Josilo, Michelle

From: Stephansen, Stanley
Sent: Tuesday, May 06, 2014 8:01 AM
To: Josilo, Michelle
Subject: FW: Bayonne
Attachments: Bayonne Dry Dock Draft Permit Action.pdf

Hi Michelle:

Who would be the best person for Kimberly McEathron in DECA to talk to regarding the draft permit for a minor industrial discharger in NJ – Bayonne Dry Dock. I believe this was mentioned at the last section meeting (Jacqueline?).

Thanks,
Stan

From: McEathron, Kimberly
Sent: Monday, May 05, 2014 11:42 AM
To: Stephansen, Stanley
Subject: FW: Bayonne

Hi Stan,

I inspected the Bayonne Dry Dock facility in Bayonne, NJ on 4/1/2014 and it's draft individual industrial wastewater discharge permit (NJPDES Permit Number NJ0225746) has been public noticed by NJDEP (see attached). I'm wondering if EPA is reviewing this permit (I know it's a minor discharger so the answer may be no) and who would be the right person here at EPA for me to talk to from the permitting side about some concerns I have based on my observations at the Facility.

Thanks,

Kim

~*~

Kimberly McEathron
DECA-Water Compliance Branch
U.S. Environmental Protection Agency
290 Broadway - 20th Floor
New York, NY 10007
Phone: (212) 637-4228
Fax: (212) 637-3953

Josilo, Michelle

From: Josilo, Michelle
Sent: Tuesday, May 06, 2014 9:47 AM
To: Jacqueline Rios; Stanley Stephansen; McEathron, Kimberly
Subject: FW: Bayonne
Attachments: Bayonne Dry Dock Draft Permit Action.pdf

Stan, Kimberly – Yes, I had asked Jacqueline to take a look at this permit when it was released.

Jacqueline - Can you please follow up as we discussed and give Kimberly a call?

Thanks all,
Michelle

From: Stephansen, Stanley
Sent: Tuesday, May 06, 2014 8:01 AM
To: Josilo, Michelle
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Hi Michelle:

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New York, NY 10007

Phone: (212) 637-4228
Fax: (212) 637-3953

Josilo, Michelle

From: McEathron, Kimberly
Sent: Tuesday, May 06, 2014 5:39 PM
To: Josilo, Michelle; Rios, Jacqueline; Stephansen, Stanley
Subject: RE: Bayonne

Thank you Michelle, Stan and Jacqueline for getting back to me about the BDD permit. I just got back from a CAFO inspection and I have another one in the morning so I'll touch base with Jacqueline tomorrow afternoon or when I get back to the office on Thursday.

Thanks everyone.

Kim

~*~

Kimberly McEathron
DECA-Water Compliance Branch
U.S. Environmental Protection Agency
290 Broadway - 20th Floor
New York, NY 10007
Phone: (212) 637-4228
Fax: (212) 637-3953

From: Josilo, Michelle
Sent: Tuesday, May 06, 2014 9:47 AM
To: Rios, Jacqueline; Stephansen, Stanley; McEathron, Kimberly
Subject: FW: Bayonne

Stan, Kimberly – Yes, I had asked Jacqueline to take a look at this permit when it was released.

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Thanks all,
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New York, NY 10007
Phone: (212) 637-4228
Fax: (212) 637-3953

Josilo, Michelle

From: Josilo, Michelle
Sent: Wednesday, May 07, 2014 10:49 AM
To: 'Robert.Hall@dep.state.nj.us'
Subject: Bayonne Dry Dock

Hello Robert,

I noticed in the DEP Bulletin that a draft permit for Bayonne Dry Dock was released for review and comment and you are the point of contact. Can you please send me a copy of this draft permit?

Thank you,
Michelle

BAYONNE DRY DOCK & REPAIR CO
NJ0225746
DSW Minor
Constitution Ave
Bayonne, NJ 07002
Hudson County
Robert Hall
Bureau of Surface
Water Permitting
(609)292-4860
Upper New York Bay
SE2(C2)
Newark Bay / Kill Van Kull / Upr NY Bay
Surface Water Renewal Permit Action
This is a renewal permit action for an existing facility to authorize discharges to surface water from a sump pump. The sump pump discharges via discharge serial number (DSN) 001A. The facility is a full service ship repair yard for commercial and government vessels. Site activities include, but are not limited to: sandblasting, hydroblasting, surface coating applications, engine maintenance, and vessel cleaning and repair. The facility utilizes a graving dock for the bulk of its operations which is drained via the sump pump.

~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
Michelle A. Josilo
Chief, NPDES Section
U.S. EPA Region 2 - Clean Water Division
290 Broadway, 24th Floor, New York, NY 10007
Ph: (212) 637-3866 Fax: (212) 637-3891
josilo.michelle@epa.gov
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~

Josilo, Michelle

From: McEathron, Kimberly
Sent: Friday, May 09, 2014 10:35 AM
To: Josilo, Michelle
Subject: FW: BDD
Attachments: BDD Draft Permit Action Re-Send.pdf; BDD Flow Diagram.pdf; BDD USGS MAP.PDF

Here's the rest.

~*~

Kimberly McEathron
DECA-Water Compliance Branch
U.S. Environmental Protection Agency
290 Broadway - 20th Floor
New York, NY 10007
Phone: (212) 637-4228
Fax: (212) 637-3953

From: Ball, Kevin [mailto:Kevin.Ball@dep.state.nj.us]
Sent: Tuesday, May 06, 2014 10:03 AM
To: McEathron, Kimberly
Subject: BDD

Here's the PDFs w/ Parts III & IV. Keep me posted. Thanks.

Josilo, Michelle

From: Rosenwinkel, Susan <Susan.Rosenwinkel@dep.state.nj.us>
Sent: Friday, May 09, 2014 11:42 AM
To: Josilo, Michelle
Cc: Brogle, Janice; Patterson, Pilar
Subject: Bayonne Dry Dock Draft Permit
Attachments: BDD Draft Permit Action.pdf; BDD Flow Diagram.pdf; BDD USGS Map.pdf

Hi Michelle –

As per your request, attached is a copy of the Bayonne Dry Dock draft permit action as issued on May 1, 2014. The comment period will close on June 2, 2014. Feel free to contact Pilar or myself if you have any questions.

Thanks and have a good week-end –

Susan Rosenwinkel
Supervising Environmental Engineer
Bureau of Surface Water Permitting
(609) 292-4860

Josilo, Michelle

From: Josilo, Michelle
Sent: Friday, May 09, 2014 11:45 AM
To: 'Rosenwinkel, Susan'
Cc: 'Brogle, Janice'; 'Patterson, Pilar'; Anderson, Kate
Subject: RE: Bayonne Dry Dock Draft Permit

Thank you Susan. We will get back to you if we have any issues or comments.

Michelle

From: Rosenwinkel, Susan [mailto:Susan.Rosenwinkel@dep.state.nj.us]
Sent: Friday, May 09, 2014 11:42 AM
To: Josilo, Michelle
Cc: Brogle, Janice; Patterson, Pilar
Subject: Bayonne Dry Dock Draft Permit

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Susan Rosenwinkel
Supervising Environmental Engineer
Bureau of Surface Water Permitting
(609) 292-4860

Josilo, Michelle

From: Josilo, Michelle
Sent: Friday, May 09, 2014 11:47 AM
To: Jacqueline Rios; Sieglinde Pylypchuk
Cc: McEathron, Kimberly
Subject: FW: Bayonne Dry Dock Draft Permit
Attachments: BDD Draft Permit Action.pdf; BDD Flow Diagram.pdf; BDD USGS Map.pdf

Please see the forwarded materials for the file copy of the draft permit as transmitted by NJDEP. Siegi, please track and file and Jacqueline, as discussed please review and prepare any necessary comments.

Thank you.
Michelle

From: Rosenwinkel, Susan [mailto:Susan.Rosenwinkel@dep.state.nj.us]
Sent: Friday, May 09, 2014 11:42 AM
To: Josilo, Michelle
Cc: Brogle, Janice; Patterson, Pilar
Subject: Bayonne Dry Dock Draft Permit

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Josilo, Michelle

From: Patterson, Pilar <Pilar.Patterson@dep.nj.gov>
Sent: Wednesday, May 21, 2014 9:59 AM
To: Josilo, Michelle
Subject: RE: News Release: EPA Finalizes Standards to Protect Fish, Aquatic Life from Cooling Water Intakes
Attachments: removed.txt

Thanks for the link Michele – a few updates while I am writing…

– as you are probably aware I've put together a team for the Salem permit and we're moving "full steam ahead"

- This bureau is the lead for the "Tiered Drinking Water Rule – will you be at the June 2nd meeting to update EPA?
- Also, if you have any comments on Bayonne Dry Dock – do give a call and lets talk, I spent a long time going over the issues in-depth, it is complex case
- Lastly, my staff reported excellent progress at the DRBC coordination meeting for PCB's (Maureen Krudner was there) glad to hear
- CSO….cooking right along

From: Josilo, Michelle [mailto:Josilo.Michelle@epa.gov]
Sent: Tuesday, May 20, 2014 9:23 AM
To: Koon Tang; Patterson, Pilar; Rosenwinkel, Susan; Annette Feliberty Ruiz; Garcia Hernandez, Wanda; Shayne Mitchell; Brian Baker; Chuck Nieder; Benjamin Keularts
Cc: Anderson, Kate; Obrien, Karen; Pylypchuk, Sieglinde
Subject: FW: News Release: EPA Finalizes Standards to Protect Fish, Aquatic Life from Cooling Water Intakes

Hello,

FYI, EPA published a final Clean Water Act 316(b) rule for cooling water intakes yesterday. News release and link to the rule documents are below.

~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
Michelle A. Josilo
Chief, NPDES Section
U.S. EPA Region 2 - Clean Water Division
290 Broadway, 24th Floor, New York, NY 10007
Ph: (212) 637-3866 Fax: (212) 637-3891
josilo.michelle@epa.gov
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~

From: U.S. EPA [mailto:usaepa@service.govdelivery.com]
Sent: Monday, May 19, 2014 4:21 PM
Subject: News Release: EPA Finalizes Standards to Protect Fish, Aquatic Life from Cooling Water Intakes

CONTACTS:
Julia Q. Ortiz (News Media Only)
Ortiz.Julia@epa.gov
202-564-1931

202-564-4355

FOR IMMEDIATE RELEASE
May 19, 2014

EPA Finalizes Standards to Protect Fish, Aquatic Life from Cooling Water Intakes

WASHINGTON – The U.S. Environmental Protection Agency (EPA) today finalized standards to protect billions of fish and other aquatic life drawn each year into cooling water systems at large power plants and factories. This final rule is required by the Clean Water Act to address site-specific challenges, and establishes a common sense framework, putting a premium on public input and flexibility for facilities to comply.

An estimated 2.1 billion fish, crabs, and shrimp are killed annually by being pinned against cooling water intake structures (impingement) or being drawn into cooling water systems and affected by heat, chemicals, or physical stress (entrainment). To protect threatened and endangered species and critical habitat, the expertise of the Fish & Wildlife Service and National Marine Fisheries Service is available to inform decisions about control technologies at individual facilities.

"EPA is making it clear that if you have cooling water intakes you have to look at the impact on aquatic life in local waterways and take steps to minimize that impact," said Nancy Stoner, acting Assistant Administrator for Water at EPA.

The final rule establishes requirements under the Clean Water Act for all existing power generating facilities and existing manufacturing and industrial facilities that withdraw more than 2 million gallons per day of water from waters of the U.S. and use at least 25 percent of the water they withdraw exclusively for cooling purposes. This rule covers roughly 1,065 existing facilities –521 of these facilities are factories, and the other 544 are power plants. The technologies required under the rule are well-understood, have been in use for several decades, and are in use at over 40 percent of facilities.

The national requirements, which will be implemented through National Pollutant Discharge Elimination System (NPDES) permits, are applicable to the location, design, construction, and capacity of cooling water intake structures at these facilities and are based on the best technology available for minimizing environmental impact. The rule establishes a strong baseline level of protection and then allows additional safeguards for aquatic life to be developed through site-specific analysis, an approach that ensures the best technology available is used. It puts implementation analysis in the hands of the permit writers so requirements can be tailored to the particular facility.

There are three components to the final regulation.

- Existing facilities that withdraw at least 25 percent of their water from an adjacent waterbody exclusively for cooling purposes and have a design intake flow of greater than 2 million gallons per day are required to reduce fish impingement. To ensure flexibility, the owner or operator of the facility will be able to choose one of seven options for meeting best technology available requirements for reducing impingement.

- Facilities that withdraw very large amounts of water – at least 125 million gallons per day – are required to conduct studies to help the permitting authority determine what site-specific entrainment mortality controls, if any, will be required. This process will include public input.

- New units at an existing facility that are built to increase the generating capacity of the facility are be required to reduce the intake flow to a level similar to a closed cycle, recirculation system. Closed cycle systems are the most effective at reducing entrainment. This can be done by incorporating a closed-cycle system into the design of the new unit, or by making other design changes equivalent to the reductions associated with closed-cycle cooling.

More information: http://water.epa.gov/lawsregs/lawsguidance/cwa/316b/

R127

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This email was sent to using GovDelivery, on behalf of: U.S. Environmental Protection Agency · 1200 Pennsylvania Avenue NW · Washington DC 20460 · 202-564-4355

Josilo, Michelle

From: Josilo, Michelle
Sent: Wednesday, May 21, 2014 10:41 AM
To: Anderson, Kate; Rios, Jacqueline; Obrien, Karen; Krudner, Maureen; Stephansen, Stanley
Subject: FW: News Release: EPA Finalizes Standards to Protect Fish, Aquatic Life from Cooling Water Intakes
Attachments: removed.txt

Please see below. A little something for everyone here!

- I was not aware of the team for the Salem permit. Karen, can you find out about this? Maybe from Pilar or Susan?
- Kate, I can be at the tiered drinking water rule meeting. Do you want me to go? Should we both go?
- Jacqueline, Pilar wants to talk about the comments on Bayonne Dry Dock when we're ready.
- Maureen – fyi on DRBC meeting feedback.
- Stan, "cooking right along" sounds good!

From: Patterson, Pilar [mailto:Pilar.Patterson@dep.nj.gov]
Sent: Wednesday, May 21, 2014 9:59 AM
To: Josilo, Michelle
Subject: RE: News Release: EPA Finalizes Standards to Protect Fish, Aquatic Life from Cooling Water Intakes

Thanks for the link Michele – a few updates while I am writing…

– as you are probably aware I've put together a team for the Salem permit and we're moving "full steam ahead"
- This bureau is the lead for the "Tiered Drinking Water Rule – will you be at the June 2nd meeting to update EPA?
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- Lastly, my staff reported excellent progress at the DRBC coordination meeting for PCB's (Maureen Krudner was there) glad to hear
- CSO….cooking right along

From: Josilo, Michelle [mailto:Josilo.Michelle@epa.gov]
Sent: Tuesday, May 20, 2014 9:23 AM
To: Koon Tang; Patterson, Pilar; Rosenwinkel, Susan; Annette Feliberty Ruiz; Garcia Hernandez, Wanda; Shayne Mitchell; Brian Baker; Chuck Nieder; Benjamin Keularts
Cc: Anderson, Kate; Obrien, Karen; Pylypchuk, Sieglinde
Subject: FW: News Release: EPA Finalizes Standards to Protect Fish, Aquatic Life from Cooling Water Intakes

Hello,

FYI, EPA published a final Clean Water Act 316(b) rule for cooling water intakes yesterday. News release and link to the rule documents are below.

~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~

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Ph: (212) 637-3866 Fax: (212) 637-3891
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josilo.michelle@epa.gov
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Sent: Monday, May 19, 2014 4:21 PM
Subject: News Release: EPA Finalizes Standards to Protect Fish, Aquatic Life from Cooling Water Intakes

CONTACTS:
Julia Q. Ortiz (News Media Only)
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FOR IMMEDIATE RELEASE
May 19, 2014

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“EPA is making it clear that if you have cooling water intakes you have to look at the impact on aquatic life in local waterways and take steps to minimize that impact,” said Nancy Stoner, acting Assistant Administrator for Water at EPA.

The final rule establishes requirements under the Clean Water Act for all existing power generating facilities and existing manufacturing and industrial facilities that withdraw more than 2 million gallons per day of water from waters of the U.S. and use at least 25 percent of the water they withdraw exclusively for cooling purposes. This rule covers roughly 1,065 existing facilities –521 of these facilities are factories, and the other 544 are power plants. The technologies required under the rule are well-understood, have been in use for several decades, and are in use at over 40 percent of facilities.

The national requirements, which will be implemented through National Pollutant Discharge Elimination System (NPDES) permits, are applicable to the location, design, construction, and capacity of cooling water intake structures at these facilities and are based on the best technology available for minimizing environmental impact. The rule establishes a strong baseline level of protection and then allows additional safeguards for aquatic life to be developed through site-specific analysis, an approach that ensures the best technology available is used. It puts implementation analysis in the hands of the permit writers so requirements can be tailored to the
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More information: http://water.epa.gov/lawsregs/lawsguidance/cwa/316b/

R127

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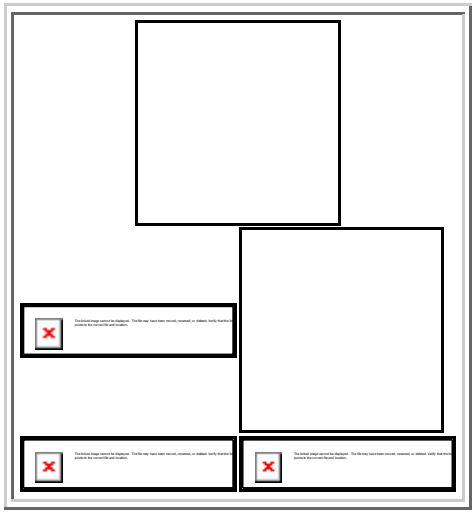

This email was sent to using GovDelivery, on behalf of: U.S. Environmental Protection Agency · 1200 Pennsylvania Avenue NW · Washington DC 20460 · 202-564-4355

Josilo, Michelle

From: Josilo, Michelle
Sent: Thursday, May 22, 2014 12:07 PM
To: 'Patterson, Pilar'
Cc: Anderson, Kate; Obrien, Karen; Rios, Jacqueline
Subject: RE: News Release: EPA Finalizes Standards to Protect Fish, Aquatic Life from Cooling Water Intakes

Hi Pilar – Thanks for your note and updates!

I was not aware of the Salem permit team and work being done there. I've asked Karen O'Brien to follow up on that.

Yes, I will be going to the Jun 2 meeting on the tiered DW rule. We understand this effort is mostly being driven from your shop at NJDEP – do you have any background you can give me? I'm assuming it may be based on pushback from permittees and the logic of whether the most stringent standards need to apply in all these waters. Perhaps, you, Kate and I can talk before June 2?

We will have feedback on Bayonne Dry Dock. We're pulling it all together and can touch base with you soon. Jacqueline Rios is the lead for this at EPA and we will let you know asap.

Good to hear re: DRBC/PCB and CSOs! Talk soon.

Michelle

From: Patterson, Pilar [mailto:Pilar.Patterson@dep.nj.gov]
Sent: Wednesday, May 21, 2014 9:59 AM
To: Josilo, Michelle
Subject: RE: News Release: EPA Finalizes Standards to Protect Fish, Aquatic Life from Cooling Water Intakes

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From: Josilo, Michelle [mailto:Josilo.Michelle@epa.gov]
Sent: Tuesday, May 20, 2014 9:23 AM
To: Koon Tang; Patterson, Pilar; Rosenwinkel, Susan; Annette Feliberty Ruiz; Garcia Hernandez, Wanda; Shayne Mitchell; Brian Baker; Chuck Nieder; Benjamin Keularts
Cc: Anderson, Kate; Obrien, Karen; Pylypchuk, Sieglinde
Subject: FW: News Release: EPA Finalizes Standards to Protect Fish, Aquatic Life from Cooling Water Intakes

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Sent: Monday, May 19, 2014 4:21 PM
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CONTACTS:
Julia Q. Ortiz (News Media Only)
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May 19, 2014

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The national requirements, which will be implemented through National Pollutant Discharge

Elimination System (NPDES) permits, are applicable to the location, design, construction, and capacity of cooling water intake structures at these facilities and are based on the best technology available for minimizing environmental impact. The rule establishes a strong baseline level of protection and then allows additional safeguards for aquatic life to be developed through site-specific analysis, an approach that ensures the best technology available is used. It puts implementation analysis in the hands of the permit writers so requirements can be tailored to the particular facility.

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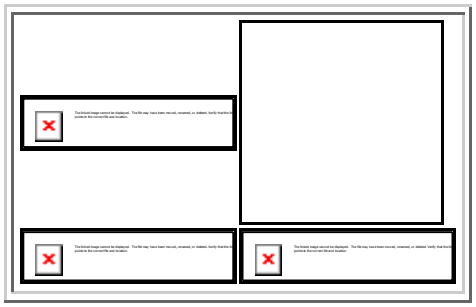

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Josilo, Michelle

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Sent: Friday, May 23, 2014 10:21 AM
To: Josilo, Michelle
Cc: Anderson, Kate; Obrien, Karen; Rios, Jacqueline
Subject: RE: News Release: EPA Finalizes Standards to Protect Fish, Aquatic Life from Cooling Water Intakes
Attachments: removed.txt

Sure on the background for tiered dw rule and/or others…call anytime we can discuss
(609) 292-4860

From: Josilo, Michelle [mailto:Josilo.Michelle@epa.gov]
Sent: Thursday, May 22, 2014 12:07 PM
To: Patterson, Pilar
Cc: Anderson, Kate; Obrien, Karen; Rios, Jacqueline
Subject: RE: News Release: EPA Finalizes Standards to Protect Fish, Aquatic Life from Cooling Water Intakes

Hi Pilar – Thanks for your note and updates!

I was not aware of the Salem permit team and work being done there. I've asked Karen O'Brien to follow up on that.

Yes, I will be going to the Jun 2 meeting on the tiered DW rule. We understand this effort is mostly being driven from your shop at NJDEP – do you have any background you can give me? I'm assuming it may be based on pushback from permittees and the logic of whether the most stringent standards need to apply in all these waters. Perhaps, you, Kate and I can talk before June 2?

We will have feedback on Bayonne Dry Dock. We're pulling it all together and can touch base with you soon. Jacqueline Rios is the lead for this at EPA and we will let you know asap.

Good to hear re: DRBC/PCB and CSOs! Talk soon.

Michelle

From: Patterson, Pilar [mailto:Pilar.Patterson@dep.nj.gov]
Sent: Wednesday, May 21, 2014 9:59 AM
To: Josilo, Michelle
Subject: RE: News Release: EPA Finalizes Standards to Protect Fish, Aquatic Life from Cooling Water Intakes

Thanks for the link Michele – a few updates while I am writing…

– as you are probably aware I've put together a team for the Salem permit and we're moving "full steam ahead"
- This bureau is the lead for the "Tiered Drinking Water Rule – will you be at the June 2nd meeting to update EPA?
- Also, if you have any comments on Bayonne Dry Dock – do give a call and lets talk, I spent a long time going over the issues in-depth, it is complex case
- Lastly, my staff reported excellent progress at the DRBC coordination meeting for PCB's (Maureen Krudner was there) glad to hear

- CSO….cooking right along

From: Josilo, Michelle [mailto:Josilo.Michelle@epa.gov]
Sent: Tuesday, May 20, 2014 9:23 AM
To: Koon Tang; Patterson, Pilar; Rosenwinkel, Susan; Annette Feliberty Ruiz; Garcia Hernandez, Wanda; Shayne Mitchell; Brian Baker; Chuck Nieder; Benjamin Keularts
Cc: Anderson, Kate; Obrien, Karen; Pylypchuk, Sieglinde
Subject: FW: News Release: EPA Finalizes Standards to Protect Fish, Aquatic Life from Cooling Water Intakes

Hello,

FYI, EPA published a final Clean Water Act 316(b) rule for cooling water intakes yesterday. News release and link to the rule documents are below.

~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
Michelle A. Josilo
Chief, NPDES Section
U.S. EPA Region 2 - Clean Water Division
290 Broadway, 24th Floor, New York, NY 10007
Ph: (212) 637-3866 Fax: (212) 637-3891
josilo.michelle@epa.gov
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~

From: U.S. EPA [mailto:usaepa@service.govdelivery.com]
Sent: Monday, May 19, 2014 4:21 PM
Subject: News Release: EPA Finalizes Standards to Protect Fish, Aquatic Life from Cooling Water Intakes

CONTACTS:
Julia Q. Ortiz (News Media Only)
Ortiz.Julia@epa.gov
202-564-1931
202-564-4355

FOR IMMEDIATE RELEASE
May 19, 2014

EPA Finalizes Standards to Protect Fish, Aquatic Life from Cooling Water Intakes

WASHINGTON – The U.S. Environmental Protection Agency (EPA) today finalized standards to protect billions of fish and other aquatic life drawn each year into cooling water systems at large power plants and factories. This final rule is required by the Clean Water Act to address site-specific challenges, and establishes a common sense framework, putting a premium on public input and flexibility for facilities to comply.

An estimated 2.1 billion fish, crabs, and shrimp are killed annually by being pinned against cooling water intake structures (impingement) or being drawn into cooling water systems and affected by heat, chemicals, or physical stress (entrainment). To protect threatened and endangered species and critical habitat, the expertise of the Fish & Wildlife Service and National Marine Fisheries Service is available to inform decisions about control technologies at individual facilities.

“EPA is making it clear that if you have cooling water intakes you have to look at the impact on aquatic life in local waterways and take steps to minimize that impact,” said Nancy Stoner, acting Assistant Administrator for Water at EPA.

The final rule establishes requirements under the Clean Water Act for all existing power generating facilities and existing manufacturing and industrial facilities that withdraw more than 2 million gallons per day of water from waters of the U.S. and use at least 25 percent of the water they withdraw exclusively for cooling purposes. This rule covers roughly 1,065 existing facilities –521 of these facilities are factories, and the other 544 are power plants. The technologies required under the rule are well-understood, have been in use for several decades, and are in use at over 40 percent of facilities.

The national requirements, which will be implemented through National Pollutant Discharge Elimination System (NPDES) permits, are applicable to the location, design, construction, and capacity of cooling water intake structures at these facilities and are based on the best technology available for minimizing environmental impact. The rule establishes a strong baseline level of protection and then allows additional safeguards for aquatic life to be developed through site-specific analysis, an approach that ensures the best technology available is used. It puts implementation analysis in the hands of the permit writers so requirements can be tailored to the particular facility.

There are three components to the final regulation.

- Existing facilities that withdraw at least 25 percent of their water from an adjacent waterbody exclusively for cooling purposes and have a design intake flow of greater than 2 million gallons per day are required to reduce fish impingement. To ensure flexibility, the owner or operator of the facility will be able to choose one of seven options for meeting best technology available requirements for reducing impingement.

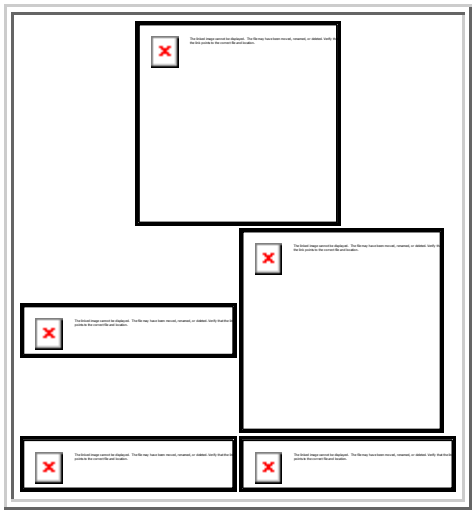
- Facilities that withdraw very large amounts of water – at least 125 million gallons per day – are required to conduct studies to help the permitting authority determine what site-specific entrainment mortality controls, if any, will be required. This process will include public input.

- New units at an existing facility that are built to increase the generating capacity of the facility are be required to reduce the intake flow to a level similar to a closed cycle, recirculation system. Closed cycle systems are the most effective at reducing entrainment. This can be done by incorporating a closed-cycle system into the design of the new unit, or by making other design changes equivalent to the reductions associated with closed-cycle cooling.

More information: http://water.epa.gov/lawsregs/lawsguidance/cwa/316b/

R127

This service is provided to you at no charge by the U.S. Environmental Protection Agency.



This email was sent to using GovDelivery, on behalf of: U.S. Environmental Protection Agency · 1200 Pennsylvania Avenue NW · Washington DC 20460 · 202-564-4355

Josilo, Michelle

Subject: NJDEP - two issues

Start: Fri 5/30/2014 11:00 AM
End: Fri 5/30/2014 11:30 AM

Recurrence: (none)

Meeting Status: Meeting organizer

Organizer: Josilo, Michelle
Required Attendees: Jacqueline Rios; Kate Anderson

Correction. Pilar just called me back and asked to shift our meeting time. **New meeting time: 11:00 am.**

****

Hi – I spoke with Pilar and we set 10:00 am on Friday 5/30 to discuss:

1. Comments on Bayonne Dry Dock draft permit
2. Tiered DW criteria meeting

We will call her at (609) 292-4860

Michelle

Josilo, Michelle

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1. Comments on Bayonne Dry Dock draft permit
2. Tiered DW criteria meeting

We will call her at (609) 292-4860

Michelle

Josilo, Michelle

From: Anderson, Kate
Sent: Tuesday, June 03, 2014 11:51 AM
To: Patterson, Pilar
Cc: Josilo, Michelle
Subject: Bayonne Dry- Dock draft Permit comments

Hi Pilar –

Michelle and I would like to have a further discussion with you and your permit writer on this permit, this week, if possible. Let me know some times that work for you (Friday will not work for me). Thanks.

Kate Anderson
Chief, Clean Water Regulatory Branch
USEPA Region 2
Clean Water Division
290 Broadway, 24th Floor
New York, NY 10007-1866
212-637-3754

Josilo, Michelle

From: Patterson, Pilar <Pilar.Patterson@dep.nj.gov>
Sent: Tuesday, June 03, 2014 1:47 PM
To: Anderson, Kate
Cc: Josilo, Michelle; Brogle, Janice; Rosenwinkel, Susan; Murphy, James; Rios, Jacqueline
Subject: RE: Bayonne Dry- Dock draft Permit comments

Ok – please call (609) 292-4860
Talk to you then

From: Anderson, Kate [mailto:Anderson.Kate@epa.gov]
Sent: Tuesday, June 03, 2014 1:44 PM
To: Patterson, Pilar
Cc: Josilo, Michelle; Brogle, Janice; Rosenwinkel, Susan; Murphy, James; Rios, Jacqueline
Subject: RE: Bayonne Dry- Dock draft Permit comments

Thanks, Pilar. Thursday at 3 works for us. Please send me a number where you all will be and we will call you at 3 pm.

Kate Anderson
Chief, Clean Water Regulatory Branch
USEPA Region 2
Clean Water Division
290 Broadway, 24th Floor
New York, NY 10007-1866
212-637-3754

From: Patterson, Pilar [mailto:Pilar.Patterson@dep.nj.gov]
Sent: Tuesday, June 03, 2014 12:57 PM
To: Anderson, Kate
Cc: Josilo, Michelle; Brogle, Janice; Rosenwinkel, Susan; Murphy, James
Subject: RE: Bayonne Dry- Dock draft Permit comments

Hi Kate
Sure – how is Thursday at 3:00? We all have very tight schedules this week – I hope that can work out? Or we may need to look at next week.
Thanks
Pilar

From: Anderson, Kate [mailto:Anderson.Kate@epa.gov]
Sent: Tuesday, June 03, 2014 11:51 AM
To: Patterson, Pilar
Cc: Josilo, Michelle
Subject: Bayonne Dry- Dock draft Permit comments

Hi Pilar –

Michelle and I would like to have a further discussion with you and your permit writer on this permit, this week, if possible. Let me know some times that work for you (Friday will not work for me). Thanks.

Kate Anderson
Chief, Clean Water Regulatory Branch
USEPA Region 2
Clean Water Division
290 Broadway, 24th Floor
New York, NY 10007-1866
212-637-3754

Josilo, Michelle

From: Rios, Jacqueline
Sent: Thursday, June 05, 2014 5:22 PM
To: Pilar.Patterson@dep.nj.gov
Cc: Anderson, Kate; Josilo, Michelle; Jim Murphy
Subject: Bayonne Dry Dock
Attachments: NY-NJ-1994-Copper_etal-NY-NJ_Harbor.pdf; San Diego CA0109151.pdf; SF Bay Genl permit.pdf

Pilar,

We appreciate the opportunity to review the draft permit for the Bayonne Dry Dock. As discussed during today's call, attached is the TMDL for the NY-NJ Harbor. The reference to the use of clean methods for metals is on page 22. Also, NJAC 7:9B-1.5(e) should provide you sufficient basis to require the use of method 1631E. The EPA expects the state permitting authority to require the use of a sufficiently sensitive EPA-approved method for monitoring under the permit in order to ensure that the sampling and measurements required are representative of the monitored activity as required by 40 CFR 122.41(j)(1)).

I have attached two permits as examples of prohibitions that can be used to clarify the intent of what can and cannot be discharged in Part III of the draft permit with regards to "process wastewater". I direct your attention to pages 8-9 of the SF Bay General permit (examples of which I provided during today's call) and pages 6-7 in the permit for the Southwest Marine permit in San Diego.

We look forward to working with the NJDEP in addressing our concerns. Please provide us with a proposed permit before issuing the final permit for Bayonne Dry Dock. We would also appreciate receiving a copy of the compliance order for Bayonne Dry Dock when it is issued.

Please feel free to call me if there are any questions.

Jacqueline Ríos, Environmental Engineer
NPDES Section, Clean Water Regulatory Branch
EPA Region 2, CWD
Phone: 212-637-3859

Josilo, Michelle

From: Patterson, Pilar <Pilar.Patterson@dep.nj.gov>
Sent: Friday, June 06, 2014 9:46 AM
To: Rios, Jacqueline; Paull, Rich
Cc: Anderson, Kate; Josilo, Michelle; Murphy, James; Rosenwinkel, Susan; Hall, Robert; Murphy, James; Brogle, Janice
Subject: RE: Bayonne Dry Dock

Rich
Please see EPA's request below (I highlighted in yellow).
Thanks!
Pilar

From: Rios, Jacqueline [mailto:Rios.Jacqueline@epa.gov]
Sent: Thursday, June 05, 2014 5:22 PM
To: Patterson, Pilar
Cc: Anderson, Kate; Josilo, Michelle; Murphy, James
Subject: Bayonne Dry Dock

Pilar,
We appreciate the opportunity to review the draft permit for the Bayonne Dry Dock. As discussed during today's call, attached is the TMDL for the NY-NJ Harbor. The reference to the use of clean methods for metals is on page 22. Also, NJAC 7:9B-1.5(e) should provide you sufficient basis to require the use of method 1631E. The EPA expects the state permitting authority to require the use of a sufficiently sensitive EPA-approved method for monitoring under the permit in order to ensure that the sampling and measurements required are representative of the monitored activity as required by 40 CFR 122.41(j)(1)).
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We look forward to working with the NJDEP in addressing our concerns. Please provide us with a proposed permit before issuing the final permit for Bayonne Dry Dock. We would also appreciate receiving a copy of the compliance order for Bayonne Dry Dock when it is issued.
Please feel free to call me if there are any questions.
Jacqueline Ríos, Environmental Engineer
NPDES Section, Clean Water Regulatory Branch
EPA Region 2, CWD
Phone: 212-637-3859

Josilo, Michelle

From: Pilar Patterson <Pilar.Patterson@dep.nj.gov>
Sent: Tuesday, July 01, 2014 1:58 PM
To: Rios, Jacqueline; Josilo, Michelle; Anderson, Kate
Cc: Janice Brogle; Susan Rosenwinkel; 'Murphy,Jim'; Rich Paull
Subject: FW: Bayonne Dry Dock - DSW Permit
Attachments: Proposed Final Bayonne Dry Dock.pdf

Jacqueline

As requested – attached is the Final Bayonne Dry Dock DSW portion NJPDES permit, modified as per our discussions. As you know, this permit regulates a single sump pump discharge of approximately 50,000 gallons per day - the stormwater aspects will be covered under a separate permit.

The agreed upon changes and clarifications are itemized in an attachment to the cover letter. We also reached out to our enforcement colleagues and requested they send a copy of the Administrative Order to you upon issuance.

We intend to sign and issue this permit on Wednesday, July 9th. Please advise if you would like any other specific changes.

While we are limited by our regulations in the scope of changes that we can make in a final permit (as compared to the draft permit), we did review the sample permits from California that you had provided. Our assessment is that these permit scenarios are very different from Bayonne Dry Dock. For example, the San Francisco Bay permit is a floating and graving dry dock facility as opposed to Bayonne Dry Dock which is on actual land with the potential for a treatment system to be utilized.

Excerpts from the San Francisco Bay permit are as follows:

"I. SCOPE OF GENERAL PERMIT
Facilities that qualify for coverage under this Order include floating and graving dry dock facilities located within the San Francisco Bay Region. This includes all parts of the San Francisco Bay, San Pablo Bay, Suisun Bay, and parts of the Sacramento and San Joaquin River Delta, hereafter described as San Francisco Bay. These dry docks are used for repairing, constructing, and dismantling marine vessels. This Order covers discharges of water that wash over the dry docks decks after cleaning when the dry docks are submerged or flooded. It also covers non-contact cooling water from ships awaiting maintenance in the dry docks, integral ballast water discharged from floating dry docks, salt water fire suppression water, and stormwater after dry dock decks are cleaned. This Order does not cover sanitary (sewage) wastewaters, process wastewaters used in ship dismantling operations, seepage water from graving dry dock walls, seepage water from graving dry dock caissons, ballast water from vessels in dry dock, or stormwater runoff from dry dock surfaces prior to cleaning."

"H. Discharge of any power washing or pressure washing water, boiler drainage, or any process water used or accumulated in the dry dock area is prohibited.

G. Discharge of seepage water in graving dry docks from the dry dock walls or caisson, or stormwater runoff from the surface of dry docks when a vessel is being processed, is prohibited."

In contrast, the Bayonne Dry Dock permit allows for treatment of pressure washing waters, seepage etc. with the expectation that this water will be treated to meet the effluent limits. As you know, the stormwater permit tends to focus more on BMPs rather than effluent limits and we will pass this language onto our stormwater group for consideration as they draft their separate NJPDES permit for stormwater discharges.

Similarly, the San Diego facility discharges all of its toxics wastes from drydock operations to the Metropolitan Sanitary Sewer System and are therefore prohibited from being discharged to the bay. The only discharges allowed to the Bay includes fire protection water, non-contact cooling water, floating drydock ballast tank water and floating drydock submergence/emergence water.

Josilo, Michelle

From: Rios, Jacqueline
Sent: Wednesday, July 02, 2014 12:37 PM
To: Pilar Patterson; Anderson, Kate
Cc: Janice Brogle; Susan Rosenwinkel; 'Murphy,Jim'; Rich Paull; Josilo, Michelle; McEathron, Kimberly
Subject: RE: Bayonne Dry Dock - DSW Permit

Pilar,

Thank you for addressing many of our concerns by including semi-annual WET testing, requiring EPA Method 1631E for mercury monitoring, requiring the outfall tag, and prohibiting the attainment of limits by dilution.

The language in Part III concerning the requirements in the Part III comment section still include language that is vague and may not be enforceable. Based on the site visit by Kim McEathron of our enforcement and compliance assistance division, I still have the following comments/concerns:

- On page 18 of Part III it states that "The drydock shall be cleaned of all residuals materials before discharge to DSN 001A can occur. Specifically, all source material and residual must be removed." Based on the operations at the drydock, the drydock must also be cleaned prior to flooding with bay water.

  I propose the following language (changed language in red):

  The drydock shall be cleaned of all residuals materials before discharge to DSN 001A can occur and the drydock shall be cleaned of all residuals materials before it is filled with bay water. Specifically, all source material and residual must be removed.

- On page 18 of Part III, it goes on to state, "If a treatment system is installed, the dry dock should be pressure washed to ensure the drydock is free of all source materials before it is filled with bay water" The sentence is confusing because it lacks specificity concerning where the pressure wash water goes. Is the permittee expected to voluntarily use a treatment system? The type of treatment system needs to be specified or defined, otherwise, what is meant as "treatment system"?

  I propose the following language (changed language in red):

  If a treatment system, such as an equalization tank, filtration, screening or pH adjustment system, is installed and utilized for all effluent discharged through DSN 001A, the dry dock shall be pressure washed to ensure the drydock is free of all source materials before it is filled with bay water. The pressure washwater shall be discharged through the treatment system via DSN 001A.

I will be out of the office tomorrow and Friday, but look forward to working with you to quickly resolve the above concerns.

Jacqueline Ríos, Acting Chief
NPDES Section, Clean Water Regulatory Branch
EPA Region 2, CWD
Phone: 212-637-3859

From: Pilar Patterson [mailto:Pilar.Patterson@dep.nj.gov]
Sent: Tuesday, July 01, 2014 1:58 PM
To: Rios, Jacqueline; Josilo, Michelle; Anderson, Kate

Cc: Janice Brogle; Susan Rosenwinkel; 'Murphy,Jim'; Rich Paull
Subject: FW: Bayonne Dry Dock - DSW Permit

Jacqueline

As requested – attached is the Final Bayonne Dry Dock DSW portion NJPDES permit, modified as per our discussions. As you know, this permit regulates a single sump pump discharge of approximately 50,000 gallons per day - the stormwater aspects will be covered under a separate permit.

The agreed upon changes and clarifications are itemized in an attachment to the cover letter. We also reached out to our enforcement colleagues and requested they send a copy of the Administrative Order to you upon issuance.

We intend to sign and issue this permit on Wednesday, July 9th. Please advise if you would like any other specific changes.

While we are limited by our regulations in the scope of changes that we can make in a final permit (as compared to the draft permit), we did review the sample permits from California that you had provided. Our assessment is that these permit scenarios are very different from Bayonne Dry Dock. For example, the San Francisco Bay permit is a floating and graving dry dock facility as opposed to Bayonne Dry Dock which is on actual land with the potential for a treatment system to be utilized.

Excerpts from the San Francisco Bay permit are as follows:

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In contrast, the Bayonne Dry Dock permit allows for treatment of pressure washing waters, seepage etc. with the expectation that this water will be treated to meet the effluent limits. As you know, the stormwater permit tends to focus more on BMPs rather than effluent limits and we will pass this language onto our stormwater group for consideration as they draft their separate NJPDES permit for stormwater discharges.

Similarly, the San Diego facility discharges all of its toxics wastes from drydock operations to the Metropolitan Sanitary Sewer System and are therefore prohibited from being discharged to the bay. The only discharges allowed to the Bay includes fire protection water, non-contact cooling water, floating drydock ballast tank water and floating drydock submergence/emergence water.

Josilo, Michelle

From: Pilar Patterson <Pilar.Patterson@dep.nj.gov>
Sent: Wednesday, July 02, 2014 12:41 PM
To: Rios, Jacqueline; Anderson, Kate
Cc: Janice Brogle; Susan Rosenwinkel; 'Murphy,Jim'; Rich Paull; Josilo, Michelle; McEathron, Kimberly
Subject: RE: Bayonne Dry Dock - DSW Permit

Hi Jacqueline
Thanks for the quick response. We will incorporate your suggested language and proceed with permit issuance.
Happy Holiday Weekend!
Pilar

From: Rios, Jacqueline [mailto:Rios.Jacqueline@epa.gov]
Sent: Wednesday, July 02, 2014 12:37 PM
To: Pilar Patterson; Anderson, Kate
Cc: Janice Brogle; Susan Rosenwinkel; 'Murphy,Jim'; Rich Paull; Josilo, Michelle; McEathron, Kimberly
Subject: RE: Bayonne Dry Dock - DSW Permit

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EPA Region 2, CWD
Phone: 212-637-3859

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Sent: Tuesday, July 01, 2014 1:58 PM
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