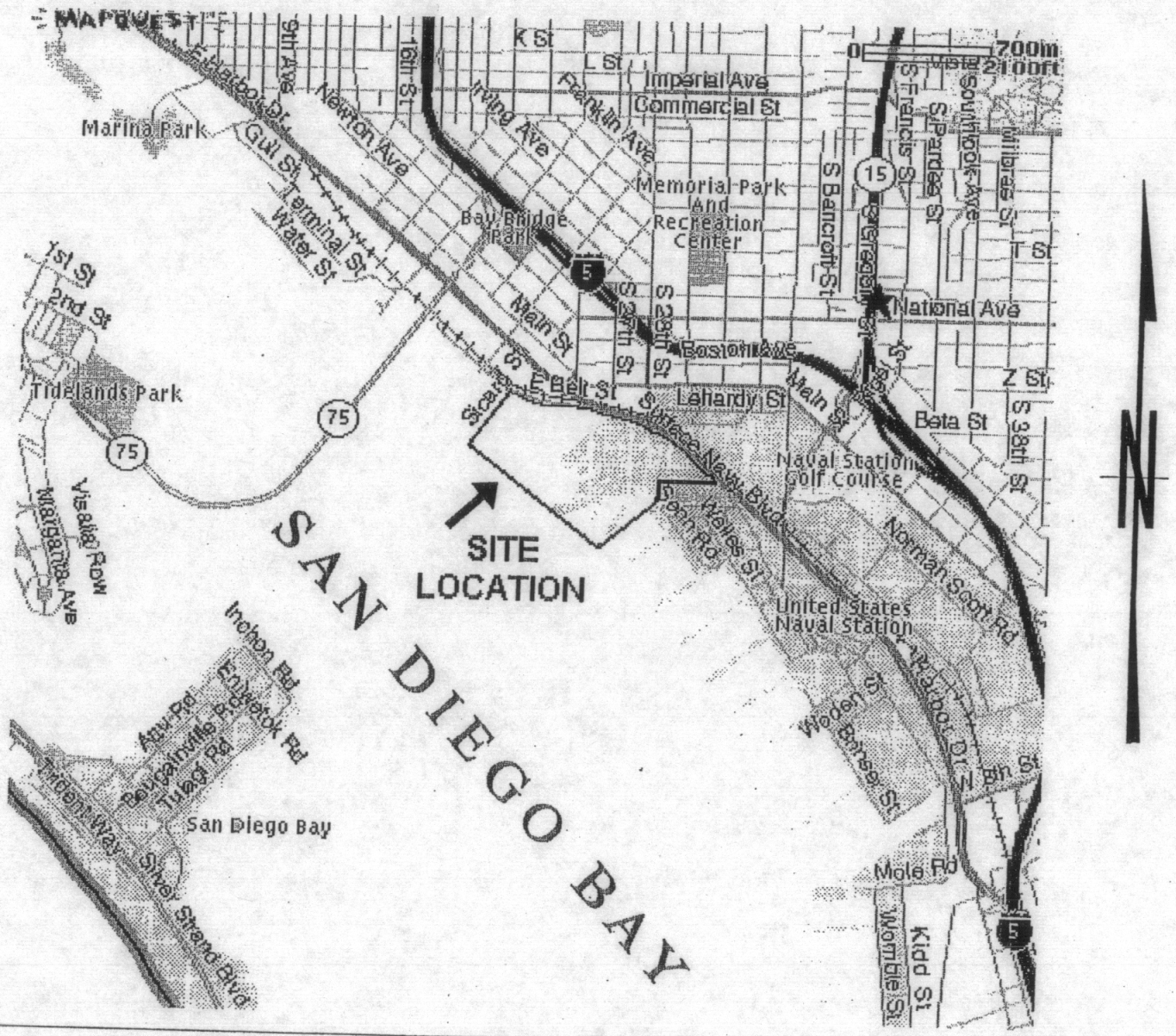
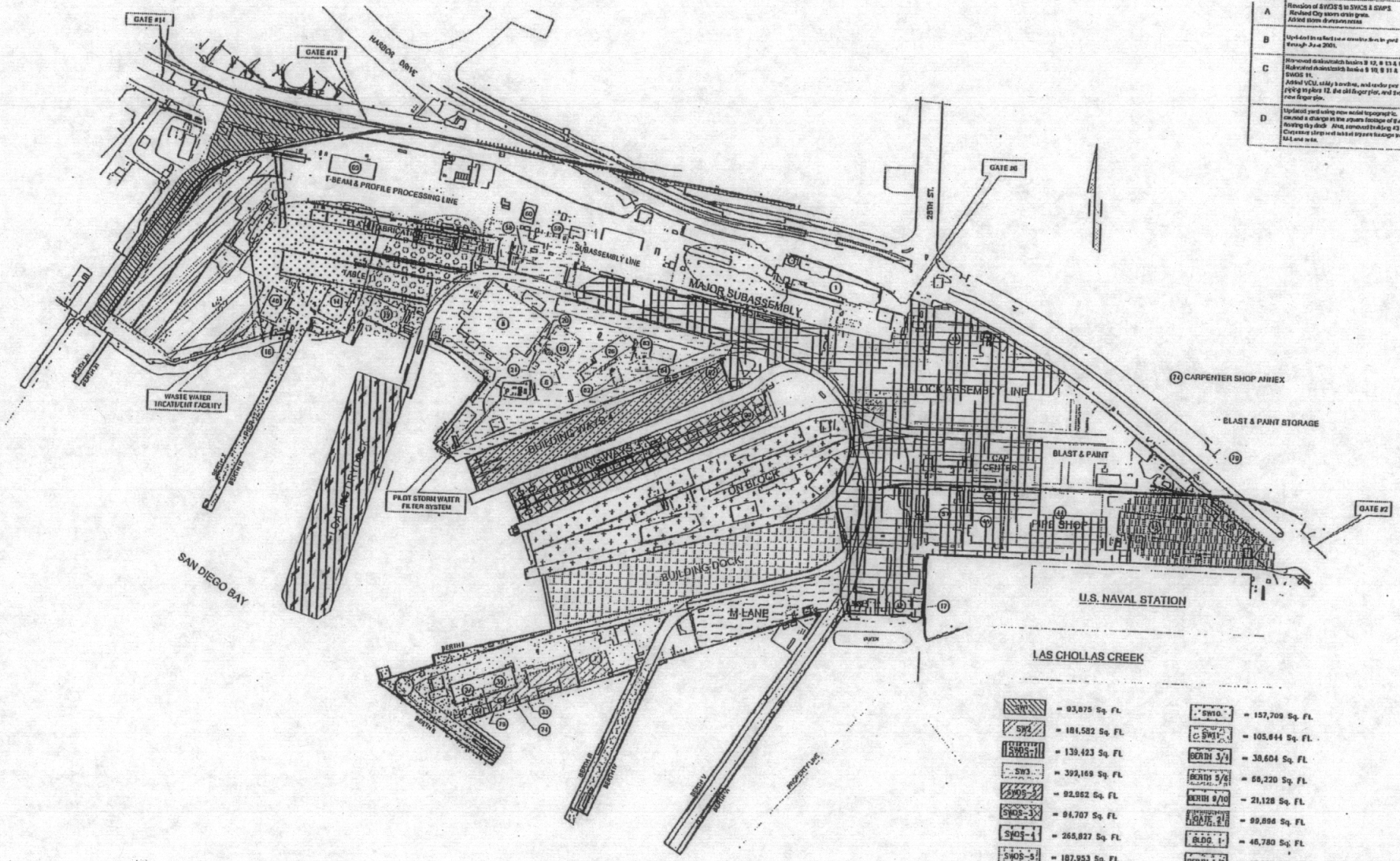
ATTACHMENT A

NASSCO SITE LOCATION AND FACILITY MAP



Attachment (1) **Site Location Map – NASSCO**

REV	DESCRIPTION	TASK	DATE
A	Revision of SWGS 8 to SWGS 8 SWGS. Revised City storm drain grate. Added storm drainpipe areas	EM. ENG. BRUCE CHAREST	May 02, 2001
B	Updated to reflect as-built conditions in yard through June 2001.	EM. ENG. BRUCE CHAREST	Aug 22, 2001
C	Removed drainage basins 8 12, 8 13 & 8 14. Relocated drainage basins 8 10, 8 11 & SWGS 11. Added VCU, utility trenches, and under pier piping in piers 12, the old finger pier, and the new finger pier.	FAC ENG. CHRIS RODRIGUES & EM. ENG BRUCE CHAREST	Sept. 23, 2001
D	Updated yard using new aerial topographic. This caused a change in the square footage of the floating dry dock. Also, removed the bldg #3 Carpenter shop and added square footage in M Lane area.	EM. ENG BRUCE CHAREST	Mar. 8, 2002



ATTACHMENT 2

ATTACHMENT B

BEST MANAGEMENT PRACTICES PROGRAM REQUIREMENTS

1. Objectives

The Best Management Practices Program has two primary objectives:

a. To identify and evaluate sources of wastes and pollutants associated with ship construction, modification, repair, and maintenance facilities and activities which may affect the quality of water of the state and waters of the United States; and

b. To identify and implement site-specific Best Management Practices to reduce or prevent the discharge of wastes and pollutants to waters of the state and waters of the United States.

2. Best Management Practices Program Manual

The discharger's Best Management Practices (BMP) Program shall be set forth in a written BMP Program Manual that contains descriptions of onsite activities, pollutant sources, and pollutants; descriptions of BMPs used at the site; drawings; maps; and copies of and/or references to parts of other relevant programs. The BMP Program Manual shall be revised whenever appropriate. It shall be readily available for review by facility employees, other onsite personnel, and SDRWQCB, USEPA, SDUPD, and other authorized inspectors.

The BMP Program Manual is considered a report that shall be available to the public from the SDRWQCB under Section 308(b) of the Clean Water Act.

3. Planning and Organization

a. Pollution Prevention and Control Personnel

The BMP Program Manual shall identify the positions and individuals responsible for development, implementation, and revision of the BMP Program and for conducting all monitoring requirements specified in this Order. The BMP Program Manual shall clearly identify the responsibilities, duties, and activities of all pollution prevention and control personnel.

b. Related Regulatory Requirements

The BMP Program Manual shall contain or incorporate by reference the appropriate elements of programs implemented at the site in connection with other regulatory requirements. The discharger shall review all local, State, and Federal requirements that impact, complement, are related to, or are consistent with the requirements of this Order. The BMP Program Manual shall identify any existing onsite programs that include water pollution prevention or control measures relating to the requirements of this Order.

4. Site Map

The BMP Program Manual shall include a site map that includes notes, legends, and other data as appropriate to ensure that the site map is clear and understandable. The site map shall be on an 8-1/2 x 11 inch or larger sheet. If necessary, the required information may be shown on multiple site maps.

The following information shall be included on the site map:

a. The site boundaries; the boundaries of all drainage areas on the site; portions of the site impacted by run-on from surrounding areas; direction of flow and outlet point of each drainage area; onsite and nearby waters of the United States; areas of soil erosion; and municipal and onsite storm drain inlets into which runoff from the site may flow.

b. The location of the site runoff collection and conveyance system and associated points of discharge, direction of flow, and any structural control measures that affect site runoff and run-on. Examples of structural control measures are storm drain inlets, catch basins, berms, detention ponds, secondary containment, oil/water separators, diversion barriers, etc.

c. The boundaries of all impervious areas of the site, including paved areas, buildings, covered storage areas, or other roofed structures and respective discharge points.

d. Locations where materials are directly exposed to precipitation and the locations where significant spills or leaks, identified in accordance with *Section 6.a. (4)* below, have occurred.

e. Areas of industrial activity; this shall include the locations of all storage areas and storage tanks, shipping and receiving areas, fueling areas, vehicle and equipment storage/maintenance areas, material handling and processing areas, waste treatment, storage, and disposal areas, dust or particulate generating areas, cleaning and rinsing areas, and other areas of industrial activity which are potential pollutant sources.

5. List of Significant Materials

The BMP Program Manual shall include a list of significant materials handled and stored at the site. For each material on the list, the locations where the material is stored, received, shipped, and handled, as well as the typical quantities and frequencies, shall be described. The materials list shall include raw materials, intermediate products, final or finished products, recycled materials and waste or disposed materials.

6. Description of Potential Pollutant Sources

a. The BMP Program Manual shall include a narrative description of the industrial activities at the site, as identified in accordance with *Section 4.e* above, associated potential pollutant sources, and pollutants that could be discharged. At a minimum, the following items related to industrial activities and the site shall be addressed:

(1) Industrial Processes

Each industrial process; the type, characteristics, and quantity of significant materials used in or resulting from the process; and description of the manufacturing, cleaning, rinsing, recycling, disposal, or other activities related to the process shall be described. Where applicable, areas protected by containment structures and the corresponding containment capacity shall be described.

(2) Material Handling and Storage Areas

Each handling and storage area; the type, characteristics, and quantity of significant materials handled or stored; shipping, receiving, and loading procedures; and spill and leak prevention and response procedures shall be described. Where applicable, areas protected by containment structures and the corresponding containment capacity shall be described.

(3) Dust and Particulate Generating Activities

All activities that generate dust or particulates and their discharge locations, the characteristics of dust and particulate pollutants, the approximate quantity of dust and particulate pollutants generated, and the primary locations where dust and particulate pollutants would settle shall be identified.

(4) Significant Spills and Leaks

Materials that have spilled or leaked in significant quantities since April 17, 1994, including toxic chemicals (listed in 40 CFR 302) that have been discharged, as reported on U.S. Environmental Protection Agency (USEPA) Form R, and oil and hazardous substances in excess of reportable quantities (see 40 CFR 110, 117, and 302) shall be described.

The description shall include the type, characteristics, and approximate quantity of the materials spilled or leaked, the cleanup or remedial actions that have occurred or are planned, the approximate remaining quantity of materials that could be discharged, and the preventive measures taken to ensure spills and leaks do not recur. This list shall be updated continuously during the term of this Order.

(5) Discharges

The discharger shall investigate its site to identify all discharges and their sources. As part of this investigation, all drains (inlets and outlets) shall be evaluated to identify whether they connect to an onsite or municipal storm drain system or otherwise empty into waters of the United States.

All discharges shall be described. This shall include the source, quantity, frequency, and characteristics of the discharges and associated drainage area.

The BMP Program Manual shall include BMPs to prevent, or minimize, the potential for contact of water discharged from the site, with significant materials and equipment.

(6) Soil Erosion

The site locations where soil erosion could occur shall be identified.

b. The BMP Program Manual shall include a summary of all areas of industrial activities, potential pollutant sources, and pollutants that could be discharged. This information shall be summarized in a form similar to *Table A*. The last column of *Table A*, "Best Management Practices," shall be completed in accordance with *Section 8* below.

TABLE A

EXAMPLE

ASSESSMENT OF POTENTIAL POLLUTION SOURCES AND CORRESPONDING BEST MANAGEMENT PRACTICES

SUMMARY

Area	Activity	Pollutant Source	Pollutant	Best Management Practices
Vehicle & Equipment Fueling	Fueling	Spills and leaks during delivery	Fuel oil	- Use spill and overflow protection - Minimize run-on of storm water into the fueling area - Cover fueling area - Use dry cleanup methods rather than hosing down area - Implement proper spill prevention control program - Implement adequate preventive maintenance program to prevent tank and line leaks - Inspect fueling areas regularly to detect problems before the occur - Train employees on proper fueling, cleanup, and spill response techniques
		Spills caused by topping off fuel tanks	Fuel oil	
		Hosing or washing down fuel area	Fuel oil	
		Leaking storage tanks	Fuel oil	
		Rainfall running off fueling area, and rainfall running onto and off fueling area	Fuel oil	

7. Assessment of Potential Pollutant Sources

a. The BMP Program Manual shall include a narrative assessment of all industrial activities and potential pollutant sources as described in accordance with *Section 6* above to determine:

(1) Which areas of the site and activities at the site are likely sources of pollutants, and

(2) Which pollutants are likely to be discharged. When performing this assessment, the discharger shall consider and evaluate various factors, including current BMPs; quantities of significant materials handled, produced, stored, or disposed of; locations of potential pollutant sources; form of pollutants; likelihood of exposure of pollutants to wind and site runoff; history of spills and leaks; run-on from offsite sources; and other factors as appropriate for each potential pollutant source and each pollutant.

b. The BMP Program Manual shall identify the areas of and activities at the site that are likely sources of pollutants and the corresponding pollutants that are likely to be discharged.

The discharger shall develop and implement BMPs as appropriate and necessary to prevent, or minimize the potential for, the discharge of pollutants associated with each potential pollutant source. The BMPs shall be described in accordance with *Section 8* below.

8. Best Management Practices

a. The BMP Program Manual shall include a narrative description of the BMPs to be implemented at the site for each pollutant and its potential source(s) identified in accordance with *Sections 6* and *7* above. The BMPs shall be developed and implemented to prevent, or minimize the potential for, the discharge of pollutants. Each pollutant and its potential source(s) may require one or more BMPs. Some BMPs may be appropriate for multiple pollutants and/or multiple potential sources, while other BMPs may be appropriate for only a single pollutant and/or only a single potential source.

The description of the BMPs shall identify the BMPs as (1) existing BMPs, (2) existing BMPs to be revised and implemented, or (3) new BMPs to be implemented. The description shall also include a discussion of the effectiveness of each BMP to prevent, or minimize the potential for, the discharge of pollutants. The BMP Program Manual shall include a summary of the BMPs implemented for each potential pollutant source. This information

shall be summarized in a form similar to *Table A*.

b. The discharger shall give highest priority to development and implementation of "Preventive BMPs," i.e. measures to reduce or eliminate the generation of pollutants and waste, such as waste minimization and Pollution Prevention (P2).

In addition, the discharger shall develop and implement "Control BMPs," i.e. measures to control or manage pollutants and waste after they are generated and before they come into contact with water, including measures to prevent leaks, spills, and other releases.

The discharger shall also develop and implement "Treatment BMPs," i.e. measures to remove pollutants and waste from water released to San Diego Bay.

As a contingency, the discharger shall also develop and, as necessary, implement "Response BMPs," i.e. measures to respond to leaks, spills, and other releases with containment, control, and cleanup to prevent, or minimize the potential for, the discharge of pollutants and to minimize the adverse effects of such discharges.

c. The BMP Program shall include BMPs which adequately address the following:

(1) Control of large solid materials
(2) Abrasive blasting
(3) Oil, grease, and fuel transfers
(4) Paint and solvent use
(5) Dust and overspray
(6) Over water activities
(7) Storm drain inlet protection
(8) Hose, piping, and fitting use and maintenance
(9) Segregation of water not containing pollutants from pollutants and from water containing pollutants
(10) Segregation of water from debris
(11) Hydroblasting
(12) Material (including waste) storage
(13) Sewage (black water) disposal
(14) Gray water disposal
(15) Oily bilge and ballast water disposal
(16) Floating dry dock, graving dock, shipbuilding ways, and marine railway cleanup
(17) Sally port protection
(18) Discharges resulting from wind, tidal action, and site runoff (including rainfall runoff and other miscellaneous water flows)
(19) Leaks and spills
(20) Waste (including sludge) disposal
(21) Recovery of ship launch grease/wax

(22) Other activities with potential to result in discharges of wastes or pollutants to waters of the United States.

d. The BMP Program Manual shall include non-structural and structural BMPs as appropriate.

(1) Non-structural BMPs include but are not limited to:

(a) Good Housekeeping

This consists of practical procedures to maintain a clean and orderly site, to separate water from pollutants, and to separate pollutants from water.

(b) Preventive Maintenance

This includes the regular inspection and maintenance, including testing, of structural controls (catch basins, oil/water separators, etc.) as well as other site equipment and systems.

(c) Material Handling and Storage

This includes procedures to minimize the potential for spills and leaks and to minimize exposure of significant materials to water.

(d) Spill and Leak Response

This includes containment, control, and cleanup procedures.

(e) Onsite Personnel Training

This includes training of all onsite personnel whose actions or lack thereof could result in the discharge of pollutants. Such personnel include employees of the discharger as well as other onsite personnel, such as personnel associated with subcontractors, customers (e.g. US Navy), and others. This also includes training of personnel who are responsible for (1) implementing the BMP Program, (2) conducting inspections, sampling, and visual observations, and (3) managing the site drainage system. Training should address topics such as good housekeeping, material handling and storage, spill response, and actions necessary to implement all BMPs identified in the BMP Program Manual. The BMP Program Manual shall identify periodic dates for such training. Records shall be maintained of all training sessions held.

(f) Waste Handling/Recycling

This includes procedures and processes to handle, store, recycle, and dispose of waste materials.

(g) Recordkeeping and Internal Reporting

This includes procedures to ensure that all records of inspections, spills, maintenance activities, corrective actions, visual observations, etc., are developed, retained, and provided, as necessary, to the appropriate personnel.

(h) Erosion Control and Site Stabilization

This includes all sediment and erosion control activities. This may include the planting and maintenance of vegetation, diversion of run-on and runoff, placement of sandbags, silt screens, or other sediment and erosion control devices, etc.

(i) Inspections

This includes, in addition to the preventive maintenance inspections identified above, an inspection schedule of all potential pollutant sources. Tracking and follow-up procedures shall be implemented to ensure adequate corrective actions are taken and adequate BMPs are developed and implemented.

(j) Quality Assurance

This includes procedures to ensure that the BMP Program is adequate and that all elements of the BMP Program and Monitoring and Reporting Program are completely implemented.

(2) Structural BMPs include but are not limited to:

(a) Overhead Coverage

This includes structures that provide coverage over or enclosure of materials, work areas, and potential pollutant sources.

(b) Retention Ponds

This includes basins, ponds, surface impoundments, bermed areas, etc., that prevent pollutants from being discharged from the site.

(c) Control Devices

This includes berms or other devices that channel or route water away from potential pollutant sources.

(d) Secondary Containment Structures

This includes structures around storage tanks and other areas for the purpose of containing leaks and spills.

(e) Treatment

This includes inlet controls, infiltration devices, oil/water separators, detention ponds, vegetative swales, etc., which remove pollutants from water before they are discharged.

9. Annual Comprehensive Site Compliance Evaluation

The discharger shall conduct at least one comprehensive site compliance evaluation (evaluation) in each reporting period (July 1-June 30). The evaluation shall be conducted not less than 8 or more than 16 months apart. The BMP Program shall be revised, as appropriate, and the revisions implemented within 90 days of the evaluation. Evaluations shall include the following:

a. A review of all visual observation records, inspection records, and sampling and analysis results.

b. A visual inspection of all potential pollutant sources for evidence of, or the potential for, the discharge of pollutants.

c. A review and evaluation of all BMPs (both structural and non-structural) to determine whether the BMPs are adequate, properly implemented and maintained or whether additional BMPs are needed. A visual inspection of equipment needed to implement the BMP Program, such as spill response equipment, shall be included.

d. An evaluation report that includes, (i) identification of personnel performing the evaluation, (ii) the date(s) of the evaluation, (iii) necessary BMP Program revisions, (iv) schedule for implementing BMP Program revisions, (v) any incidents of non-compliance and the corrective actions taken, and (vi) a certification that the discharger is in compliance with this Order. If the above certification cannot be provided, the evaluation report shall include an explanation of why the discharger is not in compliance with this Order. The evaluation report shall be submitted as part of the annual report (see Monitoring

and Reporting Program), retained for at least five years, and signed and certified in accordance with the requirements of this Order.

ATTACHMENT C

BASIN PLAN WATER QUALITY OBJECTIVES APPLICABLE TO SAN DIEGO BAY

1. Bacterial Characteristics:

a. The fecal coliform concentration shall not exceed a log mean of 200/100 ml based on a minimum of not less than five samples for any 30 day period. During any 30-day period, not more than 10 percent of the samples shall exceed 400/100 ml. However, if the discharge is in the vicinity where shellfish may be harvested for human consumption, the limits are 70 MPN/100 ml and 230/100 ml respectively.

b. In San Diego Bay where bay waters are used for whole fish handling, the density of Escherichia Coli (E. Coli) shall not exceed 7/ml in more than 20 percent of any 20 daily consecutive samples of bay water.

c. In waters designated for contact recreation, the enterococci limit is 35 colonies/ml for steady state measurement; and ranges from 104 to 500 colonies/ml maximum at any time.

2. Physical Characteristics:

a. Waters shall be free of coloration that causes nuisance or adversely affects beneficial uses.

b. The natural color of fish, shellfish or other resources shall not be impaired.

c. Waters shall not contain floating material, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses.

d. Waters shall not contain oils, greases, waxes or other materials in concentrations which result in a visible film or coating on the surface of the water or on objects in the water, or which cause nuisance or otherwise adversely affect beneficial uses.

e. Waters shall not contain suspended and settleable solids in concentrations of solids that cause nuisance or adversely affect beneficial uses.

f. Waters shall not contain taste or odor-producing substances in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin, or which cause a nuisance or adversely affect beneficial uses.

g. Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. The transparency of San Diego Bay waters, insofar as it may be influenced by any controllable factor, either directly or through induced conditions, shall not be less than 8 feet in more than 20 percent of the readings in any zone, as measured by a standard Secchi disk. Wherever the water is less than 10 feet deep, the Secchi disk reading shall not be less than 80 percent of the depth in more than 20 percent of the readings in any zone.

h. The natural receiving water temperature shall not be altered unless it can be demonstrated to the satisfaction of the Regional Board that such alteration in temperature does not adversely affect beneficial uses.

3. Chemical Characteristics:

a. Waters shall not contain biostimulatory substances in concentrations that promote aquatic growth to the extent that such growths cause nuisance or adversely affect beneficial uses.

b. The discharge of wastes shall not cause concentrations of un-ionized ammonia (NH_3) to exceed 0.025 mg/l (as N).

c. The annual mean dissolved oxygen concentration shall not be less than 7 milligrams per liter (mg/l) more than 10 percent of the time.

d. The pH shall not be depressed below 7.0 nor raised above 9.0. Changes in normal ambient pH levels shall not exceed 0.2 units from that which occurs naturally.

e. No individual pesticide or combination of pesticides shall be present in the water column, sediments or biota at concentrations that adversely affect beneficial uses. Pesticides shall not be present at levels that will bioaccumulate in aquatic organisms to levels that are harmful to human health, wildlife, or aquatic organisms.

f. Waters shall not contain taste or odor-producing substances at concentrations that cause a nuisance or adversely affect beneficial uses.

g. The natural taste and odor of fish, shellfish or other water resources used for human consumption shall not be impaired.

h. Waters shall not contain toxic pollutants in excess of the numerical objectives applicable to California specified in 40 CFR 131.36 (§131.36 revised at 65 FR 19661, April 12, 2000).

4. Radioactivity:

Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life nor that result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life.

5. Biological Characteristics:

a. Waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life. Compliance with this objective will be determined by use of indicator organisms, analysis of species diversity, population density, growth anomalies, bioassays of appropriate duration, or other appropriate methods as specified by the Regional Board.

b. The survival of aquatic life in waters subjected to a waste discharge, or other controllable water quality factors, shall not be less than that for the same water body in areas unaffected by the waste discharge or, when necessary, for other control water that is consistent with the requirements specified in USEPA, State Water Resources Control Board, or other protocol authorized by the Regional Board. As a minimum, compliance with this objective shall be evaluated with a 96-hour acute bioassay.

ATTACHMENT D

STANDARD PROVISIONS

1. The following sections of 40 CFR are incorporated into this permit by reference:

   a. 122.5 *Effect of a permit*
   b. 122.21 *Application for a permit*
   c. 122.22 *Signatories to permit applications and reports*
   d. 122.41 *Conditions applicable to all permits*
   e. 122.61 *Transfer of permits*
   f. 122.62 *Modification or revocation of permits*
   g. 122.63 *Minor modifications of permits*
   h. 122.64 *Termination of permits*

2. *Review and revision of permit*: Upon application by any affected person, or on its own motion, the Regional Board may review and revise this permit. [CWC §13263(e)]

3. *Termination or modification of permit*: This permit may be terminated or modified for causes, including, but not limited to, any of the following:

   (a) Violation of any condition contained in this permit.
   (b) Obtaining this permit by misrepresentation, or failure to disclose fully all relevant facts.
   (c) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge. [CWC §13381]

4. *Material change*: Not less than 180 days prior to any material change in the character, location, volume, or amount of waste discharge, the discharger shall submit a technical report describing such changes. Such changes include but are not limited to the following:

   (a) Addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the waste.
   (b) Significant change in disposal method, e.g., change from land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.
   (c) Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.
   (d) Increase in flow beyond that specified in the waste discharge requirements.

(e) Increase in area or depth to be used for solid waste disposal beyond that specified in the waste discharge requirements. [CWC 13372, 13376, 13264, 23 CCR 2210]

(f) Any substantial change in the amount or characteristics of pollutants used, handled, stored, or generated.

(g) Any new discharge of pollutants or new potential pollutant source.

(h) Other circumstances which could result in a material change in the character, amount, or location of discharges. [CWC 13372, 13264,23 CCR 2210]

5. *Transfers*: When this permit is transferred to a new owner or operator, such requirements as may be necessary under the California Water Code may be incorporated into this permit.

6. *Conditions not stayed*: The filing of a request by the discharger for modification, revocation and reissuance, or termination of this Order, or a notification of planned change in or anticipated noncompliance with this Order does not stay any condition of this Order.

7. *Monitoring and Reporting Program*: The discharger shall conduct monitoring and submit reports in accordance with *Monitoring and Reporting Program (MRP) No. R9-2002-0175*. Monitoring results shall be reported at the intervals specified in *MRP No. R9-2002-0175*. [CWC 13267 & 13383, 23 CCR 2230, 40 CFR 122.43(a), 122.44(l)(4), 122.48]

8. *Availability*: A copy of this Order shall be kept at a readily accessible location at the facility and shall be available to on-site personnel at all times.

9. *Duty to minimize or correct adverse impacts*: The discharger shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Order, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncompliance.

10. *Responsibilities, liabilities, legal action, penalties*: The Porter-Cologne Water Quality Control Act provides for civil and criminal penalties comparable to, and in some cases greater than, those provided for under the Clean Water Act (CWA). [CWC §13385, 13387]

    Nothing in this Order shall be construed to protect the discharger from its liabilities under federal, state, or local laws. Except as provided for in 40 CFR 122.41(m) and (n), nothing in this Order shall be construed to relieve the discharger from civil or criminal penalties for noncompliance.

Nothing in this Order shall be construed to preclude the institution of any legal action or relieve the discharger from any responsibilities, liabilities, or penalties to which the discharger is or may be subject to under Section 311 of the CWA.

Nothing in this Order shall be construed to preclude institution of any legal action or relieve the discharger from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the CWA

11. *Noncompliance*: Any noncompliance with this permit constitutes violation of the California Water Code and is grounds for denial of an application for permit modification. [40 CFR 122.41 (a)]

12. *Discharge is a privilege*: No discharge of waste into waters of the state, whether or not the discharge is made pursuant to waste discharge requirements, shall create a vested right to continue the discharge. All discharges of waste into waters of the state are privileges, not rights. [CWC §13263(g)]

13. *Permittee*: For the purposes of this permit, the term "permittee" used in parts of 40 CFR incorporated into this permit by reference and/or applicable to this permit shall have the same meaning as the term "discharger" used elsewhere in this permit.

14. *Director*: For the purposes of this permit, the term "Director" used in parts of 40 CFR incorporated into this permit by reference and/or applicable to this permit shall have the same meaning as the term "Regional Board" used elsewhere in this permit, except that in 40 CFR 122.41(h) & (i), "Director" shall mean "Regional Board, State Board, and U.S. EPA."

15. *Effective date*: This Order shall become effective ten days after the date of its adoption provided the U.S. EPA Regional Administrator has no objection. If the Regional Administrator objects to its issuance, this Order shall not become effective until such objection is withdrawn.

16. *Expiration*: This Order expires February 5, 2008. [40 CFR 122.43, 122.44(h), 122.46]

17. *Continuation of expired permit*: After this permit expires, the terms and conditions of this permit are automatically continued pending issuance of a new permit if all requirements of the federal NPDES regulations on the continuation of expired permits are complied with. [40 CFR 122.6, 23 CCR 2235.4]

18. *Applications*: Any application submitted by the discharger for reissuance or modification of this permit shall satisfy all applicable requirements specified in federal regulations as well as any additional requirements for submittal of a Report of Waste Discharge specified in the California Water Code and the California Code of Regulations.

19. *Confidentiality*: Except as provided for in 40 CFR 122.7, no information or documents submitted in accordance with or in application for this permit will be considered confidential, and all such information and documents shall be available for review by the public at the office of the Regional Board.

20. *Severability*: The provisions of this Order are severable, and if any provision of this Order, or the application of any provisions of this Order to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this Order shall not be affected thereby.

21. *Discharge Monitoring Quality Assurance (DMQA) Program*: The discharger shall conduct appropriate analyses on any sample provided by EPA as part of the DMQA program. The results of such analyses shall be submitted to EPA's DMQA manager. [State Board/U.S. EPA 106 MOA]

22. *Pollution, Contamination, Nuisance*: The handling, transport, treatment, or disposal of waste or the discharge of waste to waters of the state in a manner which causes or threatens to cause a condition of pollution, contamination, or nuisance, as those terms are defined in CWC 13050, is prohibited.

23. *Additional Reporting Requirements*: [40 CFR 122.42(a)] In addition to the reporting requirements under 40 CFR 122.41 (l), all existing manufacturing, commercial, mining, and silvicultural discharges must notify the Regional Board as soon as they know or have reason to believe:

    (1) That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, of that discharge will exceed the highest of the following "notification levels:"

        (a) One hundred micrograms per liter (100 µg/l);
        (b) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2, 4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
        (c) The level established by the Regional Board in accordance with 40 CFR 122.44(f).

(2) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"

(a) Five hundred micrograms per liter (500 µg/l)
(b) One milligram per liter (1 mg/l) for antimony;
(c) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).
(d) The level established by the Regional Board in accordance with 40 CFR 122.44(f).

24. *Report Submittal*: The discharger shall submit reports and provide notifications as required by this Order in accordance with the following:

a. Reports required to be submitted to this Regional Board shall be sent to:

California Regional Water Quality Control Board
San Diego Region
Attn: Industrial Compliance Unit
9174 Sky Park Court, Suite 100
San Diego, California 92123-4340

Notifications required to be provided to this Regional Board shall be made to:

Telephone - (858) 467-2952 or
Facsimile - (858) 571-6972

b. Reports required to be submitted to the U.S. EPA shall be sent to:

U.S. Environmental Protection Agency
Region IX
Compliance Officer (WTR-7)
75 Hawthorne Street
San Francisco, California 94105

ATTACHMENT E

DEFINITIONS AND EXPLANATORY NOTES

Best management practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. (40 CFR 122.2)

Contamination means an impairment of the quality of the waters of the state by waste to a degree that creates a hazard to the public health through poisoning or through the spread of disease. Contamination includes any equivalent effect resulting from the disposal of waste, whether or not waters of the state are affected. (CWC § 13050(k))

Conventional pollutants means pollutants designated pursuant to Clean Water Act § 304(a)(4). (40 CFR 401.16)

Degradation shall be determined by comparison of the waste field and reference site(s) for characteristics of species diversity, population density, contamination, growth anomalies, debility, or supplanting of normal species by undesirable plant and animal species. Degradation occurs if there are significant differences in any of three major biotic groups, namely, demersal fish, benthic invertebrates, or attached algae. Other groups may be evaluated where benthic species are not affected or are not the only ones affected.

Discharge and **discharge of pollutant** are defined in 40 CFR 122.2.

Existing ship construction, modification, repair, and maintenance site (existing site) means a site where ship construction, modification, repair, and/or maintenance facilities are located or where ship construction, modification, repair, and/or maintenance activities are conducted as of the date of adoption of this Order.

Facility or activity means any NPDES point source or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program. (40 CFR 122.2)

First flush of storm water runoff is the storm water runoff that occurs between the time a **storm event** begins and when a minimum of 1 inch of precipitation has been collected in a rain gauge or equivalent measurement device at a location on the site which is representative of precipitation at the site. A **storm event** is a period of rainfall that is preceded by at least seven days without rainfall.

Hazardous substance is defined in 40 CFR 122.2.

High risk areas are areas where wastes or pollutants from ship construction, modification, repair, and maintenance activities (including abrasive blast grit material, primer, paint, paint chips, solvents, oils, fuels, sludges, detergents, cleansers, hazardous substances, toxic pollutants, non-conventional pollutants, materials of petroleum origin, or other substances of water quality significance) are subject to exposure to precipitation, run-on, and/or runoff.

Implementation of a practice, program, procedure, or other measures means that all aspects of the practice, program, procedure, or other measures are fully in effect and operational, i.e. completed (in contrast to being planned for completion at some time in the future). This recognizes that some BMPs may be specific to certain activities and, hence, may be in active use only when those activities occur.

Industrial process water means water that is a byproduct or integral part of an industrial process. It does not include discharges caused by wind, tidal action, rainfall runoff, or other miscellaneous water flows in the work area. For purposes of this Order, the following are industrial process water:

a. Water contaminated with abrasive blast materials, paint, oils, fuels, lubricants, solvents, or petroleum;
b. Hydroblast water;
c. Tank cleaning water from tank cleaning to remove sludge and/or dirt;
d. Clarified water from oil/water separation;
e. Steam cleaning water;
f. Demineralizer / reverse osmosis brine;
g. Floating drydock sump water when the drydock is in use as a work area or when the drydock is not in use as a work area but before the sump has been purged following such use;
h. Oily bilge water; and
i. Contaminated ballast water.

A mixture of industrial process water with other water that is not industrial process water shall be considered industrial process water.

Initial dilution is the process that results in the rapid and irreversible turbulent mixing of wastewater with receiving water around the point of discharge.

Marine fouling organisms are barnacles, mussels, algae, bryozoans, hydroids, tube worms, tunicates, and other associated organisms, such as shipworms and gribbles, which attach to and grow on underwater surfaces in marine waters.

National Pollutant Discharge Elimination System (NPDES) is defined in 40 CFR 122.2.

Natural light reduction may be determined by measurement of light transmissivity, total irradiance, or both, as specified by the Executive Officer.

New ship construction, modification, repair, and maintenance site (new site) means a site where ship construction, modification, repair, and/or maintenance facilities are not located and where ship construction, modification, repair, and/or maintenance activities are not conducted until after the date of adoption of this Order.

Non-conventional pollutants mean Clean Water Act § 301(b)(2)(F) pollutants. (40 CFR 122.21(m)(2))

Nuisance is defined in CWC § 13050(m).

Person is defined in 40 CFR 122.2 and CWC § 13050(c).

Pollutant is defined in 40 CFR 122.2.

Pollution means an alteration of the quality of the waters of the state by waste to a degree that unreasonably affects either of the following:

a. The waters for beneficial uses.
b. Facilities that serve these beneficial uses.

Pollution may include contamination. (CWC § 13050(l))

Pollution Prevention (P2) means practices and processes which reduce or eliminate the generation of pollutants, in contrast to source control, pollution control, treatment, or disposal.

Ship construction, modification, repair, and maintenance facilities means a site where ship construction, modification, repair, and/or maintenance facilities are located and/or where ship construction, modification, repair, and/or maintenance activities are conducted. This Order applies whether or not the discharger is in Standard Industrial Classification (SIC) category 3731 (Ship Building and Repairing).

Significant difference is defined as a statistically significant difference in the means of two distributions of sampling results at the 95 percent confidence level.

Significant materials include, but are not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101 (14) of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); any chemical the facility is required to report pursuant to Section 313 of Title III of Superfund Amendments and Reauthorization Act (SARA); fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be discharged.

Significant quantities are the volumes, concentrations, or masses of pollutants that can cause or threaten to cause pollution, contamination, or nuisance; adversely impact human health or the environment; and/or cause or contribute to a violation of any applicable water quality standard for the receiving water or any receiving water limitation.

Site means the land or water area where any facility or activity is physically located or conducted, including adjacent land used in connection with the facility or activity. (40 CFR 122.2)

Storm water means storm water runoff, snowmelt runoff, and surface runoff and drainage. (40 CFR 122.26)

Storm water discharge associated with industrial activity is defined in 40 CFR 122.26.

Storm water runoff associated with industrial activity is analogous to **storm water discharge associated with industrial activity**, except it applies to runoff, whether or not such runoff is discharged to waters of the state or waters of the United States.

Toxic pollutant is defined in Section 502 of the CWA, and means any pollutant listed as toxic under Section 307(a)(1) of the CWA or, in the case of sludge use or disposal practices, any pollutant identified in regulations implementing section 405(d) of the CWA. (40 CFR 122.2, 40 CFR 401.15)

Waste includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal. (CWC § 13050(d))

Waters of the state means any surface water or groundwater, including saline waters, within the boundaries of the state. (CWC § 13050(e))

Waters of the United States is defined in 40 CFR 122.2.