

EXECUTIVE OFFICER SUMMARY REPORT
May 14, 2014

- ITEM: 9
- SUBJECT: Public Workshop: The San Diego Water Board will conduct a public workshop to receive information and discuss requirements in a public draft of the National Pollutant Discharge Elimination System (NPDES) permit for the U.S. Section of the International Boundary and Water Commission (USIBWC), South Bay International Wastewater Treatment Plant (IWTP), for discharge of treated wastewater to the Pacific Ocean via the South Bay Ocean Outfall (Tentative Order No. R9-2014-0009, NPDES No. CA0108928). (*Joann Lim and Ben Neill*).
- PURPOSE: The San Diego Water Board is now in the process of reissuing an updated NPDES permit for the IWTP. Today's informational workshop is the second workshop on the proposed NPDES permit reissuance and is intended to provide information to San Diego Water Board members and address questions the Board members or the public may have regarding Tentative Order No. R9-2014-0009 (Tentative Order).
- RECOMMENDATION: There is no recommendation as this is a public workshop and the San Diego Water Board will take no action.
- KEY ISSUES:
1. The existing NPDES permit for the IWTP, Order No. 96-50, NPDES Permit No. CA0108928, was adopted by the San Diego Water Board over 17 years ago and needs to be revised and updated to current standards and regulatory requirements. The Tentative Order incorporates requirements consistent with those applicable to other discharges of secondary treated wastewater to the Pacific Ocean in the San Diego Region.
 2. The IWTP, which was initially constructed as an advanced primary treatment facility in 1996, has undergone a treatment technology upgrade and, since 2010, has been producing secondary treated effluent.

The reduced effects of the IWTP discharge on the Pacific Ocean marine environment in the vicinity of the South Bay Ocean Outfall (SBOO) provides a basis for appropriate reductions in the frequency of certain effluent and receiving water monitoring requirements contained in sections III and IV of Attachment E of the Tentative Order.

3. The IWTP receives sewage wastewater flows from Tijuana, Mexico through a connection to the Tijuana sewage collection system. Section VI.C.5 of the Tentative Order includes influent limitations and requirements for USIBWC to coordinate with the Mexican Section of the IBWC (MxIBWC or CILA) to ensure an adequate pretreatment program is implemented in Tijuana. These requirements are intended to prevent the introduction of pollutants into the wastewater from Tijuana that could potentially inhibit or disrupt treatment operations at the IWTP.
4. The Tentative Order specifically regulates the discharge of secondary treated wastewater effluent to the Pacific Ocean. Due to limitations in legal authorities applicable to NPDES permits, the Tentative Order does not regulate all transboundary wastewater flows coming into the United States from Tijuana. Section VI.C.2 of the Tentative Order requires the USIBWC to promptly notify the San Diego Water Board and other appropriate agencies and organizations of all spills and transboundary flow events that USIBWC becomes aware of. Tentative Order section VI.C.2.a.ii.h requires USIBWC to take appropriate steps to capture and remediate certain dry weather transboundary wastewater flows not intercepted by IWTP's five canyon collection facilities. The Tentative Order section VI.C.2.b requires USIBWC to coordinate with CILA in a structured manner to reduce transboundary wastewater flows into the United States.

DISCUSSION:

The South Bay IWTP, an international wastewater treatment plant located in San Diego County at the United States/ Mexico international border, treats an average daily flow of 25 million gallons per day (mgd) of sewage wastewater originating from Tijuana, Baja California, Mexico and then discharges the secondary treated effluent approximately 3.5 miles out into the Pacific Ocean through the South Bay Ocean Outfall (SBOO) (see **Supporting**

Document No. 1 for a location map). The IWTP is owned and administered by the USIBWC, and is currently operated and maintained by Veolia Water North America, under contract with the USIBWC. The Tentative Order identifies USIBWC as the Discharger responsible for compliance with the terms and conditions of the Tentative Order.

The IWTP plays a key role in addressing U.S. and Mexico international border pollution problems. The existing Tijuana wastewater collection and treatment system has insufficient capacity to handle all of the sewage wastewater generated in Tijuana. The IWTP is connected to the Tijuana Collection System and, by treating a portion of the sewage wastewater flow from Tijuana, significantly reduces the burden on that system. The IWTP also captures and treats dry weather transboundary wastewater flows from five canyons (Smuggler's Gulch, Goats Canyon, Canyon del Sol, Stewart's Drain, and Silva's Drain) that would otherwise come into the United States and discharge into the Tijuana River Estuary (See **Supporting Document No. 1**). The term "dry weather" includes light rainfall events less than or equal to 0.1 inches of precipitation over a 72 hour period. Thus a limited amount of wet weather flow is also captured by the canyon collectors for treatment at the IWTP. The IWTP and its system of canyon collectors prevent millions of gallons of dry weather flows of raw sewage from flowing daily from Tijuana into the United States and polluting the Tijuana River, the Tijuana River Valley and Estuary, and south San Diego beach coastal waters.

Need for an Updated NPDES Permit

The first NPDES permit for the IWTP (Order No. 96-50, NPDES Permit No. CA0108928) was issued by the San Diego Water Board in 1996 and, unlike other NPDES permits for sewage treatment plants discharging to the Pacific Ocean in the San Diego Region, has not been reissued since that time. The current NPDES permit for the IWTP expired on October 10, 2001, but remains in effect under an administrative extension in accordance with federal and State regulations. From 2001 to June 2013, the IBWC's compliance with the San Diego Water Board's NPDES Order No. 96-50 was subject to the jurisdiction of the federal court, under the terms of a compliance order which established a schedule for the

USIBWC to meet federal and State secondary treatment requirements. The litigation between the San Diego Water Board and the USIBWC was concluded in June 2013 and the San Diego Water Board is now in the process of reissuing a new NPDES permit for the IWTP.

The existing NPDES permit must be updated to conform with current USEPA and State regulatory requirements, add additional provisions necessary to promote an adequate pretreatment program in Tijuana, and provide for improved reporting and remedial responses by the USIBWC for certain transboundary wastewater flow events. In addition, the IWTP has undergone a significant technology upgrade to secondary treatment in 2010 resulting in much improved effluent quality. Accordingly, monitoring and reporting requirements for the effluent and receiving waters should be adjusted to reflect the upgraded level of treatment.

NPDES Permit Reissuance Activities to Date

On February 14, 2014, the San Diego Water Board held a public workshop to provide information and receive public comments on the proposed scope of the project to reissue an NPDES permit to USIBWC for the IWTP ocean outfall discharge. The workshop was attended by 16 stakeholders and interested persons, including representatives from USIBWC, Comision Estatal de Servicios Publicos de Tijuana (the Mexican public utility that provides potable water and sanitary sewer services in Tijuana, otherwise known as CESPT), City of San Diego, City of Imperial Beach, State Senator Ben Hueso's office, San Diego County, University of California San Diego, Alter Terra, Wildcoast, and San Diego Coast Keeper.

At the February 2014 workshop, the San Diego Water Board provided information about the IWTP facility and the discharge of secondary treated wastewater effluent to the Pacific Ocean via the SBOO, transboundary wastewater flows, and a tentative timeline for reissuance of the NPDES permit. Stakeholders and interested persons presented their concerns and issues, and asked questions to San Diego Water Board staff. Key topics in the public discussion included the infrastructure improvements that have been implemented and are being planned in Tijuana, the threat of fresh water flows from Mexico to the salt water marsh in the Tijuana Estuary, the need for increased and consistent monitoring of transboundary wastewater flows,

the need for more efficient ocean monitoring, the need for ocean monitoring to continue south of the international border in Mexican waters, and the need for advanced outfall plume tracking in the ocean.

On April 25, 2014, the Tentative Order (**Supporting Document No. 2**) was released to the public for review and comment. Written comments on the Tentative Order will be accepted until 12 noon on May 27, 2014. The San Diego Water Board is tentatively scheduled to consider adoption of the Tentative Order at its June 26, 2014 meeting.

The Tentative Order is a comprehensive and complex NPDES permit that proposes to regulate the IWTP discharge of secondary treated wastewater to the Pacific Ocean through the SBOO. If adopted the Tentative Order will remain in effect for a five-year fixed term. At the workshop San Diego Water Board staff will provide an overview of the Tentative Order including the significant changes from the current NPDES Order as discussed in the KEY ISSUES section above.

LEGAL CONCERNS:

None

SUPPORTING DOCUMENTS:

1. Location Map
2. Tentative Order No. R9-2014-0009
3. Notice of Public Workshop

PUBLIC NOTICE:

On April 11, 2014 notice of this item was provided to the Discharger and interested persons on the San Diego Water Board e-mail subscription list for this matter. The notice was also posted on the San Diego Water Board website on April 11, 2014. A Spanish translation version of the notice was also provided and posted on the website. A copy of each notice is included as **Supporting Document No. 3**. Notice was also provided in the Meeting Notice and Agenda for the May 14, 2014 Board meeting and posted on the San Diego Water Board website.