  
PO Box 13308  
San Diego, CA 92170-3308  
[Sandor.halvax@baesystems.com](mailto:Sandor.halvax@baesystems.com)

**Sent Via Email Only**

**In reply refer to:**  
**257991:Dquach**

**SUBJECT: Staff Enforcement Letter for BAE Systems San Diego Ship Repair, Order No. R9-2015-0034, NPDES Permit No. CA0109151**

Mr. Halvax:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) has reviewed the following self-monitoring reports (SMRs) for the aforementioned facility:

- Quarterly SMRs – October 2015 through March 2016
- Semi-Annual SMRs – July 2015 through December 2015

The following is a summary of the San Diego Water Board's findings:

### 1. Violation – Unauthorized Discharge, Section III.C

- a. On September 15, 2015, there was a discharge of storm water from an unauthorized discharge point into San Diego Bay.
- b. On October 14, 2015, there was an unauthorized discharge of spent blasting abrasive to San Diego Bay.
- c. On November 1, 2015, there was an unauthorized discharge of petroleum to San Diego Bay.
- d. On January 5, 2016, there was a discharge of storm water from an unauthorized discharge point into San Diego Bay.
- e. On March 9, 2016, there was an unauthorized discharge of 55 gallons of saltwater to San Diego Bay.
- f. On March 24, 2016, there was an unauthorized discharge of 1 ounce of metal debris and paint chips to San Diego Bay.

### 2. Violation – Effluent Limitations, Section IV.B

Discharges of storm water from Monitoring Location No. SW-004 exceeded the maximum daily effluent limitation (MDEL) for chronic toxicity. The MDEL for chronic toxicity is exceeded and a violation will be flagged when a chronic toxicity test, analyzed using the Test of Significant

Toxicity (TST) statistical approach, results in "Fail" and the "Percent Effect" is greater than or equal to 50%.

- a. On January 5, 2016, the reported value was Fail with a percent effect equal to 76.9%.
- b. On March 11, 2016, the reported value was Fail with a percent effect equal to 99.2%.

**3. Violation – Failure to Report, Attachment E, Section III.C.8.b**

BAE Systems San Diego Repair (Discharger) failed to notify the San Diego Water Board in writing within 14 days of receipt of test results with an exceedance of the toxicity limit for the January 5, 2016 toxicity exceedance at Monitoring Location No. SW-004.

Pursuant to the California Water Code (CWC), the violations noted are subject to additional enforcement action(s) by the San Diego Water Board including 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 13385 include up to \$10,000 per day, or up to \$10 per gallon for each gallon of waste discharged.

In the subject line of any response, please include the following: 257991:Dquach. For questions or concerns regarding this letter, please contact me at 619-521-5899 or [Dquach@waterboards.ca.gov](mailto:Dquach@waterboards.ca.gov).

Respectfully,



Dat T. Quach, P.E.  
Water Resources Control Engineer  
Source Control Unit

cc by email:

Cara Bandara, San Diego Water Board, [cara.bandara@baesystems.com](mailto:cara.bandara@baesystems.com)  
Kristin Schwall, San Diego Water Board, [Kristin.Schwall@waterboards.ca.gov](mailto:Kristin.Schwall@waterboards.ca.gov)  
Chiara Clemente, San Diego Water Board, [Chiara.Clemente@waterboards.ca.gov](mailto:Chiara.Clemente@waterboards.ca.gov)

Tech Staff Info & Use	
Order No.	R9-2015-0034
Party IDs	40631 (BAE), 525880 (Halvax)
WDID	9 000000137
NPDES No.	CA0109151
Reg. Measure IDs	401444 ( R9-2015-0034), 407404 (SEL)
PIN	257991
Violation IDs	
1a	1011134
1b	1002670
1c	1002669
1d	1011136
1e	1006935
1f	1011142
2a	1006936
2b	1006934
3	1011137