APPENDIX SURGE PROVISION

Special Condition

Note: Naval Station, Jacksonville has requested that a surge provision (due to National Security) be placed in this permit. This provision would be in line with Title V Permits for the Department of Defense facilities in other regions. National security emergencies are actions necessary to support operation of the United States forces introduced into hostilities or introduced into situations where involvement in hostilities is indicated or a possibility, peacekeeping operations, rendering emergency humanitarian relief, actions to extinguish wildfires, immediate responses to the release or discharge of oil or hazardous material in accordance with approved Spill Prevention and Response Plans and Spill Contingency Plans, and responses to natural disasters such as hurricanes, earthquakes or civil disturbances.

When a national security emergency occurs, the resulting surge conditions shall not be considered in determining compliance with permit terms. [40 CFR Part 70.6]

a. For purposes of this condition, a "national security emergency " means a situation where extremely quick action on the part of a Military Department, Department of Defense or Homeland Security component is needed and when timing of such action may make it impracticable to meet one or more requirements of an applicable permit.

A "surge condition" occurs when the temporary response to the national security emergency requires an increase above and beyond the normal operation levels of the installation or activity, and, such increase cannot be accommodated with the terms of the applicable permit limitations.

The commander of Naval Station, Jacksonville shall determine when a national security emergency surge condition exists and shall provide notice of the surge condition to the Florida Department of Environmental Protection (FDEP) and to Region 4 of the United States Environmental Protection Agency (USEPA) and shall report such determination to their chain of command in writing, within five working days after the start of the surge conditions [40 CFR Part 70.6].

The commander of Naval Station, Jacksonville shall make a determination that a national security emergency surge condition exists only after making reasonable efforts to accommodate the increase within the allowable requirements and permit limits [40 CFR Part 70.6].

If the national security emergency surge condition extends beyond 30 calendar days from the date of the notice, the continued use of this national security emergency provision must be approved by the responsible Assistant Secretary of the Navy for Installations and Environment [40 CFRR Part 70.6].

Within 45 working days after the emergency surge condition has ended, the commander of Naval Station, Mayport shall provide a written report to the FDEP, USEPA Region 4 and Assistant Secretary of the Navy for Installation and Environment, describing the amount of increased pollutants caused by the surge condition [40 CFR Part 70.6].