

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

CEASE AND DESIST ORDER NO. 96-52

**INTERNATIONAL BOUNDARY AND WATER COMMISSION
U.S. SECTION**

**INTERNATIONAL WASTEWATER TREATMENT PLANT
SOUTH BAY OCEAN OUTFALL
SAN DIEGO COUNTY**

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board) finds that:

1. On November 14, 1996, this Regional Board adopted Order No. 96-50, NPDES Permit No. CA0108928, Waste Discharge Requirements for the International Boundary and Water Commission, U.S. Section, International Wastewater Treatment Plant Discharge to the Pacific Ocean through the South Bay Ocean Outfall. Order No. 96-50 established requirements for the discharge of 25 million gallons per day (MGD) of treated wastewater from the International Wastewater Treatment Plant (IWTP) to the Pacific Ocean through the South Bay Ocean Outfall. Order No. 96-50 contains secondary treatment effluent limitations as required by the Federal Water Pollution Control Act (Clean Water Act). Additional effluent limitations and receiving water standards are established as specified in the Water Quality Control Plan for Ocean Waters of California (California Ocean Plan), March 22, 1990.
2. The IWTP is being constructed in phases. The South Bay Land Outfall was completed in March 1994. The advanced primary treatment phase of the IWTP is scheduled to be completed in December 1996, the South Bay Ocean Outfall is scheduled to be completed in June 1998, and the secondary treatment phase of the IWTP is scheduled to be completed by December 31, 2000.
3. The IWTP may begin advanced primary treatment of sewage in January, 1997. The International Boundary and Water Commission, U.S. Section (IBWC) and U.S. Environmental Protection Agency (EPA) are preparing an Interim Operation Supplemental Environmental Impact Statement (SEIS) to consider the discharge of advanced primary treated effluent during the interim period before secondary treatment is

available or the ocean outfall is complete. The Interim Operation SEIS is scheduled to be finalized with the Record of Decision signed by January, 1997.

4. The existing Mexican conveyance system includes Pump Station No. 1, a 42-inch force main, and the conveyance canal which carry Tijuana's raw sewage to the San Antonio de los Buenos Treatment Plant in Mexico. Pump Station No. 1 has an operational capacity of 36 MGD. Sewage from western Tijuana enters the conveyance system approximately 2 miles south of the border. An average flow of 17 MGD is treated at the San Antonio de los Buenos Treatment Plant. The remaining flow is bypassed around the treatment plant. Raw sewage and treated sewage from the San Antonio de los Buenos Treatment Plant discharges to the surf discharge point at Punta San Antonio de los Buenos. Mexico has agreed to continue conveying sewage at the current flow rate until the South Bay Ocean Outfall is complete.
5. The City of San Diego has an Emergency Connection from Mexico to the City's sewage collection system. The Emergency Connection has a maximum constant flow capacity of 13 MGD. Mexican sewage flows in excess of the capacity of Mexico's Pump Station No. 1 and conveyance canal are currently discharged to the Emergency Connection. Advanced primary treated effluent may be discharged to the Emergency Connection before the South Bay Ocean Outfall is complete.
6. Mexico may build a new pump station and pipeline parallel to their existing Pump Station No. 1 and the conveyance canal to the surf discharge point at Punta San Antonio de los Buenos. This parallel Mexican conveyance system may be used to discharge advanced primary treated effluent to the Mexican surf until the South Bay Ocean Outfall is complete.
7. According to the Interim Operation SEIS, advanced primary treated effluent may be discharged to the Tijuana River if Mexican sewage flows exceed the capacity of the existing Mexican conveyance system plus the City of San Diego's Emergency Connection before the new parallel Mexican conveyance system is complete and before the South Bay Ocean Outfall is complete. It is anticipated that no untreated or treated sewage would be discharged to the Tijuana River from the IWTP during dry weather if a non-permeable or lined earthen flow storage basin is constructed to equalize the flows until the South Bay Ocean Outfall is completed. Construction of this earthen flow storage basin is being considered in the Interim Operation SEIS.
8. Since October 1991, Mexico has operated a diversion structure in the Tijuana River in Mexico about 325 feet upstream of the international border. A mixture of river water and sewage can be captured and diverted to Pump Station No. 1. During dry weather, up to 13 MGD of sewage-contaminated flows can be pumped from the Tijuana River into Mexico's collection system and to Pump Station No. 1 if capacity is available. This river diversion structure is operated until flows in the Tijuana River exceed 13 MGD. After flows in the river exceed 13, the river diversion structure is removed from operation

which allows wet-weather and storm flows to pass through to the United States even if contaminated with sewage.

9. Advanced primary treated effluent is planned to be discharged to the Pacific Ocean when the South Bay Ocean Outfall is complete. This discharge of advanced primary effluent is expected to violate the effluent limitations for Carbonaceous Biochemical Oxygen Demand (CBOD₅), total suspended solids, and oil and grease specified in B.2.a. and B.3 of Order No. 96-50.
10. The advanced primary treatment design capacity of the IWTP is an average flowrate of 25 MGD with a peak flowrate of 75 MGD. The secondary treatment design capacity of the IWTP is 25 MGD with no peaking factor. Due to wet weather flows, the IWTP is expected to violate Prohibition No. A.4 of Order No. 96-50 which prohibits any flow which exceeds the 25 MGD design capacity of the secondary treatment facilities. The advanced primary treatment facilities have the design capacity to treat wet weather flow in excess of 25 MGD up to 75 MGD.
11. This Cease and Desist Order prohibits discharges of sewage to the Tijuana River from the IWTP and associated facilities, establishes a time schedule for achieving compliance with the effluent limitations in Order No. 96-50, establishes interim advanced primary treatment effluent limitations, and establishes an interim flowrate prohibition. The interim advanced primary treatment effluent limitations established in this Order are derived from the anticipated effluent quality submitted with the NPDES application dated May 24, 1996. Discharges of sewage from the Mexican sewage conveyance system in Mexico are not subject to this Cease and Desist Order
12. The IBWC and EPA are preparing an Alternatives to Activated Sludge SEIS because the activated sludge secondary treatment facilities can not be completed under the current budget. Some alternatives which will be considered in this SEIS are: 1) complete the activated sludge phase of the IWTP as designed, 2) complete the activated sludge phase of the IWTP with added flow equalization, 3) construct a pond system for treatment, and 4) operate the IWTP with advanced primary treatment only. The Alternatives to Activated Sludge SEIS is scheduled to be finalized and a Record of Decision signed by June, 1998. The Regional Board may revise the time schedule in this Cease and Desist Order in accordance with the final Alternatives to Activated Sludge SEIS.
13. The Regional Board, at a public meeting on October 10, 1996, heard comments pertaining to the issuance of this Cease and Desist Order for discharge of advanced primary treated effluent from the International Wastewater Treatment Plant to the Tijuana River or through the South Bay Ocean Outfall. The Regional Board considered all comments received at the October 10 public meeting and during the public comment period prior to adoption of this Cease and Desist Order on November 14, 1996.

14. This enforcement order is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15321, Chapter 3, Title 14 of the California Code of Regulations.

IT IS HEREBY ORDERED That pursuant to California Water Code Section 13301 the International Boundary and Water Commission, U.S. Section (IBWC) shall comply with the following directives:

1. Discharge of treated or untreated sewage to the Tijuana River from the IWTP, the South Bay Land Outfall, the South Bay Ocean Outfall, or any other sewage facilities in the United States associated with Mexican sewage is prohibited.
2. The IBWC shall take all reasonable measures to prevent discharges of treated sewage to the Tijuana River. If a discharge of treated sewage to the Tijuana River occurs, the IBWC shall take all reasonable measures necessary to minimize both the volume released and the impacts to the Tijuana River. Reasonable measures include:
 - a. Coordination with Mexico to ensure that the existing Mexican sewage conveyance system is utilized at optimum capacity;
 - b. Use of the optimum capacity of the Emergency Connection;
 - c. Equalization of sewage flows to the maximum extent practicable;
 - d. Coordination with Mexico to ensure that the new parallel Mexican sewage conveyance system, when completed, is utilized at optimum capacity;

In the event that a discharge of treated sewage to the Tijuana River occurs or is anticipated, IBWC shall submit a report to the Regional Board demonstrating that all reasonable measures were taken to prevent or minimize the discharge volume and impacts. If the discharge occurs prior to completion of the South Bay Ocean Outfall, the Regional Board will consider the following factors in determining if additional enforcement action will be initiated: whether the measures described above were taken; any recommendations from the Health Officer of the County of San Diego regarding the necessity of the discharge; the degree of water quality impairment; past history of discharges; degree of discharger cooperation; culpability of the discharger; financial resources of the discharger; circumstances leading to the discharge; probability of the discharge to continue; any voluntary cleanup or remediation actions taken; any economic benefit realized; and any other matters as justice may require.

3. IBWC shall comply with all portions of Order No. 96-50 and Monitoring and Reporting Program No. 96-50 regardless of the discharge location unless otherwise specified in this Cease and Desist Order.

4. The IBWC shall achieve compliance with the effluent limitations in Order No. 96-50 in accordance with the following time schedule:

	TASK	COMPLIANCE DATE
a.	Submit a copy of the final Interim Operation SEIS and signed Record of Decision.	January 31, 1997
b.	Submit a copy of the final Alternatives to Activated Sludge SEIS and signed Record of Decision.	June 30, 1998
c.	Complete the South Bay Ocean Outfall and initiate discharge through the outfall.	June 30, 1998
d.	Initiate construction for the secondary treatment process facilities.	December 31, 1998
e.	Complete the secondary treatment process facilities and begin discharge of secondary treated effluent.	December 31, 2000

5. Until compliance with the effluent limitations for CBOD₅, total suspended solids, and grease and oil specified in B.2.a. and B.3. of Order No. 96-50 is achieved in accordance with the time schedule specified in Directive No. 0 of this Order, the IBWC shall comply with the following interim effluent limitations for all discharges to waters of the state:

6. a.

Constituent/ Property	Units	Monthly Average (30 day)	Weekly Average (7 day)	Maximum at any time
CBOD ₅	mg/l lb/day	210 43,800	230 47,900	250 52,100
total suspended solids (TSS)	mg/l lb/day	100 20,800	120 25,000	150 31,300
oil & grease	mg/l lb/day	50 10,400	65 13,500	95 19,800

- b. Percent Removal of CBOD₅ and TSS

- i. The 30-day average percent removal of CBOD₅ shall not be less than 45 percent.
- ii. The 30-day average percent removal of TSS shall not be less than 75 percent.

7. If a discharge of treated effluent to the Tijuana River occurs, the IBWC shall comply with effluent limitations for total chlorine residual of 19 ug/l daily maximum.

8. Until the secondary treatment process facilities are complete, IBWC shall comply with the following prohibition:

Discharge to the Pacific Ocean through the South Bay Ocean Outfall in excess of 25.0 MGD average dry weather flow rate is prohibited unless the discharger obtains revised waste discharge requirements authorizing an increased flow rate.

9. In the event of a spill or discharge to the Tijuana River from the IWTP, the IBWC shall monitor the Tijuana River for the effect of that spill or discharge. The IBWC shall develop and submit a monitoring plan to monitor the Tijuana River following a discharge or spill from the IWTP to the river. The plan shall include, as a minimum, visual observations, and monitoring the receiving water for total and fecal coliforms, DO, BOD, TSS, and turbidity. Monitoring shall be performed at a minimum of five fixed station locations including the discharge point, upstream of the discharge point, and at least three locations downstream of the discharge point. The plan shall be submitted to the Executive Officer no later than December 31, 1996, shall be subject to approval by the Executive Officer, and shall be modified as directed by the Executive Officer. The IBWC shall immediately put the plan into effect.

10. Until the South Bay Ocean Outfall is complete, the IBWC shall comply with the following sections of Monitoring and Reporting Program No. 96-50 for the interim monitoring and reporting program regardless of the discharge location:
 - a. Section A. General Monitoring and Reporting Provisions.
 - b. Section B. Influent Monitoring.
 - c. Section C. Sludge Monitoring Requirements
 - d. Section D. Effluent Monitoring.

11. Once the South Bay Ocean Outfall is complete, the IBWC shall comply with the entire Monitoring and Reporting Program No. 96-50.

12. The IBWC shall submit a written report to the Regional Board on or before each compliance date described in Directive No. 0 of this Order. The report shall contain information to indicate if the required task has been completed as required under Directive No. 0 of this Order.

I, John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region, on November 14, 1996.

Original signed by

John H. Robertus
Executive Officer

