San Diego Regional Water Quality Control Board

February 18, 2025

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United States Section
International Boundary and Water Commission
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Sent by Email Only
In reply refer to: 257821:MCorona

Investigative Order No. R9-2025-0022 to United States International Boundary and Water Commission Related to Non-Compliance at Hollister Street Pump Station and the Goat Canyon and Smuggler's Gulch Canyon Collectors

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) hereby issues Investigative Order No. R9-2025-0022 (Investigative Order) to the United States Section of the International Boundary and Water Commission (USIBWC) directing the submission of technical information related to discharges of waste from two multi-day Spill Events at the Hollister Street Pump Station and at the Goat Canyon and Smuggler's Gulch canyon collectors resulting in alleged non-compliance with the San Diego Water Board's statutory and regulatory requirements as summarized below and detailed in the attached Notices of Violation (NOV).[1] USIBWC is directed to submit the technical information pursuant to California Water Code (Water Code) sections 13267 and 13383 as soon as practicable and no later than 90 days of the date of this Investigative Order.

Background Information

On May 12, 2021, the San Diego Water Board adopted Order No. R9-2021-0001, National Pollutant Discharge Elimination System (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).[2]

[1] Attachment 1, NOV No. R9-2024-0146, September 25, 2024; and NOV No. R9-2025-0019, February 6, 2025.

[2] San Diego Water Board Order No. R9-2023-0009 adopted on March 8, 2023, amends Order No. R9-2021-0001 in accordance with the terms of a September 6, 2022, settlement agreement between the San Diego Water Board and USIBWC.

June 17–September 15, 2024, Hollister Street Pump Station Failure Spill Event

On June 17, 2024, USIBWC notified the San Diego Water Board by email of a Spill Event[3] due to operational failure at the Hollister Street Pump Station.[4] Section 1.4. of Attachment D of the Order requires USIBWC to properly operate and maintain its Facility to achieve compliance with the conditions of the Order. This includes proper operation and maintenance of the Hollister Street Pump Station.

The Spill Event initially consisted of an estimated 302,000-gallon release of wastewater at the Hollister Street Pump Station on June 17, 2024. The City of San Diego assisted USIBWC by recovering approximately 48,000 gallons of the wastewater release using vacuum trucks. On June 18, 2024, USIBWC notified the San Diego Water Board that it suspected that sediment accumulation in the surge tank caused the Spill Event.[5] USIBWC also notified the San Diego Water Board that it had taken the Goat Canyon and Smuggler's Gulch canyon collectors out of operation since the Hollister Street Pump Station was inoperable.[6,7]

[3] Order section 6.3.2.1.1.1. defines a "Spill Event" as "a discharge, or any other type of emission or release, of waste from any portion of the Facility due to system overflow, flow stoppage, system leaks and breaks, operational failure and/or infrastructure failure." The SBIWTP and its related infrastructure are collectively referred to as the "Facility." This does not include discharges through the South Bay Ocean Outfall (SBOO). Spill Events are prohibited discharges pursuant to Order section 3.1.
[4] Attachment 2, June 17, 2024, USIBWC Spill & Transboundary Flow Report, Hollister Pump Station.
[5] See Attachment 2.
[6] Attachment 3, June 17, 2024, USIBWC Spill & Transboundary Flow Report, Goat Canyon Collector.
[7] Attachment 4, June 17, 2024, USIBWC Spill & Transboundary Flow Report, Smuggler's Gulch Canyon Collector.

On September 16, 2024, USIBWC returned the Hollister Street Pump Station to service. From June 17, 2024, through September 15, 2024, approximately 58.8 million gallons of wastewater failed to be diverted to the SBIWTP and discharged into the Tijuana River, a water of the United States and/or State.[8,9] During this 91-day Spill Event, all dry weather transboundary flows at Goat Canyon and Smuggler's Gulch were less than or equal to the canyon collector's maximum design capacity.[10,11]

January 1–23, 2025, Hollister Street Pump Station Failure Spill Event

On January 1, 2025, USIBWC's contractor, Veolia, notified the San Diego Water Board of a Spill Event due to another operational failure of the Hollister Street Pump Station. On January 2, 2025, Veolia notified the San Diego Water Board of two subsequent dry weather Canyon Collector Transboundary Flow Events at Smuggler's Gulch and Goat Canyon that resulted from the operational failure of the Hollister Street Pump Station. These "dry weather Canyon Collector Transboundary Flow Events" are also Spill Events as described in Order section 6.3.2.1.1.2.

On January 3, 2025, USIBWC reported in its preliminary and certified spill reports that the cause of the initial Spill Event at Hollister Street Pump Station was failure of the surge tank pressure relief valve. This was the same pressure relief valve that failed on June 17, 2024, resulting in the Spill Events at Hollister Street Pump Station and the Goat Canyon and Smuggler's Gulch canyon collectors that lasted a total of 91 days. USIBWC reported that 30,000 gallons of wastewater were released from the Hollister Street Pump Station on January 1, 2025, but 22,000 gallons were recovered by vacuum trucks.

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[8] NOV No. R9-2024-0146 (Att. 1) includes the San Diego Water Board's estimate of 61.9 million gallons based on spill volume and flow rates reported by USIBWC over the course of the Spill Event, prior to issuance of the NOV.

[9] Attachment 5, October 31, 2024, USIBWC cover letter for the September 2024 monthly self-monitoring report (SMR) estimates a total volume of 58,784,515 gallons for the Spill Event.

[10] Transboundary flows are "wastewater and other flows that cross the international border from Mexico into the U.S.A." as defined in Attachment A of the Order.

[11] Order section 6.3.2.1.1.2 explains that a dry weather Canyon Collector Transboundary Flow Event, specifically, is also considered "a Spill Event when transboundary flows less than or equal to the canyon collector's maximum design capacity is not captured by the canyon collector system for treatment at the SBIWTP and disposal through the SBOO." Section 6.3.2.1.1.2 also defines a "Canyon Collector Transboundary Flow Event" as "any flow across the U.S.-Mexico international border that is not captured by the canyon collector system for treatment at the SBIWTP and disposal through the SBOO."

On January 6, 2025, USIBWC submitted preliminary spill and transboundary flow reports to the San Diego Water Board for the Spill Events at Smuggler's Gulch and Goat Canyon. On January 23, 2025, USIBWC returned the Hollister Street Pump Station to service. From January 1 to January 23, 2025, approximately 4.2 million gallons of wastewater failed to be diverted to the SBIWTP and discharged into the Tijuana River, a water of the United States and/or State. During this time, all dry weather transboundary flows at Goat Canyon and Smuggler's Gulch were less than or equal to the canyon collector's maximum design capacity.

On February 6, 2025, the San Diego Water Board issued NOV No. R9-2025-0019 to USIBWC for its failure to comply with the Order as it relates to the January 1, 2025, operational failure of Hollister Street Pump Station and the subsequent Spill Events at Hollister Street Pump Station and the Goat Canyon and Smuggler's Gulch canyon collectors. Attachment 1 of this Investigative Order contains NOV No. R9-2025-0019 with attachments, including Spill & Transboundary Flow Reports, that support the alleged violations.

The discharges from the 2024 and 2025 Spill Events consisted of untreated sewage, industrial waste, and urban runoff from Tijuana, which can contain pollutants such as pathogens, heavy metals, polycyclic aromatic hydrocarbons, pesticides, nutrients, trash, and sediment. The Spill Events transported pollutants to the Tijuana River. These cumulative pollutants contribute to impacts[12] in the Tijuana River Valley, including the Tijuana River, Tijuana River Estuary,[13] and the Pacific Ocean. These pollutants exacerbate existing impairments of these water bodies. Additionally, the Spill Events raised public health, safety, and nuisance concerns related to direct contact and/or inhalation of pathogens and harmful chemicals.

[12] This includes, but is not limited to, impacts to wildlife/habitats, public health, access, and Facility operations.
[13] The Tijuana River Estuary is hydrologically connected to the Tijuana River.

Basis for and Requirements of the Investigative Order
Water Code section 13267, subdivision (a) provides that a regional board may investigate the quality of any water of the State within its region in connection with any action relating to the Basin Plan or requirement authorized by Division 7 of the Water Code. Water Code section 13267, subdivision (b) provides that a regional board, through an investigation, may require dischargers to furnish, under penalty of perjury, technical or monitoring program reports. Additionally, Water Code section 13383 authorizes a regional board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements as authorized by Water Code sections 13160, 13376, or 13377 or by subdivisions (b) and (c) of Water Code section 13383, for any person who discharges, or proposes to discharge, to navigable waters, any person who introduces pollutants into a publicly owned treatment works, any person who owns or operates, or proposes to own or operate, a publicly owned treatment works or other treatment works treating domestic sewage.

The burden, including costs, of these technical reports, shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The San Diego Water Board estimates that the burden and cost of compliance with this Investigative Order could range from $40,000 to $60,000. This estimate is based on approximately 100 to 120 hours spent on researching and compiling the required information and preparing a report for submittal to the San Diego Water Board. The costs of the technical or monitoring reports required by this Investigative Order bear a reasonable relationship to the need for these reports and the benefit to be gained by these reports because the information will inform 1) the Discharger on how to prevent future Spill Events and to identify actions that will protect water quality, and 2) the San Diego Water Board on how to appropriately protect water quality and regulate the Facility.

Investigative Report
While the San Diego Water Board recognizes that there are issues in Mexico that are beyond USIBWC's control, USIBWC has the control and responsibility of proper operation and maintenance of the Facility, including the canyon collectors and the Hollister Street Pump Station. Therefore, the San Diego Water Board is evaluating USIBWC's inadequate operation and maintenance of the Hollister Street Pump Station and canyon collectors, and what is occurring downstream of the canyon collectors. The overall goals of the Investigative Order are to 1) understand the underlying causes of the two Spill Events, 2) gather data, visual observations, and assessments to characterize the Spill Events and their impacts, and 3) improve spill prevention and response and monitoring of future spills.

This Investigative Order hereby directs USIBWC to submit technical reports to the San Diego Water Board containing, at a minimum, the information required below, as soon as practicable and no later than 90 days after the date of this Investigative Order. The required information relates to three general items: 1) the June 17, 2024, through September 15, 2024, Spill Events, 2) the January 1-23, 2025, Spill Events, and 3) USIBWC's plans.[14]

1. **June 17–September 15, 2024, and January 1-23, 2025, Spill Events due to Hollister Street Pump Station Failures.** Pursuant to Water Code section 13267, a technical report must be submitted that includes the following related to the Spill Events.

    a. A comprehensive description of the Spill Events caused by the Hollister Street Pump Station failures, including, but not limited to, the following:

        i. The circumstances and series of events that led up to the Hollister Street Pump Station failures and Spill Events.

        ii. The actions USIBWC implemented during the Spill Events to minimize the volume and duration of the discharge.

        iii. The actions USIBWC could have implemented to minimize the Spill Event volumes and durations and what prevented implementation.

        iv. A detailed explanation of how the circumstances impacted operation of the Hollister Street Pump Station and canyon collectors.

        v. A detailed explanation of why failed assets were not adequately maintained or scheduled for replacement prior to the Spill Events.

        vi. A detailed description of the actions taken by USIBWC after the Spill Events to prevent a similar event in the future, including actions already implemented, actions in process of being implemented, and actions planned to be implemented with a schedule of when the actions are expected to be implemented.

[14] This refers to USIBWC's existing Flow Prevention/Response Plan, Asset Management Plan, and the Tijuana River Valley Monitoring Program (TRVMP) Work Plan, which is under development. The Order requires USIBWC to submit these plans to the San Diego Water Board.

b. The following records, data, and information:

i. The last three years of USIBWC and Veolia inspection reports, operation and maintenance reports, and annual conditions assessment reports that include Hollister Street Pump Station.

ii. Water quality sample results related to the Spill Events submitted to the San Diego Water Board and any subsequent water quality sample results related to the Spill Events. If no subsequent water quality samples were taken, explain why not.

iii. Air, sediment, and/or other environmental sample results related to potential impacts from the Spill Events. If none were taken, explain why not.

iv. A table with the estimated mass loads of detected pollutants from the Spill Events based on water quality laboratory results and total discharge volume.

v. Estimated volumes and mass loads of sediment discharged into the Tijuana River Valley due to the Spill Events.

vi. A table with the volume of sediment removed from the Goat Canyon and Smuggler's Gulch canyon collectors each year for the last five years. Include an analysis and explanation of any trend.

vii. Any additional information gathered, and assessments made by USIBWC to determine the nature and impact of the Spill Events.[15]

[15] As part of Spill Event response procedures, the Flow Prevention/Response Plan states that USIBWC and Veolia will coordinate the investigation and assessment of the Spill Event, and that USIBWC will determine the nature and impact of the Spill Event.

c. An interpretation and discussion of all sampling results and observations from the Spill Events, and a discussion of the known and potential short-term and long-term impacts.[16] This includes how the Spill Events have impacted other activities in the Tijuana River Valley; for example, how dry weather transboundary flows through the Goat Canyon and Smuggler's Gulch canyon collectors prevented access to Border Field State Park and other parts of the Tijuana River Valley, interfering with research opportunities at the Tijuana River Estuary, and causing delays in Smuggler's Gulch dredging and berm repair work by the County of San Diego and City of San Diego as well as delays in California State Parks Arundo control work.

d. A description of specific actions that have been taken or are proposed by USIBWC to coordinate with the Mexican Section of the International Boundary and Water Commission (MxIBWC) and other Mexican governmental agencies[17] to reduce dry weather transboundary flows and sediment loading to canyon collectors. Describe why the actions taken have been insufficient and/or ineffective in preventing the conditions that contributed to the Spill Event.

2. Spill Event Monitoring and Reporting Plan. Pursuant to Water Code section 13383, a technical report must be submitted for a Spill Event Monitoring and Reporting Plan that will be implemented by USIBWC and/or its contracted operator, Veolia, if and when there are future Spill Events. The Spill Event Monitoring and Reporting Plan must be developed and implemented as follows:

a. The Spill Event Monitoring and Reporting Plan must include the following:

i. Spill Event Definition. Include a definition of Spill Events consistent with the Order.

ii. Spill Event Monitoring Locations. Identify Spill Event water quality monitoring locations as follows:

1. Provide a map of the Facility that identifies all the areas where a Spill Event may occur and the locations where samples of the Spill Event source(s) will be collected, and provide a table with latitude and longitude coordinates for each Spill Event source monitoring location identified.

[16] This includes, but is not limited to, impacts to wildlife/habitats, public health, access, and Facility operations.
[17] For example, Tijuana's State Commission for Public Services (CESPT) and the Mexican Secretariat of National Defense (SEDENA).

2. Provide a map that identifies receiving water monitoring locations where samples will be collected for Spill Events, and provide a table with latitude and longitude coordinates for each Spill Event receiving water monitoring location as identified in accordance with the following:

   A. One or more locations in the receiving waters (Tijuana River or Tijuana River Estuary) upstream of where a Spill Event from the Facility may discharge and enter receiving waters.

   B. Locations in the receiving waters (Tijuana River or Tijuana River Estuary), downstream of where a Spill Event from the Facility may discharge and enter receiving waters.

   C. Locations in the receiving waters (Tijuana River or Tijuana River Estuary), further downstream from where the Spill Event enters the receiving waters and as far as mouth of the Tijuana River Estuary that can be used to characterize potential impacts to downstream water quality.

iii. Spill Event Water Quality Monitoring Frequency. Water quality monitoring must be performed in accordance with the following minimum frequency requirements:

1. Spill Event source water quality samples at the applicable Spill Event monitoring locations identified pursuant to section 3.a.ii.1. must be collected and analyzed daily for the first week of the Spill Event, and at least weekly (every seven [7] days) thereafter.

2. Spill Event receiving water quality samples at the applicable upstream and downstream Spill Event monitoring locations identified pursuant to section 3.a.ii.2.A. and B. must be collected and analyzed on the seventh (7^{th}) day of a Spill Event at the latest, and at least weekly thereafter.

3. Spill Event receiving water quality samples at the applicable downstream Spill Event monitoring locations identified pursuant to section 3.a.ii.2.C. must be collected and analyzed on the fourteenth (14^{th}) day of a Spill Event at the latest, and at least every two weeks (every 14 days) thereafter.

iv. Spill Event Water Quality Monitoring Sample Types. In cases where flowing water and pooled water are both present at the Spill Event monitoring location, monitoring must include a flowing water grab sample and a pooled water grab sample.

v. Spill Event Water Quality Monitoring Parameters. Water quality monitoring must be conducted at each Spill Event monitoring location for the parameters listed in Table E-8 of Attachment E of the Order.

vi. Spill Event Water Quality Monitoring Observations. Monitoring at each water quality sampling event must include documentation of any observations that can further characterize the Spill Event and/or its impacts with photographs, videos, and/or other documentation.

vii. Spill Event Water Quality Monitoring Reports. Describe what will be reported during and after a Spill Event. The description must include, at a minimum, the following:

1. During a Spill Event, the following data and information, at a minimum, will be reported within a week after the beginning of a Spill Event, and weekly thereafter to the San Diego Water Board to SanDiego@waterboards.ca.gov with "257821:MCorona – During Spill Event Report" included in the subject heading:

   A. Estimated daily volumes of the Spill Event discharged to receiving waters during the week.

   B. Available water quality monitoring data and information collected pursuant to the Spill Event Monitoring and Reporting Plan and consistent with sections 3.a.i. through 3.a.vi., when available.

   C. Estimated volume and mass load of sediment discharged into the Tijuana River Valley due to the Spill Event, when applicable data are available.

   D. A table with the estimated mass loads of detected pollutants from the Spill Event based on water quality laboratory results and total discharge volume, when applicable data are available.

E. Description and dates of actions USIBWC and/or Veolia implemented to minimize the volume and duration of the discharge.

F. Description of any circumstances preventing USIBWC and/or Veolia to implement any actions to minimize the volume and duration of the discharge.

2. After a Spill Event, the following data and information, at a minimum, will be reported within 60 days after the end of a Spill Event to the San Diego Water Board to SanDiego@waterboards.ca.gov with "257821:MCorona – After Spill Event Report" included in the subject heading:

A. Spill Event Description. A comprehensive description of the Spill Event, including, but not limited to, the following:

I. The start and end date of the Spill Event.

II. The circumstances and series of events that led up to the Spill Event.

III. The actions USIBWC and/or Veolia implemented during the Spill Event to minimize the volume and duration of the discharge.

IV. The actions USIBWC and/or Veolia could have implemented to minimize the Spill Event volume and duration and what prevented implementation.

V. The reason the Spill Event ended and/or the actions USIBWC and/or Veolia implemented to end the Spill Event.

B. All water quality monitoring data and information collected pursuant to the Spill Event Monitoring and Reporting Plan and consistent with sections 3.a.i. through 3.a.vi.

C. Pollutant load estimates. Pollutant loads from the Spill Event must be estimated for the overall Spill Event as follows:

I. Total and net mass loads of pollutants detected in water quality samples; the net mass loads are the loads that are not removed by spill recovery and remain in the Tijuana River Valley.

II. Total and net sediment mass loads from the Spill Event; the net sediment loads are the loads that are not removed by USIBWC and remain in the Tijuana River Valley.

III. Total and net trash mass loads from the Spill Event; the net trash loads are the loads that are not removed by USIBWC and remain in the Tijuana River Valley.

D. Additional sediment management characterization data. Provide any data and laboratory reports that were used to characterize the sediment and any other wastes deposited by the Spill Event and removed during canyon collector maintenance to determine appropriate waste storage/management.

E. Impact assessment. Based on the water quality monitoring data and information, pollutant load estimates, and any other available and relevant data and information, provide an assessment of potential impacts to the Tijuana River Valley, including, but not limited to, the following:

I. An interpretation and discussion of all sampling results and observations from the Spill Event.

II. An estimation of the areal extent of the Spill Event, including how far downstream the spill traveled.

III. A discussion on the short-term and long-term impacts, including how the Spill Event impacted or potentially impacted other activities in the Tijuana River Valley.

b. A draft Spill Event Monitoring and Reporting Plan that meets all the requirements of sections 3.a.i. through 3.a.vii. must be submitted to the San Diego Water Board for review no later than 90 days from the issuance date of this Investigative Order.

c. Within 30 days of receiving written approval of the Spill Event Monitoring and Reporting Plan by the San Diego Water Board Executive Officer, it must be incorporated into the TRVMP Work Plan and uploaded to the California Integrated Water Quality System (CIWQS). If the TRVMP Work Plan has not been finalized and is not ready to be uploaded to CIWQS, it must be implemented by USIBWC and/or Veolia for each future Spill Event until the final TRVMP Work Plan is uploaded to CIWQS, after which it will continue to be implemented for future Spill Events.

3. Flow Prevention/Response Plan Updates. Pursuant to Water Code section 13383, a technical report must be submitted that includes the updates USIBWC will make to the Flow Prevention/Response Plan to prevent and minimize future Spill Events. The updates must be developed and implemented as follows:

a. Description of Flow Prevention/Response Plan Updates. The updates to the Flow Prevention/Response Plan must include, but not limited to, the following:

i. A description of best management practices (BMPs), management measures, and changes to operation and maintenance activities USIBWC will implement to prevent or minimize the occurrence and duration of Spill Events given existing and anticipated conditions at the SBIWTP, pump stations, canyon collectors, and other parts of the Facility.

ii. A description of actions or operating procedures USIBWC and/or Veolia will implement to prepare for and address increased sediment loading.

iii. A standard operating procedure that USIBWC and/or Veolia will implement to effectively respond to Spill Events, such as contacting and coordinating with other agencies, spill cleanup and abatement, monitoring, impact assessment, and operational changes.

iv. A description of the specific operating procedures USIBWC and/or Veolia follow to assess impacts to the Facility from Spill Events.

v. A description of the monitoring that will be implemented during a Spill Event consistent with the Spill Event Monitoring and Report Plan required under section 3.

b. A draft of the Flow Prevention/Response Plan Updates that meets all the requirements of section 4.a.i. through 4.a.v. must be submitted to the San Diego Water Board for review no later than 90 days from the issuance date of this Investigative Order.

c. Within 30 days of receiving written approval of the Flow Prevention/Response Plan Updates by the San Diego Water Board Executive Officer, it must be incorporated into the Flow Prevention/Response Plan and uploaded to the CIWQS.

4. Asset Management Plan Updates. Pursuant to Water Code section 13383, a technical report must be submitted that includes the updates USIBWC will make to the Asset Management Plan to reduce the potential for future Spill Events caused by Facility equipment failure. The updates must be developed and implemented as follows:

a. Description of Asset Management Plan Updates. The updates to the Asset Management Plan must include, but are not limited to, the following:

i. A table, sorted by the most critical assets required to properly operate and continue operating the pump stations and canyon collectors, ranked from most to least critical, listing the assets evaluated in the last three annual conditions assessment reports with the following information:

1. Condition.

2. Remaining service life expectancy or length of service time beyond life expectancy.

3. “Criticality analysis” tier of each asset for each year.

4. An explanation of why any assets ranked as most critical by the “criticality analysis” and/or critical assets near or older than service life expectancy were not replaced or adequately maintained or replaced prior to the Spill Events addressed in this Investigative Order.

ii. A plan and schedule for maintaining and/or replacing the most critical assets required to properly operate the SBIWTP, pump stations, canyon collectors, and other parts of the Facility.

iii. A plan and schedule for replacing assets that are beyond their service life expectancies.

iv. A description of how assets will be assessed, maintained and/or replaced going forward to prevent or minimize the occurrence and duration of Spill Events given existing and anticipated conditions at the SBIWTP, pump stations, canyon collectors, and other parts of the Facility. Include a schedule that USIBWC and/or Veolia will implement to assess, maintain, and/or replace equipment for anticipated increases in sediment loading to the Facility to reduce the potential for sediment-related equipment failure.

b. A draft of the Asset Management Plan Updates that meets all the requirements of section 5.a.i. through 5.a.iv. must be submitted to the San Diego Water Board for review no later than 90 days from the issuance date of this Investigative Order.

c. Within 30 days of receiving written approval of the Asset Management Plan Updates by the San Diego Water Board Executive Officer, it must be incorporated into the Asset Management Plan and uploaded to CIWQS.

All information provided in response to this Investigative Order must include the following signed certification statement by a principal executive officer or ranking elected official pursuant to Order Attachment D, section 5.2:

> I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Please submit the investigative report in electronic format to the San Diego Water Board by email to SanDiego@waterboards.ca.gov with "257821:MCorona" included in the subject heading. Each electronic document must be submitted as a single file, in Portable Document Format (PDF), and converted to text searchable format using Optical Character Recognition (OCR).

Notifications

1. **Surface Water Ambient Monitoring Program (SWAMP) Quality Assurance Program Plan (QAPrP):** Monitoring shall be conducted in accordance with the SWAMP 2017 QAPrP in terms of laboratory reporting limits and measurement quality objectives, unless otherwise noted. The SWAMP QAPrP is available on the State Water Board website located at: https://www.waterboards.ca.gov/water_issues/programs/swamp/qapp/swamp_QAPrP_2017_Final.pdf.

2. **California Environmental Data Exchange Network (CEDEN):** USIBWC shall also ensure that all the receiving water monitoring results are submitted to CEDEN no later than 180 days after laboratory reports are received.

3. **Enforcement Discretion:** The San Diego Water Board reserves its right to take any enforcement action authorized by law for violations of the terms and conditions of this Investigative Order, and for any violations discussed herein.

4. **Enforcement Notification:** Water Code section 13268, subdivisions (a) and (b) provide that any person failing or refusing to furnish technical, or monitoring report information required pursuant to Water Code section 13267, subdivision (b), is guilty of a misdemeanor and may be liable for an administrative civil liability up to one thousand dollars ($1,000) for each day in which the violation occurs.

   Water Code section 13385 provides that any person failing or refusing to furnish technical or monitoring report information required pursuant to Water Code section 13383 may be liable civilly for an administrative liability in an amount not to exceed the sum of both of the following:

   a. Ten thousand ($10,000) per day for each day the violation occurs.

   b. Where there is a discharge, any portion of which is not susceptible to cleanup or is not cleaned up, and the volume discharged but not cleaned up exceeds 1,000 gallons, an additional liability not to exceed ten dollars ($10) multiplied by the number of gallons by which the volume discharged but not cleaned up exceeds 1,000 gallons.

5. **Request for Review:** Any person affected by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050. The petition must be received by the State Water Board, Office of Chief Counsel, within 30 days of the date of this Investigative Order. Copies of the law and regulations applicable to filing petitions will be provided upon request. For instructions on how to file a petition for review, see: State Water Resources Control Board's Petition Website

In the subject line of any response, please include the reference code 257821:MCorona. Please contact Melissa Corona by telephone at (619) 521-8039, or via email at Melissa.Corona@waterboards.ca.gov if you have any questions.

Respectfully,

David W. Gibson
Digitally signed by David W. Gibson
Date: 2025.02.18 10:46:59 -08'00'
Water Boards

DAVID W. GIBSON
Executive Officer

Attachments:
1. NOV No. R9-2024-0146, September 25, 2024; and NOV No. R9-2025-0019, February 6, 2025.
2. June 17, 2024, USIBWC Spill & Transboundary Flow Report, Hollister Pump Station.
3. June 17, 2024, USIBWC Spill & Transboundary Flow Report, Goat Canyon Collector.
4. June 17, 2024, USIBWC Spill & Transboundary Flow Report, Smuggler's Gulch Canyon Collector.
5. October 31, 2024, cover letter for USIBWC September 2024 SMR.

Copies to:
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Emily Allen, USIBWC, emily.allen@ibwc.gov
Laurie Walsh, San Diego Water Board, laurie.walsh@waterboards.ca.gov
Jacob Schmidt, Veolia, jacob.schmidt@veolia.com

Table of Technical Staff Information:

Technical Information	Number
Place ID (SBIWTP)	257821
Party ID (USIBWC, Organization)	21523
Party ID (Dr. Giner, Person)	634777
Regulatory Measure (Order No. R9-2021-0001)	442331
Regulatory Measure (Investigative Order No. R9-2025-0022)	458613
Violation IDs	1132254, 1132259, 1132263, 1132271, 1139574, 1139575