

No.	Comment	Response	Action Taken
		limitations is critical to protecting the treatment works at the SBIWTP and ensuring the effluent from the SBIWTP meets the effluent limitations and doing so is consistent with the Treaty of 1944 and IBWC Minute No. 283 ³ and Minute No. 296. ⁴	
5	<p>The USIBWC request that the San Diego Water Board modify Order No. R9-2014-0009 as follows:</p> <p>Add subsection vii to section VI.C.5.a:</p> <p><u>Influent exceedances of the MAHA, failure by Mexico to take remedial steps to prevent MAHA exceedances, failure by Mexico to implement a pretreatment program in Tijuana, or actions that occur outside of the United States that cause non-compliance with MAHA limitations shall not be construed as violations of this permit.</u></p>	<p>The Tentative Order that was released for public comment on November 20, 2018 only proposed to replace the interim influent limitations in Order No. R9-2014-0009 with the influent limitations contained in USIBWC's MAHA Report, as the San Diego Water Board intended when it adopted Order No. R9-2014-0009. The request made by USIBWC is beyond the scope of the amendments proposed in the Tentative Order, and the San Diego Water Board declines to revisit the requirement for USIBWC to comply with influent limitations in Order No. R9-2014-0009 at this time.</p>	None necessary

³ See Resolution 12 of IBWC Minute No.283 , Conceptual Plan for the International Solution to the Border Sanitation Problem in San Diego, California/Tijuana Baja California, July 2, 1990, available on the USIBWC website at <https://www.ibwc.gov/Files/Minutes/Minute283.pdf> as of January 16, 2019.

⁴ See Resolution 10 of IBWC Minute No.296, Distribution of Construction, Operation and Maintenance Costs for the International Wastewater Treatment Plant Constructed Under the Agreements in Commission Minute No. 283 for the solution of the Border Sanitation Problem at San Diego, California/Tijuana, Baja California, April 16, 1997, available on the USIBWC website at <https://www.ibwc.gov/Files/Minutes/Min296.pdf> as of January 16, 2019.