



Media Release

San Diego Water Board Concludes Border Wastewater Treatment Plant Lawsuit

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Today, the San Diego Regional Water Quality Control Board (San Diego Water Board) agreed that long-standing litigation over compliance with federal Clean Water Act secondary treatment requirements at the United States International Boundary and Water Commission (USIBWC) International Wastewater Treatment Plant (IWTP) should be concluded based on evidence showing year-to-year water quality improvements at the IWTP.

The United States District Court for the Southern District heard from the San Diego Water Board today that USIBWC has complied with the Court's 2004 judgment in the matter of *People of the State of California ex rel. Regional Water Quality Control Board, San Diego Region v. Edward Drusina, Commissioner of the International Boundary and Water Commission, United States Section (Case No. 01 CV 0270 BTM (CAB).)* Water monitoring reports indicate that IWTP's discharge has greatly improved and indicates the facility is substantially in compliance in key areas of concern. In addition, the facility has retained a wastewater treatment plant consultant that has helped the facility achieve necessary certification and has made operational recommendations to help the IWTP maintain the improvements.

"Consistent discharge and water quality improvements from the USIBWC wastewater treatment plant during the past three years led to the Board's decision to conclude this litigation," said San Diego Water Board Executive Officer David Gibson. "The facility operators have acknowledged past performance problems, upgraded and improved operations to the facility at secondary treatment standards to protect the waters in the Tijuana River Valley, Estuary, and in the ocean off Imperial Beach."

Background:

The San Diego Water Board sued the USIBWC in 2001 over failure to comply with secondary treatment requirements in its 1996 NPDES permit for its discharges to the Pacific Ocean from the IWTP that USIBWC operates in San Diego. The IWTP is located between the Tijuana River and the international border at 2995 Clearwater Way in the City of San Diego. The compliance judgment and ongoing litigation stretches back nearly a decade to the United States District Court's December 6, 2004, Final Judgment Setting Compliance Schedule which required the IWTP to meet federal and state requirements for secondary treatment standards. Since that time, the facility has struggled to meet minimum compliance with the effluent standards and limitations based on secondary treatment and relating to acute and chronic



toxicity contained in that order. The Court has approved several extensions to the order, to give the facility time to meet the standards.

The San Diego Water Board is pleased with the marked progress of USIBWC in pro-actively addressing IWTP Clean Water Act compliance issues and is optimistic that the USIBWC's ongoing efforts and diligence will result in continued consistent compliance by the IWTP, Gibson added.

For more information, please visit the IBWC's website:

http://www.ibwc.state.gov/mission_operations/sbiwtp.html

To learn more about the San Diego Water Board, please visit:

<http://www.waterboards.ca.gov/sandiego/>

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