

California Regional Water Quality Control Board
San Diego Region

FOR IMMEDIATE RELEASE
December 6, 2004

Contact: John Robertus
858-467-2952

**FEDERAL COURT SIDES WITH SAN DIEGO WATER BOARD
IN SEWAGE DISCHARGE CASE**

San Diego – A federal district court judge Monday sided with the San Diego Regional Board and ordered the United States International Boundary and Water Commission to set a compliance schedule for the selection and implementation of remedies that will prevent the further discharge of untreated or partially treated waste to the Pacific Ocean.

The Commission, a federal agency, operates the treatment plant, which treats sewage from the City of Tijuana, Baja California, Mexico, and discharges the waste to the Pacific Ocean through the South Bay Ocean Outfall.

In 2001, the Regional Water Quality Control Board sued the Commission for violations of federal and state laws pertaining to discharges of sewage at the International Wastewater Treatment Plant in San Ysidro.

The complaint alleged the Commission's discharges violated the terms of the National Pollutant Discharge Elimination System permit issued by the Regional Water Board, for failing to treat the waste to secondary standards and for violating other limitations, including toxicity standards. In December 2003, the court found that the Commission had violated state and federal law.

The new Court Order sets a compliance schedule requiring the Commission to complete environmental review documents, adopt a Record of Decision identifying how it will treat the waste, and to complete the design and construction phases of improvements to their facility, using "not later than" deadlines. The Commission must also define, track, and report its progress on design and construction phases of the project to the Regional Water Board and the Court.

The Order also requires that the Commission comply with all effluent standards and limitations contained in its NPDES permit not later than Sept. 30, 2008.

The Commission must pay attorneys' fees and costs in this case.

For information about the Regional Water Quality Control Board, San Diego Region, see our Web site at <http://www.waterboards.ca.gov>

###