

Response to Comments

Naval Radio Station Jim Creek
NPDES Permit Number: WA0026573
April 10, 2026

Public notice for the proposed reissuance of the Naval Radio Station Jim Creek draft National Pollutant Discharge Elimination System (NPDES) Permit No. WA0026573 originally occurred from September 9, 2025 to October 9, 2025; however, due to the Federal funding lapse, a second public notice was initiated from November 20, 2025 until December 22, 2025.

During the second public comment period, the EPA received comments from the following:

- Naval Facilities Engineering Systems Command, United States Department of the Navy

This document presents the comments received and provides corresponding responses to those comments. All permit citations refer to the public notice version of the document. As a result of comments received, the following revisions were made to the permit:

Permit Section	Changes made
II.A – Visual Inspection	Visual inspection and reporting to the Washington State Department of Ecology (Ecology) was added as a result of 401 Certification conditions.
II.A – Operation and Maintenance Plan	Removal of section
II.B – Quality Assurance Plan	<ul style="list-style-type: none">• Submission date changed from 180 to 365 days• Removal of reporting to Ecology requirement
II.D – Emergency Response and Public Notification Plan	Removal of section
III.B – Reporting of Monitoring Results	<ul style="list-style-type: none">• Removal of requirement to submit Discharge Monitoring Reports (DMRs) to Ecology• Section has been updated to include clarifying language
III.H – Public Notification	Removal of section
III.I – Notice of New Introduction of Toxic Pollutants	Removal of section
IV.I – Planned Changes	Removal of requirement to submit Planned Changes to Ecology
IV.J – Anticipated Noncompliance	Removal of requirement to submit Anticipated Noncompliance to Ecology
V.C – Duty to Provide Information	Removal of requirement to provide information to Ecology
V.D – Other Information	Removal of requirement to provide other information to Ecology
V.F – Signatory Requirements	Removal of requirement to provide information to Ecology

V.H – Inspection and Entry	Removal of requirement including Ecology as an authorized representative
VI – Definitions	<ul style="list-style-type: none"> • Removal of typographical error (i.e. blank space) • Removal of definitions 18, 19, and 25

Ecology included a condition in the 401 Certification that requires the facility to conduct visual inspection and report to Ecology when/if the facility discharges. Pursuant to Clean Water Act section 401(d), the EPA included the following condition in the permit:

The permittee must visually inspect the outfall during each discharge event to Jim Creek to ensure the discharge is not causing any shearing or scouring near the Outfall 067. Observations must be reported to the Washington State Department of Ecology (Ecology) representative Steven Bucy at steven.bucy@ecy.wa.gov within 10 days of the discharge. This requirement protects the receiving water’s wildlife habitat and aesthetic value uses, which are cited as freshwater miscellaneous uses in Chapter 173-201A-200 WAC.

Permit Comments

Comment 1. General

Several sections in this permit contain requirements that are standard for domestic wastewater treatment plants or publicly owned treatment works (POTWs) servicing a municipality. The Jim Creek system is a simple once-through non-contact cooling water system and the only pollutant of concern is temperature. Furthermore, the facility has not discharged since 2016. Request that EPA remove standard requirements that are not applicable to this type of permit.

Response.

The EPA has removed two requirements that are specific to POTWs and were included in error since the Jim Creek facility is not a POTW. See Responses to Comments 4, 13, and 20.

Comment 2. Schedule of Submissions: Discharge Monitoring Reports (DMR)

The facility has not discharged since 2016. Request that the frequency of submittal for Discharge Monitoring Reports be changed from monthly to quarterly.

Response.

Since it is unknown when/if the facility will discharge during this permit term, the EPA has retained the requirement to submit monthly DMRs.

The permittee may use the applicable “no discharge reported” response in NetDMR if the facility does not discharge in a given month. No change has been made to the permit as a result of this comment.

Comment 3. Schedule of Submissions: Quality Assurance Plan (QAP)

1) Request that the requirement to develop and submit a QAP be removed from this permit. This permit is for once-through non-contact cooling water and requires only minimum monitoring for temperature and flow. Requiring the development of a QAP is excessively burdensome relative to the simplicity of the cooling system. If the requirement to develop a QAP is not removed, the Navy requests that the due date be adjusted to allow 12 months to develop the QAP.

2) As a federal facility, Jim Creek is regulated by EPA for Clean Water Act (CWA) NPDES permits and as such, the Navy should not be required to submit reports or notices to Ecology. Request that the requirement to notify Ecology be removed.

Response.

1. The EPA is retaining the requirement to develop and implement a quality assurance plan (QAP; Permit Part II.B). The development and maintenance of a QAP is not a new requirement, as it was also required under the current 2015 permit (Permit Part II.A). The reissued permit allows for the existing QAP to be modified.

The EPA has revised the permit to extend the deadline from 180 days to 365 days after the effective date of the permit to provide written notice to the EPA that the Plan has been developed and implemented.

2. The requirement to submit the QAP to Ecology was an error and has been removed from the permit.

Comment 4. Schedule of Submissions: Operation and Maintenance (O&M) Plan

1) Request that the requirement to develop and submit an O&M Plan be removed from this permit. The cooling system relies primarily on gravity flow and consists of a single above ground storage tank with limited piping and other equipment. Requiring the development of an O&M plan is excessively burdensome relative to the simplicity of the cooling system. If the requirement to develop an O&M Plan is not removed, the Navy requests that the due date be adjusted to allow 12 months to develop the O&M Plan.

2) As a federal facility, Jim Creek is regulated by EPA for CWA NPDES permits and as such, the Navy should not be required to submit reports or notices to Ecology. Request that the requirement to notify Ecology be removed.

Response.

Agreed. The EPA has removed the requirement in the permit to develop and submit an O&M. The permit retains the standard permit condition requiring proper operation and maintenance. The associated requirement to provide notice to Ecology has also been removed.

Comment 5. Schedule of Submissions: Emergency Response and Public Notification Plan

1) Request that the requirement to develop and submit an Emergency Response and Public Notification Plan be removed from this permit. This permit is for once-through non-contact cooling water and requires only minimum monitoring for temperature and flow. The only pollutant of concern in the discharge is temperature, which does not warrant the development of an Emergency Response and Public Notification Plan. Requiring the development of an Emergency Response and Public Notification Plan is excessively burdensome relative to potential of the discharge to release pollutants into the environment. If the requirement to develop an Emergency Response and Public Notification Plan is not removed, the Navy requests that the due date be adjusted to allow 12 months to develop the plan.

2) As a federal facility, Jim Creek is regulated by EPA for CWA NPDES permits and as such, the Navy should not be required to submit reports or notices to Ecology. Request that the requirement to notify Ecology be removed.

Response.

Because of the nature of the discharge and the single pollutant of concern being temperature, the EPA concurs that the Emergency Response and Public Notification Plan is not applicable to the facility. Therefore, the permit has been revised to remove this requirement and the associated requirement to provide notice to Ecology regarding this provision.

Comment 6. I.B.2 – Effluent Limitations and Monitoring

The cooling water system does not include any form of treatment. Please remove the reference to 'treatment unit' in this sentence.

Response.

The phrase "treatment unit" is a generic reference to the facility's processes. The effluent monitoring location should provide a representative sample of the effluent being discharged to the receiving water. No changes have been made to the permit as a result of this comment.

Comment 7. II.A – Operation and Maintenance Plan

The permit states "the permittee must develop and implement an Operations and Maintenance (O&M) Plan for the wastewater treatment facility". This permit is for once-through non-contact cooling water and does not involve a wastewater treatment system. As detailed in the permit Fact Sheet, the cooling water system at Jim Creek consists of very limited piping, a single above-ground storage tank and simple heat exchangers. Flow is by gravity and flow rates are regulated by automatic valves. The system does not require onsite operators or any daily system intervention. There are no complex pieces of mechanical equipment. Requiring the development of an Operations and Maintenance Plan for such a simple system is excessive and overly burdensome. Request EPA remove this requirement. If the requirement to develop an O&M Plan is not removed, the Navy requests that the due date be adjusted to allow 12 months to develop the O&M Plan.

Response.

See Response to Comment 4.

Comment 8. II.B – Quality Assurance Plan (QAP)

Request that the requirement to develop and submit a QAP be removed from this permit. This permit is for once-through non-contact cooling water and requires only minimum monitoring for temperature and flow. No water samples are collected and no analytical procedures are required. Temperature and flow are monitored continuously by an in-line sensors. Requiring the development of a QAP is excessively burdensome relative to the simplicity of the cooling system. If the requirement to develop a QAP is not removed, the Navy requests that the due date be adjusted to allow 12 months to develop the QAP.

Response.

See Response to Comment 3.

Comment 9. II.C Emergency Response and Public Notification Plan

“Request that the requirement to develop and submit an Emergency Response and Public Notification Plan be removed from this permit. This permit is for once-through non-contact cooling water. The only pollutant of concern in the discharge is temperature, which does not warrant the development of an Emergency Response and Public Notification Plan. Furthermore, the facility is a military installation owned and operated by the United States Navy and is located in a restricted remote area not open to the general public. There are a limited number of government personnel onsite. As such, requiring the development of an Emergency Response and Public Notification Plan is excessively burdensome relative to potential of the discharge to release pollutants into the environment. If the requirement to develop an Emergency Response and Public Notification Plan is not removed, the Navy requests that the due date be adjusted to allow 12 months to develop the plan.”

Response.

See Response to Comment 5.

Comment 10. III.B.4 and III.B.5 – Reporting of Monitoring Results

As a federal facility, Jim Creek is regulated by the EPA for CWA NPDES permits and as such, the Navy should not be required to submit reports or notices to Ecology. Request that the requirement to notify Ecology be removed.

Response.

The requirement to submit DMRs to Ecology was an error and has been removed from the permit.

Comment 11. III.B.6 – Reporting of Monitoring Results

The statement in 6) seems to contradict the statement in 1). 1) requires the use of NetDMR but 6) states that the permittee must first request permission from EPA to use NetDMR. Please clarify.

Response.

The language in the draft permit describing gaining access to NetDMR was included in error, as it pertains to new NetDMR users. Once a permittee has access to NetDMR, further permission is not needed. Permit Part III.B has been updated to clarify this. For any additional resources or assistance, see the NetDMR Help Desk at https://usepa.servicenowservices.com/oeca_icis?id=netdmr_homepage

Comment 12. III.H - Public Notification

Request that this paragraph be removed based on comments above.

Response.

Since the Emergency Response and Public Notification Plan has been removed from the permit (see Response to Comment 5), the requirement to develop a public notification plan is no longer applicable to the facility. Therefore, the permit has been revised to remove this requirement.

Comment 13. III.I. - Notice of New Introduction of Toxic Pollutants

1) As a federal facility, Jim Creek is regulated by EPA for CWA NPDES permits and as such, the Navy should not be required to submit reports or notices to Ecology. Request that the requirement to notify Ecology be removed.

2) Request EPA remove references to 'POTW'. The Jim Creek facility is not a POTW.

Response.

As noted in Response to Comment 1, the EPA concurred that the Part III.I of the draft permit (Notice of New Introduction of Toxic Pollutants) is specific to POTWs and is not applicable to this facility. As such, the EPA has removed this requirement from the permit, which also removed the requirement to provide notice to Ecology regarding this provision.

Comment 14. IV.I – Planned Changes

As a federal facility, Jim Creek is regulated by EPA for CWA NPDES permits and as such, the Navy should not be required to submit reports or notices to Ecology. Request that the requirement to notify Ecology be removed.

Response.

The requirement to provide notice to Ecology of planned changes subject to Permit Part IV.I was an error and has been removed from the permit.

Comment 15. IV.J – Anticipated Noncompliance

As a federal facility, Jim Creek is regulated by EPA for CWA NPDES permits and as such, the Navy should not be required to submit reports or notices to Ecology. Request that the requirement to notify Ecology be removed.

Response.

The requirement to provide notice to Ecology of anticipated noncompliance subject to Permit Part IV.J was an error and has been removed from the permit.

Comment 16. V.C – Duty to Provide Information

As a federal facility, Jim Creek is regulated by EPA for CWA NPDES permits and as such, the Navy should not be required to submit reports, notices or information to Ecology. Request that the references to Ecology be removed.

Response.

The requirement to provide information to Ecology subject to Permit Part V.C. was an error and has been removed from the permit.

Comment 17. V.D – Other Information

As a federal facility, Jim Creek is regulated by EPA for CWA NPDES permits and as such, the Navy should not be required to submit reports or notices to Ecology. Request that the requirement to notify Ecology be removed.

Response.

The requirement to provide information to Ecology subject to Permit Part V.D. was an error and has been removed from the permit.

Comment 18. V.F – Signatory Requirements

As a federal facility, Jim Creek is regulated by EPA for CWA NPDES permits. Please remove any reference to Ecology.

Response.

The requirement to provide information to Ecology subject to Permit Part V.F. was an error and has been removed from the permit.

Comment 19. V.H. Inspection and Entry

As a federal facility, Jim Creek is regulated by EPA for CWA NPDES permits. Please remove any reference to Ecology.

Response.

Including Ecology as an authorized representative under Permit Part V.H was an error and has been removed from the permit.

Comment 20. VI.18, VI.19 and VI.25 – Definition

Remove reference to POTW. This facility is not a POTW.

Response.

These three definitions are specific to POTWs and are not applicable to this facility. As such, the EPA has removed definitions 18, 19, and 25.

Comment 21. VI.24 – Definition

Remove #24.

Response.

This was a blank entry erroneously included and has been removed.

Fact Sheet Comments

Comment 22. V.A. – Quality Assurance Plan

Request that the requirement to develop and submit a QAP be removed from this permit. This permit is for once-through non-contact cooling water and requires only minimum monitoring for temperature and flow. No water samples are collected and no analytical procedures are required. Temperature and flow are monitored continuously by in-line sensors. Requiring the development of a QAP is excessively burdensome relative to the simplicity of the cooling system. If the requirement to develop a QAP is not removed, the Navy requests that the due date be adjusted to allow 12 months to develop the QAP.

Response.

See Response to Comment 3.

Comment 23. V.B. - Operation and Maintenance Plan

Request that the requirement to develop and submit an O&M Plan be removed from this permit. The cooling system relies primarily on gravity flow and consists of a single above ground storage tank with limited piping and other equipment. Requiring the development of an O&M plan is excessively burdensome relative to the simplicity of the cooling system. If the requirement to develop an O&M Plan is not removed, the Navy requests that the due date be adjusted to allow 12 months to develop the O&M Plan.

Response.

See Response to Comment 4.