

**California Regional Water Quality Control Board
San Diego Region**

DRAFT UPDATES & ERRATA

to the

March 21, 2011 PUBLIC RELEASE DRAFT

of the

**GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION
SYSTEM (NPDES) PERMIT
FOR RESIDUAL FIREWORK POLLUTANT WASTE DISCHARGES
TO WATERS OF THE UNITED STATES IN THE SAN DIEGO
REGION FROM THE
PUBLIC DISPLAY OF FIREWORKS**

**Tentative Order No. R9-2011-0022
NPDES NO. CAG999002**

***ERRATA & UPDATES AS OF
May 4, 2011***

This document represents tentative updates and errata to the March 21, 2011, release of Tentative Order No. R9-2011-0022 as of May 4, 2011. The errata represent minor

Changes for the March 21, 2011 Public Release Draft as of May 4, 2011

clarifications and reference mistakes identified by Staff and/or in the response to comments on the public release of Tentative Order. The updates include changes made as a result of oral and written comments received on the March 21, 2011, public release of the Tentative Order.

Permit Errata

Attachment A: Header: The header has been updated to make the formatting consistent with the tentative Order.

Attachment C: Header: The header has been updated to make the formatting consistent with the tentative Order.

Attachment E: List of Tables: The Table 2 Bookmark has been corrected to read E-10.

Attachment F: Page F-17: An extra period in the last sentence of the 2nd paragraph has been removed.

Attachment F: Page F-17: A typo following the word “complying” has been corrected.

Attachment F: Page F-17: An extra period in the first sentence has been removed.

Changes for the March 21, 2011 Public Release Draft as of May 4, 2011

Permit Updates

General Change Throughout the Order

The term “sponsor” has been replaced with “host”

Order, Page 8

Section D will be modified as follows:

The San Diego Water Board will review the application package for completeness and applicability to this Order. Notice of Enrollment (NOE) under this Order will be provided to the Discharger by the San Diego Water Board upon receipt of a complete NOI, Fireworks Best Management Practices Plan, and application fee. ~~The NOE may include specific conditions not stated in this Order, including but not limited to receiving water and sediment monitoring. Any such specific conditions and requirements shall be enforceable.~~ The effective enrollment date will be specified in the NOE and the Discharger is authorized to discharge residual firework pollutant waste starting on the date specified in the NOE.

Order, *Finding G*, page 12

The San Diego Water Board finds that numeric **water quality based** effluent limits for fireworks residual pollutant waste discharges are infeasible because:

Attachment A, *Definitions*, Pages # A-1 to A-9 – The following definitions have been added to Attachment A:

Alternative Fireworks: refers to fireworks produced with new pyrotechnic formulas that replace perchlorate with other oxidizers and propellants that burn cleaner, produce less smoke and reduce pollutant waste loading to surface waters.

Best Management Practices (BMPs): Defined in 40 CFR 122.2 as 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.

Attachment C, *Public Display of Fireworks Post Event Report Form*, Page C-1

The language to paragraph 1 is modified as follows:

This form shall be completed no later than ~~ten (10)~~ **thirty (30)** days following a public display of fireworks event and made available to the San Diego Water Board upon request.

Solid Rocket Motor Gross Weight shall be removed from the Post Event Report.

Changes for the March 21, 2011 Public Release Draft as of May 4, 2011

Attachment E, *Monitoring and Reporting Program*, Page E-3

Requirement III.B is modified as follows:

Post Firework Display Event Reporting. No later than ~~ten (10)~~ **thirty (30)** calendar days following each public display of fireworks event, the Discharger shall complete Attachment C - Public Display of Fireworks Post Event Report Form of this Order and make it available to the San Diego Water Board upon request. With the exception of the Fourth of July Post Event report, completed reports shall also be submitted to the San Diego Water Board quarterly in accordance with Section X.B.2 below. Fourth of July Post Event Reports shall be submitted to the San Diego Water Board by August **15**.

Attachment E, *Monitoring and Reporting Program*, Page E-10

Section X.B.3, Table 2 is modified as follows:

Table 2. Monitoring and Reporting Schedule for Post Event Reports.

Reporting Period(s)	Report Due Date(s)
January-March	May 1:
April-June	August 1:
July-September	November 1:
October-December	February 1.
July 4	August 15

Attachment F, *Fact Sheet*, Page F-3

~~As described in section II of this Order, t~~**I**his Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

Attachment F, *Fact Sheet*, Page F-18

Sentence 2 of paragraph 1 is amended as follows:

Furthermore, the diving logs for sample collection under Order No. R9-2005-0091 provided additional documentation of fireworks debris on the benthos of the discharge zone **following major events**.

Attachment F, *Fact Sheet*, Page F-22

Section C will be modified as follows:

The San Diego Water Board will review the application package for completeness and applicability to this Order. Notice of Enrollment (NOE) under this Order will be provided to the Discharger by the San Diego Water Board upon receipt of a complete NOI, Fireworks Best Management Practices Plan, and application fee. ~~The NOE may include specific conditions not stated in this Order, including but not limited to receiving water and sediment monitoring. Any such specific conditions and requirements shall be enforceable.~~ The effective enrollment date will be specified in the NOE and the Discharger is authorized to

Changes for the March 21, 2011 Public Release Draft as of May 4, 2011

discharge residual firework pollutant waste starting on the date specified in the NOE.

Attachment F, *Fact Sheet*, Page F-29, Added to end of Section 3

The San Diego Water Board finds that numeric effluent limits for fireworks residual pollutant waste discharges are infeasible because:

1. This General Permit regulates discharges of residual pollutant wastes which are firework constituents or breakdown products that are present after the use of the fireworks for public display. Therefore, the exact residual pollutant waste levels in the discharge are immeasurable and undefined; and
2. It would be impractical to provide effective treatment, given the numerous short duration intermittent residual firework pollutant releases to surface waters at many different locations. The discharge specifications contained in this General Permit are narrative and include requirements to develop and implement a Firework Best Management Practices Plan that describes appropriate BMPs, as well as requirements to comply with receiving water limitations.