
San Diego Regional Water Quality Control Board

October 6, 2015

Sent by Email Only

Mr. Steve Smullen
Area Operations Manager
U.S. Section of the International Boundary
and Water Commission
Steve.smullen@ibwc.gov

In reply refer to:
257821:JLLim

Subject: Staff Enforcement Letter for South Bay International Wastewater Treatment Plant, Orders Nos. 96-50 and R9-2014-0009, NPDES Permit No. CA0108928

Mr. Smullen:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) has noted the following violations and has the following comments for the South Bay International Wastewater Treatment Plant (SBIWTP):

1. Deficient Reporting Violation/ Comments – Monthly electronic self-monitoring reports (eSMRs)

August 2014 – July 2015 eSMRs

- a. Comment: In all future reports, please indicate in the eSMRs when and how the monthly self-monitoring report was shared with Comision Internacional de Límites y Aguas (CILA).
- b. Deficient Reporting Violation: As required by sections VI.C.2.b.vi and VI.C.5.b.v, the Discharger is required to provide the monthly SMRs in Spanish or request in writing that CILA translate the documents. The June 2015 and July 2015 SMRs were emailed to CILA on July 31 and August 31, 2015, respectively, in English only and there were no request for translation to Spanish.
- c. Deficient Reporting Violation: As required by section VI.C.5.b.iii, in addition to providing influent monitoring data and identifying any exceedance of influent limitations, the report should also note whether or not there was an actual or potential adverse effect(s) attributable to the influent on the facility treatment works.
- d. Comment: Please include a pdf copy of the log of the inspections required in section VII.B.2 of Attachment E.

- e. Deficient Reporting Violation: As required by section VII.A, the Discharger is required to include a detailed summary of facility spills or, if no facility spills occurred, to report "No Facility Spill Events" in the monthly self-monitoring report for that calendar month. The reports do not mention whether there were facility spills or not.
 - f. Deficient Reporting Violation: The reports do not include all of the information listed in section VII.B.4 of Attachment E, which is required when a type A or B transboundary flow is reported. There are tables with estimates of flows in canyons, drains, and Tijuana River, but it is unclear if the flows were captured by the canyon collector or flowed past the canyon collector. Yogurt Canyon is periodically omitted from the table.
- 2. Comment – Chronic Toxicity Screening** – Section III.C of Attachment E requires a screening period for chronic toxicity shall be conducted every other year, beginning with the calendar year 2014. The screening period was conducted in April 2014 and the results were provided in the June 2014 monthly monitoring report.
- 3. Deficient Reporting Violations / Comments –
"SharedPresentationInfoWithCILA" - Q1 and Q2 2015**
- a. Deficient reporting violation: No presentation or one-page summary was provided on pretreatment as required by section VI.C.5.b.iv. If no influent limitation exceedances; and no instances of any actual or potential adverse effect(s) attributable to the influent on the Facility treatment works occurred within the reporting period, the Discharge should note this in the quarterly submittal.
 - b. Deficient reporting violation: Section VI.C.2.b.v states that the Discharger shall meet with CILA to share the presentation and/or one-page summary and answer any questions about its content. This section also states that the Discharge shall request in writing that CILA share the presentation and/or one-page summary and if CILA refuses or fails to confirm within one month, the Discharger shall communicate the same to the San Diego Water Board in a timely manner. According to the submittal, the Discharger does not appear to have met with CILA, but only sent a powerpoint presentation by email. Also, the submittal does not provide any details on whether CILA responded or did not respond to the request to share the presentation and/or one-page summary.
- 4. Comments - Toxicity Reduction Evaluation Plan**
- a. Comment: Order No. R9-2014-0009, Attachment E, section III.C requires the screening period to be conducted on a biennial basis (every other year), not on a biannual basis (twice per year).
 - b. Comment: The submitted Toxicity Reduction Evaluation Plan states that if a routine compliance toxicity test result exceeds any of these triggers, accelerated monitoring with the affected species must be initiated. However, there are no accelerated monitoring requirements for toxicity in Order No. R9-2014-0009. If there is any toxicity exceedances or not, regularly weekly monitoring for toxicity continues.
- 5. Late Report Violation** - Order No. R9-2014-0009, section VI.C.5.d.ix requires a Sludge and Solids Contingency Plan to be submitted by December 23, 2014. As of the date of this letter, no plan has been submitted.

6. Comments – 2014 Annual Pretreatment Report

- a. Comment: Page 5 of the report includes a table with monitoring data for January 2008 to June 2010. The table also includes footnotes and abbreviations, but no explanations for them. With the exception of zinc and HCH, all the monitoring data is the same as the limitations. In the next report, please ensure this table includes data for the reporting period, has the correct information, and is complete.
- b. Comment: On page 10 of the report, the second paragraph states, "CILA was placed back online" and "preceding rain events flushed heavy materials and toxins into CILA, and when CILA was turned on, these materials entered the plant." What infrastructure are you referring to when you state "CILA" and how is this related to the influent to the SBIWTP?

Pursuant to the California Water Code (CWC), the violations noted are subject to additional enforcement action(s) by the San Diego Water Board including a time schedule order, cease and desist order, cleanup and abatement order, referral to the district attorney for criminal prosecution, or referral to the attorney general.

In the subject line of any response, please include the reference " 257821:JLLim". For questions or concerns regarding this letter, please contact Joann Lim at 619-521-3362 or joann.lim@waterboards.ca.gov.

Respectfully,



Dat Quach, P.E.
 Water Resource Control Engineer
 Source Control Unit

Tech Staff Info & Use			
Order No.	R9-2014-0009		
Party IDs	21523 (USIBWC), 526083 (Smullen)		
File No.	01-732		
WDID	9 000000732		
NPDES No.	CA0108928		
Reg. Measure IDs	397052 (R9-2014-0009), 402617 (SEL)		
PIN	257821 (SBIWTP)		
Violation IDs			
1	997412 (August 2014), 997413 (September 2014), 997414 (October 2014), 997415 (November 2014), 997417 (December 2014), 995833 (January 2015),	995829 (February 2015), 997418 (March 2015), 995830 (April 2015), 997421 (May 2015), 995831 (June 2015), and 995832 (July 2015)	3 994945 (Q1 2015) 994946 (Q2 2015) 5 997425