

October 10, 2006

**EPA Standard Ocean Disposal Conditions for the  
San Francisco Deep Ocean Disposal Site**

For enhanced clarity and understanding, the following updated Special Conditions combine and re-number many of the previously-published special conditions for SF-DODS. Note that the substantive provisions of EPA's 1999 rule (64 FR 141, pages 39927-39934), and EPA's most recent SMMP Implementation Manual for SF-DODS must be incorporated by reference as part of the project authorization/contract, except as the following specific provisions update them. Also note that the term "permit" as used here applies both to USACE ocean dumping permits issued under Section 103 of the MPRSA, and to contracts or other authorizations for USACE dredging projects.

**Generic Ocean Disposal Special Conditions for use of the San Francisco Deep Ocean Disposal Site (SF-DODS)**

**(Update, includes modifications to Conditions 6, 7, 11, and 12)**

1. Dredged material shall not be leaked or spilled from disposal vessels during transit to the SF-DODS. Transportation of dredged material to the SF-DODS shall only be allowed when weather and sea state conditions will not interfere with safe transportation and will not create risk of spillage, leak or other loss of dredged material in transit to the SF-DODS. No disposal vessel trips shall be initiated when the National Weather Service has issued a gale warning for local waters during the time period necessary to complete dumping operations, or when wave heights are 16 feet or greater. The permittee must consult the most current version of the SMMP Implementation Manual for additional restrictions and/or clarifications regarding other sea state parameters, including but not limited to wave period.
2. Vessels used for dredged material transportation and disposal must not be loaded beyond a level at which dredged material would be expected to be spilled in transit under anticipated sea state conditions, and in no case may disposal vessels be filled to more than 80 percent of the vessel's maximum bin or hopper volume. Before any disposal vessel departs for the SF-DODS, an independent quality control inspector ("*Independent*" means not a direct employee of the permittee or dredging contractor) must certify in writing that the vessel is not over-loaded, and otherwise meets the conditions and requirements of a Scow Certification Checklist that contains all of the substantive elements found in the example contained in the most current SMMP Implementation Manual. EPA and USACE must approve the permittees' proposed Scow Certification Checklist prior to the commencement of ocean disposal operations. No ocean disposal trip may be initiated until both the vessel captain and the independent inspector have signed all relevant entries on the Scow Certification Checklist.
3. Disposal vessels in transit to and from the SF-DODS must remain at least three nautical miles from the Farallon Islands whenever possible. Closer approaches should occur only where the designated vessel traffic lane enters the 3-mile limit. In

no case should disposal vessels leave the designated vessel traffic lane within the 3-mile limit, or transit north of a line extending westward from the termination of the designated vessel traffic lane while within the 3-mile limit.

4. Surface Disposal Zone: When dredged material is discharged within the SF-DODS, no portion of the vessel from which the materials are to be released (e.g. hopper dredge or towed barge) may be further than 1,960 feet (600 meters) from the center of the disposal site at latitude 37°39'N; longitude 123°29'W.
5. No more than one disposal vessel may be present within the SF-DODS Surface Disposal Zone at any time.
6. The primary tracking system for recording ocean disposal operations shall be disposal vessel- (e.g., scow-) based. Disposal vessels shall use an appropriate Global Positioning System (satellite) tracking system capable of indicating and recording the position of the disposal vessel with a minimum accuracy of  $\sqrt{10}$  feet during all transportation and disposal operations. **Draft and bin sensors must be positioned near both the forward and aft ends of the disposal vessel, and calibrated to accurately record vessel draft and load level within the bin, respectively.** The primary disposal tracking system must indicate and record the **position, draft, and load level within the bin** of the disposal vessel throughout transit to the disposal site, during dumping and for at least one-half hour after disposal is complete, as well as indicate and record the time and location of the beginning and end of each disposal event. This primary disposal tracking system must indicate and automatically record the **position, draft and load level within the bin** of the disposal vessel at a maximum 5-minute interval while outside the SF-DODS disposal site boundary, and at a maximum 15-second interval while inside the SF-DODS disposal site boundary.
7. Data recorded from the primary disposal tracking system must be posted by a third party contractor on a near-real time basis to a World Wide Web (Internet) site accessible by EPA Region 9, the San Francisco District USACE, and NOAA's Gulf of the Farallones National Marine Sanctuary. The Web site must be searchable by disposal trip number and date, and at a minimum for each disposal trip it must provide a visual display of: the disposal vessel transit route to SF-DODS; the beginning and ending locations of the disposal event; and the disposal vessel draft **and load level in the bin** throughout the transit. The requirement for posting this information on the Web is independent from the hard-copy reporting requirements listed in Special Condition 9, below. **The third-party system must also generate and distribute "e-mail alerts" regarding any degree of apparent dumping outside the Surface Disposal Zone of SF-DODS, and regarding any apparent substantial leakage/spillage or other loss of material en route to SF-DODS. Substantial leakage/spillage or other loss shall be defined as an apparent loss of draft of one foot or more between the time that the disposal vessel begins the trip to SF-DODS and the time of actual disposal. E-mail alerts for any disposal trip must be sent within 24 hours of the end of that trip to EPA Region 9, the San Francisco District USACE, the relevant National Marine Sanctuary if the event triggering the alert occurred within a Sanctuary boundary, and to other addressees as may be indicated by EPA or USACE on a project-specific basis.**

8. A functioning back-up navigation system, meeting the minimum accuracy requirement listed above, must also be in place on the towing vessel (tug, if any). If the primary (disposal vessel's) navigation tracking system fails during transit, the disposal trip may continue only so long as the back-up (towing vessel's) navigation and tracking system remains operational, by placing the towing vessel in such a location that, given the compass heading and tow cable length to the scow ("lay back"), the estimated scow position would be within the surface disposal zone [i.e., within 1,960 feet (600 meters) of the center of the disposal site]. In such cases the towing vessel's position, and the tow cable length and compass heading to the disposal vessel, must be recorded and reported. Further disposal operations using a disposal vessel whose navigation tracking system fails must cease until those primary capabilities are restored.
9. In addition to the requirement in Special Condition 7, above, for posting data on the Web, the permittee shall maintain daily records (using the approved Scow Certification Checklist) of: the amount of material dredged and loaded into barges for disposal; the location from which the material in each barge was dredged; the weather report for and sea-state conditions anticipated during the transit period; the time that each disposal vessel departs for, arrives at and returns from the SF-DODS; the exact location and time of each disposal; and the volume of material disposed at the SF-DODS during each disposal trip. The permittee shall also maintain, for each ocean disposal trip, both electronic data and printouts from the GPS-based primary disposal tracking system (or the backup navigation tracking system when appropriate) showing transit routes, disposal vessel draft readings, disposal coordinates, and the time and position of the disposal vessel when dumping was commenced and completed. These daily records shall be compiled at a minimum for each month during which ocean disposal operations occur, and provided in reports, certified accurate by the independent quality control inspector, to both EPA and USACE. For each ocean disposal trip, these reports shall include the electronic tracking and disposal vessel draft data on CD-ROM (or other media approved by EPA and USACE), as well as hard copy reproductions of the Scow Certification Checklists and printouts listed above. The reports shall include a cover letter describing any problems complying with the Ocean Disposal Special Conditions, the cause(s) of the problems, any steps taken to rectify the problems, and whether the problems occurred on subsequent disposal trips.
10. An independent quality control inspector ("*Independent*" means not a direct employee of the permittee or dredging contractor) shall observe all dredging operations, and inspect each disposal vessel prior to its departure for SF-DODS. The inspector shall certify (along with the disposal vessel captain) whether the specifications on the approved Scow Certification Checklist have been met. The inspector shall promptly inform the permittee whether there are any inaccuracies or discrepancies concerning this information, and shall provide a summary for the calendar month in a report to EPA and USACE by the 15<sup>th</sup> day of the following month.
11. The permittee shall report any anticipated, potential, or actual variances from

compliance with the above Ocean Disposal Special Conditions, and any additional project-specific Special Conditions, to the District Engineer and the Regional Administrator within 24 hours of discovering such a situation. If any of these compliance problems occur within the boundaries of a National Marine Sanctuary, the permittee must also report any such situation to the relevant Sanctuary office within 24 hours. **An operational “e-mail alert” system, as described in Special Condition 7 above, will be considered as fulfilling this 24-hour notification requirement.** In addition, the permittee shall prepare and submit a report of any such compliance problems, certified accurate by the independent quality control inspector, on a weekly basis by noon Monday, to the District Engineer and the Regional Administrator.

12. Within 60 days following the completion of ocean disposal operations, the permittee shall submit to the District Engineer and Regional Administrator a completion letter summarizing the total number of disposal trips and the overall **(bin and in-situ)** volume of material disposed at SF-DODS for the project, and whether any of this dredged material was excavated from outside the areas authorized for ocean disposal or was dredged deeper than authorized by the permit.