

**California Regional Water Quality Control Board  
San Diego Region**

**David Gibson, Executive Officer**



**Executive Officer's Report  
June 12, 2024**

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**The June report for the Tentative Schedule of Significant NPDES Permits, WDRs, and Actions, Agenda Items Requested by Board Members, and the attachments noted above are included at the end of this report.**

## Part A – San Diego Region Staff Activities

### 1. United States and Mexico Border Water Quality Update (Attachment A-1)

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Significant updates since May 2024 Executive Officer's Report:

- The San Diego Water Board reviewed the Tijuana River Valley Monitoring Program (TRVMP) Work Plan, submitted by the United States Section of the International Boundary and Water Commission (USIBWC), and determined it is incomplete. On May 1, 2024, the San Diego Water Board sent a comment letter to USIBWC noting the deficiencies.
- On May 22, 2024, USIBWC reported that it completed clean-up of 1,130 tons of trash from the USIBWC Flood Control Channel. The clean-up extended along the north levee from Dairy Mart Road to the lined Tijuana River channel, and included trash deposited by the Tijuana River on the West Coast Turf sod farm during a large storm event on January 22, 2024.
- Due to a damaged berm in Smuggler's Channel, polluted transboundary flows through Smuggler's Gulch that previously reached the main channel of the Tijuana River are now flowing and pooling onto private property and County of San Diego property, including the Tijuana River Valley Regional Park Campground. The County of San Diego has closed the campground to the public and has limited employee presence to not exceed one hour a day due to health risks.
- On May 28, 2024, USIBWC reported that 11.5 million gallons per day (MGD) of Tijuana River main channel flows were being diverted to Punta Bandera and less than 30 MGD was crossing into the Tijuana River Valley. The Mexican section of IBWC (MxIBWC) will increase the amount diverted gradually to avoid overwhelming the conveyance system. The system has a maximum capacity of approximately 23 MGD.

#### Status of Border Infrastructure Repairs and Improvements

When operating properly, the 42-inch PB1A pipeline in the City of Tijuana conveys dry weather flows that are diverted by the Comisión Internacional de Límites y Aguas pump station (PBCILA) from crossing into the U.S. through the Tijuana River main channel. The PB1A pipeline conveys the flows to the shoreline discharge point at Punta Bandera approximately 4.2 miles south of the international border. On November 30, 2023, USIBWC reported that Mexico completed needed repairs of the PB1A pipeline.

Minute 328 of the 1944 U.S.-Mexico treaty, entitled *Utilization of the Colorado and Tijuana Rivers and of the Rio Grande*, approved in July 2022, outlines specific border pollution-related projects planned for 2022-2027 and potential projects for the unspecified future. Minute 328 projects in progress include expanding the SBIWTP, replacing the San Antonio de los Buenos Wastewater Treatment Plant (SABWTP), repairing the International Collector, repairing Los

Laureles Pump Station 1, repairing the PB1 pump station, and installing back-up power supply for PB1 in the U.S.

USIBWC is accepting technical and cost proposals from three qualified bidders until June 11, 2024, and will select one in August 2024 as USIBWC's design-build contractor for the SBIWTP rehabilitation and expansion project. Construction is expected to start within one year of the contract award. The rehabilitation and expansion project will expand the SBIWTP average treatment capacity from 25 MGD to 50 MGD.

The SBIWTP expansion is a core project of the USIBWC and U.S. Environmental Protection Agency (USEPA) June 2023 Joint Record of Decision (ROD) for projects to reduce transboundary water pollution. The cost of the SBIWTP expansion is expected to be approximately \$610 million. In 2020, the U.S. federal government, through USEPA, committed \$300 million in the United States-Mexico-Canada Agreement (USMCA). An additional funding request of \$310 million was announced by President Biden on October 25, 2023, in response to bipartisan efforts by local representatives to increase available funding to match the expected cost of the SBIWTP expansion. If Congress authorizes and allocates the needed supplemental funding, USIBWC expects the construction to be completed in 2027.

In March 2024, Congress authorized \$156 million for USIBWC projects in the federal Fiscal Year 2024 Appropriations Bill (HR 2882). A portion of this funding will go toward the SBIWTP expansion. USIBWC and USEPA have contingency plans if the remaining funds needed are not authorized. This includes expanding primary treatment to 50 MGD in the first phase and completing the expansion for secondary when full funding is authorized and allocated.

As of January 11, 2024, the SABWTP is under construction. The project is fully funded by Mexico and will include rehabilitation of the existing plant, treatment upgrades, and possibly a 200-meter (656-foot) coastal outfall. The Mexican Secretariat of National Defense (SEDENA) is leading the construction and has completed the clean-out of one wastewater lagoon at the existing plant. Completion of the project is scheduled for September 2024. The new SABWTP will treat 18 MGD, which will reduce the volume of untreated wastewater that is currently discharged to the shoreline discharge point at Punta Bandera.

Like the SBIWTP expansion, the new SABWTP is a core project of the June 2023 ROD. To date, no funding has been identified for any of the other eight projects included in the ROD to address transboundary flows. Without full implementation of the ROD, transboundary flows of polluted water and trash are likely to continue to impact the Tijuana River Valley, Tijuana River Estuary, and coastal waters from the international border to the City of Coronado.

Repairs to the damaged 60-inch International Collector pipeline have been completed and it will be relined. The schedule to reline it is contingent upon a Mexican highway construction project, which requires sewage collection pipeline realignments.

The rehabilitation of Los Laureles Pump Station 1 is underway. When in operation, the pump station conveys sewage from Los Laureles Canyon in Tijuana to the SABWTP. Currently, the SABWTP does not provide reliable wastewater treatment and flows are discharged to the

shoreline at Punta Bandera. Until the pump station has been repaired, ongoing dry weather transboundary flows will continue to flow to Goat Canyon.

CESPT has completed the design for pump station PB1 rehabilitation and USIBWC has engaged San Diego Gas and Electric (SDG&E) on installation of back-up power supply for PB1 in the U.S. USIBWC reported that rehabilitation of PB1 will be awarded in May 2024 with construction to begin in July 2024. The project is expected to take two years.

#### Status of Compliance at the South Bay International Wastewater Treatment Plant

Average flows into the SBIWTP were approximately 20 MGD to 26 MGD in May 2024. While repairs and rehabilitation efforts described below are underway, USIBWC remains out of compliance with Order No. R9-2021-0001 as amended by Order No. R9-2023-0009, National Pollutant Discharge Elimination System No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission South Bay International Wastewater Treatment Plant Discharge to the Pacific Ocean Through the South Bay Ocean Outfall* (NPDES Permit) and Cease and Desist Order No. R9-2021-0107 as amended by Order No. R9-2021-0220, *United States Section of the International Boundary and Water Commission South Bay International Wastewater Treatment Plant Discharge to the Pacific Ocean Through the South Bay Ocean Outfall* (CDO). Violations include, but are not limited to, the following:

- Exceedances of secondary treatment effluent standards in the NPDES Permit.
- Re-submittal of self-monitoring reports (SMRs) with reporting errors.

So far, the San Diego Water Board has issued eight notices of violation (NOVs) to USIBWC. The San Diego Water Board intends to continue issuing NOVs until USIBWC has attained compliance with the secondary treatment standards in the NPDES Permit. Copies of the NOVs and exhibits are attached.

On March 29, 2024, USIBWC submitted a TRVMP Work Plan to the San Diego Water Board. The TRVMP Work Plan was due by September 29, 2021, per the NPDES Permit. The San Diego Water Board reviewed the TRVMP Work Plan and determined it is incomplete. On May 1, 2024, the San Diego Water Board sent a comment letter to USIBWC noting the deficiencies. USIBWC is required to resubmit a complete and revised TRVMP Work Plan that includes the minimum required information as described in Attachment E, Section 4.2.4 of the NPDES Permit.

The San Diego Water Board adopted Time Schedule Order No. R9-2023-0189, *United States Section of the International Boundary and Water Commission South Bay International Wastewater Treatment Plant Discharge to the Pacific Ocean Through the South Bay Ocean Outfall* (TSO) on December 18, 2023. The TSO establishes interim reporting requirements and a deadline of August 15, 2024, for return to full compliance with the NPDES Permit and CDO.

Board staff meet weekly with USIBWC to discuss the status of SBIWTP rehabilitation and canyon collector operations. Board staff regularly inspect the SBIWTP and canyon collectors. The San Diego Water Board has dedicated a full-time Water Resource Control Engineer to these efforts. On May 28, 2024, the San Diego Water Board conducted a compliance evaluation inspection (CEI) of the SBIWTP. The San Diego Water Board expects to complete the CEI report in June 2024.

The TSO requires USIBWC to present an oral update to the San Diego Water Board within approximately 180 days of the adoption of the TSO. On June 12, 2024, USIBWC Commissioner Giner provided the update in person at the San Diego Water Board meeting. Her presentation summarized USIBWC's efforts to achieve compliance with the directives in the TSO and included other updates related to water quality in the San Diego-Tijuana border region.

#### Impacts of Transboundary Flows in the Tijuana River Valley

The 2023-2024 storm season consistently contributed to large transboundary flows through the main channel of the Tijuana River as well as excess flows and sediment loading to the SBIWTP, the Goat Canyon Collector, and the Smuggler's Gulch Canyon Collector.

During the January 22, 2024 large storm event, the north levee of the USIBWC Flood Control Channel was breached. The Tijuana River deposited significant amounts of trash throughout the USIBWC Flood Control Channel, including the West Coast Turf sod farm. In March 2024, USIBWC initiated clean-up of trash deposited by the Tijuana River in the USIBWC Flood Control Channel prior to, during, and after the storm. On May 22, 2024, USIBWC reported that it completed clean-up of 1,130 tons of trash. The clean-up extended along the north levee from Dairy Mart Road to the lined Tijuana River channel. USIBWC also made repairs to the north levee and raised a portion of it for better containment of future flooding.

There have been continuous transboundary flows in the Tijuana River since October 11, 2023. USIBWC reported flows of less than 30 to 80 MGD in the main channel during May 2024. Once the flows reduced to manageable levels in late May, MxIBWC returned PBCILA to service for dry weather diversion of the Tijuana River. As of May 28, 2024, USIBWC reported that 11.5 MGD was being diverted and less than 30 MGD was crossing into the Tijuana River Valley. MxIBWC will increase the amount diverted gradually to avoid overwhelming the conveyance system. The system has a maximum capacity of approximately 23 MGD to pump flows from the main channel to the shoreline discharge point at Punta Bandera.

In a public comment provided at the June 12, 2024, San Diego Water Board meeting, Dr. Jeff Crooks of the Tijuana River National Estuarine Research Reserve (TRNERR) noted that the continuous presence of wastewater coupled with neap tides has resulted in low dissolved oxygen levels in the Tijuana River Estuary. Dissolved oxygen levels are recorded by TRNERR's continuous monitoring station, which has reported levels below 5 milligrams per liter and sometimes as low as zero (undetectable). Such low levels are detrimental to aquatic life. These data are available online at [www.tijuanariver.trnerr.org](http://www.tijuanariver.trnerr.org).

Although the 2023-2024 storm season is over, continuous dry weather transboundary flows reach the Goat Canyon Collector and Smuggler's Gulch Canyon Collector. The transboundary

flows and associated sediment transport burden the system but are reasonably manageable at this time. USIBWC reported that the Goat Canyon Collector was returned to service on May 22, 2024, and that it anticipated returning the Smuggler's Gulch Canyon Collector to service on May 31, 2024.

Transboundary flows through Smuggler's Gulch previously reached the main channel of the Tijuana River via Smuggler's Channel. However, winter storms damaged the berm of Smuggler's Channel, so flows of wastewater, trash, and sediment now flow onto downstream private property and County of San Diego property, including the Tijuana River Valley Regional Park Campground. Large volumes of wastewater are pooled and stagnated on these properties. As a result, the County of San Diego has closed the campground to the public and has limited employee presence at the campground to not exceed one hour a day due to health risks.

The beaches from Border Field State Park to Imperial Beach also remain closed due to the health risk from pathogens in sewage. These beaches have been closed on an ongoing basis for years and continuously since December 8, 2021.



*Figure 1: Wastewater and trash at the northwest corner of the sod farm. (MC 04/02/2024)*





*Figure 1: Trash and sediment at Smuggler's Gulch Canyon Collector. Bollards are approximately five feet in height. (Veolia 04/01/2024)*



*Figure 3: Pooled wastewater in and around the Tijuana River Valley Regional Park Campground. (City of Imperial Beach 05/07/2024)*

### Status of Repairs to the South Bay International Wastewater Treatment Plant

USIBWC is working on repairs to the SBIWTP related to deferred maintenance and damage caused by Tropical Storm Hilary in August 2023.

#### *Status of Junction Box 1 Repairs/Replacement*

When operating properly, Junction Box 1 (JB1) controls flows into the SBIWTP. USIBWC has been unable to control flows through JB1 since October 3, 2020.

JB1 has two inoperable gate valves, a 72-inch gate valve that connects to the International Collector and a 96-inch gate valve that connects to Junction Box 2. The 72-inch gate valve became inoperable on August 28, 2019. The 96-inch gate valve became inoperable on October 3, 2020. Since flows from Mexico to the SBIWTP are regulated at JB1 and the two gate valves are inoperable, USIBWC cannot regulate flows from Mexico and must accept all flows that reach JB1.

JB1 must be completely replaced. USIBWC awarded a contract to replace JB1 to Filanc, a design-build contractor, in August 2023. Filanc is in the process of designing the new junction box. USIBWC estimates that the new junction box will be installed by February 10, 2025.



Figure 2: Junction Box 1. (MC 01/10/2024)

#### *Status of Influent Pump Repairs/Replacements*

USIBWC reported that three of the six influent pumps are operational. The other three inoperable influent pumps have been removed. USIBWC received delivery of two new pumps in December 2023. USIBWC has indicated that three pumps are sufficient to meet their current needs. One pump (primary) is adequate for daily flows of 25 MGD, a second pump (peak flow pump) is on standby for peak flows, and a third pump is backup for the primary and peak flow pumps as a failsafe.



The TSO outlines tasks and interim goals related to long-term compliance with secondary effluent limitations. This includes replacement of two influent pumps by February 28, 2024. Veolia has attempted to install the pumps since January 31, 2024. Veolia has not yet been able to install them due to the build-up of sediment and rocks in the pump wet wells. Immense volumes of sediment are present in the wastewater influent from Mexico. The sediment accumulates in the wet wells of the pumps and disrupts treatment operations. USIBWC and Veolia are organizing a plan that would allow Veolia to remove the sediment and install the two influent pumps by October 2024. USIBWC aims to have all the influent pumps operational by the end of 2024.



*Figure 3: Influent pumps. (MC 04/03/2024)*



*Figure 4: Two new influent pumps on the left. Three inoperable influent pumps on the right that have been removed for replacement. (MC 01/10/2024)*



*Figure 5: Closer view of one of the new influent pumps. (USIBWC 12/13/2023)*

*Status of Grit Chamber*

Veolia completed clean-out the grit chamber on April 10, 2024. Approximately 1,000 cubic yards of grit were removed, the full capacity of the grit chamber. The grit chamber had to be cleaned out before any primary sedimentation tanks (PSTs) could be returned to service.

*Status of Primary Sedimentation Tank Cleaning and Repairs*

The primary treatment system at the SBIWTP includes five PSTs. Currently, PST Nos. 1-4 are not operational. USIBWC returned PST No. 5 to service on April 15, 2024.

USIBWC is in the process of rehabilitating PST No. 1 (draining, cleaning, and replacing the chain, flights, and other equipment) and will then rehabilitate PST Nos. 2, 3, and 4.

USIBWC expects to have PST Nos. 1 and 2 in service in July 2024, and all PSTs in service by December 2024. USIBWC states that consistent operation of three PSTs will allow the SBIWTP to achieve secondary treatment standards contingent upon the SBIWTP receiving reasonable flows despite JB1 not being operational until 2025.



*Figure 6: Rehabilitated PST No. 5. in service (USIBWC 04/17/2024)*





*Figure 7: Skimmer trough at PST No. 5. prior to resuming service (MC 01/10/2024)*





*Figure 8: One of four inoperable PSTs. (MC 04/02/2024)*

#### *Status of Secondary Treatment Repairs and Replacement*

The secondary treatment system at the SBIWTP includes seven aeration tanks and 13 secondary settling tanks. In 2024, USIBWC will replace pumps, motors, mixers, waste activated sludge pumps, and non-potable pumps in the secondary treatment part of its capital improvements project package referred to as the “pumps and motors package.”

Once at least three PSTs are operational and the average flow rate consistently remains below 25 MGD, USIBWC and Veolia expect the SBIWTP to be able to achieve compliance with secondary treatment requirements, with a trend towards compliance within the first month. Veolia expects the effluent from the primary treatment system not to overload the secondary treatment system, resulting in total suspended solids (TSS) results dropping from 300 mg/L to below 100 mg/L.



Figure 9: Secondary mixing tank. (MC 01/10/2024)



Figure 10: Secondary settling tank. (MC 01/10/2024)

**Status of Canyon Collector Pump Stations**

There are two canyon collector pump stations: Goat Canyon Pump Station and Hollister Pump Station. Both are operational.



The Goat Canyon Pump Station has four pumps, three of which are operational. The Goat Canyon Pump Station moves flows from the Goat Canyon Collector to the Hollister Pump Station. All four pumps at the Goat Canyon Pump Station need to be replaced. USIBWC expects to award a contract to replace the pumps sometime before September 30, 2024.

The Hollister Pump Station moves flows from the Smuggler's Gulch Canyon Collector and from the Goat Canyon Pump Station to the SBIWTP. The Hollister Pump Station has four pumps, three of which are operational. Two of the pumps were replaced with new pumps in 2023, and the other two will be replaced in 2024.

During the wet weather season, excessive sediment was transported by transboundary flows to Smuggler's Gulch due to a large highway construction project in Matadero Canyon. This severely impeded the operation of the Smuggler's Gulch Canyon Collector and the pumps at the Hollister Pump Station.



*Figure 11: Mexican construction project in Matadero Canyon. (MC 01/10/2024)*

#### Status of State of California Projects to Mitigate Transboundary Pollution

Three projects in the Tijuana River Valley were funded by Senate Bill 170 through the State Water Resources Control Board Division of Financial Assistance:

- Tijuana River Flood Control Trash Control Structure (\$4.73 million – Rural Community Assistance Center)
- Smuggler's Gulch Dredging Project (\$4.25 million – County of San Diego)
- Tijuana River Valley Hydrology and Habitat Restoration (\$2 million – County of San Diego)

Each of the three projects are deeply rooted in the 13 years of coordinated federal, State of California, local agency, and non-governmental organization efforts in the Tijuana River Valley Recovery Team to restore and protect water quality. They were originally proposed in the 2012 *Tijuana River Valley Recovery Strategy: Living with the Water* and refined and analyzed in the 2020 *Tijuana River Needs and Opportunities Assessment Report*.

The Tijuana River trash control project involves the design, construction, operation, and maintenance of a floating trash boom system for one storm season in the main channel of the river, immediately downstream of the international border. The Rural Community Assistance Center and its project team are in the process of designing the trash boom system and obtaining environmental permits for installation. The Rural Community Assistance Center expects to complete installation in October 2024. This is a demonstration project. The information gathered will be used to develop permanent trash control infrastructure.

The Smuggler's Gulch dredging project will remove up to 30,000 cubic yards of accumulated sediment, trash, and debris in Smuggler's Gulch and the Tijuana River Pilot Channel. The accumulated sediment, trash, and debris contribute to flooding, which threatens public and private properties and critical habitats. In March 2024, the County of San Diego initiated trash and sediment removal activities, which are ongoing. Current efforts are focused on Smuggler's Gulch, north of Monument Road. The dredging is necessary prior to installation of permanent sediment and trash capture infrastructure at Smuggler's Gulch, which will be funded by a separate grant. The project will be completed by fall 2025.

The Tijuana River Valley habitat and hydrology restoration project will remediate a contaminated seven-acre property adjacent to the Tijuana River and restore it to native upland coastal sage scrub habitat. In January 2024, the County of San Diego started preparing the site for the upcoming demolition and removal of on-site structures containing hazardous materials, such as asbestos and lead. Demolition of on-site structures is complete. Site preparation, debris removal, and irrigation is now underway. The project will be completed by fall 2025.

#### Status of Advance Restoration Plan

The San Diego Water Board developed the draft *Lower Tijuana River Indicator Bacteria and Trash Advance Restoration Plan for Total Maximum Daily Loads* (draft ARP) to address water quality impairments through an implementation plan with actions to restore and maintain water quality standards. The draft ARP was initially drafted as a total maximum daily load (TMDL) pollution control plan. Waters with an ARP remain on the Clean Water Act Section 303(d) List of Water Quality Limited Segments (303(d) List) until requirements to remove the 303(d) listing are met. If the lower Tijuana River remains on the 303(d) List due to indicator bacteria and



trash despite implementation of the ARP, the San Diego Water Board will adopt TMDLs as an amendment to the *Water Quality Control Plan for the San Diego Basin (9)*.

The San Diego Water Board posted the draft ARP on its website for public review and comment on January 10, 2024, and accepted written comments until March 13, 2024. The San Diego Water Board hosted an in-person public workshop and a separate virtual public workshop on February 26 and 28, 2024, respectively. The purpose of the public workshops was for the San Diego Water Board to (1) provide an overview of the draft ARP; (2) receive verbal comments from interested parties on the draft ARP; and (3) in accordance with Assembly Bill 2108, receive verbal comments on any concerns related to environmental justice or potential impacts on water quality for disadvantaged communities and/or Native American Tribes due to the draft ARP's future implementation.

The San Diego Water Board received written comments on the draft ARP from the Mayor of Imperial Beach, San Diego Coastkeeper, and Phase I municipal separate storm sewer systems (MS4) Copermittees of the Tijuana River Watershed Management Area.

San Diego Water Board staff will present the ARP to the San Diego Water Board to consider adoption in 2024. The ARP implementation plan proposes a memorandum of understanding between the San Diego Water Board, USIBWC, USEPA, and possibly the Department of Homeland Security to establish agreements, roles, and responsibilities to control transboundary sources of pollution within specified timeframes, respective jurisdictions, and respective funding allocations.

#### Minute 320<sup>1</sup>

In March 2024, the executive-level Minute 320 Binational Core Group met to review the proposed projects for further development in both countries to address sediment, trash, and water quality, select priorities, discuss project workgroups to advance technical work and financing, and submit invitations to proposed binational workgroup chair and co-chair candidates. In May 2024, the Minute 320 binational workgroups met to discuss the status of projects and initiatives that are under development, establish a framework to monitor progress and impacts of proposed projects and initiatives, and establish a process for retaining information and coordinating monitoring efforts.

## **Part B – Significant Regional Water Quality Issues**

### **1. Cannabis Cultivation Program Update**

The South Coast Cannabis Program Unit (Cannabis Unit) is based in Riverside at the Santa Ana Water Board offices and serves the Santa Ana, San Diego, and Los Angeles Regional Water Boards. The mission of the Cannabis Unit is to implement the State Water Boards' Cannabis Cultivation Program (Cannabis Program) by enrolling and regulating permitted and

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<sup>1</sup> Minute 320 of the 1944 U.S.-Mexico treaty, entitled *Utilization of the Colorado and Tijuana Rivers and of the Rio Grande*, establishes a framework of binational collaboration to address trash, sediment, and water quality issues.

licensed commercial cannabis cultivation operations, and by pursuing enforcement actions for noncompliant and/or unpermitted cannabis cultivations. This report provides an update on implementation of the Cannabis Program and summarizes the activities of the Cannabis Unit in the San Diego region since the May 10, 2023, Executive Officer's Report.<sup>2</sup>

### Background

The State Water Resources Control Board (State Water Board) adopted the *Cannabis Policy – Principles and Guidelines for Cannabis Cultivation* (Cannabis Policy)<sup>3</sup> and Order WQ-2017-0023-DWQ, *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities* (Cannabis General Order) in 2017, and amended the Cannabis Policy and Cannabis General Order in 2019 by Order WQ 2019-0001-DWQ.<sup>4</sup> The Cannabis Policy and Cannabis General Order established requirements for the diversion and use of water, land disturbances, and discharges of waste related to cannabis cultivation. These requirements are intended to minimize the negative effects of cannabis cultivation activities on fisheries, wildlife, and water quality; maintain healthy riparian corridors; and protect springs, wetlands, and aquatic habitat. A Notice of Applicability (NOA) with either General Waste Discharge Requirements (WDRs) or a Waiver of WDRs (Conditional Waiver) serves as proof of enrollment and coverage under the Cannabis General Order.

### Statewide Program Changes

The State Water Board adopted an update to the Cannabis General Order on November 7, 2023,<sup>5</sup> (WQ 2023-0102-DWQ), which made the following changes:

- The Conditional Waiver, set to expire on February 5, 2024, was renewed for an additional five years in accordance with Water Code section 13269; and
- Non-substantive changes to language to align with updated legislation and agency names, including the consolidation of the Bureau of Cannabis Control, the CalCannabis Cultivation Licensing Division, and the Manufactured Cannabis Safety Branch to the California Department of Cannabis Control in 2021.

State Water Board staff anticipates major updates to the Cannabis Policy in late 2025 or early 2026. State Water Board staff also intend to update the Cannabis General Order at that time to ensure it aligns with applicable changes to the Cannabis Policy.

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<sup>2</sup>[https://www.waterboards.ca.gov/sandiego/publications\\_forms/publications/docs/executive\\_officer\\_reports/2023/eor\\_05\\_10\\_2023.pdf](https://www.waterboards.ca.gov/sandiego/publications_forms/publications/docs/executive_officer_reports/2023/eor_05_10_2023.pdf)

<sup>3</sup>[https://www.waterboards.ca.gov/water\\_issues/programs/cannabis/docs/policy/final\\_cannabis\\_policy\\_with\\_attach\\_a.pdf](https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attach_a.pdf)

<sup>4</sup>[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2019/wqo2019\\_0001\\_dwq.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_0001_dwq.pdf)

<sup>5</sup>[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2023/wqo2023-0102-dwq.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2023/wqo2023-0102-dwq.pdf)

The State Water Board posted a public notice for renewal of the Cannabis General Water Quality Certification on its website<sup>6</sup> on January 10, 2024. State Water Board staff did not receive any applications for a Cannabis General Water Quality Certification in the Santa Ana, San Diego, or Los Angeles regions.

### Cannabis Unit Changes

No changes to Cannabis Unit staffing occurred since the May 10, 2023, Executive Officer Summary Report. The Cannabis Unit is supported by three staff: Maher Zaher, Water Resources Control Engineer, Victor Gonzalez, Engineering Geologist, and Brian Covellone, Senior Engineering Geologist.

### Enrollment

The Cannabis Unit received 941 applications from potential commercial cannabis cultivators for coverage in the Cannabis General Order since the establishment of the Cannabis Program. The Cannabis Unit issued Notices of Applicability (NOA)<sup>7</sup> to 817 commercial cannabis cultivators, of which 650 remain currently enrolled in the Cannabis General Order. The Cannabis Unit has 48 open applications pending submittal of the application fee to complete the enrollment process. The remaining 243 non-active applications were either withdrawn or the Cannabis Unit terminated their enrollment in the Cannabis General Order.

The State Water Board administratively terminated enrollees statewide on December 15, 2023, that were delinquent on annual fee payments for two or more consecutive years. This action resulted in 120 enrollees administratively terminated in the South Coast Region: 8 in the San Diego Region, 6 in the Santa Ana Region, and 106 in the Los Angeles Region.

Table 1 summarizes the enrollment in the Cannabis General Order for the San Diego, Santa Ana, and Los Angeles Regions.

- ***San Diego Region:*** The Cannabis Unit received one new application in the San Diego Region since May 10, 2023, and issued the NOA on December 19, 2023. In total, the Cannabis Unit issued 36 NOAs to commercial cannabis cultivators in the San Diego Region, of which 23 remain actively enrolled in the Cannabis General Order. The applicants in the San Diego Region are primarily located in the cities of San Diego, La Mesa, Oceanside, and Santa Ysabel.

All but one enrollee in the San Diego Region are indoor cultivations and issued an NOA – Conditional Waiver of WDRs pursuant to the Cannabis General Order, with the exception being a Tier 1<sup>8</sup> outdoor cultivation in Escondido.

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<sup>6</sup> [https://www.waterboards.ca.gov/water\\_issues/programs/cannabis/docs/final-cannabis-general-wqc-notice.pdf](https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/final-cannabis-general-wqc-notice.pdf)

<sup>7</sup> A NOA with either General Waste Discharge Requirements (WDRs) or a Waiver of WDRs serves as proof of enrollment and coverage under the Cannabis General Order.

<sup>8</sup> Tier 1 – equal to or greater than 2,000 square feet and less than 1-acre (43,560 square feet) of disturbed area.

Currently, San Diego County does not permit commercial cannabis cultivation in the unincorporated areas. In January 2021, the San Diego County Board of Supervisors began the process to amend the County Zoning Ordinance to allow for commercial cannabis cultivation, among other cannabis related uses, and develop a new Socially Equitable Cannabis Permitting Program.<sup>9</sup> The current Program schedule targets releasing an Environmental Impact Report by Spring 2025.

- *Santa Ana Region*: The Cannabis Unit received nine new applications in the Santa Ana Region since May 10, 2023, and issued six new NOAs and reissued three NOAs to commercial cannabis cultivators. In total, the Cannabis Unit issued 119 NOAs to commercial cannabis cultivators in the Santa Ana Region, of which 103 remain actively enrolled in the Cannabis General Order. The applicants in the Santa Ana Region are primarily located in the cities of Jurupa Valley, Lake Elsinore, Moreno Valley, Perris, San Jacinto, and Santa Ana.

The Cannabis Unit issued an NOA – Conditional Waiver of WDRs to 83 of the 103 commercial cannabis cultivations in the Santa Ana Region because they qualify as indoor cultivations. Indoor cultivations are primarily located in Santa Ana, Perris, Lake Elsinore, Jurupa Valley, Moreno Valley, San Bernardino, and San Jacinto.

The Cannabis Unit issued an NOA with WDRs to the remaining 20 commercial cannabis cultivations because they qualify as Tier 1 and Tier 2<sup>10</sup> outdoor cultivations. The Tier 1 and Tier 2 outdoor cultivations are located in San Jacinto.

- *Los Angeles Region*: The Los Angeles Region hosts the largest number of commercial cannabis cultivators amongst the three South Coast Regional Boards, which is attributed to the large number of indoor cultivation permits issued by the cities of Los Angeles and Long Beach. The Cannabis Unit received 17 new applications in the Los Angeles Region since May 10, 2023, and issued 22 new NOAs and reissued 11 NOAs to commercial cannabis cultivators in the Los Angeles Region. In total, the Cannabis Unit issued 662 NOAs to commercial cannabis cultivators in the Los Angeles Region, of which 524 remain actively enrolled in the Cannabis General Order.

Active enrollment in the Los Angeles Region consists of 516 commercial cannabis cultivations issued an NOA – Conditional Waiver of WDRs and 8 commercial cannabis cultivations issued an NOA with WDRs.

An NOA – Conditional Waiver of WDRs is primarily issued to indoor cultivations located in Los Angeles County. An NOA with WDRs is issued to Tier 1 or Tier 2 outdoor cultivations. The Tier 1 and Tier 2 outdoor cultivations are located in Ventura County.

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<sup>9</sup> <https://www.sandiegocounty.gov/content/sdc/pds/Cannabis.html>

<sup>10</sup> Tier 2 – greater than 1-acre of disturbed area



**Table 1: Cannabis General Order Enrollment Summary<sup>11</sup>**

<b>Region</b>	<b>Active Applications<sup>12, 13</sup></b>	<b>Active Enrollment</b>	<b>Non-Active Applications<sup>2</sup></b>
San Diego	29	23	20
Santa Ana	112	103	28
Los Angeles	557	524	195
<b>Totals</b>	<b>698</b>	<b>650</b>	<b>243</b>

The Cannabis Unit expects enrollments to continue to increase as authorities with existing ordinances continue to issue permits and as others draft their own cultivation ordinances and regulations, specifically in San Diego County.

#### Compliance

As part of the recommendations in the December 2020 Executive Oversight Committee's report to reduce the Cannabis Program's scope, the Cannabis Unit de-prioritized compliance assessment inspections and enforcement of permitted cultivations enrolled in the Cannabis General Order. The Cannabis Unit conducted one compliance assessment inspection in the San Diego Region in December 2023; no violations were observed. The Cannabis Unit is scheduled to conduct six compliance assessment inspections during April 2024 in the Santa Ana Region jointly with the California Department of Fish and Wildlife. The Cannabis Unit is also planning compliance assessment inspections in Ventura County for the spring/summer 2024 jointly with the California Department of Fish and Wildlife.

#### Enforcement

Persons responsible for the unauthorized discharge of waste and/or the diversion of surface water without an appropriate water right or small irrigation use permit documented by the Cannabis Unit, are in violation of the Water Code and may be subject to civil administrative enforcement. The Cannabis Unit is responsible for investigating unauthorized discharges of waste, including pesticides, nutrients, and sediment, as well as surface water diversions associated with cannabis cultivation.

The Cannabis Unit inspected 53 unpermitted cannabis cultivation sites in calendar year 2023 and documented violations of Water Code. Thirty-three of the 53 sites inspected were located in the San Diego Region, 19 were located in the Santa Ana Region, and one was located in the Los Angeles Region. The Cannabis Unit also inspected four unpermitted cannabis cultivation sites during the first quarter of calendar year 2024 and documented violations of Water Code. The Cannabis Unit conducted all of the inspections jointly with the California

<sup>11</sup> As of April 9, 2024

<sup>12</sup> Active applications include both actively enrolled issued NOAs and applications pending payment or Cannabis Unit review.

<sup>13</sup> Total applications received by the Cannabis Unit is the sum of Active and Non-Active Applications.

Department of Fish and Wildlife, the California Department of Cannabis Control, and/or local law enforcement agencies, as part of criminal search warrants.

The Cannabis Unit issued a Notice of Violation and Site Inspection Report to the landowners at all the unpermitted cannabis cultivation sites. Enforcement actions are in process for the sites that represent the greatest threat to water quality, public health, or water supply, and/or are within priority watersheds defined by the Cannabis Unit. Enforcement actions in process within the San Diego and Santa Ana regions include voluntary site assessment and/or cleanup upon receipt of a Notice of Violation, and Cleanup and Abatement Orders. Voluntary site cleanup has been initiated and/or completed at 14 sites that were issued a Notice of Violation.

Cannabis Unit staff continue to inspect unpermitted cannabis cultivations, within the parameters of the Executive Oversight Committee's recommendations, at a rate of two to four each month in the South Coast Region.

Under California law (Health and Safety Code [HSC] section 11358), unlicensed cannabis cultivation is a misdemeanor criminal offense. Various environmental violations under the Water Code and Fish and Wildlife Code are felony enhancements under HSC 11358, including Water Code section 13260 and section 13264 violations for discharge of waste without applying for the appropriate WDRs under the Cannabis Policy and Cannabis General Order. The Cannabis Unit assisted prosecution teams in San Diego and Riverside Counties with the prosecution of multiple felony cases involving defendants for cannabis cultivation related crimes involving Water Code section 13260 violations where waste was discharged to the environment. According to the San Diego Deputy District Attorney, none of these cases would have been viable as felonies if not for the Water Code violations brought about by the investigations by the Cannabis Unit. Many pending criminal cases in San Diego and Riverside counties remain that include defendants accused of illegal cannabis cultivation and environmental violations under the Water Code.

### Outreach

Cannabis Unit staff regularly participate in public outreach events, give presentations at industry group meetings and conferences, local government meetings, and regulatory conferences, in cooperation with other licensing and permitting agencies such as the Department of Cannabis Control<sup>14</sup> and the California Department of Fish and Wildlife. In addition, Cannabis Unit staff continue to actively participate in several ongoing joint-agency cooperative efforts to address unlicensed cannabis cultivation. These efforts include biweekly coordination meetings with the California Department of Fish and Wildlife, the San Diego County Environmental Protection Task Force, the San Diego Integrated Narcotics Task Force, the Riverside County Environmental Strike Force, the Riverside County Cannabis Regulatory Task Force, San Bernardino County Cannabis Roundtable, and the Orange County Strike Force.

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<sup>14</sup> The Department of Cannabis Control formed on July 1, 2021, by consolidating the Bureau of Cannabis Control within the Department of Consumer Affairs, the CalCannabis Cultivation Licensing Division of the Department of Food and Agriculture, and the Manufactured Cannabis Safety Branch of the Department of Public Health.

In April 2023, Cannabis Unit staff were invited to present two talks at the California Hazardous Materials Investigators annual conference held in Pismo Beach. Continuing efforts from last year, Cannabis Unit staff presented on enforcement of the Water Code at Prosecutions and Environmental Crimes trainings organized by the CalEPA in San Diego County on November 7, 2023 and in Ventura County on November 9, 2023. On March 19, 2024, Cannabis Unit staff presented at the 33<sup>rd</sup> Annual International Conference on Soil, Water, Energy, and Air in San Diego; this conference is attended by nearly 700 people in the environmental industry.

Cannabis Unit staff will continue to provide periodic updates to the San Diego Water Board as additional information becomes available.

## 2. Caulerpa Infestation in San Diego Bay

*Staff Contact: Jeremy Haas*

Since the highly invasive algae *Caulerpa prolifera* was found in the Coronado Cays area of San Diego Bay in September 2023, the Southern California Caulerpa Action Team (SCCAT), co-chaired by San Diego Water Board staff, has been implementing a Rapid Response and Eradication Plan. Because Caulerpa is an alga and not a plant, it has a suite of adaptive abilities and modes of reproduction that give it an advantage over native marine plants like eelgrass. Shortly after the April 2024 Executive Officer's report to the Board, additional *Caulerpa* was found outside the Coronado Cays and within the San Diego Bay National Wildlife Refuge where it has intermixed with native eelgrass beds. This is a major concern because of the extensive at-risk beds of ecologically important eelgrass within the Refuge and because the hydrodynamic and biological activity within the Bay could facilitate the spread of *Caulerpa* throughout the Bay.

In response, the SCCAT updated the *Caulerpa* Remediation Plan, the Port of San Diego (Port) extended its emergency declaration ([press release](#)), and the Port and US Fish and Wildlife Service (USFWS) quickly applied for federal and state invasive species funds to support eradication and additional surveillance within the Refuge. Existing funds from the State Water Board Cleanup and Abatement Account, which thus far have been primarily used to leverage other USFWS and Port funds to treat and inspect the *Caulerpa* infestation within the Coronado Cays, may also be used to help treat portions of *Caulerpa* within the Refuge. Information on planned remediation can be found in the Port's May 1, 2024 [CEQA determination](#).

As of May 15, 2024, *Caulerpa* was found within the Refuge in small stands spread over approximately 0.25 acres of eelgrass. The SCCAT expects additional survey dives will discover more *Caulerpa* within the Refuge and will be focusing its efforts there as the initial control activities at the Cays infestation take hold.

On May 1, 2024, Executive Officer David Gibson joined the Deputy Assistant Secretary of the Interior for Fish, Wildlife, and Parks Matt Strickler, and the Chairman of the Port of San Diego Frank Urtasun for a press conference at the site of the Coronado Cays infestation to announce funding from the USFWS Rapid Response Fund (see [State Water Board on X](#) and [USFWS on YouTube](#)). Each agency stressed the urgency of responding to the risk posed by the *Caulerpa* infestation and committed to continued support for its eradication.

While remediation and surveillance activities continue within the Refuge, all known areas of *Caulerpa* in the Coronado Cays have started remediation actions that are expected to be fatal for the *Caulerpa* within 12-18 months. State and federal remediation protocol requires confirmation dives be conducted for up to 24 months. Current funding from the State Water Board Cleanup and Abatement Account can cover roughly half of these dives.

Meanwhile, contractors to the USFWS and divers from California Department of Parks and California Department of Fish and Wildlife, with occasional assistance from San Diego Water Board staff boat captains, continue to survey adjacent portions of the Cays and the nearest sections of the San Diego Bay National Wildlife Refuge. The SCATT continues to meet at least biweekly to review the status of and address challenges facing the Remediation Plan.

The outbreak of *Caulerpa*, which is banned in California, is a major threat to wildlife beneficial uses in San Diego Bay and the associated recreational and fishing beneficial uses. For previous discussions about the *Caulerpa prolifera* outbreak in the Coronado Cays, please see the [February](#) and [April](#) 2024 Executive Officer's reports.

Staff will continue to provide periodic updates on the status of *Caulerpa* remediation. Meanwhile, the California Department of Fish and Wildlife maintains information on the SCCAT, current *Caulerpa prolifera* infestation in San Diego Bay, and the Rapid Response and Eradication Plan at [Invasive Algae – Caulerpa prolifera](#). Additional information about *Caulerpa* in California and the nation is available at [Caulerpa Species on the West Coast | NOAA Fisheries](#).

### **3. Enforcement Actions for January, February, and March 2024 (Attachment B-3)**

*Staff Contacts: Kate Buckley, Chiara Clemente*

During the months of January, February, and March 2024, the San Diego Water Board issued 1 Administrative Civil Liability Order, 2 Cleanup and Abatement Orders, 1 Cease and Desist Order, 11 Notices of Violation, and 2 Time Schedule Orders. A summary of each written enforcement action taken is provided in the attached tables. The State Water Board's [Enforcement Policy](#) contains a brief description of the types of enforcement actions the Water Boards can take.

Additional information on violations, enforcement actions, and mandatory minimum penalties is available to the public from the following on-line sources:

State Water Board Office of Enforcement webpage:  
[http://www.waterboards.ca.gov/water\\_issues/programs/enforcement/](http://www.waterboards.ca.gov/water_issues/programs/enforcement/).

California Integrated Water Quality System (CIWQS):  
[http://www.waterboards.ca.gov/water\\_issues/programs/ciwqs/publicreports.shtml](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/publicreports.shtml).

State Water Board GeoTracker database: <https://geotracker.waterboards.ca.gov/>.



#### **4. Sanitary Sewer Overflows in the San Diego Region – March 2024 (Attachment B-4)**

*Staff Contacts: James Chhor*

Sanitary sewer systems experience periodic failures resulting in sanitary sewer overflow (SSO) discharges that may affect waters of the United States and/or the State of California (State). There are many factors (including factors related to geology, design, construction methods and materials, age of the system, population growth, and system operation and maintenance), that can influence the likelihood of an SSO and the volume of the discharge. Major causes of SSOs include: grease blockages, root blockages, sewer line flood damage, manhole structure failures, vandalism, pump station failures, power outages, excessive stormwater inflow or groundwater infiltration, debris blockages, failures due to aging sanitary sewer systems, lack of proper operation and maintenance, insufficient capacity, and contractor-caused damages. Many SSOs are preventable with adequate and appropriate facilities, source control measures, and proper operation and maintenance of the sanitary sewer system.

SSO discharges from public sewage collection systems and private laterals in the San Diego Region can contain high levels of suspended solids, pathogens, toxic pollutants, nutrients, and oil and grease. SSO discharges can pollute surface and ground waters, thereby threatening public health, adversely affecting aquatic life, and impairing the recreational use and aesthetic enjoyment of surface waters. Typical impacts of SSO discharges include closure of beaches and other recreational areas, inundation of property, and pollution of rivers, estuaries, and beaches.

State agencies, municipalities, counties, districts, and other entities (collectively referred to as public entities) that own or operate sewage collection systems report SSO spills through an on-line database system, the *California Integrated Water Quality System* (CIWQS). These SSOs are required to be reported under the [Statewide General SSO Order](#),<sup>15</sup> the [San Diego Regional General SSO Order](#),<sup>16</sup> and/or individual National Pollutant Discharge Elimination System (NPDES) permit requirements. Some federal entities<sup>17</sup> report this information voluntarily. Most SSO reports are available to the public on a real-time basis at the [State Water Board Public SSO Report Database](#).

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<sup>15</sup> State Water Board Order WQ 2022-0103-DWQ, *Statewide General Waste Discharge Requirements General Order for Sanitary Sewer Systems*. State Water Board Order WQ 2022-0103-DWQ was adopted on December 9, 2022, and became effective on June 5, 2023. State Water Board Order WQ 2022-0103-DWQ supersedes Order 2006-0003-DWQ, the previous statewide waste discharge requirements for sanitary sewer systems.

<sup>16</sup> San Diego Water Board Order No. R9-2007-0005, *Waste Discharge Requirements for Sewage Collection Agencies in the San Diego Region*.

<sup>17</sup> Marine Corp Base Camp Pendleton reports sewage spills to CIWQS as required by its individual NPDES permit, Order No R9-2019-0167, NPDES Permit No. CA0109347, *Waste Discharge Requirements for the Marine Corps Base, Camp Pendleton, Southern Regional Tertiary Treatment Plant and Advanced Water Treatment Plant at Haybarn Canyon, Discharge to the Pacific Ocean through the Oceanside Ocean Outfall*. The United States Marine Corps Recruit Depot and the United States Navy voluntarily report sewage spills through CIWQS.

Details on the reported SSOs and private lateral sewage discharges (PLSDs) for March 2024 are provided in the following tables:

- Table 1: March 2024 - Summary of Public and Federal Sanitary Sewer Overflow Events
- Table 2: March 2024 - Summary of Private Lateral Sewage Discharge Events
- Table 3: March 2024 - Summary of Sewage Discharges by Source

A summary view of information on sewage spill trends from March 2023 to March 2024 are provided in the following table and figures:

- Table 4: Summary of Category 1 Spills by Agency
- Figure 1: Number of Spills per Month
- Figure 2: Volume of Public SSOs per Month
- Figure 3: Volume of Federal SSOs per Month
- Figure 4: Volume of PLSDs per Month

The Statewide General SSO Order which became effective on June 5, 2023, no longer requires agencies to submit electronic spill reports for public SSOs that are less than 50 gallons in volume that do not reach surface waters. Some agencies may still voluntarily report that information. As a result, tables 1 and 3, and figures 1 and 2 may not include information from public SSOs that are less than 50 gallons in volume that did not reach surface waters. Some agencies are still voluntarily submitting electronic spill reports for spills from private laterals less than 50 gallons in volume that do not reach surface waters.

From March 2023 to March 2024, 32 of the 68 collection systems in the San Diego Region reported one or more sewage spills; 36 collection systems did not report any sewage spills. A total of 213 sewage spills were reported with about 22,090,049 gallons of sewage reaching surface waters.

Additional information about the San Diego Water Board sewage overflow regulatory program is available on the [San Diego Water Board's SSO Website](#).

## **5. Transboundary Flows from Mexico into the San Diego Region – March 2024 (Attachment B-5)**

*Staff Contact: Melissa Corona*

Water and wastewater in the Tijuana River and from canyons located along the international border ultimately drain from the City of Tijuana, Baja California, Mexico (Tijuana) into the U.S. The water and wastewater flows are collectively referred to as transboundary flows. The U.S. Section of the International Boundary and Water Commission (USIBWC) built canyon collectors that are intended to capture dry weather transboundary flows for treatment at the South Bay International Wastewater Treatment Plant (SBIWTP) located in the U.S. near the U.S.-Mexico border. Dry weather transboundary flows that are not captured by the canyon collectors for treatment at the SBIWTP, such as flows within the main channel of the Tijuana

River,<sup>18</sup> are reported by USIBWC pursuant to [Order No. R9-2021-0001](#), the National Pollutant Discharge Elimination System (NPDES) permit for the SBIWTP discharge. These uncaptured flows can enter waters of the U.S. and/or waters of the State of California (State), potentially polluting the Tijuana River Valley and Estuary, and south San Diego beach coastal waters.

According to the 1944 *Water Treaty for the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande* and stipulations established in [IBWC Minute No. 283](#), the U.S. and Mexican sections of the International Boundary and Water Commission (IBWC) share responsibility for addressing border sanitation problems, including transboundary flows. Efforts on both sides of the border have led to the construction and ongoing operation of several pump stations and treatment plants to reduce the frequency, volume, and pollutant levels of transboundary flows. This infrastructure includes, but is not limited to, the following:

- The SBIWTP, located just north of the U.S.-Mexico border, which provides secondary treatment for a portion of the sewage from Tijuana and dry weather transboundary flows conveyed from canyon collectors located in Stewart's Drain, Silva Drain, Canyon del Sol, Smuggler's Gulch, and Goat Canyon. The treated wastewater is discharged to the Pacific Ocean through the South Bay Ocean Outfall. The discharge is regulated by USIBWC's NPDES permit, Order No. R9-2021-0001.
- Several pump stations and wastewater treatment plants (WWTPs) in Mexico, including the San Antonio de los Buenos WWTP, the La Morita WWTP, and the Arturo Herrera WWTP.
- The River Diversion Structure and Pump Station CILA in Tijuana are intended to divert dry weather transboundary flows in the main channel of the Tijuana River. The flows are diverted to a discharge point at the Pacific Ocean shoreline, approximately 4.2 miles south of the U.S.-Mexico border; or the flows can be diverted to the SBIWTP or the San Antonio de los Buenos WWTP, depending on how the Baja California water utility for the City of Tijuana (CESPT) directs the flow. The River Diversion Structure is not designed to collect wet weather river flows or any dry weather flows over 1,000 liters per second (35.3 cubic feet per second, 22.8 million gallons per day).

In March 2024, USIBWC reported one facility spill resulting in the release of 1,406 gallons at the Goat Canyon Pump Station in the Tijuana River Valley. USIBWC did not report any transboundary flows at the canyon collectors. USIBWC reported that wet and dry weather transboundary flows continue to flow through the main channel, now totaling approximately 31.3 billion gallons since the continuous flow started on October 11, 2023.

Details on transboundary flows and spills reported for March 2024 are provided in the attached table:

- Table 1: March 2024 - Summary of Transboundary Flows and Spills

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<sup>18</sup> Tijuana River transboundary flows typically consist of a mixture of groundwater, urban run-off, storm water, treated sewage wastewater, and untreated sewage wastewater from infrastructure deficiencies and other sources in Mexico.

A summary view of information on transboundary flow trends is provided in the following attached figures:

- Figure 1: Number of Transboundary Flows
- Figure 2: Tijuana River Transboundary Flow Volume
- Figure 3: Canyon Collector Transboundary Flow Volume

These figures show the number and volume of transboundary flows per month from March 2023 through March 2024. During this period, there were 27 reported transboundary flows and spills with a total volume of approximately 36 billion gallons.

## **Part C – Statewide Issues of Importance to the San Diego Region**

**No Report**

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION

Significant NPDES Permits,  
WDRs, and Actions of the  
San Diego Water Board

June 12, 2024

APPENDED TO EXECUTIVE OFFICER'S REPORT



**TENTATIVE SCHEDULE  
SIGNIFICANT NPDES PERMITS, WDRs, AND ACTIONS  
OF THE SAN DIEGO WATER BOARD**

**July 2024  
No Meeting Scheduled**

**August 14, 2024  
San Diego Water Board**

<b>Action Agenda Item</b>	<b>Action Type</b>	<b>Written Comments Due</b>
Rescission of Order No. 2001-203, Waste Discharge Requirements for Skate Ranch, Inc., Maurice Carrie Vineyard and Winery, Riverside County (Tentative Order No. R9-2024-0068). ( <i>Brandon Bushnell</i> )	Rescission of Waste Discharge Requirements	May 15, 2024
Rescission of Order No. 2001-159, Waste Discharge Requirements for Phillips B. & Carol J. Baily, Baily Vineyard and Winery, Riverside County (Tentative Order No. R9-2024-0055). ( <i>Brandon Bushnell</i> )	Rescission of Waste Discharge Requirements	April 19, 2024
Complaint No. R9-2024-0090 for Administrative Civil Liability Failure to Comply with Cleanup and Abatement and Water Code Section 13267 Order No. R9-2021-0165	Hearing	TBD
IBWC Update on SBIWTP Plant Upgrades. ( <i>Melissa Corona</i> )	Informational Item	NA
Tentative Resolution No. R9-2024-0097 Endorsing the Fiscal Year 2024-2025 Operational Plan. ( <i>David Gibson</i> )	Resolution	NA

**September 11, 2024  
San Diego Water Board**

<b>Action Agenda Item</b>	<b>Action Type</b>	<b>Written Comments Due</b>
Rescission of Order No. 93-43, Waste Discharge Requirements for Kkottongnae Inc. Kkottongnae Retreat Camp, Riverside County (Tentative Order No. R9-2024-0056). ( <i>Mahsa Izadmehr</i> )	Rescission of Waste Discharge Requirements	June 3, 2024
Annual Update on Healthy Waters Strategy for San Diego Bay. ( <i>Wayne Chiu</i> )	Informational Item	NA

**Agenda Items Requested by Board Members****March 10, 2021**

<b>Requested Agenda Item</b>	<b>Board Member</b>	<b>Status</b>
Region-wide workshop regarding the water quality issues in the Tijuana River Valley, including a discussion of water quality objectives and steps needed to achieve them.	Abarbanel	2024

**May 11, 2022**

<b>Requested Agenda Item</b>	<b>Board Member</b>	<b>Status</b>
Environmental Justice outreach event	Warren	2024

**March 8, 2023**

<b>Requested Agenda Item</b>	<b>Board Member</b>	<b>Status</b>
Update regarding the Southern California ROMS-BEC coastal water-quality model	Abarbanel	2024

**June 14, 2023**

<b>Future</b>	<b>Board Member</b>	<b>Status</b>
A tour of the Harbor Island Living Shoreline Project	Warren	June 2024

**October 11, 2023**

<b>Requested Agenda Item</b>	<b>Board Member</b>	<b>Status</b>
Look for duplicative monitoring in San Diego Bay and identify opportunities to reduce monitoring as a result of this assessment.	Warren	Ongoing

**December 13 and 18, 2023**

<b>Requested Agenda Item</b>	<b>Board Member</b>	<b>Status</b>
Information regarding the affordability and operational and capital costs of General Atomics’ Industrial Supercritical Water Oxidation (iSCWO) technology system used to treat PFAS and the energy needs associated with the system.	Warren, Olson	Completed May 2024
Updates on the status of all upgrades at the South Bay International Wastewater Treatment Plant, especially when USIBWC will not meet estimated completion dates provided in previous Executive Officer Reports	Olson	Ongoing

**February 14, 2024**

<b>Requested Agenda Item</b>	<b>Board Member</b>	<b>Status</b>
Information on waste reduction methods that could be used to limit the amount of waste generated at the fireworks shows and how much of the waste is toxic.	Strawn	Complete May 2024
Update regarding the annual homeless populations surveys that occur in many watersheds in our Region, including information regarding the water quality impacts in the areas of identified homeless populations	Strawn, Cantú	Winter 2024



## San Diego Regional Water Quality Control Board

September 5, 2023

Dr. Maria-Elena Giner, P.E.  
Commissioner  
International Boundary and Water  
Commission, United States Section  
4191 N. Mesa  
El Paso, Texas 79902  
[mariaelena.giner@ibwc.gov](mailto:mariaelena.giner@ibwc.gov)

**Sent by Email Only**

**In reply refer to:**  
**257821:VRodriguez**

**Subject: Notice of Violation No. R9-2023-0162 to the United States International Boundary and Water Commission for Violations of Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant Discharge to the Pacific Ocean through the South Bay Ocean Outfall***

Dr. Maria-Elena Giner:

As detailed in the attached Notice of Violation (NOV) No. R9-2023-0162, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) alleges that the United States International Boundary and Water Commission (USIBWC or Discharger) has violated Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant Discharge to the Pacific Ocean through the South Bay Ocean Outfall* (Order).

The San Diego Water Board appreciates USIBWC's transparency and open communication regarding the state of the South Bay International Wastewater Treatment Plant (SBIWTP). The San Diego Water Board acknowledges the operational challenges presented in treating wastewater from a collection system in Mexico outside the USIBWC's direct control or authority and appreciates the efforts to coordinate operations and improvements with agencies in Mexico through Minute 320 and Minute 328. During our meeting with USIBWC staff on August 16, 2023, the pathway to return to compliance with the Order and Cease and Desist Order R9-2021-0709 (CDO) was described in detail.

Tropical Cyclone Hilary (Hilary) brought significant inflow and infiltration with excessive sedimentation and debris into the SBIWTP. Throughout the storm itself and in the day following, USIBWC staff kept the San Diego Water Board informed regarding operations and impacts. The damage to the SBIWTP is extensive and serious throughout the

Dr. Maria-Elena Giner  
USIBWC

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September 5, 2023

treatment plant. The San Diego Water appreciates the detailed plans USIBWC shared on August 31, 2023, to make emergency repairs and restore operations.

Nonetheless, it is imperative that USIBWC take note of the secondary exceedances pre- and post-Hilary and overdue reports and continue to make every possible effort to restore the SBIWTP to operational status and compliance with the Order and CDO in the shortest possible time. It should be noted that at other, non-federal facilities, the 86 Chronic Violations and 125 Serious Violations reported would constitute 211 Minimum Mandatory Penalty Violations and would result in assessment of Administrative Civil Liabilities of \$633,000. Implementation of the plan shared on August 16, 2023, to restore compliance with the Order and CDO in the shortest possible time is a critical environmental responsibility.

Regarding the overdue submission of the Tijuana River Valley Monitoring Program Work Plan (Att. E, section 4.2.4 (pp.E-62,E-63), it has been indicated that this is planned as a binational project being developed as a Minute 320 project. In the interest of the most useful and informative monitoring and assessment of water quality in the Tijuana River watershed, please work with the Minute 320 Secretariats and Commissioner Resendez of the Comisión Internacional de Limites y Aguas (CILA, the Mexican Section of the IBWC) to expedite completion of the draft plan and a schedule for implementation to achieve compliance with the Order at the soonest date.

For questions or concerns regarding this NOV, please contact Vicente Rodriguez by phone at 619-521-3966 or by email at [Vicente.Rodriguez@waterboards.ca.gov](mailto:Vicente.Rodriguez@waterboards.ca.gov). In the subject line of any written response, please include the following: 257821:VRodriguez.

Respectfully,

David W. Gibson  
Executive Officer

Attachment: Notice of Violation (NOV) No. R9-2023-0162

Copies to:

Laurie Walsh, San Diego Water Board, [Laurie.Walsh@waterboards.ca.gov](mailto:Laurie.Walsh@waterboards.ca.gov)

Brandi Outwin-Beals, San Diego Water Board, [Brandi.Outwin-Beals@waterboards.ca.gov](mailto:Brandi.Outwin-Beals@waterboards.ca.gov)

Morgan Rogers, Commissioner, International Boundary and Water Commission, U.S. Section, [morgan.roger@ibwc.gov](mailto:morgan.roger@ibwc.gov)



Dr. Maria-Elena Giner  
USIBWC

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September 5, 2023

Tech Staff Info & Use	
Technical Information	Number
Order No.	R9-2021-0001
NPDES No.	CA0108928
CW Place ID (South Bay International WTP)	CW-257821
CW Party/Organization ID (IBWC-US & Mexico Section)	21523
CW Party/Person ID (Dr. Maria-Elena Giner)	634777
CW Regulatory Measure (Order No. R9-2021-0001)	442331
CW Regulatory Measure (NOV R9-2023-0162)	453821
WDID	9 000000732

Dr. Maria-Elena Giner  
USIBWC

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September 5, 2023

Tech Staff Info & Use (continued)	
Violation IDs	1095194, 1095195, 1095939, 1095941, 1095942, 1095943, 1098935, 1098937, 1100628, 1103622, 1103623, 1103624, 1103625, 1103626, 1103628, 1103629, 1103630, 1103631, 1103632, 1103633, 1103634, 1103635, 1103636, 1103637, 1103638, 1103943, 1103944, 1103945, 1103947, 1103948, 1103949, 1103950, 1103951, 1103952, 1103953, 1103954, 1103955, 1103956, 1103957, 1103958, 1104355, 1104356, 1104357, 1104358, 1104359, 1104360, 1104361, 1104362, 1104363, 1104364, 1104365, 1104366, 1104368, 1104369, 1105851, 1105852, 1105853, 1105854, 1105855, 1105856, 1105857, 1105858, 1105860, 1105861, 1105862, 1105863, 1105864, 1105865, 1106693, 1108811, 1108812, 1108814, 1108815, 1108816, 1108817, 1108819, 1108820, 1108821, 1108822, 1109623, 1109624, 1109625, 1109626, 1109627, 1109628, 1109630, 1109631, 1109632, 1109633, 1110722, 1110723, 1110724, 1110725, 1110726, 1110727, 1110729, 1110731, 1110732, 1110733, 1110734, 1110735, 1110736, 1111588, 1111589, 1111590, 1111591, 1111592, 1111593, 1111595, 1111597, 1111598, 1111599, 1111600, 1111601, 1112867, 1112868, 1112869, 1112870, 1112871, 1112872, 1112873, 1112874, 1112875, 1112877, 1112878, 1112879, 1112881, 1112882, 1112883, 1113382, 1114378, 1114380, 1114381, 1114382, 1114383, 1114384, 1114385, 1114386, 1114387, 1114388, 1114390, 1114391, 1114392, 1114393, 1114394, 1114947, 1114948, 1114949, 1114950, 1114951, 1114953, 1114954, 1114955, 1114956, 1114957, 1114959, 1114960, 1114961, 1114962, 1114963, 1114964, 1115867, 1115868, 1115869, 1115870, 1115871, 1115872, 1115873, 1115874, 1115875, 1115876, 1115877, 1115879, 1115880, 1117391, 1117392, 1117393, 1117394, 1117395, 1117396, 1117397, 1117398, 1117399, 1117400, 1117401, 1117402, 1117403, 1118212, 1118213, 1118215, 1118216, 1118217, 1118218, 1118219, 1118220, 1118221, 1118222, 1118223, 1118224, 1118225, 1118890, 1118892, 1118893, 1118894, 1118895, 1118896, 1118897, 1118898, 1118899, 1118900, 1118901, 1118902, 1118903, 1118904

**Notice of Violation No. R9-2023-0162****to the United States International Boundary and Water Commission for Violations of Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant, Discharge to the Pacific Ocean through the South Bay Ocean Outfall***

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) hereby issues Notice of Violation (NOV) No. R9-2023-0162 to the United States International Boundary and Water Commission (USIBWC or Discharger) for violations of Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant, Discharge to the Pacific Ocean through the South Bay Ocean Outfall* (Order). These violations are a result of the Discharger's failure to comply with the Order.

**1. Background**

The Discharger is required to maintain and operate the South Bay International Wastewater Treatment Plant (SBIWTP) in compliance with requirements contained in the Order. Consistent with the Order, the Discharger is required to submit self-monitoring reports and other technical reports. Between September 30, 2021, and June 30, 2023, the Discharger self-reported 208 violations, and the San Diego Water Board identified six missing or late reports. The Discharger reported that most of the violations were caused by the inflow of sewage from Tijuana, Mexico exceeding the design flow capacity of the SBIWTP.

**2. Summary of Alleged Violations the Order**

The Discharger is alleged to have violated the following sections of the Order:

- 2.1. Section 4 of the Order:** The Discharger is required to maintain compliance with effluent limitations in section 4.1.1.1.

**Observation:** The Discharger self-reported 208<sup>1</sup> exceedances of the effluent limitations in the California Integrated Water Quality System (CIWQS) database.

- 2.2. Section 6.3.2.1 of the Order:** The Discharger was required to submit an Updated Flow Prevention/Response Plan Section 6.3.2.1.2 by December 28, 2021.

**Observation:** This Discharger submitted the Updated Flow Prevention/Response Plan Section 6.3.2.1.2 on December 15, 2022.

- 2.3. Section 6.3.2.5.1 of the Order:** The Discharger was required to submit an Asset Management Plan by December 28, 2021.

**Observation:** This Discharger submitted the Asset Management Plan on December 5, 2022.

- 2.4. Section 6.3.3.2.5 of the Order:** The Discharger was required to submit a Pollutant Minimization Program Annual Status Report by February 1, 2022.

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<sup>1</sup> Exhibit 1, List of Violations

Notice of Violation No. R9-2023-0162 -2-  
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September 5, 2023

**Observation:** This Discharger submitted the Pollutant Minimization Program Annual Status Report on December 15, 2022.

- 2.5. Section 6.3.3.2.5 of the Order:** The Discharger was required to submit a Pollutant Minimization Program Annual Status Report by February 1, 2023.

**Observation:** This Discharger submitted the Pollutant Minimization Program Annual Status Report on February 21, 2023.

- 2.6. Attachment D, Section 1.1 of the Order:** The Discharger is required to comply with all terms, requirements, and conditions of the Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (Water Code) and is grounds for enforcement action including permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof.

**Observation:** The Discharger had 214 violations of the Order.

- 2.7. Attachment E, Section 4.2.4 of the Order:** The Discharger was required to submit a Tijuana River Valley Monitoring Plan (TRVMP) Work Plan by September 29, 2021.

**Observation:** This Discharger has not submitted the TRVMP Work Plan.

- 2.8. Attachment E, Section 3.3.6 of the Order:** The Discharger was required to submit an Initial Investigation TRE Work Plan by September 29, 2021.

**Observation:** This Discharger submitted the Initial Investigation TRE Work Plan on March 8, 2022.

### **3. Potential Enforcement Actions**

The alleged violations may potentially subject the Discharger to additional enforcement by the San Diego Water Board or the State Water Resources Control Board (State Water Board). The San Diego Water Board intends and desires to continue to engage proactively and constructively with the Discharger through judicious and progressive enforcement efforts.



**Notice of Violation R9-2023-0162**  
**Exhibit 1, List of Violations**

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
1	1095939	09/05/21 through 09/11/21	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 milliliters per liter (ml/L) with a result of 1.8 ml/L.
2	1095943	9/8/2021	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 3.4 ml/L.
3	1095941	9/9/2021	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 4 ml/L.
4	1095942	9/10/2021	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 4 ml/L.
5	1095194	09/30/21 through ongoing	Late Report	Tijuana River Valley Work Plan (Doc ID:2523482), due 09/29/2021, has not been submitted.
6	1095195	09/30/21 through 03/08/22	Late Report	Initial Investigation TRE Work Plan (Doc ID:2523481), due 09/29/2021, was submitted on 3/8/2022.
7	1098935	12/29/21 through 12/15/22	Late Report	Updated Flow Prevention/Response Plan Section 6.3.2.1.2 (Doc ID:2528203), due 12/28/2021, was submitted on 12/15/2022.
8	1098937	12/29/21 through 12/05/22	Late Report	Asset Management Plan (Doc ID:2528204), due 12/28/2021, was submitted on 12/5/2022.
9	1103943	02/01/22 through 02/28/22	CAT1	Carbonaceous Biochemical Oxygen Demand 5-day @ 20°C (CBOD) concentration exceeded the monthly average effluent limitation of 25 milligram per liter (mg/L) with a result of 55 mg/L.

**Notice of Violation R9-2023-0162**  
**Exhibit 1, List of Violations**

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
10	1103945	02/01/22 through 02/28/22	CAT1	Total Suspended Solids (TSS) percent removal did not meet the monthly average minimum requirement of 85% with a result of 63.59%.
11	1103951	02/01/22 through 02/28/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 100 mg/L.
12	1103952	02/01/22 through 02/28/22	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 pounds per day (lb/day) with a result of 14,151 lb/day.
13	1103954	02/01/22 through 02/28/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 26,591 lb/day.
14	1103955	02/01/22 through 02/28/22	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85 % with a result of 76.21 %
15	1103958	02/01/22 through 02/28/22	OEV	Settleable Solids concentration exceeded the monthly average effluent limitation of 1 ml/L with a result of 2.68 ml/L.
16	1100628	02/02/22 through 12/15/22	Late Report	Pollutant Minimization Program Annual Status Report (Doc ID:2528201), due 02/01/2022, was submitted on 12/15/2022.
17	1103948	02/13/22 through 02/19/22	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 ml/L with a result of 5.8 ml/L.
18	1103956	2/16/2022	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 40 ml/L.
19	1103944	02/20/22 through 02/26/22	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 142.09 mg/L.

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No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
20	1103947	02/20/22 through 02/26/22	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 264 mg/L.
21	1103949	02/20/22 through 02/26/22	OEV	Turbidity concentration exceeded the weekly average effluent limitation of 100 Nephelometric Turbidity Units (NTU) with a result of 169.6 NTU.
22	1103950	02/20/22 through 02/26/22	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 79,454 lb/day.
23	1103953	02/20/22 through 02/26/22	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 41,591 lb/day.
24	1103957	2/23/2022	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 800 NTU.
25	1104360	02/27/22 through 03/05/22	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 146.33 NTU.
26	1103622	03/01/22 through 03/31/22	OEV	Settleable Solids concentration exceeded the monthly average effluent limitation of 1 ml/L with a result of 1.78 ml/L.
27	1103624	03/01/22 through 03/31/22	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 57.1%.
28	1103629	03/01/22 through 03/31/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 143 mg/L.
29	1103631	03/01/22 through 03/31/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 33,887 lb/day.

**Notice of Violation R9-2023-0162****Exhibit 1, List of Violations**

<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
30	1103636	03/01/22 through 03/31/22	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 48 mg/L.
31	1103637	03/01/22 through 03/31/22	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 82.06%.
32	1103638	03/01/22 through 03/31/22	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 11,102 lb/day.
33	1103625	03/06/22 through 03/12/22	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 ml/L with a result of 1.94 ml/L.
34	1103630	03/13/22 through 03/19/22	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 40,701 lb/day.
35	1103632	03/13/22 through 03/19/22	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 194 mg/L.
36	1103634	03/13/22 through 03/19/22	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 124.19 NTU.
37	1103623	03/27/22 through 04/02/22	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 13,722 lb/day.
38	1103633	03/27/22 through 04/02/22	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 75 NTU with a result of 83.4 NTU.
39	1103635	03/27/22 through 04/02/22	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 65.29 mg/L.



**Notice of Violation R9-2023-0162****Exhibit 1, List of Violations**

<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
40	1104358	03/27/22 through 04/02/22	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 ml/L with a result of 5.51 ml/L.
41	1103626	3/29/2022	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 38 ml/L.
42	1103628	3/29/2022	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 797 NTU.
43	1104355	04/01/22 through 04/30/22	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 62.39%.
44	1104356	04/01/22 through 04/30/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 128 mg/L.
45	1104357	04/01/22 through 04/30/22	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 77.91%.
46	1104359	04/01/22 through 04/30/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 25,897 lb/day.
47	1104364	04/01/22 through 04/30/22	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 61 mg/L.
48	1104366	04/01/22 through 04/30/22	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 12,351 lb/day.
49	1104363	4/16/2022	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 5 ml/L.

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**Exhibit 1, List of Violations**

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
50	1104361	04/24/22 through 04/30/22	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 267 mg/L.
51	1104362	04/24/22 through 04/30/22	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 65,429 lb/day.
52	1104368	04/24/22 through 04/30/22	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 135.29 mg/L.
53	1104369	04/24/22 through 04/30/22	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 27,819 lb/day.
54	1104365	4/26/2022	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 227 NTU.
55	1105852	05/01/22 through 05/31/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 77 mg/L.
56	1105853	05/01/22 through 05/31/22	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 45 mg/L.
57	1105854	05/01/22 through 05/31/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 14,442 lb/day.
58	1105857	05/01/22 through 05/31/22	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 82.3%.
59	1105860	05/01/22 through 05/31/22	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 8,325 lb/day.

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**Exhibit 1, List of Violations**

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
60	1105862	05/01/22 through 05/31/22	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 76.87%.
61	1105851	05/08/22 through 05/14/22	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 ml/L with a result of 1.67 ml/L.
62	1105856	05/08/22 through 05/14/22	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 173 mg/L.
63	1105861	05/08/22 through 05/14/22	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 18,794 lb/day.
64	1105863	05/08/22 through 05/14/22	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 31,258 lb/day.
65	1105864	05/08/22 through 05/14/22	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 104 mg/L with a result of 40 mg/L.
66	1105865	05/08/22 through 05/14/22	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 113.84 NTU.
67	1105855	5/10/2022	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 286 NTU.
68	1105858	5/10/2022	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 11 ml/L.
69	1106693	06/05/22 through 06/11/22	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 45.57 mg/L.

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<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
70	1108811	08/01/22 through 08/31/22	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 32 mg/L.
71	1108814	08/01/22 through 08/31/22	OEV	Flow volume rate exceeded the monthly average effluent limitation of 25 MGD with a result of 31.31 MGD.
72	1108815	08/01/22 through 08/31/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 15,890 lb/day.
73	1108820	08/01/22 through 08/31/22	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 8,327 lb/day.
74	1108821	08/01/22 through 08/31/22	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 78.78%.
75	1108822	08/01/22 through 08/31/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 62 mg/L.
76	1108812	08/21/22 through 08/27/22	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 49.4 mg/L.
77	1108819	08/21/22 through 08/27/22	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 12,175 lb/day.
78	1108816	08/28/22 through 09/03/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 45 mg/L with a result of 82 mg/L.
79	1108817	08/28/22 through 09/03/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 9,383 lb/day with a result of 20,267 lb/day.
80	1109623	09/01/22 through 09/30/22	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 84.37%.

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<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
81	1109624	09/01/22 through 09/30/22	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 39 mg/L.
82	1109627	09/01/22 through 09/30/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 72 mg/L.
83	1109628	09/01/22 through 09/30/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 19,365 lb/day.
84	1109631	09/01/22 through 09/30/22	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 76.7%.
85	1109633	09/01/22 through 09/30/22	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 10,372 lb/day.
86	1109625	09/25/22 through 10/01/22	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 54.46 mg/L.
87	1109626	09/25/22 through 10/01/22	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 15,122 lb/day.
88	1109630	09/25/22 through 10/01/22	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 27,487 lb/day.
89	1109632	09/25/22 through 10/01/22	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 99 mg/L.
90	1110722	10/01/22 through 10/31/22	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 46 mg/L.
91	1110724	10/01/22 through 10/31/22	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 12,355 lb/day.



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<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
92	1110725	10/01/22 through 10/31/22	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 70.5%.
93	1110727	10/01/22 through 10/31/22	OEV	Flow volume rate exceeded the monthly average effluent limitation of 25 MGD with a result of 32.17 MGD.
94	1110731	10/01/22 through 10/31/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 88 mg/L.
95	1110735	10/01/22 through 10/31/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 23,519 lb/day.
96	1110736	10/01/22 through 10/31/22	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 80.46%.
97	1110723	10/30/22 through 11/05/22	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 81.81 mg/L.
98	1110729	10/30/22 through 11/05/22	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 151 mg/L.
99	1110732	10/30/22 through 11/05/22	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 21,821 lb/day.
100	1110733	10/30/22 through 11/05/22	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 40,368 lb/day.
101	1110734	10/30/22 through 11/05/22	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 104.51 NTU.
102	1111591	10/30/22 through 11/05/22	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 159 mg/L.

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<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
103	1111593	10/30/22 through 11/05/22	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 41,982 lb/day.
104	1111595	10/30/22 through 11/05/22	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 88.43 mg/L.
105	1110726	10/31/2022	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 389 NTU.
106	1111588	11/01/22 through 11/30/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 130 mg/L.
107	1111589	11/01/22 through 11/30/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 36,536 lb/day.
108	1111590	11/01/22 through 11/30/22	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 19,647 lb/day.
109	1111592	11/01/22 through 11/30/22	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 70 mg/L.
110	1111597	11/01/22 through 11/30/22	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 72.08%.
111	1111598	11/01/22 through 11/30/22	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 61.1%.
112	1111600	11/06/22 through 11/12/22	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 ml/L with a result of 2.51 ml/L.
113	1111601	11/06/22 through 11/12/22	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 23,468 lb/day.

**Notice of Violation R9-2023-0162**  
**Exhibit 1, List of Violations**

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
114	1111599	11/9/2022	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 mg/L with a result of 17 mg/L.
115	1112868	12/01/22 through 12/31/22	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 67 mg/L.
116	1112869	12/01/22 through 12/31/22	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 17,511 lb/day.
117	1112871	12/01/22 through 12/31/22	OEV	Flow volume rate exceeded the monthly average effluent limitation of 25 MGD with a result of 28.64 MGD.
118	1112877	12/01/22 through 12/31/22	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 77.07%.
119	1112878	12/01/22 through 12/31/22	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 68.06%.
120	1112879	12/01/22 through 12/31/22	OEV	Settleable Solids concentration exceeded the monthly average effluent limitation of 1 ml/L with a result of 1.39 ml/L.
121	1112882	12/01/22 through 12/31/22	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 117 mg/L.
122	1112883	12/01/22 through 12/31/22	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 31,147 lb/day.
123	1112867	12/25/22 through 12/31/22	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 31,849 lb/day.
124	1112870	12/25/22 through 12/31/22	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 121.91 mg/L.

**Notice of Violation R9-2023-0162****Exhibit 1, List of Violations**

<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
125	1112872	12/25/22 through 12/31/22	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 184 mg/L.
126	1112873	12/25/22 through 12/31/22	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 49,021 lb/day.
127	1112875	12/25/22 through 12/31/22	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 ml/L with a result of 5.8 ml/L.
128	1112874	12/28/2022	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 283 NTU.
129	1112881	12/28/2022	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 40 ml/L.
130	1114378	01/01/23 through 01/31/23	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 37 mg/L.
131	1114380	01/01/23 through 01/31/23	OEV	Flow volume rate exceeded the monthly average effluent limitation of 25 MGD with a result of 27.46 MGD.
132	1114381	01/01/23 through 01/31/23	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 75 mg/L.
133	1114382	01/01/23 through 01/31/23	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 86.86%.
134	1114386	01/01/23 through 01/31/23	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 78.31%.
135	1114387	01/01/23 through 01/31/23	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 21,856 lb/day.

**Notice of Violation R9-2023-0162****Exhibit 1, List of Violations**

<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
136	1114388	01/01/23 through 01/31/23	OEV	Settleable Solids concentration exceeded the monthly average effluent limitation of 1 ml/L with a result of 1.6 ml/L.
137	1114392	01/01/23 through 01/31/23	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 10,748 lb/day.
138	1114383	01/15/23 through 01/21/23	CAT1	TSS concentration exceeded the weekly average effluent limitation of 9,383 mg/L with a result of 39,877 mg/L.
139	1114384	01/15/23 through 01/21/23	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 ml/L with a result of 1.51 ml/L.
140	1114391	01/15/23 through 01/21/23	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 54.61 mg/L.
141	1114385	01/29/23 through 02/04/23	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 19,840 lb/day.
142	1114393	01/29/23 through 02/04/23	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 112 mg/L.
143	1114951	01/29/23 through 02/04/23	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 ml/L with a result of 3.74 ml/L.
144	1114390	1/31/2023	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 314 NTU.
145	1114394	1/31/2023	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 25 ml/L.
146	1114948	02/01/23 through 02/28/23	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 47.94%.

**Notice of Violation R9-2023-0162****Exhibit 1, List of Violations**

<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
147	1114949	02/01/23 through 02/28/23	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 39,243 lb/day.
148	1114954	02/01/23 through 02/28/23	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 146 mg/L.
149	1114959	02/01/23 through 02/28/23	OEV	Flow volume rate exceeded the monthly average effluent limitation of 25 MGD with a result of 28.83 MGD.
150	1114960	02/01/23 through 02/28/23	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 84 mg/L.
151	1114961	02/01/23 through 02/28/23	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 22,471 lb/day.
152	1114963	02/01/23 through 02/28/23	OEV	Turbidity cloudiness exceeded the monthly average effluent limitation of 75 NTU with a result of 87.99 NTU.
153	1114964	02/01/23 through 02/28/23	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 63.25%.
154	1113382	02/02/23 through 02/21/23	Late Report	Pollutant Minimization Program Annual Status Report (Doc ID:2528232), due 02/01/2023, was submitted on 2/21/23.
155	1114947	02/12/23 through 02/18/23	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 167.09 NTU.
156	1114950	02/12/23 through 02/18/23	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 242 mg/L.
157	1114953	02/12/23 through 02/18/23	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 123 mg/L.



**Notice of Violation R9-2023-0162**  
**Exhibit 1, List of Violations**

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
158	1114955	02/12/23 through 02/18/23	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 35,298 lb/day.
159	1114962	02/12/23 through 02/18/23	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 70,259 lb/day.
160	1114957	2/13/2023	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 620 NTU.
161	1114956	2/23/2023	OEV	Settleable Solids concentration exceeded the instantaneous maximum 3 ml/L with a result of 5 ml/L.
162	1115870	02/26/23 through 03/04/23	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 20,801 lb/day.
163	1115871	02/26/23 through 03/04/23	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 84.54 mg/L.
164	1115867	03/01/23 through 03/31/23	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 63 mg/L.
165	1115868	03/01/23 through 03/31/23	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 14,957 lb/day.
166	1115872	03/01/23 through 03/31/23	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 145 mg/L.
167	1115873	03/01/23 through 03/31/23	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 34,885 lb/day.
168	1115877	03/01/23 through 03/31/23	OEV	Settleable Solids concentration exceeded the monthly average effluent limitation of 1 ml/L with a result of 1.82 ml/L.

**Notice of Violation R9-2023-0162****Exhibit 1, List of Violations**

<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
169	1115879	03/01/23 through 03/31/23	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 44.17%.
170	1115869	03/05/23 through 03/11/23	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 174 mg/L.
171	1115876	03/05/23 through 03/11/23	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 47,873 lb/day.
172	1115880	3/11/2023	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 279 NTU.
173	1115874	03/12/23 through 03/18/23	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 1.5 ml/L with a result of 5.8 ml/L.
174	1115875	3/15/2023	OEV	Settleable Solids concentration exceeded the instantaneous maximum effluent limitation of 3 ml/L with a result of 40 ml/L.
175	1117403	04/01/23 through 04/30/23	OEV	Turbidity cloudiness exceeded the monthly average effluent limitation of 75 NTU with a result of 93.35 NTU.
176	1117393	04/01/23 through 04/30/23	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 198 mg/L.
177	1117395	04/01/23 through 04/30/23	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 116 mg/L.
178	1117398	04/01/23 through 04/30/23	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 34.41%.
179	1117399	04/01/23 through 04/30/23	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 19.81%.

**Notice of Violation R9-2023-0162****Exhibit 1, List of Violations**

<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
180	1117400	04/01/23 through 04/30/23	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 20,602 lb/day.
181	1117401	04/01/23 through 04/30/23	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 35,389 lb/day.
182	1117396	04/09/23 through 04/15/23	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 115.43 NTU.
183	1117397	4/21/2023	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 236 NTU.
184	1117391	04/23/23 through 04/29/23	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 142.29 mg/L.
185	1117392	04/23/23 through 04/29/23	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 25,628 lb/day.
186	1117394	04/23/23 through 04/29/23	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 41,825 lb/day.
187	1117402	04/23/23 through 04/29/23	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 232 mg/L.
188	1118212	04/30/23 through 05/06/23	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 125.86 NTU.
189	1118220	04/30/23 through 05/06/23	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 188 mg/L.
190	1118221	04/30/23 through 05/06/23	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 26,431 lb/day.

**Notice of Violation R9-2023-0162****Exhibit 1, List of Violations**

<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
191	1118222	04/30/23 through 05/06/23	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 108.86 mg/L.
192	1118225	04/30/23 through 05/06/23	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 42,864 lb/day.
193	1118215	05/01/23 through 05/31/23	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 130 mg/L.
194	1118216	05/01/23 through 05/31/23	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 29,778 lb/day.
195	1118217	05/01/23 through 05/31/23	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 53.36%.
196	1118218	05/01/23 through 05/31/23	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 17,513 lb/day.
197	1118219	05/01/23 through 05/31/23	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 76 mg/L.
198	1118223	05/01/23 through 05/31/23	OEV	Flow volume rate exceeded the monthly average effluent limitation of 25 MGD with a result of 26.89 MGD.
199	1118224	05/01/23 through 05/31/23	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 63.17%.
200	1118213	5/1/2023	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 409 NTU.
201	1118892	06/01/23 through 06/30/23	OEV	Flow volume rate exceeded the monthly average effluent limitation of 25 MGD with a result of 29.43 MGD.

**Notice of Violation R9-2023-0162****Exhibit 1, List of Violations**

<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
202	1118894	06/01/23 through 06/30/23	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 161 mg/L.
203	1118895	06/01/23 through 06/30/23	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 20,850 lb/day.
204	1118896	06/01/23 through 06/30/23	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 40,187 lb/day.
205	1118898	06/01/23 through 06/30/23	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 65.07%.
206	1118901	06/01/23 through 06/30/23	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 83 mg/L.
207	1118903	06/01/23 through 06/30/23	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 44.71%.
208	1118904	06/01/23 through 06/30/23	OEV	Turbidity cloudiness exceeded the monthly average effluent limitation of 75 NTU with a result of 80.94 NTU.
209	1118893	06/11/23 through 06/17/23	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 25,202 lb/day.
210	1118897	06/11/23 through 06/17/23	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 199 mg/L.
211	1118899	06/11/23 through 06/17/23	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 49,968 lb/day.
212	1118900	06/11/23 through 06/17/23	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 107.78 NTU.

**Notice of Violation R9-2023-0162**  
**Exhibit 1, List of Violations**

<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
213	1118902	06/11/23 through 06/17/23	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 101.29 mg/L.
214	1118890	6/13/2023	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 278 NTU.



**Notice of Violation R9-2023-0162**  
**Exhibit 1, List of Violations**

<b>TERM</b>	<b>DEFINITION</b>
CAT1	Category 1 violation type. This violation type is identified when the water quality effluent parameter is part of the Group I pollutant.
CAT2	Category 2 violation type. This violation type is identified when the water quality effluent parameter is part of the Group II pollutant.
CIWQS	California Integrated Water Quality System database.
GROUP	The list of pollutants is based on Appendix A to section 123.45 of title 40 of the Code of Federal Regulations.
Occurrence Date(s)	Date that a violation occurred. For continuing violations, such as a monthly average, the days of the reporting period are used. If the occurrence date is unknown, the date is entered as the day it was first discovered by staff, the discharger, or a third party. For deficient or late reports, the occurrence date is the day after the report was due.
OEV	Violation of any constituent-specific effluent limitation not included in Group I or Group II.
Violation Description	Narrative description of the violation.
Violation ID	Identification number assigned to a violation in CIWQS.



## San Diego Regional Water Quality Control Board

October 27, 2023

Dr. Maria-Elena Giner, P.E.  
Commissioner  
International Boundary and Water  
Commission, United States Section  
4191 N. Mesa  
El Paso, Texas 79902  
[mariaelena.giner@ibwc.gov](mailto:mariaelena.giner@ibwc.gov)

**Sent by Email Only**

**In reply refer to:**  
**257821:VRodriguez**

**Subject: Notice of Violation No. R9-2023-0205 to the United States  
International Boundary and Water Commission for Violations of  
Order No. R9-2021-0001**

Dr. Maria-Elena Giner:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) hereby issues Notice of Violation (NOV) No. R9-2023-0205 to the United States International Boundary and Water Commission (USIBWC or Discharger) for alleged violations of Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant, Discharge to the Pacific Ocean through the South Bay Ocean Outfall* (Order). These alleged violations are a result of the Discharger's failure to comply with the Order.

### **1. Background**

The Discharger is required to operate and maintain the South Bay International Wastewater Treatment Plant (SBIWTP) in compliance with requirements contained in the Order. Consistent with the Order, the Discharger is required to submit self-monitoring reports and other technical reports. Between July 1, 2023, and August 30, 2023, the Discharger self-reported 27 effluent limitation exceedances. The Discharger reported that most of the effluent limitation exceedances were caused by the inflow of sewage from Tijuana, Mexico exceeding the design flow capacity of the SBIWTP. In addition, the Discharger has not submitted six self-monitoring reports with appropriate units and values consistent with the Order, as directed by the State Water Resources Control Board (State Water Board). The missing reports are for the months of April 2022 through September 2022.

Dr. Maria-Elena Giner  
USIBWC

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October 27, 2023

## 2. Summary of Alleged Violations of the Order

The Discharger is alleged to have violated the following sections of the Order:

- 2.1. Section 4 of the Order:** The Discharger is required to maintain compliance with effluent limitations in section 4.1.1.1 of the Order.

**Observation:** The Discharger self-reported 27<sup>1</sup> exceedances of effluent limitations in the California Integrated Water Quality System (CIWQS) database.

- 2.2. Attachment D, Section 1.1 of the Order:** The Discharger is required to comply with all terms, requirements, and conditions of the Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (Water Code) and is grounds for enforcement action including permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof.

**Observation:** The Discharger self-reported 27 exceedances of effluent limitations.

- 2.3 Attachment E, Section 7.2 of the Order:** The Discharger is required to submit Self-Monitoring Reports to CIWQS consistent with the Order.

**Observation:** The Discharger submitted six self-monitoring reports for the months of April 2022 through September 2022 (CIWQS Document IDs 2528323, 2528324, 2528325, 2528326, 2528327, and 2528328). The State Water Board identified that the values for arsenic, cadmium, cyanide, copper, lead, molybdenum, nickel, selenium, silver, thallium, and zinc were submitted with incorrect units and calculated values.

On December 1, 2022, the State Water Board withdrew the submitted reports and directed the Discharger to re-submit the Self-Monitoring Reports with the corrected units and values.

The Discharger has not submitted self-monitoring reports to CIWQS with appropriate units and values consistent with the Order.

## 3. Potential Enforcement Actions

The alleged violations may subject the Discharger to additional enforcement by the San Diego Water Board or the State Water Board. The San Diego Water Board intends and desires to continue to engage proactively and constructively with the Discharger through judicious and progressive enforcement efforts.

For questions or concerns regarding this NOV, please contact Vicente Rodriguez by phone at 619-521-3966 or by email at [Vicente.Rodriguez@waterboards.ca.gov](mailto:Vicente.Rodriguez@waterboards.ca.gov). In the subject line of any written response, please include the following: 257821:VRodriguez.

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<sup>1</sup> Exhibit 1, List of Violations

Dr. Maria-Elena Giner  
USIBWC

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October 27, 2023

Respectfully,

Laurie A. Walsh, P.E.  
Supervising Water Resource Control Engineer  
Surface Water Protection Branch

Attachment: Exhibit 1, List of Violations

Copies to:

Brandi Outwin-Beals, San Diego Water Board,  
[Brandi.Outwin-Beals@waterboards.ca.gov](mailto:Brandi.Outwin-Beals@waterboards.ca.gov)

Vicente Rodriguez, San Diego Water Board, [Vicente.Rodriguez@waterboards.ca.gov](mailto:Vicente.Rodriguez@waterboards.ca.gov)

Morgan Rogers, Area Operations Manager, International Boundary and Water  
Commission, U.S. Section, [morgan.roger@ibwc.gov](mailto:morgan.roger@ibwc.gov)

Dr. Maria-Elena Giner  
USIBWC

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October 27, 2023

Tech Staff Info & Use	
Technical Information	Number
Order No.	R9-2021-0001
NPDES No.	CA0108928
CW Place ID (South Bay International WTP)	CW-257821
CW Party/Organization ID (IBWC-US & Mexico Section)	21523
CW Party/Person ID (Dr. Maria-Elena Giner)	634777
CW Regulatory Measure (Order No. R9-2021-0001)	442331
CW Regulatory Measure (NOV R9-2023-0205)	454744
WDID	9 000000732
Violation IDs	1119739, 1119743, 1119745, 1119746, 1119747, 1119749, 1119750, 1119751, 1119740, 1119744, 1119748, 1119752, 1119753, 1120606, 1120607, 1120608, 1120609, 1120610, 1120611, 1120613, 1120614, 1120601, 1120602, 1120604, 1120612, 1120603, 1120605, 1121285, 1121286, 1121287, 1121288, 1121289

**Notice of Violation R9-2023-0205****Exhibit 1****Table 1 – List of Violations**

<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
1	1119739	07/01/2023 through 07/31/2023	OEV	Turbidity cloudiness exceeded the monthly average effluent limitation of 75 Nephelometric Turbidity Units (NTU) with a result of 86 NTU.
2	1119743	07/01/2023 through 07/31/2023	CAT1	Total Suspended Solids (TSS) mass emission rate exceeded the monthly average of effluent limitation of 6,255 pounds per day (lb/day) with a result of 49,323 lb/day.
3	1119745	07/01/2023 through 07/31/2023	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 51%.
4	1119746	07/01/2023 through 07/31/2023	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 30 milligram per liter (mg/L) with a result of 174 mg/L.
5	1119747	07/01/2023 through 07/31/2023	CAT1	Carbonaceous Biochemical Oxygen Demand 5-day @ 20°C (CBOD) mass emission rate exceeded the monthly average of effluent limitation of 5,213 lb/day with a result of 23,975 lb/day.
6	1119749	07/01/2023 through 07/31/2023	OEV	Flow volume rate exceeded the monthly average effluent limitation of 25 million gallons per day (MGD) with a result of 33 MGD.
7	1119750	07/01/2023 through 07/31/2023	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 69%.
8	1119751	07/01/2023 through 07/31/2023	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 85 mg/L.



**Notice of Violation R9-2023-0205****Exhibit 1**

<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
9	1119740	07/09/2023 through 07/15/2023	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 114 NTU.
10	1119744	07/09/2023 through 07/15/2023	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 101 mg/L.
11	1119748	07/09/2023 through 07/15/2023	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 27,804 lb/day.
12	1119752	07/09/2023 through 07/15/2023	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 62,306 lb/day.
13	1119753	07/09/2023 through 07/15/2023	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 227 mg/L.
14	1120606	08/01/2023 through 08/31/2023	OEV	Flow volume rate exceeded the monthly average effluent limitation of 25 MGD with a result of 27 MGD.
15	1120607	08/01/2023 through 08/31/2023	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 67%.
16	1120608	08/01/2023 through 08/31/2023	CAT1	CBOD mass emission rate exceeded the monthly average of effluent limitation of 5,213 lb/day with a result of 18,013 lb/day.
17	1120609	08/01/2023 through 08/31/2023	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 52%.
18	1120610	08/01/2023 through 08/31/2023	CAT1	TSS mass emission rate exceeded the monthly average of effluent limitation of 30 lb/day with a result of 142 lb/day.

**Notice of Violation R9-2023-0205****Exhibit 1**

<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
19	1120611	08/01/2023 through 08/31/2023	CAT1	TSS mass emission rate exceeded the monthly average of effluent limitation of 6,255 lb/day with a result of 34,835 lb/day.
20	1120613	08/01/2023 through 08/31/2023	OEV	Turbidity cloudiness exceeded the monthly average of effluent limitation of 75 NTU with a result of 83 NTU.
21	1120614	08/01/2023 through 08/31/2023	CAT1	CBOD concentration exceeded the monthly average of effluent limitation of 25 mg/L with a result of 73 mg/L.
22	1120601	08/06/2023 through 08/12/2023	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 110 mg/L.
23	1120602	08/06/2023 through 08/12/2023	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 275,415 lb/day.
24	1120604	08/06/2023 through 08/12/2023	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 45,716 lb/day.
25	1120612	08/06/2023 through 08/12/2023	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 184 mg/L.
26	1120603	08/20/2023 through 08/26/2023	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 126 NTU.
27	1120605	08/21/2023	OEV	Turbidity cloudiness exceeded the instantaneous maximum effluent limitation of 225 NTU with a result of 708 NTU.

**Notice of Violation R9-2023-0205****Exhibit 1****Table 2 - Definitions**

<b>TERM</b>	<b>DEFINITION</b>
CAT1	Category 1 violation type. This violation type is identified when the water quality effluent parameter is part of the Group I pollutant.
CAT2	Category 2 violation type. This violation type is identified when the water quality effluent parameter is part of the Group II pollutant.
CIWQS	California Integrated Water Quality System database.
GROUP	The list of pollutants is based on Appendix A to section 123.45 of title 40 of the Code of Federal Regulations.
Occurrence Date(s)	Date that a violation occurred. For continuing violations, such as a monthly average, the days of the reporting period are used. If the occurrence date is unknown, the date is entered as the day it was first discovered by staff, the discharger, or a third party. For deficient or late reports, the occurrence date is the day after the report was due.
OEV	Violation of any constituent-specific effluent limitation not included in Group I or Group II.
Violation Description	Narrative description of the violation.
Violation ID	Identification number assigned to a violation in CIWQS.



## San Diego Regional Water Quality Control Board

November 16, 2023

Dr. Maria-Elena Giner, P.E.  
 Commissioner  
 International Boundary and Water  
 Commission, United States Section  
 4191 N. Mesa  
 El Paso, Texas 79902  
[mariaelena.giner@ibwc.gov](mailto:mariaelena.giner@ibwc.gov)

**Sent by Email Only**

**In reply refer to:**  
**257821:VRodriguez**

**Subject: Notice of Violation No. R9-2023-0216 to the United States  
 International Boundary and Water Commission for Violations of  
 Order No. R9-2021-0001**

Dr. Maria-Elena Giner:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) hereby issues Notice of Violation (NOV) No. R9-2023-0216 to the United States International Boundary and Water Commission (USIBWC or Discharger) for alleged violations of Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant, Discharge to the Pacific Ocean through the South Bay Ocean Outfall* (Order). These alleged violations are a result of the Discharger's failure to comply with the Order.

### 1. Background

The Discharger is required to operate and maintain the South Bay International Wastewater Treatment Plant (SBIWTP) in compliance with requirements contained in the Order. Consistent with the Order, the Discharger is required to submit self-monitoring reports and other technical reports. Between September 1, 2023, and September 30, 2023, the Discharger self-reported ten effluent limitation exceedances.

### 2. Summary of Alleged Violations of the Order

The Discharger is alleged to have violated the following sections of the Order:

**2.1. Section 4 of the Order:** The Discharger is required to maintain compliance with effluent limitations in section 4.1.1.1 of the Order.

**Observation:** The Discharger self-reported ten<sup>1</sup> exceedances of effluent limitations in the California Integrated Water Quality System (CIWQS) database.

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<sup>1</sup> Exhibit 1, List of Violations

Dr. Maria-Elena Giner  
USIBWC

-2-

November 16, 2023

**2.2. Attachment D, Section 1.1 of the Order:** The Discharger is required to comply with all terms, requirements, and conditions of the Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (Water Code) and is grounds for enforcement action including permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof.

**Observation:** The Discharger self-reported 10 exceedances of effluent limitations.

### 3. Potential Enforcement Actions

The alleged violations may subject the Discharger to additional enforcement by the San Diego Water Board or the State Water Board. The San Diego Water Board intends and desires to continue to engage proactively and constructively with the Discharger through judicious and progressive enforcement efforts.

For questions or concerns regarding this NOV, please contact Vicente Rodriguez by phone at 619-521-3966 or by email at [Vicente.Rodriguez@waterboards.ca.gov](mailto:Vicente.Rodriguez@waterboards.ca.gov). In the subject line of any written response, please include the following: 257821:VRodriguez.

Respectfully,

Brandi Outwin-Beals, P.E.  
Senor Water Resource Control Engineer  
Source Control Regulation Unit

Attachment: Exhibit 1, List of Violations

Copies to:

Laurie A. Walsh, San Diego Water Board, [Laurie.Walsh@waterboards.ca.gov](mailto:Laurie.Walsh@waterboards.ca.gov)

Vicente Rodriguez, San Diego Water Board, [Vicente.Rodriguez@waterboards.ca.gov](mailto:Vicente.Rodriguez@waterboards.ca.gov)

Morgan Rogers, Area Operations Manager, International Boundary and Water Commission, U.S. Section, [morgan.roger@ibwc.gov](mailto:morgan.roger@ibwc.gov)

Dr. Maria-Elena Giner  
USIBWC

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November 16, 2023

Tech Staff Info & Use	
Technical Information	Number
Order No.	R9-2021-0001
NPDES No.	CA0108928
CW Place ID (South Bay International WTP)	CW-257821
CW Party/Organization ID (IBWC-US & Mexico Section)	21523
CW Party/Person ID (Dr. Maria-Elena Giner)	634777
CW Regulatory Measure (Order No. R9-2021-0001)	442331
CW Regulatory Measure (NOV R9-2023-0216)	455044
WDID	9 000000732
Violation IDs	1121385, 1121387, 1121388, 1121389, 1121392, 1121386, 1121390, 1121393, 1121394, 1121391



**Notice of Violation R9-2023-0216****Exhibit 1****Table 1 – List of Violations**

<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
1	1121385	09/01/2023 through 09/30/2023	CAT1	Carbonaceous Biochemical Oxygen Demand 5-day @ 20°C (CBOD) concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 29 mg/L.
2	1121387	09/01/2023 through 09/30/2023	CAT1	Total Suspended Solids (TSS) percent removal did not meet the monthly average minimum requirement of 85% with a result of 76%.
3	1121388	09/01/2023 through 09/30/2023	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 60 mg/L.
4	1121389	09/01/2023 through 09/30/2023	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 13,035 lb/day.
5	1121392	09/01/2023 through 09/30/2023	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 6,268 lb/day.
6	1121386	09/17/2023 through 09/23/2023	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 60 lb/day.
7	1121390	09/17/2023 through 09/23/2023	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 32,230 lb/day.
8	1121393	09/17/2023 through 09/23/2023	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 13,650 lb/day.
9	1121394	09/17/2023 through 09/23/2023	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 141 mg/L.
10	1121391	09/20/2023	OEV	Turbidity cloudiness exceeded the instantaneous effluent limitation of 225 NTU with a result of 405 NTU.

**Notice of Violation R9-2023-0216**  
**Exhibit 1**

**Table 2 - Definitions**

<b>TERM</b>	<b>DEFINITION</b>
CAT1	Category 1 violation type. This violation type is identified when the water quality effluent parameter is part of the Group I pollutant.
CAT2	Category 2 violation type. This violation type is identified when the water quality effluent parameter is part of the Group II pollutant.
CIWQS	California Integrated Water Quality System database.
GROUP	The list of pollutants is based on Appendix A to section 123.45 of title 40 of the Code of Federal Regulations.
Occurrence Date(s)	Date that a violation occurred. For continuing violations, such as a monthly average, the days of the reporting period are used. If the occurrence date is unknown, the date is entered as the day it was first discovered by staff, the discharger, or a third party. For deficient or late reports, the occurrence date is the day after the report was due.
OEV	Violation of any constituent-specific effluent limitation not included in Group I or Group II.
Violation Description	Narrative description of the violation.
Violation ID	Identification number assigned to a violation in CIWQS.



## San Diego Regional Water Quality Control Board

December 21, 2023

Dr. Maria-Elena Giner, P.E.  
Commissioner  
International Boundary and Water  
Commission, United States Section  
4191 N. Mesa  
El Paso, Texas 79902  
[mariaelena.giner@ibwc.gov](mailto:mariaelena.giner@ibwc.gov)

**Sent by Email Only**

**In reply refer to:**  
**257821:VRodriguez**

**Subject: Notice of Violation No. R9-2023-0222 to the United States  
International Boundary and Water Commission for Violations of  
Order No. R9-2021-0001**

Dr. Maria-Elena Giner:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) hereby issues Notice of Violation (NOV) No. R9-2023-0222 to the United States International Boundary and Water Commission (USIBWC or Discharger) for alleged violations of Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant, Discharge to the Pacific Ocean through the South Bay Ocean Outfall* (Order). These alleged violations are a result of the Discharger's failure to comply with the Order.

### 1. Background

The Discharger is required to operate and maintain the South Bay International Wastewater Treatment Plant (SBIWTP) in compliance with requirements contained in the Order. Consistent with the Order, the Discharger is required to submit self-monitoring reports and other technical reports. Between October 1, 2023, and October 31, 2023, the Discharger self-reported 16 effluent limitation exceedances. In addition, the Discharger has not submitted six self-monitoring reports with appropriate units and values consistent with the Order, as directed by the State Water Resources Control Board (State Water Board). The missing reports are for the months of April 2022 through September 2022.

### 2. Summary of Alleged Violations of the Order

The Discharger is alleged to have violated the following sections of the Order:

**2.1. Section 4 of the Order:** The Discharger is required to maintain compliance with effluent limitations in section 4.1.1.1 of the Order.

Dr. Maria-Elena Giner  
USIBWC

-2-

December 21, 2023

**Observation:** The Discharger self-reported 16<sup>1</sup> exceedances of effluent limitations in the California Integrated Water Quality System (CIWQS) database.

- 2.2. Attachment D, Section 1.1 of the Order:** The Discharger is required to comply with all terms, requirements, and conditions of the Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (Water Code) and is grounds for enforcement action including permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof.

**Observation:** The Discharger had 22 violations of the Order.

- 2.3. Attachment E, Section 7.2 of the Order:** The Discharger is required to submit Self-Monitoring Reports to CIWQS consistent with the Order.

**Observation:** The Discharger submitted six self-monitoring reports for the months of April 2022 through September 2022 (CIWQS Document IDs 2528323, 2528324, 2528325, 2528326, 2528327, and 2528328). The State Water Board identified that the values for arsenic, cadmium, cyanide, copper, lead, molybdenum, nickel, selenium, silver, thallium, and zinc were submitted with incorrect units and calculated values.

On December 1, 2022, the State Water Board withdrew the submitted reports and directed the Discharger to re-submit the Self-Monitoring Reports with the corrected units and values.

The Discharger has not submitted self-monitoring reports to CIWQS with appropriate units and values consistent with the Order.

### 3. Potential Enforcement Actions

The alleged violations may subject the Discharger to additional enforcement by the San Diego Water Board or the State Water Board. The San Diego Water Board intends and desires to continue to engage proactively and constructively with the Discharger through judicious and progressive enforcement efforts.

For questions or concerns regarding this NOV, please contact Vicente Rodriguez by phone at 619-521-3966 or by email at [Vicente.Rodriguez@waterboards.ca.gov](mailto:Vicente.Rodriguez@waterboards.ca.gov). In the subject line of any written response, please include the following: 257821:VRodriguez.

Respectfully,

Kelly Dorsey  
Assistant Executive Officer

---

<sup>1</sup> Exhibit 1, List of Violations

Dr. Maria-Elena Giner  
USIBWC

-3-

December 21, 2023

Attachment: Exhibit 1, List of Violations

Copies to:

Laurie A. Walsh, San Diego Water Board, [laurie.walsh@waterboards.ca.gov](mailto:laurie.walsh@waterboards.ca.gov)

Brandi Outwin-Beals, San Diego Water Board, [brandi.outwin-beals@waterboards.ca.gov](mailto:brandi.outwin-beals@waterboards.ca.gov)

Vicente Rodriguez, San Diego Water Board, [vicente.rodriguez@waterboards.ca.gov](mailto:vicente.rodriguez@waterboards.ca.gov)

Morgan Rogers, Area Operations Manager, International Boundary and Water Commission, U.S. Section, [morgan.roger@ibwc.gov](mailto:morgan.roger@ibwc.gov)

Tech Staff Info & Use	
Technical Information	Number
Order No.	R9-2021-0001
NPDES No.	CA0108928
CW Place ID (South Bay International WTP)	CW-257821
CW Party/Organization ID (IBWC-US & Mexico Section)	21523
CW Party/Person ID (Dr. Maria-Elena Giner)	634777
CW Regulatory Measure (Order No. R9-2021-0001)	442331
CW Regulatory Measure (NOV R9-2023-0222)	455365
WDID	9 000000732
Violation IDs	1122285, 1122286, 1122276, 1122277, 1122281, 1122282, 1122287, 1122288, 1122289, 1122290, 1122275, 1122280, 1122283, 1122284, 1121285, 1121286, 1121287, 1121288, 1121289, 1121290, 1122278, 1122279

**Notice of Violation R9-2023-0222****Exhibit 1****Table 1 – List of Violations**

<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
1	1122285	10/01/2023	OEV	Turbidity cloudiness exceeded the instantaneous effluent limitation of 225 NTU with a result of 653 NTU.
2	1122286	10/01/2023	OEV	Settleable Solids concentration exceeded the instantaneous effluent limitation of 3 mg/L with a result of 21 mg/L.
3	1122276	10/01/2023 through 10/31/2023	CAT1	Total Suspended Solids (TSS) concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 233 mg/L.
4	1122277	10/01/2023 through 10/31/2023	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 51,038 lb/day.
5	1122281	10/01/2023 through 10/31/2023	CAT1	Carbonaceous Biochemical Oxygen Demand 5-day @ 20°C (CBOD) concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 89 mg/L.
6	1122282	10/01/2023 through 10/31/2023	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 19,520 lb/day.
7	1122287	10/01/2023 through 10/31/2023	OEV	Turbidity cloudiness exceeded the monthly average effluent limitation of 75 NTU with a result of 144 NTU.
8	1122288	10/01/2023 through 10/31/2023	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 20%.
9	1122289	10/01/2023 through 10/31/2023	OEV	Flowrate exceeded the monthly average effluent limitation of 25 million gallons per day (MGD) with a result of 25.41 MGD.
10	1122290	10/01/2023 through 10/31/2023	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 59%.

**Notice of Violations R9-2023-0222**  
**Exhibit 1**

**Table 1 – List of Violations**

No.	Violation ID	Occurrence Date(s)	Violation Type	Violation Description
1	1122285	10/01/2023	OEV	Turbidity cloudiness exceeded the instantaneous effluent limitation of 225 NTU with a result of 653 NTU.
2	1122286	10/01/2023	OEV	Settleable Solids concentration exceeded the instantaneous effluent limitation of 3 mg/L with a result of 21 mg/L.
3	1122276	10/01/2023 through 10/31/2023	CAT1	Total Suspended Solids (TSS) concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 233 mg/L.
4	1122277	10/01/2023 through 10/31/2023	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 51,038 lb/day.
5	1122281	10/01/2023 through 10/31/2023	CAT1	Carbonaceous Biochemical Oxygen Demand 5-day @ 20°C (CBOD) concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 89 mg/L.
6	1122282	10/01/2023 through 10/31/2023	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 19,520 lb/day.
7	1122287	10/01/2023 through 10/31/2023	OEV	Turbidity cloudiness exceeded the monthly average effluent limitation of 75 NTU with a result of 144 NTU.
8	1122288	10/01/2023 through 10/31/2023	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 20%.
9	1122289	10/01/2023 through 10/31/2023	OEV	Flowrate exceeded the monthly average effluent limitation of 25 million gallons per day (MGD) with a result of 25.41 MGD.
10	1122290	10/01/2023	CAT1	CBOD percent removal did not meet the monthly average



**Notice of Violations R9-2023-0222**  
**Exhibit 1**

<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
		through 10/31/2023		minimum requirement of 85% with a result of 59%.
11	1122275	10/08/2023 through 10/14/2023	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 79,055 lb/day.
12	1122280	10/08/2023 through 10/14/2023	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 31,994 lb/day.
13	1122283	10/08/2023 through 10/14/2023	OEV	Settleable Solids concentration exceeded the weekly average effluent limitation of 2 mg/L with a result of 3 mg/L.
14	1122284	10/08/2023 through 10/14/2023	OEV	Turbidity cloudiness exceeded the weekly average effluent limitation of 100 NTU with a result of 235 NTU.
15	1121285	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for April 2022 - Not Submitted. Doc ID: 2528323
16	1121286	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for May 2022 - Not Submitted. Doc ID: 2528324
17	1121287	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for June 2022 - Not Submitted. Doc ID: 2528325
18	1121288	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for July 2022 - Not Submitted. Doc ID: 2528326
19	1121289	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for August 2022 - Not Submitted. Doc ID: 2528327



## San Diego Regional Water Quality Control Board

January 18, 2023

Dr. Maria-Elena Giner, P.E.  
Commissioner  
International Boundary and Water  
Commission, United States Section  
4191 N. Mesa  
El Paso, Texas 79902  
[mariaelena.giner@ibwc.gov](mailto:mariaelena.giner@ibwc.gov)

**Sent by Email Only**

**In reply refer to:**  
**257821:VRodriguez**

**Subject: Notice of Violation No. R9-2024-0026 to the United States  
International Boundary and Water Commission for Violations of  
Order No. R9-2021-0001**

Dr. Maria-Elena Giner:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) hereby issues Notice of Violation (NOV) No. R9-2024-0026 to the United States International Boundary and Water Commission (USIBWC or Discharger) for alleged violations of Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant, Discharge to the Pacific Ocean through the South Bay Ocean Outfall* (Order). These alleged violations are a result of the Discharger's failure to comply with the Order.

### 1. Background

The Discharger is required to operate and maintain the South Bay International Wastewater Treatment Plant (SBIWTP) in compliance with requirements contained in the Order. Consistent with the Order, the Discharger is required to submit self-monitoring reports and other technical reports. Between November 1, 2023, and November 30, 2023, the Discharger self-reported 11 effluent limitation exceedances. In addition, the Discharger has not submitted six self-monitoring reports with appropriate units and values consistent with the Order, as directed by the State Water Resources Control Board (State Water Board). The missing reports are for the months of April 2022 through September 2022.

### 2. Summary of Alleged Violations of the Order

The Discharger is alleged to have violated the following sections of the Order:

**2.1. Section 4 of the Order:** The Discharger is required to maintain compliance with effluent limitations in section 4.1.1.1 of the Order.

Dr. Maria-Elena Giner  
USIBWC

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January 18, 2024

**Observation:** The Discharger self-reported 11<sup>1</sup> exceedances of effluent limitations in the California Integrated Water Quality System (CIWQS) database.

- 2.2. Attachment D, Section 1.1 of the Order:** The Discharger is required to comply with all terms, requirements, and conditions of the Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (Water Code) and is grounds for enforcement action including permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof.

**Observation:** The Discharger had 17 violations of the Order.

- 2.3. Attachment E, Section 7.2 of the Order:** The Discharger is required to submit self-monitoring reports to CIWQS consistent with the Order.

**Observation:** The Discharger submitted six self-monitoring reports for the months of April 2022 through September 2022 (CIWQS Document IDs 2528323, 2528324, 2528325, 2528326, 2528327, and 2528328). The State Water Board identified that the values for arsenic, cadmium, cyanide, copper, lead, molybdenum, nickel, selenium, silver, thallium, and zinc were submitted with incorrect units and calculated values.

On December 1, 2022, the State Water Board withdrew the submitted reports and directed the Discharger to re-submit the self-monitoring reports with the corrected units and values.

The Discharger has not submitted self-monitoring reports to CIWQS with appropriate units and values consistent with the Order.

### 3. Potential Enforcement Actions

The alleged violations may subject the Discharger to additional enforcement by the San Diego Water Board or the State Water Board. The San Diego Water Board intends and desires to continue to engage proactively and constructively with the Discharger through judicious and progressive enforcement efforts.

For questions or concerns regarding this NOV, please contact Vicente Rodriguez by phone at 619-521-3966 or by email at [Vicente.Rodriguez@waterboards.ca.gov](mailto:Vicente.Rodriguez@waterboards.ca.gov). In the subject line of any written response, please include the following: 257821:VRodriguez.

Respectfully,

Brandi Outwin-Beals  
Senior Water Resource Control Engineer  
Source Control Regulation Unit

---

<sup>1</sup> Exhibit 1, List of Violations

Dr. Maria-Elena Giner  
USIBWC

-3-

January 18, 2024

Attachment: Exhibit 1, List of Violations

Copies to:

Morgan Rogers, Area Operations Manager, International Boundary and Water Commission, U.S. Section, [morgan.roger@ibwc.gov](mailto:morgan.roger@ibwc.gov)

Isela Canava, International Boundary and Water Commission, U.S. Section, [isela.canava@ibwc.gov](mailto:isela.canava@ibwc.gov)

Rebecca Rizzuti, International Boundary and Water Commission, U.S. Section, [rebecca.rizzuti@ibwc.gov](mailto:rebecca.rizzuti@ibwc.gov)

David Gibson, San Diego Water Board, [david.gibson@waterboards.ca.gov](mailto:david.gibson@waterboards.ca.gov)

Kelly Dorsey, San Diego Water Board, [kelly.dorsey.gibson@waterboards.ca.gov](mailto:kelly.dorsey.gibson@waterboards.ca.gov)

Laurie A. Walsh, San Diego Water Board, [laurie.walsh@waterboards.ca.gov](mailto:laurie.walsh@waterboards.ca.gov)

Brandi Outwin-Beals, San Diego Water Board, [brandi.outwin-beals@waterboards.ca.gov](mailto:brandi.outwin-beals@waterboards.ca.gov)

Vicente Rodriguez, San Diego Water Board, [vicente.rodriquez@waterboards.ca.gov](mailto:vicente.rodriquez@waterboards.ca.gov)

Tech Staff Info & Use	
Technical Information	Number
Order No.	R9-2021-0001
NPDES No.	CA0108928
CW Place ID (South Bay International WTP)	CW-257821
CW Party/Organization ID (IBWC-US & Mexico Section)	21523
CW Party/Person ID (Dr. Maria-Elena Giner)	634777
CW Regulatory Measure (Order No. R9-2021-0001)	442331
CW Regulatory Measure (NOV R9-2024-0026)	455560
WDID	9 000000732
Violation IDs	1122951, 1122952, 1122953, 1122954, 1122956, 1122957, 1122959, 1122950, 1122955, 1122958, 1122960, 1121285, 1121286, 1121287, 1121288, 1121289, 1121290

**Notice of Violation R9-2024-0026****Exhibit 1****Table 1 – List of Violations**

<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
1	1122951	11/01/2023 through 11/30/2023	OEV	Flowrate exceeded the monthly average effluent limitation of 25 million gallons per day (MGD) with a result of 26.22 MGD.
2	1122952	11/01/2023 through 11/30/2023	CAT1	CBOD percent removal did not meet the monthly average minimum requirement of 85% with a result of 74%.
3	1122953	11/01/2023 through 11/30/2023	CAT1	CBOD concentration exceeded the monthly average effluent limitation of 25 mg/L with a result of 69 mg/L.
4	1122954	11/01/2023 through 11/30/2023	CAT1	CBOD mass emission rate exceeded the monthly average effluent limitation of 5,213 lb/day with a result of 15,900 lb/day.
5	1122956	11/01/2023 through 11/30/2023	CAT1	TSS percent removal did not meet the monthly average minimum requirement of 85% with a result of 53%.
6	1122957	11/01/2023 through 11/30/2023	CAT1	TSS concentration exceeded the monthly average effluent limitation of 30 mg/L with a result of 168 mg/L.
7	1122959	11/01/2023 through 11/30/2023	CAT1	TSS mass emission rate exceeded the monthly average effluent limitation of 6,255 lb/day with a result of 39,390 lb/day.
8	1122950	11/12/2023 through 11/18/2023	CAT1	CBOD mass emission rate exceeded the weekly average effluent limitation of 8,340 lb/day with a result of 26,180 lb/day.
9	1122955	11/12/2023 through 11/18/2023	CAT1	CBOD concentration exceeded the weekly average effluent limitation of 40 mg/L with a result of 110 mg/L.
10	1122958	11/12/2023 through 11/18/2023	CAT1	TSS mass emission rate exceeded the weekly average effluent limitation of 9,383 lb/day with a result of 69,648 lb/day.

**Notice of Violation R9-2024-0026****Exhibit 1**

<b>No.</b>	<b>Violation ID</b>	<b>Occurrence Date(s)</b>	<b>Violation Type</b>	<b>Violation Description</b>
11	1122960	11/12/2023 through 11/18/2023	CAT1	TSS concentration exceeded the weekly average effluent limitation of 45 mg/L with a result of 292 mg/L.
12	1121285	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for April 2022 - Not Submitted. Doc ID: 2528323
13	1121286	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for May 2022 - Not Submitted. Doc ID: 2528324
14	1121287	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for June 2022 - Not Submitted. Doc ID: 2528325
15	1121288	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for July 2022 - Not Submitted. Doc ID: 2528326
16	1121289	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for August 2022 - Not Submitted. Doc ID: 2528327
17	1121290	10/18/2023	Late Report	Failure to re-submit report following withdrawal. Monthly self-monitoring report for September 2022 - Not Submitted. Doc ID: 2528328

**Notice of Violation R9-2024-0026**  
**Exhibit 1**

**Table 2 - Definitions**

<b>TERM</b>	<b>DEFINITION</b>
CAT1	Category 1 violation type. This violation type is identified when the water quality effluent parameter is part of the Group I pollutant.
CAT2	Category 2 violation type. This violation type is identified when the water quality effluent parameter is part of the Group II pollutant.
CIWQS	California Integrated Water Quality System database.
GROUP	The list of pollutants is based on Appendix A to section 123.45 of title 40 of the Code of Federal Regulations.
Occurrence Date(s)	Date that a violation occurred. For continuing violations, such as a monthly average, the days of the reporting period are used. If the occurrence date is unknown, the date is entered as the day it was first discovered by staff, the discharger, or a third party. For deficient or late reports, the occurrence date is the day after the report was due.
OEV	Violation of any constituent-specific effluent limitation not included in Group I or Group II.
Violation Description	Narrative description of the violation.
Violation ID	Identification number assigned to a violation in CIWQS.





## San Diego Regional Water Quality Control Board

February 14, 2024

Dr. Maria-Elena Giner, P.E.  
Commissioner  
International Boundary and Water  
Commission, United States Section  
4191 N. Mesa  
El Paso, Texas 79902  
[mariaelena.giner@ibwc.gov](mailto:mariaelena.giner@ibwc.gov)

**Sent by Email Only**

**In reply refer to:**  
**257821:VRodriguez**

**Subject: Notice of Violation No. R9-2024-0045 to the United States  
International Boundary and Water Commission for Violations of  
Order No. R9-2021-0001**

Dr. Maria-Elena Giner:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) hereby issues Notice of Violation (NOV) No. R9-2024-0045 to the United States International Boundary and Water Commission (USIBWC or Discharger) for alleged violations of Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant, Discharge to the Pacific Ocean through the South Bay Ocean Outfall* (Order). These alleged violations are a result of the Discharger's failure to comply with the Order.

### **1. Background**

The Discharger is required to operate and maintain the South Bay International Wastewater Treatment Plant (SBIWTP) in compliance with requirements contained in the Order. Consistent with the Order, the Discharger is required to submit self-monitoring reports and other technical reports. Between December 1, 2023, and December 31, 2023, the Discharger self-reported 16 effluent limitation exceedances, and the San Diego Water Board identified a missing report. In addition, the Discharger has not re-submitted 18 self-monitoring reports with appropriate units and values consistent with the Order.

### **2. Summary of Alleged Violations of the Order**

The Discharger is alleged to have violated the following sections of the Order:

- 2.1. Section 4 of the Order:** The Discharger is required to maintain compliance with effluent limitations in section 4.1.1.1 of the Order.

Dr. Maria-Elena Giner  
USIBWC

-2-

February 14, 2024

**Observation:** The Discharger self-reported 16<sup>1</sup> exceedances of effluent limitations in the California Integrated Water Quality System (CIWQS) database.

- 2.2. Attachment E, Section 4.2.4 of the Order:** The Discharger was required to submit a Tijuana River Valley Monitoring Plan (TRVMP) Work Plan by September 29, 2021.

**Observation:** This Discharger has not submitted the TRVMP Work Plan.

- 2.3. Attachment D, Section 1.1 of the Order:** The Discharger is required to comply with all terms, requirements, and conditions of the Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (Water Code) and is grounds for enforcement action including permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof.

**Observation:** The Discharger had 35 violations of the Order.

- 2.4. Attachment E, Section 7.2 of the Order:** The Discharger is required to submit Self-Monitoring Reports to CIWQS consistent with the Order.

**Observation:** The Discharger submitted 18 self-monitoring reports for the months of April 2022 through March 2023, August 2023, November 2023, and quarters Q2 2022, Q3 2022, Q4 2022, Q1 2023. (CIWQS Document IDs 2528323, 2528324, 2528227, 2528325, 2528326, 2528327, 2528328, 2528228, 2528329, 2528330, 2528229, 2528331, 2528332, 2528333, 2528249, 2528334, 2528339, 2528342).

The State Water Board identified that the values for arsenic, cadmium, cyanide, copper, lead, molybdenum, nickel, selenium, silver, thallium, and zinc were submitted with incorrect units and calculated values.

On December 1, 2022, the State Water Board withdrew six of the submitted reports (April 2022 through September 2022) and directed the Discharger to re-submit the Self-Monitoring Reports with the corrected units and values.

On January 18, 2024, the Discharger requested that self-monitoring reports for the months of May 2022 through November 2023 and all quarters listed above be withdrawn, so the Discharger could re-submit with corrected values.

The Discharger has not re-submitted the self-monitoring reports to CIWQS with appropriate units and values consistent with the Order.

### 3. Potential Enforcement Actions

The alleged violations may subject the Discharger to additional enforcement by the San Diego Water Board or the State Water Board. The San Diego Water Board intends and desires to continue to engage proactively and constructively with the Discharger through judicious and progressive enforcement efforts.

---

<sup>1</sup> Exhibit A, List of Violations

Dr. Maria-Elena Giner  
USIBWC

-3-

February 14, 2024

For questions or concerns regarding this NOV, please contact Vicente Rodriguez by phone at 619-521-3966 or by email at [Vicente.Rodriguez@waterboards.ca.gov](mailto:Vicente.Rodriguez@waterboards.ca.gov). In the subject line of any written response, please include the following: 257821:VRodriguez.

Respectfully,

Brandi Outwin-Beals  
Senior Water Resource Control Engineer  
Source Control Regulation Unit

Attachment: Exhibit A, Record of Violations

Copies to:

Morgan Rogers, Area Operations Manager, International Boundary and Water Commission, U.S. Section, [morgan.roger@ibwc.gov](mailto:morgan.roger@ibwc.gov)

Isela Canava, International Boundary and Water Commission, U.S. Section, [Isela.canava@ibwc.gov](mailto:Isela.canava@ibwc.gov)

Rebecca Rizzuti, International Boundary and Water Commission, U.S. Section, [rebecca.rizzuti@ibwc.gov](mailto:rebecca.rizzuti@ibwc.gov)

David Gibson, San Diego Water Board, [david.gibson@waterboards.ca.gov](mailto:david.gibson@waterboards.ca.gov)

Laurie A. Walsh, San Diego Water Board, [laurie.walsh@waterboards.ca.gov](mailto:laurie.walsh@waterboards.ca.gov)

Brandi Outwin-Beals, San Diego Water Board, [brandi.outwin-beals@waterboards.ca.gov](mailto:brandi.outwin-beals@waterboards.ca.gov)

Vicente Rodriguez, San Diego Water Board, [vicente.rodriguez@waterboards.ca.gov](mailto:vicente.rodriguez@waterboards.ca.gov)

Tech Staff Info & Use	
Technical Information	Number
Order No.	R9-2021-0001
NPDES No.	CA0108928
CW Place ID (South Bay International WTP)	CW-257821
CW Party/Organization ID (IBWC-US & Mexico Section)	21523
CW Party/Person ID (Dr. Maria-Elena Giner)	634777
CW Regulatory Measure (Order No. R9-2021-0001)	442331
CW Regulatory Measure (NOV R9-2024-0045)	455817

Dr. Maria-Elena Giner  
USIBWC

-4-

February 14, 2024

Tech Staff Info & Use	
WDID	9 000000732
Violation IDs	1095311, 1121285, 1121286, 1121287, 1121288, 1121289, 1121290, 1123495, 1123496, 1123497, 1123498, 1123499, 1123500, 1123501, 1123502, 1123503, 1123504, 1123505, 1123506, 1123507, 1123508, 1123509, 1123510, 1123930, 1123931, 1123932, 1123933, 1123934, 1123935, 1123936, 1123937, 1123938, 1123939, 1123940, 1123941

**EXHIBIT A**  
**RECORD OF VIOLATIONS**  
**NOTICE OF VIOLATION R9-2024-0026**

**United State International Boundary and Water Commission**  
**South Bay International Wastewater Treatment Plant**  
RECORD OF VIOLATIONS (December 1, 2023 – December 31, 2023)  
Data reported under Monitoring and Reporting Programs R9-2021-0001

**Table A. Effluent Violations<sup>2</sup>**

Item	Date	Parameter	Units	Permit Limit	Measured / Calculated	Period	Violation Type	CIWQS Violation ID
1	12/08/2023	Turbidity	NTU	225	483	Instantaneous Maximum	OEV	1123502
2	12/09/2023	TSS	mg/L	45	363	Average Weekly	CAT1	1123497
3	12/09/2023	TSS	lb/day	9,383	105,325	Average Weekly	CAT1	1123501
4	12/09/2023	Turbidity	NTU	100	269	Average Weekly	OEV	1123506
5	12/09/2023	CBOD	mg/L	40	159	Average Weekly	CAT1	1123507
6	12/09/2023	CBOD	lb/day	8,340	46,431	Average Weekly	CAT1	1123510
7	12/22/2023	Settleable Solids	ml/L	3	23	Instantaneous Maximum	OEV	1123504
8	12/23/2023	Settleable Solids	ml/L	2	3	Average Weekly	OEV	1123498
9	12/31/2023	CBOD	lb/day	521	25,987	Average Monthly	CAT1	1123495
10	12/31/2023	Flow	MGD	25	29	Average Monthly	OEV	1123496
11	12/31/2023	TSS	%	85	24	Average Monthly	CAT1	1123499
12	12/31/2023	TSS	mg/L	30	242	Average Monthly	CAT1	1123500
13	12/31/2023	TSS	lb/day	6,255	62,599	Average Monthly	CAT1	1123503
14	12/31/2023	Turbidity	NTU	75	172	Average Monthly	OEV	1123505
15	12/31/2023	CBOD	mg/L	25	98	Average Monthly	CAT1	1123508
16	12/31/2023	CBOD	%	85	60	Average Monthly	CAT1	1123509

<sup>2</sup> See Exhibit A, Table C for definitions of abbreviations.

**EXHIBIT A  
RECORD OF VIOLATIONS  
NOTICE OF VIOLATION R9-2024-0026**

**Table B. Reporting Violations**

<u>Item</u>	<u>Report</u>	<u>Document ID</u>	<u>Due Date</u>	<u>Date Submitted</u>	<u>Date Withdrawn</u>	<u>CIWQS Violation ID</u>
1	Tijuana River Valley Monitoring Program Work Plan	2528207	09/29/2021	--	Not Applicable	1095311
2	April 2022 Monthly	2528323	06/01/2022	05/23/2022	12/1/2022	1121285
3	May 2022 Monthly	2528324	07/01/2022	06/30/2022	12/1/2022	1121286
4	Q2 2022 Quarterly	2528227	08/01/2022	07/30/2022	1/18/2024	1123930
5	June 2022 Monthly	2528325	08/01/2022	07/30/2022	12/1/2022	1121287
6	July 2022 Monthly	2528326	09/01/2022	08/31/2022	12/1/2022	1121288
7	August 2022 Monthly	2528327	10/01/2022	09/30/2022	12/1/2022	1121289
8	Q3 2022 Quarterly	2528228	11/01/2022	10/31/2022	1/18/2024	1123931
9	September 2022 Monthly	2528328	11/01/2022	10/31/2022	12/1/2022	1121290
10	October 2022 Monthly	2528329	12/01/2022	11/30/2022	1/18/2024	1123932
11	November 2022 Monthly	2528330	01/01/2023	12/30/2022	1/18/2024	1123933
12	December 2022 Monthly	2528331	02/01/2023	01/31/2023	1/18/2024	1123934
13	Q4 2022 Quarterly	2528229	02/01/2023	01/31/2023	1/18/2024	1123935
14	January 2023 Monthly	2528332	03/01/2023	03/08/2023	1/18/2024	1123936
15	February 2023 Monthly	2528333	04/01/2023	03/28/2023	1/18/2024	1123937
16	Q1 2023 Quarterly	2528249	05/01/2023	04/26/2023	1/18/2024	1123938
17	March 2023 Monthly	2528334	05/01/2023	04/27/2023	1/18/2024	1123939
18	August 2023 Monthly	2528339	10/01/2023	09/27/2023	1/18/2024	1123940
19	November 2023 Monthly	2528342	01/01/2024	12/28/2023	1/18/2024	1123941

**EXHIBIT A**  
**RECORD OF VIOLATIONS**  
**NOTICE OF VIOLATION R9-2024-0026**

**Table C - Definitions**

<b>TERM</b>	<b>DEFINITION</b>
CAT1	Category 1 violation type. This violation type is identified when the water quality effluent parameter is part of the Group I pollutant.
CAT2	Category 2 violation type. This violation type is identified when the water quality effluent parameter is part of the Group II pollutant.
CBOD	Carbonaceous Biochemical Oxygen Demand 5-day @ 20°C
CIWQS	California Integrated Water Quality System database.
GROUP	The list of pollutants is based on Appendix A to section 123.45 of title 40 of the Code of Federal Regulations.
lb/day	pounds per day
mg/L	milligrams per liter
MGD	million gallons per day
ml/L	milliliters per liter
NTU	Nephelometric Turbidity Units
Date	Date that a violation occurred. For continuing violations, such as a monthly average, the last day of the reporting period is used. If the occurrence date is unknown, the date is entered as the day it was first discovered by staff, the discharger, or a third party. For deficient or late reports, the occurrence date is the day after the report was due.
OEV	Violation of any constituent-specific effluent limitation not included in Group I or Group II.
TSS	Total Suspended Solids
Violation ID	Identification number assigned to a violation in CIWQS.



## San Diego Regional Water Quality Control Board

April 23, 2024

Dr. Maria-Elena Giner, P.E.  
Commissioner  
International Boundary and Water  
Commission, United States Section  
4191 N. Mesa Street  
El Paso, Texas 79902  
[mariaelena.giner@ibwc.gov](mailto:mariaelena.giner@ibwc.gov)

**Sent by Email Only**

**In reply refer to:  
257821:MCorona**

**Subject: Notice of Violation No. R9-2024-0084 to the United States  
International Boundary and Water Commission for Violations of  
Order No. R9-2021-0001**

Dr. Maria-Elena Giner:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) hereby issues Notice of Violation (NOV) No. R9-2024-0084 to the United States International Boundary and Water Commission (USIBWC or Discharger) for alleged violations of Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant, Discharge to the Pacific Ocean through the South Bay Ocean Outfall* (Order). These alleged violations are a result of the Discharger's failure to comply with the Order.

### **1. Background**

The Discharger is required to operate and maintain the South Bay International Wastewater Treatment Plant (SBIWTP) in compliance with requirements contained in the Order. Consistent with the Order, the Discharger is required to submit self-monitoring reports and other technical reports. Between January 1, 2024, and February 29, 2024, the Discharger self-reported 34 effluent limitation exceedances. In addition, the Discharger has not re-submitted 18 self-monitoring reports with appropriate units and values consistent with the Order.

In accordance with Attachment E, Section 4.2.4 of the Order, the Discharger was required to submit a Tijuana River Valley Monitoring Program (TRVMP) Work Plan by September 29, 2021. The Discharger did not submit the TRVMP Work Plan by the due date, which was noted as a violation in Notice of Violation No. R9-2024-0026, issued by the San Diego Water Board to the Discharger on January 18, 2024. The Discharger subsequently submitted a draft TRVMP Work Plan on March 29, 2024.



Dr. Maria-Elena Giner  
USIBWC

-2-

April 23, 2024

## 2. Summary of Alleged Violations of the Order

The Discharger is alleged to have violated the following sections of the Order:

- 2.1. Section 6.3.3 of the Order:** The Discharger is required to submit a Pollutant Minimization Program (PMP) Annual Status Report on February 1 each year.

**Observation:** The Discharger submitted the PMP Annual Status Report to the California Integrated Water Quality System database (CIWQS) on February 27, 2024.

- 2.2. Section 4 of the Order:** The Discharger is required to maintain compliance with effluent limitations in section 4.1.1.1 of the Order.

**Observation:** The Discharger self-reported 34<sup>1</sup> exceedances of effluent limitations in CIWQS for the period of January 1, 2024, through February 29, 2024. Three of the CIWQS violation entries contain errors.

- 2.3. Attachment D, Section 1.1 of the Order:** The Discharger is required to comply with all terms, requirements, and conditions of the Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (Water Code) and is grounds for enforcement action, including permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof.

**Observation:** The Discharger had 35 violations of the Order.

- 2.4. Attachment E, Section 7.2 of the Order:** The Discharger is required to submit self-monitoring reports to CIWQS consistent with the Order.

**Observation:** The Discharger submitted 18 self-monitoring reports for the months of April 2022 through March 2023, August 2023, November 2023, and quarters Q2 2022, Q3 2022, Q4 2022, Q1 2023. (CIWQS Document IDs 2528323, 2528324, 2528227, 2528325, 2528326, 2528327, 2528328, 2528228, 2528329, 2528330, 2528229, 2528331, 2528332, 2528333, 2528249, 2528334, 2528339, 2528342).

The State Water Board identified that the values for arsenic, cadmium, cyanide, copper, lead, molybdenum, nickel, selenium, silver, thallium, and zinc were submitted with incorrect units and calculated values.

On December 1, 2022, the State Water Board withdrew six of the submitted reports (April 2022 through September 2022) and directed the Discharger to re-submit the self-monitoring reports with the corrected units and values.

On January 18, 2024, the Discharger requested that self-monitoring reports for the months of May 2022 through November 2023 and all quarters listed above be withdrawn, so the Discharger could re-submit with corrected values.

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<sup>1</sup> Exhibit A, List of Violations

Dr. Maria-Elena Giner  
USIBWC

-3-

April 23, 2024

The self-monitoring report violations were included in Notice of Violation No. R9-2024-0045, which the San Diego Water Board issued to the Discharger on February 14, 2024.

The Discharger has not re-submitted the self-monitoring reports to CIWQS with appropriate units and values consistent with the Order. However, the Discharger is currently working with the San Diego Water Board in correcting the reports.

### 3. Potential Enforcement Actions

The alleged violations may subject the Discharger to additional enforcement by the San Diego Water Board or the State Water Board. The San Diego Water Board intends and desires to continue to engage proactively and constructively with the Discharger through judicious and progressive enforcement efforts.

For questions or concerns regarding this NOV, please contact Melissa Corona by phone at 619-521-8921 or by email at [melissa.corona@waterboards.ca.gov](mailto:melissa.corona@waterboards.ca.gov). In the subject line of any written response, please include the following: 257821:MCorona.

Respectfully,

Brandi Outwin-Beals, P.E.  
Senior Water Resource Control Engineer  
Source Control Regulation Unit

Attachment: Exhibit A, Record of Violations

Copies to:

Morgan Rogers, Area Operations Manager, International Boundary and Water Commission, U.S. Section, [morgan.roger@ibwc.gov](mailto:morgan.roger@ibwc.gov)

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Dr. Maria-Elena Giner  
USIBWC

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April 23, 2024

Tech Staff Info & Use	
Technical Information	Number
Order No.	R9-2021-0001
NPDES No.	CA0108928
CW Place ID (South Bay International WTP)	CW-257821
CW Party/Organization ID (IBWC-US & Mexico Section)	21523
CW Party/Person ID (Dr. Maria-Elena Giner)	634777
CW Regulatory Measure (Order No. R9-2021-0001)	442331
CW Regulatory Measure (NOV R9-2024-0084)	456626
WDID	9 000000732
Violation IDs	1125379, 1125376, 1125382, 1125387, 1125389, 1125386, 1125385, 1125378, 1125390, 1125377, 1125375, 1125388, 1125380, 1125374, 1125383, 1125381, 1124276, 1125384, 1124534, 1124527, 1124535, 1124528, 1124522, 1124532, 1124525, 1124526, 1124521, 1124519, 1124533, 1124523, 1124530, 1124531, 1124529, 1124520, 1124524

**EXHIBIT A**  
**RECORD OF VIOLATIONS**  
**NOTICE OF VIOLATION NO. R9-2024-0084**

**United State International Boundary and Water Commission**  
**South Bay International Wastewater Treatment Plant**  
RECORD OF VIOLATIONS (January 1, 2024 – February 29, 2024)  
Data reported under Monitoring and Reporting Program No. R9-2021-0001

**Table A. Effluent Violations<sup>2,3</sup>**

Item	Date	Parameter	Units	Permit Limit	Reported Value	Period	Violation Type	CIWQS Violation ID
1	1/11/2024	Settleable Solids	ml/L	3	55	Instantaneous Maximum	OEV	1124524
2	1/12/2024	Turbidity	NTU	225	719	Instantaneous Maximum	OEV	1124520
3	1/13/2024	Turbidity	NTU	100	270.76	Average Weekly	OEV	1124519
4	1/13/2024	Settleable Solids	ml/L	9.5	1.5	Average Weekly	OEV	1124523
5	1/13/2024	CBOD	mg/L	40	138.86	Average Weekly	CAT1	1124529
6	1/13/2024	CBOD	lb/day	8,340	31,283	Average Weekly	CAT1	1124530
7	1/13/2024	TSS	lb/day	9,383	74,527	Average Weekly	CAT1	1124531
8	1/13/2024	TSS	mg/L	45	330	Average Weekly	CAT1	1124533
9	1/13/2024	CBOD	lb/day	5,213	23,362	Average Monthly	CAT1	1124535
10	1/31/2024	TSS	mg/L	30	251	Average Monthly	CAT1	1124521
11	1/31/2024	CBOD	%	85	64.45	Average Monthly	CAT1	1124522
12	1/31/2024	Turbidity	NTU	75	186.6	Average Monthly	OEV	1124525
13	1/31/2024	Flow	MGD	25	26.57	Average Monthly	OEV	1124526
14	1/31/2024	TSS	%	85	34.46	Average Monthly	CAT1	1124527
15	1/31/2024	Settleable Solids	ml/L	1	3.12	Average Monthly	OEV	1124528

<sup>2</sup> See Exhibit A, Table C for definitions of abbreviations.

<sup>3</sup> The CIWQS violation entries corresponding to Items 4, 10, and 24 are incorrect.

**EXHIBIT A**  
**RECORD OF VIOLATIONS**  
**NOTICE OF VIOLATION NO. R9-2024-0084**

Item	Date	Parameter	Units	Permit Limit	Reported Value	Period	Violation Type	CIWQS Violation ID
16	1/31/2024	TSS	lb/day	6,255	59,386	Average Monthly	CAT1	1124532
17	1/31/2024	CBOD	mg/L	25	100	Average Monthly	CAT1	1124534
18	2/2/2024	Turbidity	NTU	225	579	Instantaneous Maximum	OEV	1125384
19	2/21/2024	Settleable Solids	ml/L	3	55	Instantaneous Maximum	OEV	1125381
20	2/24/2024	TSS	mg/L	45	287	Average Weekly	CAT1	1125374
21	2/24/2024	Settleable Solids	ml/L	1.5	7.94	Average Weekly	OEV	1125380
22	2/24/2024	Turbidity	NTU	100	197.27	Average Weekly	OEV	1125383
23	2/24/2024	CBOD	mg/L	40	90.46	Average Weekly	CAT1	1125388
24	2/29/2024	Flow	%	25	26.57	Average Monthly	OEV	1125375
25	2/29/2024	CBOD	%	85	73.95	Average Monthly	CAT1	1125376
26	2/29/2024	TSS	mg/L	30	210	Average Monthly	CAT1	1125377
27	2/29/2024	CBOD	mg/L	25	67	Average Monthly	CAT1	1125378
28	2/29/2024	CBOD	lb/day	5,213	17,091	Average Monthly	CAT1	1125379
29	2/29/2024	Turbidity	NTU	75	136.25	Average Monthly	OEV	1125382
30	2/29/2024	TSS	lb/day	9,383	70,150	Average Weekly	CAT1	1125385
31	2/29/2024	Settleable Solids	ml/L	1	3.33	Average Monthly	OEV	1125386
32	2/29/2024	TSS	%	85	50.32	Average Monthly	CAT1	1125387
33	2/29/2024	CBOD	lb/day	8,340	25,298	Average Weekly	CAT1	1125389
34	2/29/2024	TSS	lb/day	6,255	54,123	1-Hour Average	CAT1	1125390

**EXHIBIT A  
RECORD OF VIOLATIONS  
NOTICE OF VIOLATION NO. R9-2024-0084**

**Table B. January 1, 2024 – February 29, 2024 Reporting Violation**

<u>Item</u>	<u>Report</u>	<u>Document ID</u>	<u>Due Date</u>	<u>Date Submitted</u>	<u>Date Withdrawn</u>	<u>CIWQS Violation ID</u>
1	Pollutant Minimization Program Annual Status Report	2528255	02/01/2024	02/27/2024	Not Applicable	1124276

**EXHIBIT A  
RECORD OF VIOLATIONS  
NOTICE OF VIOLATION NO. R9-2024-0084**

**Table C - Definitions**

<b>TERM</b>	<b>DEFINITION</b>
CAT1	Category 1 violation type. This violation type is identified when the water quality effluent parameter is part of the Group I pollutant.
CAT2	Category 2 violation type. This violation type is identified when the water quality effluent parameter is part of the Group II pollutant.
CBOD	Carbonaceous Biochemical Oxygen Demand 5-day @ 20°C
CIWQS	California Integrated Water Quality System database.
GROUP	The list of pollutants is based on Appendix A to section 123.45 of title 40 of the Code of Federal Regulations.
lb/day	pounds per day
mg/L	milligrams per liter
MGD	million gallons per day
ml/L	milliliters per liter
NTU	Nephelometric Turbidity Units
Date	Date that a violation occurred. For continuing violations, such as a monthly average, the last day of the reporting period is used. If the occurrence date is unknown, the date is entered as the day it was first discovered by staff, the discharger, or a third party. For deficient or late reports, the occurrence date is the day after the report was due.
OEV	Violation of any constituent-specific effluent limitation not included in Group I or Group II.
TSS	Total Suspended Solids
Violation ID	Identification number assigned to a violation in CIWQS.



## San Diego Regional Water Quality Control Board

May 14, 2024

Dr. Maria-Elena Giner, P.E.  
Commissioner  
International Boundary and Water  
Commission, United States Section  
4191 N. Mesa Street  
El Paso, Texas 79902  
[mariaelena.giner@ibwc.gov](mailto:mariaelena.giner@ibwc.gov)

**Sent by Email Only**

**In reply refer to:  
257821:MCorona**

**Subject: Notice of Violation No. R9-2024-0091 to the United States  
International Boundary and Water Commission for Violations of  
Order No. R9-2021-0001**

Dr. Maria-Elena Giner:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) hereby issues Notice of Violation (NOV) No. R9-2024-0091 to the United States International Boundary and Water Commission (USIBWC or Discharger) for alleged violations of Order No. R9-2021-0001, NPDES No. CA0108928, *Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission, South Bay International Wastewater Treatment Plant, Discharge to the Pacific Ocean through the South Bay Ocean Outfall* (Order). These alleged violations are a result of the Discharger's failure to comply with the Order.

### **1. Background**

The Discharger is required to operate and maintain the South Bay International Wastewater Treatment Plant (SBIWTP) in compliance with requirements contained in the Order. Consistent with the Order, the Discharger is required to submit self-monitoring reports and other technical reports. The Discharger self-reported 16 violations for March 2024.

As directed in NOVs that the San Diego Water Board issued to the Discharger in 2023 and 2024, the Discharger must resubmit several self-monitoring reports with appropriate units and values consistent with the Order. The Discharger is currently working with the San Diego Water Board in correcting the reports.

### **2. Summary of Alleged Violations of the Order**

The Discharger is alleged to have violated the following sections of the Order:

**2.1. Section 4 of the Order:** The Discharger is required to maintain compliance with effluent limitations in section 4.1.1.1 of the Order.



Dr. Maria-Elena Giner  
USIBWC

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May 14, 2024

**Observation:** The Discharger self-reported 16<sup>1</sup> exceedances of effluent limitations in the California Integrated Water Quality System (CIWQS) database for the month of March 2024.

**2.2. Attachment D, Section 1.1 of the Order:** The Discharger is required to comply with all terms, requirements, and conditions of the Order. Any noncompliance constitutes a violation of the federal Clean Water Act and the California Water Code and is grounds for enforcement action, including permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof.

**Observation:** The Discharger had 16 violations of the Order in March 2024.

### 3. Potential Enforcement Actions

The alleged violations may subject the Discharger to additional enforcement by the San Diego Water Board or the State Water Board. The San Diego Water Board intends and desires to continue to engage proactively and constructively with the Discharger through judicious and progressive enforcement efforts.

For questions or concerns regarding this NOV, please contact Melissa Corona by phone at 619-521-8039 or by email at [melissa.corona@waterboards.ca.gov](mailto:melissa.corona@waterboards.ca.gov). In the subject line of any written response, please include the following: 257821:MCorona.

Respectfully,

Brandi Outwin-Beals, P.E.  
Senior Water Resource Control Engineer  
Source Control Regulation Unit

Attachment: Exhibit A, Record of Violations

Copies to:

Morgan Rogers, Area Operations Manager, International Boundary and Water Commission, U.S. Section, [morgan.roger@ibwc.gov](mailto:morgan.roger@ibwc.gov)

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Rebecca Rizzuti, International Boundary and Water Commission, U.S. Section, [rebecca.rizzuti@ibwc.gov](mailto:rebecca.rizzuti@ibwc.gov)

David Gibson, San Diego Water Board, [david.gibson@waterboards.ca.gov](mailto:david.gibson@waterboards.ca.gov)

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<sup>1</sup> Exhibit A contains the list of violations.

Dr. Maria-Elena Giner  
USIBWC

-3-

May 14, 2024

Laurie Walsh, San Diego Water Board, [laurie.walsh@waterboards.ca.gov](mailto:laurie.walsh@waterboards.ca.gov)

Brandi Outwin-Beals, San Diego Water Board, [brandi.outwin-beals@waterboards.ca.gov](mailto:brandi.outwin-beals@waterboards.ca.gov)

Vicente Rodriguez, San Diego Water Board, [vicente.rodriguez@waterboards.ca.gov](mailto:vicente.rodriguez@waterboards.ca.gov)

Tech Staff Info & Use	
Technical Information	Number
Order No.	R9-2021-0001
NPDES No.	CA0108928
Place ID (South Bay International WTP)	257821
Party/Organization ID (IBWC-US & Mexico Section)	21523
Party/Person ID (Dr. Maria-Elena Giner)	634777
Regulatory Measure (Order No. R9-2021-0001)	442331
Regulatory Measure (NOV R9-2024-0091)	456899
WDID	9 000000732
Violation IDs	1126646, 1126647, 1126648, 1126649, 1126650, 1126651, 1126652 1126653, 1126654, 1126655, 1126656, 1126657, 1126658, 1126659 1126660, 1126661

**EXHIBIT A**  
**RECORD OF VIOLATIONS**  
**NOTICE OF VIOLATION NO. R9-2024-0091**

**United State International Boundary and Water Commission**  
**South Bay International Wastewater Treatment Plant**  
**RECORD OF VIOLATIONS (March 2024)**

Data reported under Monitoring and Reporting Program No. R9-2021-0001

**Table A. Effluent Violations<sup>2</sup>**

Item	Date	Parameter	Units	Permit Limit	Reported Value	Period	Violation Type	CIWQS Violation ID
1	3/31/2024	CBOD	mg/L	25	91	Average Monthly	CAT1	1126646
2	3/31/2024	CBOD	lb/day	5,213	18,406	Average Monthly	CAT1	1126647
3	3/31/2024	CBOD	mg/L	40	107.43	Average Weekly	CAT1	1126648
4	3/31/2024	CBOD	lb/day	8,340	26,299	Average Weekly	CAT1	1126649
5	3/31/2024	TSS	mg/L	45	312	Average Weekly	CAT1	1126650
6	3/31/2024	Settleable Solids	ml/L	1.0	1.36	Average Monthly	CAT1	1126651
7	3/31/2024	Settleable Solids	ml/L	1.5	2.94	Average Weekly	CAT1	1126652
8	3/31/2024	Turbidity	NTU	75	170.13	Average Monthly	OEV	1126653
9	3/31/2024	TSS	lb/day	6,255	50,471	Average Monthly	CAT1	1126654
10	3/31/2024	Turbidity	NTU	100	245.57	Average Weekly	OEV	1126655
11	3/31/2024	Settleable Solids	ml/L	3.0	20	Instantaneous Maximum	CAT1	1126656
12	3/31/2024	Turbidity	NTU	225	860	Instantaneous Maximum	OEV	1126657
13	3/31/2024	TSS	lb/day	9,383	80,206	Average Weekly	CAT1	1126658
14	3/31/2024	TSS	mg/L	30	244	Average Monthly	CAT1	1126659
15	3/31/2024	CBOD	%	85	43.25	Average Monthly	CAT1	1126660
16	3/31/2024	TSS	%	85	24.47	Average Monthly	CAT1	1126661

<sup>2</sup> See Exhibit A, Table B for definitions of abbreviations.

**EXHIBIT A**  
**RECORD OF VIOLATIONS**  
**NOTICE OF VIOLATION NO. R9-2024-0091**

**Table B - Definitions**

<b>TERM</b>	<b>DEFINITION</b>
CAT1	Category 1 violation type. This violation type is identified when the water quality effluent parameter is part of the Group I pollutant.
CBOD	Carbonaceous Biochemical Oxygen Demand 5-day @ 20°C
CIWQS	California Integrated Water Quality System database
Group	The list of pollutants is based on Appendix A to section 123.45 of title 40 of the Code of Federal Regulations.
lb/day	pounds per day
mg/L	milligrams per liter
MGD	million gallons per day
ml/L	milliliters per liter
NTU	Nephelometric Turbidity Units
Date	Date that a violation occurred. For continuing violations, such as a monthly average, the last day of the reporting period is used. If the occurrence date is unknown, the date is entered as the day it was first discovered by staff, the discharger, or a third party. For deficient or late reports, the occurrence date is the day after the report was due.
OEV	Violation of any constituent-specific effluent limitation not included in Group I or Group II
TSS	Total Suspended Solids
Violation ID	Identification number assigned to a violation in CIWQS

## Enforcement Actions for January, February, and March 2024

### NPDES WASTEWATER

Enforcement Date	Enforcement Action	Entity/ Facility/Location	Summary of Violations and Enforcement	Applicable Permit/Order Violated
<b>3/25/2024</b>	<a href="#">Administrative Civil Liability Order No. R9-2024-0025</a>	UC Poway Post Holder, LLC; 13247 Poway Road, Poway	Settlement Agreement and Stipulated Order to UC Poway Post Holder, LLC for Mandatory Minimum Penalties totaling \$84,000.	<a href="#">National Pollutant Discharge Elimination System (NPDES) General Order No. R9-2015-0013</a>
<b>1/18/2024</b>	Notice of Violation No. R9-2024-0026	United States International Boundary and Water Commission, South Bay International Wastewater Treatment Plant, San Diego	Failure to comply with effluent limitations and submit monitoring reports.	<a href="#">NPDES Order No. R9-2021-0001</a>
<b>2/14/2024</b>	Notice of Violation No. R9-2024-0045	United States International Boundary and Water Commission, South Bay International Wastewater Treatment Plant, San Diego	Failure to comply with effluent limitations, submit monitoring reports, and submit a monitoring work plan.	<a href="#">NPDES Order No. R9-2021-0001</a>

**NPDES STORMWATER**

<b>Enforcement Date</b>	<b>Enforcement Action</b>	<b>Entity/ Facility/Location</b>	<b>Summary of Violations and Enforcement</b>	<b>Applicable Permit/Order Violated</b>
<b>3/25/2024</b>	<a href="#">Time Schedule Order (TSO) No. R9-2024-0010</a>	TSO Responsible Municipal Separate Storm Sewer System (MS4) Permittees; multiple beaches and creeks in the San Diego Region, including Tecolote Creek	Order establishing a time schedule for Responsible Permittees to meet final dry weather water quality-based effluent limitations for bacteria contained in the regional MS4 permit.	<a href="#">NPDES Order No. R9-2013-0001</a>
<b>1/22/2024</b>	Notice of Violation No. R9-2024-0018	Demler Brothers LLC, Pine Hill Egg Ranch and Pullet Farm, Ramona	Failure to cease and desist unauthorized discharges of waste and wastewater to land and waters of the State.	<a href="#">Cease and Desist Order No. R9-2023-0129</a> and <a href="#">NPDES General Order No. 2014-0057-DWQ</a>

**WASTE DISCHARGE REQUIREMENTS**

<b>Enforcement Date</b>	<b>Enforcement Action</b>	<b>Entity/ Facility/Location</b>	<b>Summary of Violations and Enforcement</b>	<b>Applicable Permit/Order Violated</b>
<b>2/14/2024</b>	<a href="#">Cease and Desist and Time Schedule Order No. R9-2024-0008</a>	United States Marine Corps, Las Pulgas Landfill, Camp Pendleton	Order directing the cessation of waste discharges by providing offsite waste disposal and establishing a time schedule for the discharger to demonstrate compliance.	<a href="#">Waste Discharge Requirements (WDR) Order No. R9-2010-0004</a>
<b>1/29/2024</b>	Notice of Violation No. R9-2024-0016	Otay Landfill, Inc., Republic Services; Otay Landfill Composting Facility, San Diego County	Failure to submit a complete application for enrollment in the General Order.	<a href="#">General WDR Order WQ 2015-0121-DWQ</a>

<b>Enforcement Date</b>	<b>Enforcement Action</b>	<b>Entity/ Facility/Location</b>	<b>Summary of Violations and Enforcement</b>	<b>Applicable Permit/Order Violated</b>
<b>3/7/2024</b>	Notice of Violation No. R9-2024-0034	San Diego Zoological Society, San Diego Zoo Safari Park, Escondido	Failure to meet total coliform and total nitrogen effluent limitations and failure to submit monitoring data and reports.	<a href="#">General WDR Order WQ 2014-0153-DWQ</a>
<b>3/15/2024</b>	Notice of Violation No. R9-2024-0063	Advanced Group 99-SJ LLC and Orange County Waste and Recycling, Forster Canyon Landfill, Orange County	Failure to comply with the specifications for waste excavation and relocation.	<a href="#">WDR Order No. R9-2016-0149</a>
<b>3/15/2024</b>	Notice of Violation No. R9-2024-0047	City of Oceanside Department of Public Works, Maxson Street Landfill, Oceanside	Failure to comply with closed waste management unit specifications.	<a href="#">General WDR Order No. R9-2012-0001</a>
<b>3/28/2024</b>	Notice of Violation No. R9-2024-0067	City of San Diego Environmental Services, Arizona Street Landfill, San Diego	Failure to comply with closed waste management unit specifications.	<a href="#">General WDR Order No. R9-2012-0001</a>
<b>3/29/2024</b>	Notice of Violation No. R9-2024-0048	Advanced Group 99-SJ LLC and Orange County Waste and Recycling, Forster Canyon Landfill, Orange County	Failure to comply with reporting requirements and the specifications for waste excavation and relocation.	<a href="#">WDR Order No. R9-2016-0149</a>

**WASTE DISCHARGE REQUIREMENTS: DREDGE & FILL**

<b>Enforcement Date</b>	<b>Enforcement Action</b>	<b>Entity/ Facility/Location</b>	<b>Summary of Violations and Enforcement</b>	<b>Applicable Permit/Order Violated</b>
<b>3/5/2024</b>	<a href="#">Cleanup and Abatement Order No. R9-2024-0023</a>	Temecula Creek Ranch, LLC, Jacqueline M. Fletcher, and Jose Antonio Jimenez; Assessor Parcel Nos. 583-120-003, 583-120-004, and 583-120-086; County of Riverside	An Order directing multiple Responsible Parties (RPs) to cleanup and abate unauthorized fill related to construction activity in Aguanga, Riverside.	<a href="#">Water Quality Control Plan for the San Diego Basin (Basin Plan)</a> – Waste Discharge Prohibitions

**SITE CLEANUP PROGRAM**

<b>Enforcement Date</b>	<b>Enforcement Action</b>	<b>Entity/ Facility/Location</b>	<b>Summary of Violations and Enforcement</b>	<b>Applicable Permit/Order Violated</b>
<b>3/13/2024</b>	<a href="#">Cleanup and Abatement Order No. R9-2024-0009</a>	Citizens Development Corporation, City of San Marcos, City of Escondido, Vallecitos Water District, County of San Diego; Lake San Marcos and San Marcos Creek	An Order directing multiple RPs to cleanup and abate Lake San Marcos and San Marcos Creek from discharges into and from Lake San Marcos.	<a href="#">Basin Plan</a> – Water Quality Objectives



**CANNABIS**

<b>Enforcement Date</b>	<b>Enforcement Action</b>	<b>Entity/ Facility/Location</b>	<b>Summary of Violations and Enforcement</b>	<b>Applicable Permit/Order Violated</b>
<b>1/3/2024</b>	Notice of Violation	Conor Reed Garvie Property, Aguanga	Unauthorized discharges related to cannabis cultivation.	<a href="#">California Water Code (CWC) sections 13260 and 13264</a>
<b>1/9/2024</b>	Notice of Violation	Paul and Shelly Connors Property, Fallbrook	Unauthorized discharges related to cannabis cultivation.	<a href="#">CWC sections 13260 and 13264</a>

**Table 1: March 2024 – Summary of Public and Federal Sanitary Sewer Overflow Events<sup>1</sup>**

<b>Responsible Collection System Agency</b>	<b>Total Volume (Gallons)<sup>2</sup></b>	<b>Total Recovered (Gallons)<sup>3</sup></b>	<b>Total Reaching Surface Waters (Gallons)<sup>4</sup></b>	<b>Total Reaching Separate Storm Drain and Recovered (Gallons)<sup>5</sup></b>	<b>Total Discharged to Land (Gallons)<sup>6</sup></b>	<b>Surface Water Body Affected<sup>7</sup></b>	<b>Miles of Pressure Sewer</b>	<b>Miles of Gravity Sewer</b>	<b>Population in Service Area<sup>8</sup></b>
City of Poway	40	40	0	40	0	Not Applicable	3.5	185.00	43,216
City of San Diego	68	20	48	0	0	Not Reported	112.2	2944.92	2,380,000
City of San Diego	462	220	0	220	242	Not Applicable	112.2	2944.92	2,380,000
City of San Diego	3,240	0	3,240	0	0	West Side Creek	112.2	2944.92	2,380,000
City of San Diego	1,725	0	0	0	1,725	Not Applicable	112.2	2944.92	2,380,000

<sup>1</sup> Table 1 may not include information on public SSOs that were less than 50 gallons in volume and that did not reach surface waters.

<sup>2</sup> Total Volume = total amount that discharged from sanitary sewer system to a separate storm drain, drainage channel, surface water body, and/or land.

<sup>3</sup> Total Recovered = total amount recovered from a separate storm drain, drainage channel, surface water body, and/or land.

<sup>4</sup> Total Reaching Surface Waters = total amount reaching separate storm drain (not recovered), drainage channel, and/or surface water body, but does not include amount reaching separate storm drain that was recovered.

<sup>5</sup> Total Reaching Separate Storm Drain and Recovered = total amount reaching separate storm drain that was recovered.

<sup>6</sup> Total Discharged to Land = total amount reaching land.

<sup>7</sup> Agencies are only required to note the surface water body affected if the discharge reaches or has the potential to reach a surface water. If the discharge did not reach a surface water and does not have a potential to reach a surface water (i.e., a discharge to land or a discharge to a separate storm drain that is fully recovered) the surface water body affected is listed as “Not Applicable.” If the discharge was to a surface water body or to a separate storm drain and was not fully recovered, and the surface water body was not reported, the surface water body affected is listed as “Not Reported.”

<sup>8</sup> As reported in the Collection System Questionnaire required under Order No. 2006-0003-DWQ.

<b>Responsible Collection System Agency</b>	<b>Total Volume (Gallons)<sup>2</sup></b>	<b>Total Recovered (Gallons)<sup>3</sup></b>	<b>Total Reaching Surface Waters (Gallons)<sup>4</sup></b>	<b>Total Reaching Separate Storm Drain and Recovered (Gallons)<sup>5</sup></b>	<b>Total Discharged to Land (Gallons)<sup>6</sup></b>	<b>Surface Water Body Affected<sup>7</sup></b>	<b>Miles of Pressure Sewer</b>	<b>Miles of Gravity Sewer</b>	<b>Population in Service Area<sup>8</sup></b>
City of San Diego	310	300	0	0	0	Not Applicable	112.2	2944.92	2,380,000
City of San Diego	118	108	0	0	0	Not Applicable	112.2	2944.92	2,380,000
City of San Diego	60	58	0	58	0	Not Applicable	112.2	2944.92	2,380,000
City of San Diego	21,287	29	21,259	0	0	Pacific Ocean	112.2	2944.92	2,380,000
City of San Diego	40	0	0	0	40	Not Applicable	112.2	2944.92	2,380,000
Eastern Municipal Water District	20	0	0	0	20	Not Applicable	30.0	609.00	258,132

**Table 2: March 2024 – Summary of Private Lateral Sewage Discharge Events**

<b>Responsible Collection System Agency</b>	<b>Total Volume (Gallons)<sup>1</sup></b>	<b>Total Recovered (Gallons)<sup>2</sup></b>	<b>Total Reaching Surface Waters (Gallons)<sup>3</sup></b>	<b>Total Reaching Separate Storm Drain &amp; Recovered and/or Discharged to Land (Gallons)<sup>4</sup></b>	<b>Surface Water Body Affected<sup>5</sup></b>	<b>Population in Service Area<sup>6</sup></b>	<b>Number of Lateral Connections</b>
City of Lemon Grove	18,225	0	18,225	0	Not Reported	25,800	0
City of San Diego	480	0	480	0	Not Reported	2,380,000	267,188
City of San Diego	1,220	0	1,220	0	Not Reported	2,380,000	267,188
City of San Diego	230	Not Reported	0	0	Not Applicable	2,380,000	267,188
Santa Margarita Water District	60	60	0	60	Not Applicable	170,000	52,857

<sup>1</sup> Total Volume = total amount that discharged from private lateral to a separate storm drain, drainage channel, surface water body, and/or land.

<sup>2</sup> Total Recovered = total amount recovered from a separate storm drain, drainage channel, surface water body, and/or land.

<sup>3</sup> Total Reaching Surface Waters = total amount reaching separate storm drain (not recovered), drainage channel, and/or surface water body, but does not include amount reaching separate storm drain that was recovered.

<sup>4</sup> Total Reaching Separate Storm Drain & Recovered and/or Discharged to Land = total amount reaching separate storm drain that was recovered and/or total amount reaching land.

<sup>5</sup> Agencies are only required to note the surface water body affected if the discharge reaches or has the potential to reach a surface water. If the discharge did not reach a surface water and does not have a potential to reach surface water (i.e., a discharge to land or a discharge to a separate storm drain that is fully recovered) the surface water body affected is listed as “Not Applicable.” If the discharge was to a surface water body or to a separate storm drain and was not fully recovered, and the surface water body was not reported, the surface water body affected is listed as “Not Reported.”

<sup>6</sup> As reported in the Collection System Questionnaire required under Order No. 2006-0003-DWQ.

**Table 3: March 2024 – Summary of Sewage Discharges by Source<sup>1</sup>**

<b>Spill Type</b>	<b>Month/Year</b>	<b>Number of Spills</b>	<b>Total Volume (Gallons)<sup>2</sup></b>	<b>Total Recovered (Gallons)<sup>3</sup></b>	<b>Total Reaching Surface Waters (Gallons)<sup>4</sup></b>	<b>Total Reaching Separate Storm Drain &amp; Recovered and/or Discharged to Land (Gallons)<sup>5</sup></b>
Public Spills	March 2024	11	27,370	775	24,547	2,345
Federal Spills	March 2024	0	0	0	0	0
Private Spills	March 2024	5	20,215	60	19,925	60
<b>All Spills</b>	<b>March 2024</b>	<b>16</b>	<b>47,585</b>	<b>835</b>	<b>44,472</b>	<b>2,405</b>

<sup>1</sup> Information displayed may not include public SSOs that were less than 50 gallons in volume that did not reach surface waters.

<sup>2</sup> Total Volume = total amount that discharged from sanitary sewer system to a separate storm drain, drainage channel, surface water body, and/or land.

<sup>3</sup> Total Recovered = total amount recovered from a separate storm drain, drainage channel, surface water body, and/or land.

<sup>4</sup> Total Reaching Surface Waters = total amount reaching separate storm drain (not recovered), drainage channel, and/or surface water body, but does not include amount reaching separate storm drain that was recovered.

<sup>5</sup> Total Reaching Separate Storm Drain & Recovered and/or Discharged to Land = total amount reaching separate storm drain that was recovered and/or total amount reaching land.

**Table 4: Summary of Category 1 Spills<sup>1</sup> by Agency between March 2023 and March 2024**

<b>Responsible Collection System Agency</b>	<b>Number of Spills</b>	<b>Smallest Spill Volume (Gallons)</b>	<b>Largest Spill Volume (Gallons)</b>	<b>Average Spill Volume (Gallons)</b>	<b>Total Volume (Gallons)</b>
City of Coronado	5	38,250	10,459,749	3,891,494	19,457,469
City of San Diego	29	36	2,000,000	77,398	2,244,547
City of Laguna Beach	1	152,705	152,705	152,705	152,705
San Diego County	3	980	46,850	31,560	94,680
Vallecitos Water District	3	585	74,700	25,515	76,545

<sup>1</sup> Category 1 spills are spills of any volume of sewage from or caused by a sanitary sewer system regulated under Statewide General SSO Order that results in a discharge to a surface water or a drainage conveyance system that discharges to surface waters when the sewage is not fully captured and returned to the sanitary sewer system or disposed of properly.

<b>Responsible Collection System Agency</b>	<b>Number of Spills</b>	<b>Smallest Spill Volume (Gallons)</b>	<b>Largest Spill Volume (Gallons)</b>	<b>Average Spill Volume (Gallons)</b>	<b>Total Volume (Gallons)</b>
Padre Dam Municipal Water District	1	12,900	12,900	12,900	12,900
City of Encinitas	2	1,500	7,200	4,350	8,700
City of La Mesa	1	6,750	6,750	6,750	6,750
Rainbow Municipal Water District	4	500	2,800	1,663	6,650
City of Oceanside	1	6,120	6,120	6,120	6,120
Santa Margarita Water District	2	500	4,000	2,250	4,500

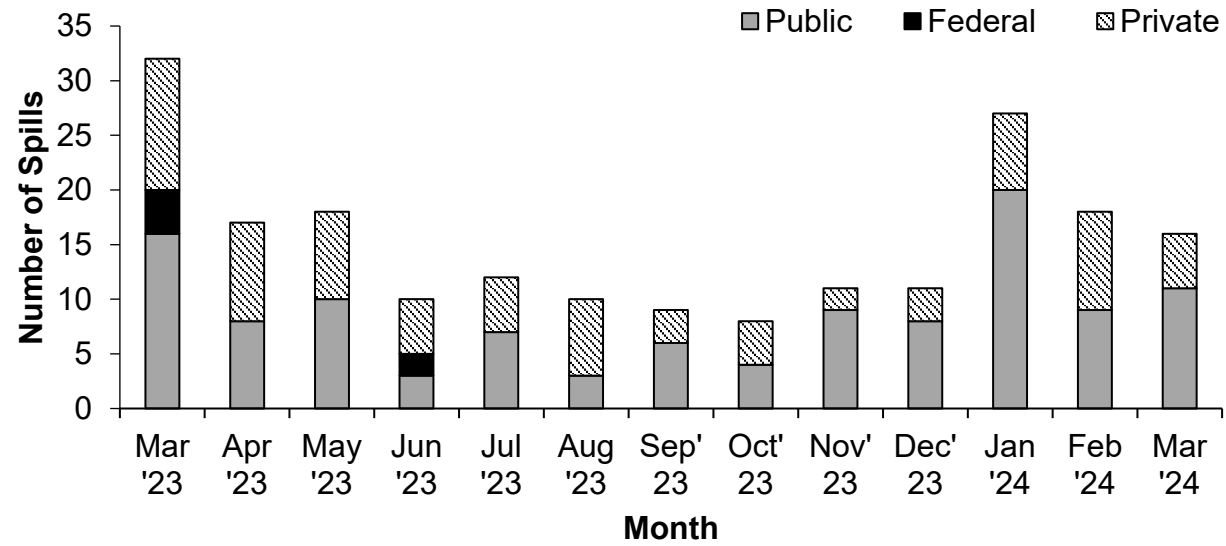
<b>Responsible Collection System Agency</b>	<b>Number of Spills</b>	<b>Smallest Spill Volume (Gallons)</b>	<b>Largest Spill Volume (Gallons)</b>	<b>Average Spill Volume (Gallons)</b>	<b>Total Volume (Gallons)</b>
City of Carlsbad	1	4,250	4,250	4,250	4,250
US Marine Corps Base Camp Pendleton	3	250	3,000	1,408	4,225
City of Escondido	1	2,600	2,600	2,600	2,600
US Navy Southwest Division	1	2,000	2,000	2,000	2,000
City of Lemon Grove	1	2,000	2,000	2,000	2,000
City of Vista	4	172	360	267	1,067



<b>Responsible Collection System Agency</b>	<b>Number of Spills</b>	<b>Smallest Spill Volume (Gallons)</b>	<b>Largest Spill Volume (Gallons)</b>	<b>Average Spill Volume (Gallons)</b>	<b>Total Volume (Gallons)</b>
City of San Clemente	1	750	750	750	750
Buena Sanitation District	1	477	477	477	477
Olivenhain Municipal Water District	1	400	400	400	400
City of National City	1	260	260	260	260
City of Poway	1	194	194	194	194
Fallbrook Public Utility District	3	10	100	53	160

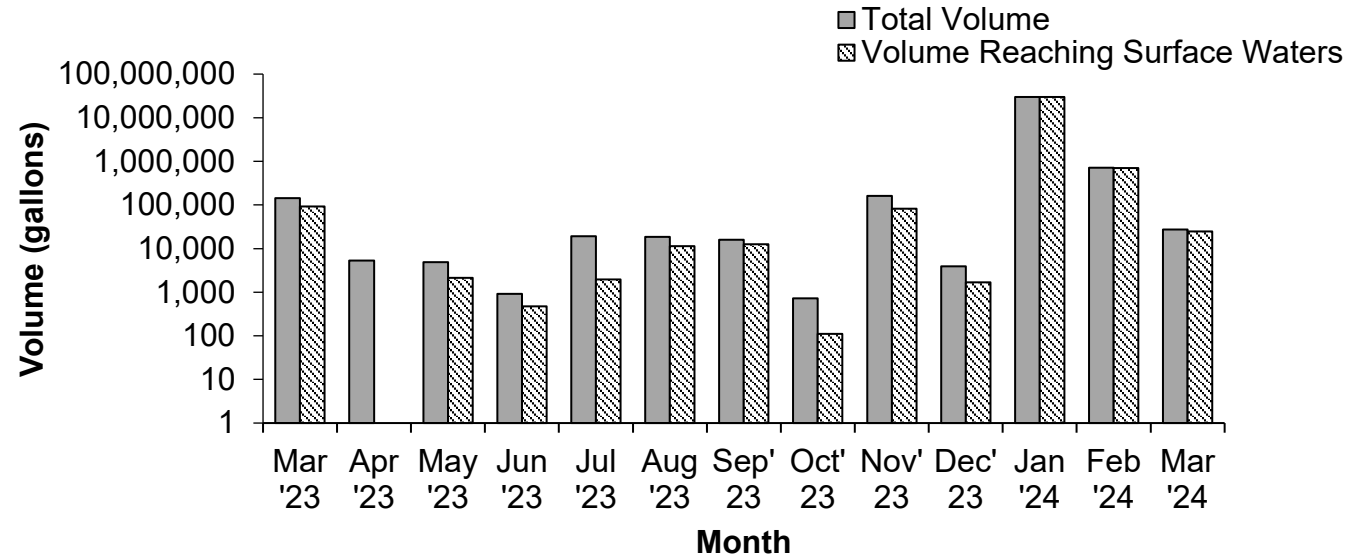
<b>Responsible Collection System Agency</b>	<b>Number of Spills</b>	<b>Smallest Spill Volume (Gallons)</b>	<b>Largest Spill Volume (Gallons)</b>	<b>Average Spill Volume (Gallons)</b>	<b>Total Volume (Gallons)</b>
City of Imperial Beach	1	100	100	100	100

**Figure 1: Number of Spills per Month**

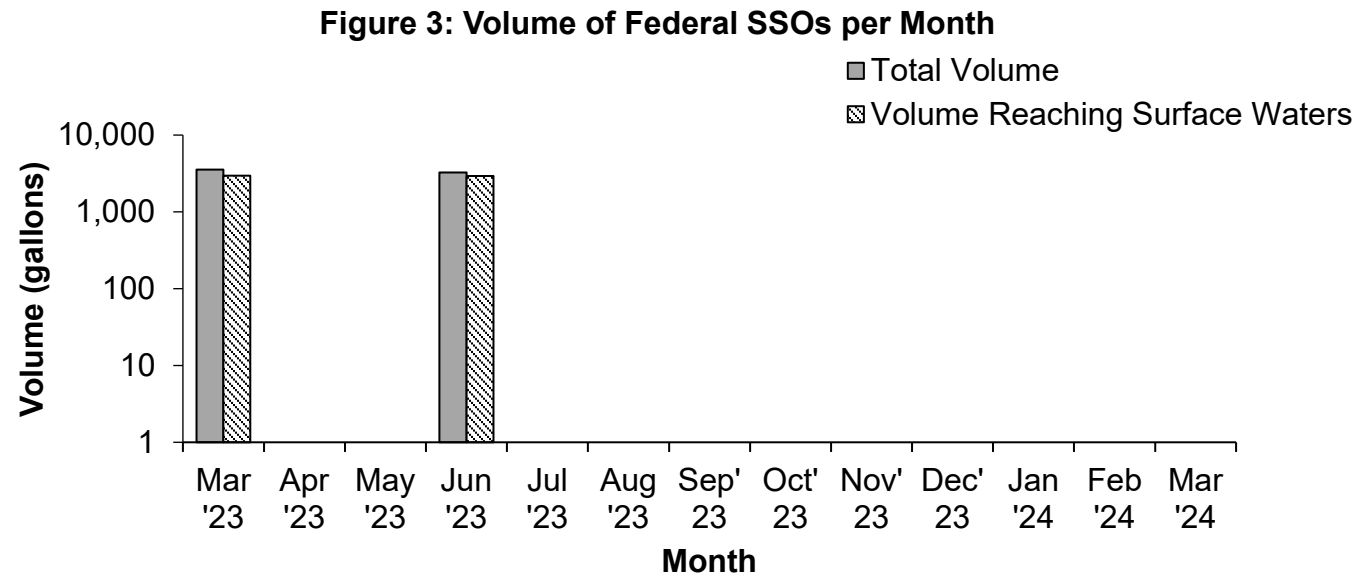


**Figure 1:** The number of public, federal, and private sewage spills per month from March 2023 through March 2024. Note total number of spills per month may not include public SSOs that were less than 50 gallons in volume that did not reach surface waters.

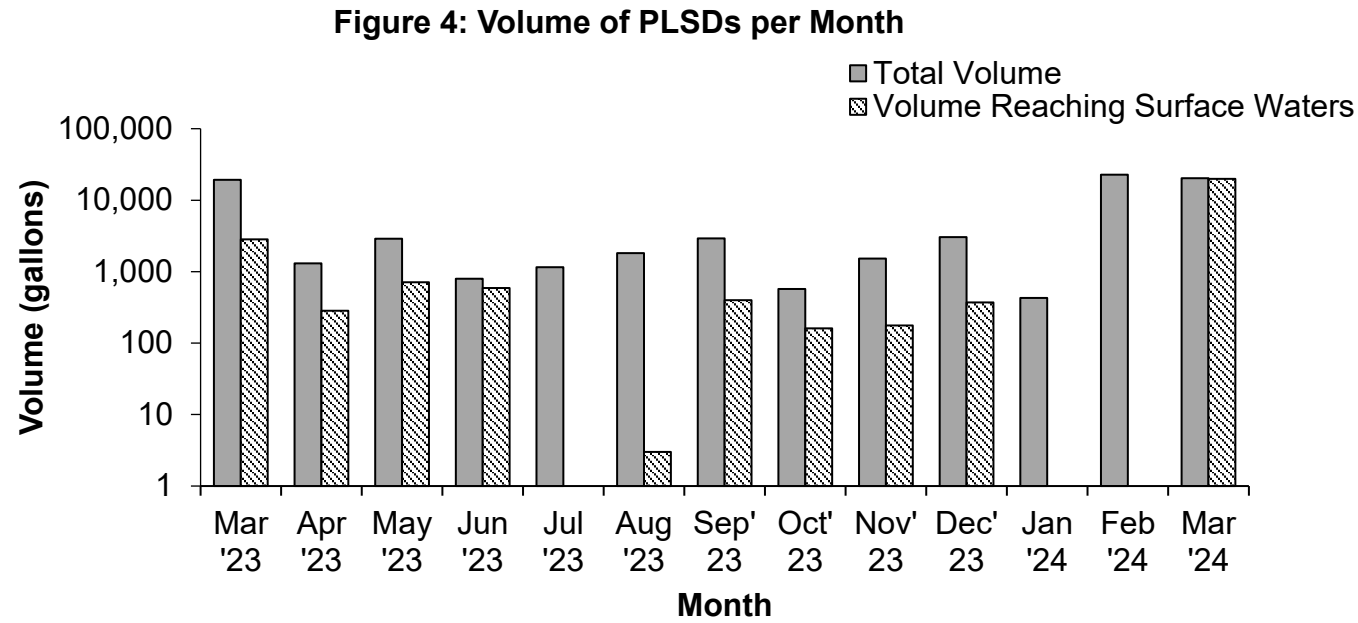
**Figure 2: Volume of Public SSOs per Month**



**Figure 2:** The volume of SSOs from public agencies per month from March 2023 through March 2024. Note, spill totals may not include public SSOs that were less than 50 gallons in volume that did not reach surface waters. Also, note the logarithmic scale on the vertical axis showing the wide variation in spill volumes.



**Figure 3:** The volume of SSOs from federal agencies per month from March 2023 through March 2024. Note the logarithmic scale on the vertical axis showing the wide variation in spill volumes.



**Figure 4:** The volume of PLSDs per month from March 2023 through March 2024. Note the logarithmic scale on the vertical axis showing the wide variation in spill volumes.

**Table 1: March 2024 – Summary of Transboundary Flows and Spills<sup>1</sup>**

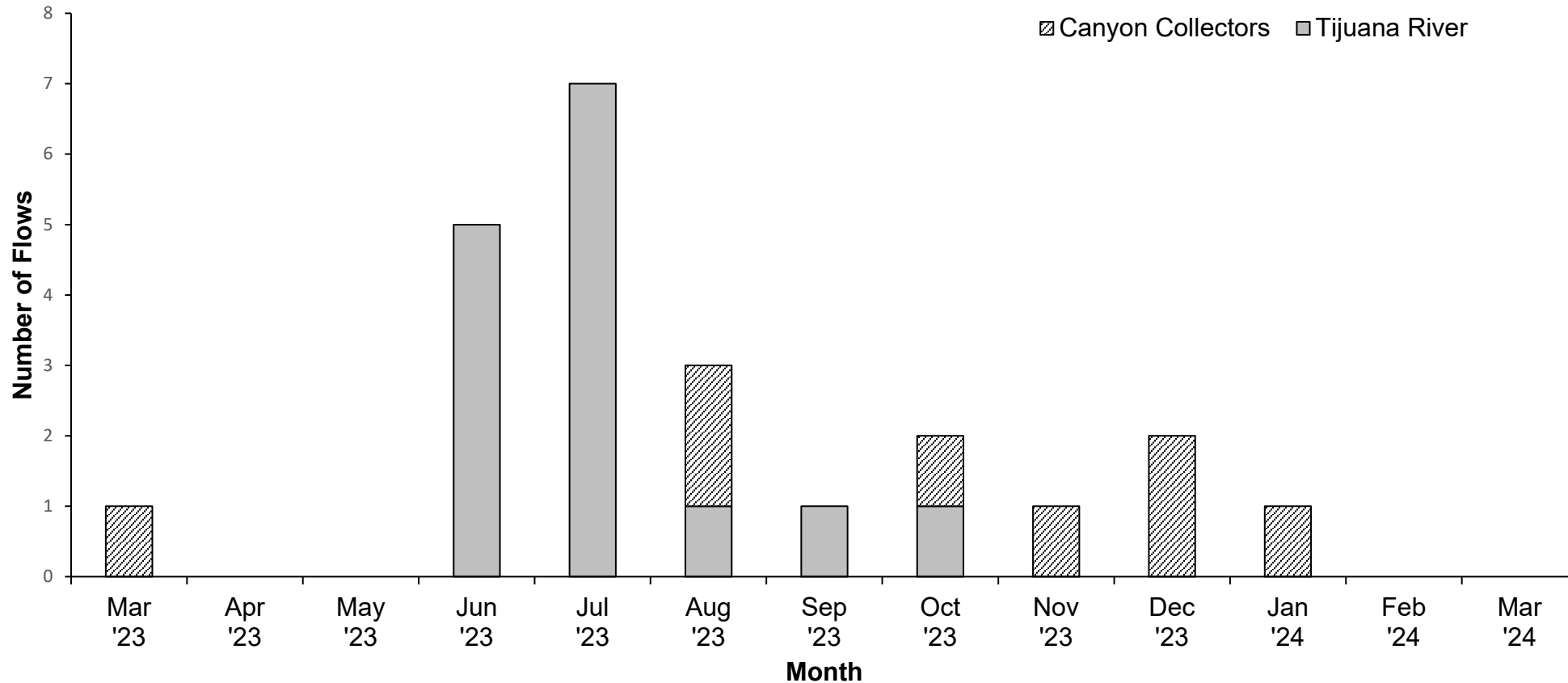
<b>Location</b>	<b>Start Date</b>	<b>End Date</b>	<b>Weather Condition<sup>2</sup></b>	<b>Total Volume<sup>3</sup></b>	<b>Total Volume Recovered<sup>3</sup></b>	<b>Total Volume Reaching Surface Waters<sup>3</sup></b>	<b>Additional Details Reported By USIBWC</b>
Transboundary flow in Tijuana River main channel	10/11/2023	ongoing	wet and dry	31.3 billion gallons	0	31.3 billion gallons	Wet and dry weather flows from numerous sources in Mexico.
Spill at Goat Canyon Pump Station	03/02/2024	03/02/2024	dry	1,406 gallons	0	0	Sump level sensor system failures resulted in pump shut-down and sump overflow and spill. The spill infiltrated into soil.

<sup>1</sup> Volumes are obtained from self-monitoring reports submitted by USIBWC pursuant to Order No. R9-2021-0001.

<sup>2</sup> Order No. R9-2021-0001 defines wet weather as the period of time when a storm event produces 0.1 inch or greater within a 24-hour period plus 72 hours after, based on the Goat Canyon Pump Station rain gauge. USIBWC reported that 1.06 inches of precipitation was recorded at Marron Valley for the month of March 2024. The rain gauges at Goat Canyon and Smugglers Gulch were not operable and are scheduled for maintenance and repair.

<sup>3</sup> Total transboundary flow volume, total volume recovered, and total volume reaching surface waters are estimates reported by USIBWC.

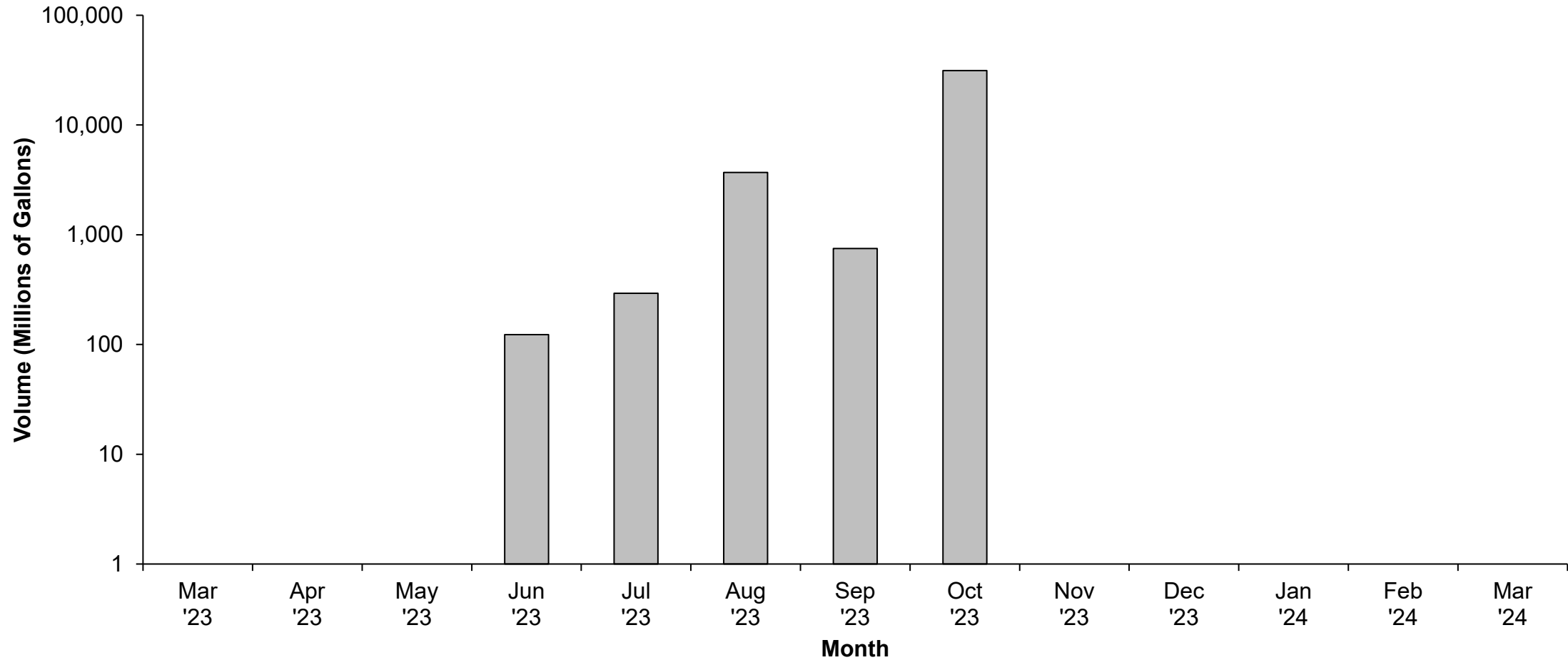
**Figure 1: Number of Transboundary Flows**



**Figure 1:** Number of new transboundary flows reported per month from March 2023 through March 2024 at the canyon collector systems and the Tijuana River main channel. For transboundary flows that start and end in different months, the figure includes the transboundary flow in the month the transboundary flow started. For example, Tijuana River flows from November 2023 through March 2024 that started in October 2023 are only shown in October 2023.

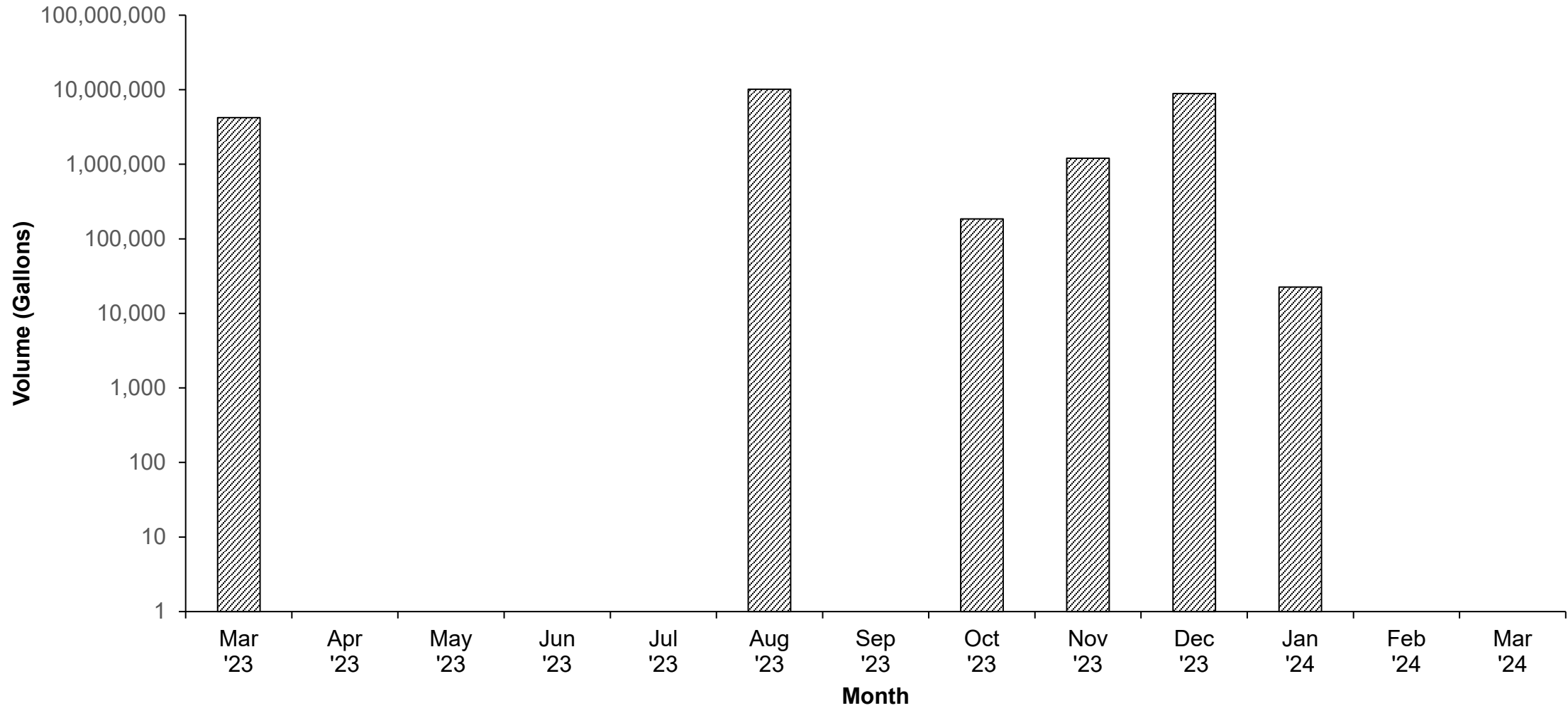


**Figure 2: Tijuana River Transboundary Flow Volume**



**Figure 2:** Volume of reported transboundary flows per month from March 2023 through March 2024 at the Tijuana River main channel. For transboundary flows that start and end in different months, the figure includes the total volume of the transboundary flow in the month the transboundary flow started. For example, volumes reported for November 2023 through March 2024 for the flows that started in October 2023 are only shown in October. Note the logarithmic scale on the vertical axis to accommodate the variation in transboundary flow volumes.

**Figure 3: Canyon Collector Transboundary Flow Volume**



**Figure 3:** Volume of reported transboundary flows per month from March 2023 through March 2024 at the canyon collector systems. Note the logarithmic scale on the vertical axis to accommodate variation in transboundary flow volumes.