CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

2375 Northside Drive, Suite 100, San Diego, CA 92108
619-516-1990 • Fax 619-516-1994
http://www.waterboards.ca.gov/sandiego/

ORDER NO. R9-2014-0009
AS AMENDED BY ORDER NOS. R9-2014-0094, R9-2017-0024, and R9-2019-0012
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 VIA THE SOUTH BAY OCEAN OUTFALL

The following Discharger is subject to waste discharge requirements (WDR's) set forth in this Order:

Table 1. Discharger Information

Discharger	United States Section of the International Boundary and Water Commission (USIBWC)
Name of Facility	South Bay International Wastewater Treatment Plant
Facility Address	2995 Clearwater Way
	San Diego, CA 92154
	San Diego County

Table 2. Discharge Location

Discharge Point No.	Effluent Description	Discharge Point Latitude (North)	Discharge Point Longitude (West)	Receiving Water
001	Secondary treated wastewater	32° 32' 15" N	117° 11' 00" W	Pacific Ocean

Table 3. Administrative Information

This Order was adopted on:	**June 26, 2014**
This Order shall become effective on:	**August 1, 2014**
This Order shall expire on:	**July 31, 2019**
The Discharger shall file a Report of Waste Discharge as an application for reissuance of WDR's in accordance with title 23, California Code of Regulations, and an application for reissuance of a National Pollutant Discharge Elimination System (NPDES) permit no later than:	**180 days prior to the Order expiration date**
The U.S. Environmental Protection Agency (USEPA) and the California Regional Water Quality Control Board, San Diego Region have classified this discharge as follows:	**Major**

I, David W. Gibson, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, San Diego Region, on June 26, 2014, and amended on November 12, 2014, December 13, 2017, and February 13, 2019.

James G. Smith, AEO
for David W. Gibson, Executive Officer

James G. Smith, Acting Executive Officer

Contents

I. Facility Information ... 3
II. Findings ... 3
III. Discharge Prohibitions ... 4
IV. Effluent Limitations and Discharge Specifications ... 4
A. Effluent Limitations and Performance Goals – Discharge Point No. 001 ... 4
1. Final Effluent Limitations – Discharge Point No. 001 ... 4
2. Performance Goals – Discharge Point No. 001 ... 6
3. Interim Effluent Limitations - Not Applicable ... 10
B. Land Discharge Specifications – Not Applicable ... 10
C. Recycling Specifications – Not Applicable ... 10
V. Receiving Water Limitations ... 11
A. Surface Water Limitation ... 11
B. Groundwater Limitations – Not Applicable ... 12
VI. Provisions ... 12
A. Standard Provisions ... 12
B. Monitoring and Reporting Program (MRP) Requirements ... 14
C. Special Provisions ... 14
1. Reopener Provisions ... 14
2. Special Studies, Technical Reports and Additional Monitoring Requirements ... 15
3. Best Management Practices and Pollution Prevention – Not Applicable ... 32
4. Construction, Operation and Maintenance Specifications – Not Applicable ... 32
5. Special Provisions for Municipal Facilities (Wastewater Facilities Only) ... 32
6. Other Special Provisions - Responsibilities, Liabilities, Legal Action, Penalties – Not Applicable ... 42
7. Compliance Schedules – Not Applicable ... 42
VII. Compliance Determination ... 42

Tables

Table 1. Discharger Information ... 1
Table 2. Discharge Location ... 1
Table 3. Administrative Information ... 1
Table 4. Effluent Limitations at EFF-001[1] ... 5
Table 5. Performance Goals[1] ... 6
Table 6. Sharing Transboundary Wastewater Information with Mexico ... 25
Table 7. Final Influent Limitations ... 33
Table 8. Sharing Pretreatment Information with Mexico ... 37

Attachments

Attachment A – Abbreviations and Glossary ... A-1
Attachment B – Map ... B-1
Attachment C – Flow Schematic ... C-1
Attachment D – Standard Provisions ... D-1
Attachment E – Monitoring and Reporting Program ... E-1
Attachment F – Fact Sheet ... F-1
Attachment G – Ocean Plan and Basin Plan Prohibitions ... G-1
Attachment H – Dilution Model Information ... H-1

ED_002551_00000954-00002

I. FACILITY INFORMATION

General information about the South Bay International Wastewater Treatment Plant (Facility) is summarized in Table 1. More detailed information describing the Facility, five canyon collectors, two pump stations, the South Bay Land Outfall (SBLO), the South Bay Ocean Outfall (SBOO), and other associated infrastructure (collectively referred to as Facilities) is contained in sections I and II of the Fact Sheet (Attachment F). Section I of the Fact Sheet also includes information regarding the Discharger's permit application.

II. FINDINGS

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

A. **Legal Authorities.** This Order serves as WDR's pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the USEPA and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as an NPDES permit for point source discharges from this Facility to surface waters.

B. **Background and Rationale for Requirements.** The San Diego Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for the requirements in this Order, is hereby incorporated into and constitutes Findings for this Order. Attachments A through E, G, and H are also incorporated into this Order.

C. **Provisions and Requirements Implementing State Law.** The provisions/requirements in subsections IV.B, IV.C, V.B, VI.A.2, VI.C.1.b, and VI.C.1.c are included to implement state law only. These provisions/requirements are not required or authorized under the federal CWA; consequently, violations of these provisions/requirements are not subject to the enforcement remedies that are available for NPDES violations.

D. **Notification of Interested Parties.** The San Diego Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe WDR's for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of the notification are provided in the Fact Sheet (Attachment F).

E. **Consideration of Public Comment.** The San Diego Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet (Attachment F).

ED_002551_00000954-00003

THEREFORE, IT IS HEREBY ORDERED, that this Order supersedes Order No. 96-50 except for enforcement purposes, and, in order to meet the provisions contained in division 7 of the Water Code (commencing with section 13000) and regulations adopted thereunder, and the provisions of the CWA and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order. If any part of this Order is subject to a temporary stay of enforcement, unless otherwise specified in the order granting stay, the Discharger shall comply with the analogous portions of the previous Order. This action in no way prevents the San Diego Water Board from taking enforcement action for past violations of the previous Order.

III. DISCHARGE PROHIBITIONS

A. The discharge of waste from the Facilities to a location other than Discharge Point No. 001, unless specifically regulated by this Order or separate WDR's, is prohibited.

B. The Discharger must comply with Discharge Prohibitions contained in the *Water Quality Control Plan for Ocean Waters of California, California Ocean Plan* (Ocean Plan), incorporated into this Order as if fully set forth herein and summarized in Attachment G, as a condition of this Order.

C. The Discharger must comply with Discharge Prohibitions contained in chapter 4 of the Water Quality Control Plan for the San Diego Basin (Basin Plan), incorporated into this Order as if fully set forth herein and summarized in Attachment G, as a condition of this Order.

IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations and Performance Goals – Discharge Point No. 001

1. Final Effluent Limitations – Discharge Point No. 001

a. The Discharger shall maintain compliance with the following effluent limitations at Discharge Point No. 001, with compliance measured at Monitoring Location EFF-001 as described in the Monitoring and Reporting Program (Attachment E):

ED_002551_00000954-00004

Table 4. Effluent Limitations at EFF-001[1]

Parameter	Units[1,2]	Effluent Limitations[1,3]			
		Average Monthly	Average Weekly	Instantaneous Minimum	Instantaneous Maximum
Flow	MGD	25	--		--
Carbonaceous Biochemical Oxygen Demand (5-Day at 20°C) ($CBOD_5$)	mg/L	25	40		--
	lbs/day	5,213	8,340		--
Total Suspended Solids (TSS)	mg/L	30	45		--
	lbs/day	6,255	9,383		--
Oil and Grease	mg/L	25	40		75
	lbs/day	5,213	8,340		15,012
Settleable Solids	mL/L	1.0	1.5		3.0
Turbidity	NTU	75	100		225
pH	standard units	--	--	6.0	9.0
BASED ON OCEAN PLAN OBJECTIVES FOR PROTECTION OF MARINE AQUATIC LIFE					
		6-Month Median	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Mercury, Total Recoverable	µg/L	3.78E+00	1.52E+01		3.82E+01
	lbs/day	7.87E-01	3.18E+00		7.96E+00
Zinc, Total Recoverable	µg/L	1.16E+03	6.89E+03	--	1.84E+04
	lbs/day	2.41E+02	1.44E+03	--	3.83E+03
Chronic Toxicity	TUc	--	95.6	--	--
Acute Toxicity	TUa	--	3.2	--	--
BASED ON OCEAN PLAN OBJECTIVES FOR PROTECTION OF HUMAN HEALTH					
		30-Day Average			
Thallium, Total Recoverable	µg/L	1.91E+02			
	lbs/day	3.99E+01			
Tributyltin	µg/L	1.34E-01			
	lbs/day	2.79E-02			
Benzidine	µg/L	6.60E-03			
	lbs/day	1.38E-03			
Chlordane[1]	µg/L	2.20E-03			
	lbs/day	4.58E-04			
Chlorodibromomethane (dibromochloromethane)	µg/L	8.22E+02			
	lbs/day	1.71E+02			
DDT[1]	µg/L	1.63E-02			
	lbs/day	3.39E-03			
Heptachlor Epoxide	µg/L	1.91E-03			
	lbs/day	3.99E-04			
Hexachlorobenzene	µg/L	2.01E-02			
	lbs/day	4.19E-03			
PCBs[1]	µg/L	1.82E-03			
	lbs/day	3.79E-04			
TCDD Equivalents[1]	µg/L	3.73E-07			
	lbs/day	7.77E-08			
Toxaphene	µg/L	2.01E-02			
	lbs/day	4.19E-03			

[1] See Attachment A for definitions of abbreviations and a glossary of common terms used in this Order.

ED_002551_00000954-00005

[2] The mass emission rate (MER) limit, in pounds per day, was calculated based on the following equation: MER (lb/day) = 8.34 x Q x C, where Q is the maximum allowable flow rate (in MGD) and C is the concentration (in mg/L).

[3] Scientific "E" notation is used to express certain values. In scientific "E" notation, the number following the "E" indicates the position of the decimal point in the value. Negative numbers after the "E" indicate that the value is less than 1, and positive numbers after the "E" indicate that the value is greater than 1. In this notation a value of 6.1E-02 represents 6.1×10^{-2} or 0.061, 6.1E+02 represents 6.1×10^{2} or 610, and 6.1E+00 represents 6.1×10^{0} or 6.1.

b. **Percent Removal.** The average monthly percent removal[1] of $CBOD_5$ and TSS shall not be less than 85 percent.

2. Performance Goals – Discharge Point No. 001

Parameters that do not have reasonable potential to cause or contribute to an exceedance of water quality objectives, or for which reasonable potential to cause or contribute to an exceedance of water quality objectives cannot be determined, are referred to as performance goal parameters and are assigned the performance goals listed in the following table. Performance goal parameters shall be monitored at Monitoring Location EFF-001 as described in the Monitoring and Reporting Program, Attachment E. The San Diego Water Board will use the results for informational purposes only, not compliance determinations.

Table 5. Performance Goals[1]

Parameter	Unit[1,2]	Performance Goals[1,3]			
		6-Month Median	Maximum Daily	Instantaneous Maximum	30-Day Average
BASED ON OCEAN PLAN OBJECTIVES FOR PROTECTION OF MARINE AQUATIC LIFE					
Arsenic, Total Recoverable	µg/L	4.81E+02	2.78E+03	7.36E+03	--
	lbs/day	1.00E+02	5.79E+02	1.54E+03	--
Cadmium, Total Recoverable	µg/L	9.56E+01	3.82E+02	9.56E+02	--
	lbs/day	1.99E+01	7.97E+01	1.99E+02	--
Chromium VI, Total Recoverable[4]	µg/L	1.91E+02	7.65E+02	1.91E+03	--
	lbs/day	3.99E+01	1.59E+02	3.99E+02	--
Copper, Total Recoverable	µg/L	9.76E+01	9.58E+02	2.68E+03	--
	lbs/day	2.03E+01	2.00E+02	5.59E+02	--
Lead, Total Recoverable	µg/L	1.91E+02	7.65E+02	1.91E+03	--
	lbs/day	3.99E+01	1.59E+02	3.99E+02	--
Nickel, Total Recoverable	µg/L	4.78E+02	1.91E+03	4.78E+03	--
	lbs/day	9.97E+01	3.99E+02	9.97E+02	--
Selenium, Total Recoverable	µg/L	1.43E+03	5.74E+03	1.43E+04	--
	lbs/day	2.99E+02	1.20E+03	2.99E+03	--
Silver, Total Recoverable	µg/L	5.18E+01	2.53E+02	6.54E+02	--
	lbs/day	1.08E+01	5.27E+01	1.36E+02	--

[1] See Attachment A for definitions of abbreviations and a glossary of common terms used in this Order.

ED_002551_00000954-00006

Parameter	Unit[1,2]	Performance Goals[1,3]			
		6-Month Median	Maximum Daily	Instantaneous Maximum	30-Day Average
Cyanide, Total Recoverable[5]	µg/L	9.56E+01	3.82E+02	9.56E+02	--
	lbs/day	1.99E+01	7.97E+01	1.99E+02	--
Total Chlorine Residual[6]	µg/L	1.91E+02	7.65E+02	5.74E+03	--
	lbs/day	3.99E+01	1.59E+02	1.20E+03	--
Ammonia (expressed as nitrogen)	µg/L	5.74E+04	2.29E+05	5.74E+05	--
	lbs/day	1.20E+04	4.78E+04	1.20E+05	--
Phenolic Compounds (non-chlorinated)[1]	µg/L	2.87E+03	1.15E+04	2.87E+04	--
	lbs/day	5.98E+02	2.39E+03	5.98E+03	--
Chlorinated Phenolics[1]	µg/L	9.56E+01	3.82E+02	9.56E+02	--
	lbs/day	1.99E+01	7.97E+01	1.99E+02	--
Endosulfan[1]	µg/L	8.60E-01	1.72E+00	2.58E+00	--
	lbs/day	1.79E-01	3.59E-01	5.38E-01	--
Endrin	µg/L	1.91E-01	3.82E-01	5.74E-01	--
	lbs/day	3.99E-02	7.97E-02	1.20E-01	--
HCH[1]	µg/L	3.82E-01	7.65E-01	1.15E+00	--
	lbs/day	7.97E-02	1.59E-01	2.39E-01	--
Radioactivity	pCi/l	Not to exceed limits specified in title 17, division 1, chapter 5, subchapter 4, group 3, article 3, section 30253 of the California Code of Regulations, Reference to section 30253 is prospective, including future changes to any incorporated provisions of federal law, as the changes take effect.			
BASED ON OCEAN PLAN OBJECTIVES FOR PROTECTION OF HUMAN HEALTH – NONCARCINOGENS					
Acrolein	µg/L	--	--	--	2.10E+04
	lbs/day	--	--	--	4.39E+03
Antimony, Total Recoverable	µg/L	--	--	--	1.15E+05
	lbs/day	--	--	--	2.39E+04
Bis(2-chloroethoxy) Methane	µg/L	--	--	--	4.21E+02
	lbs/day	--	--	--	8.77E+01
Bis(2-chloroisopropyl) Ether	µg/L	--	--	--	1.15E+05
	lbs/day	--	--	--	2.39E+04
Chlorobenzene	µg/L	--	--	--	5.45E+04
	lbs/day	--	--	--	1.14E+04
Chromium (III) , Total Recoverable[4]	µg/L	--	--	--	1.82E+07
	lbs/day	--	--	--	3.79E+06
Di-n-butyl Phthalate	µg/L	--	--	--	3.35E+05
	lbs/day	--	--	--	6.98E+04

ED_002551_00000954-00007

Parameter	Unit[1,2]	Performance Goals[1,3]			
		6-Month Median	Maximum Daily	Instantaneous Maximum	30-Day Average
Dichlorobenzenes[1]	µg/L	--	--	--	4.88E+05
	lbs/day	--	--	--	1.02E+05
Diethyl Phthalate	µg/L	--	--	--	3.15E+06
	lbs/day	--	--	--	6.58E+05
Dimethyl Phthalate	µg/L	--	--	--	7.84E+07
	lbs/day	--	--	--	1.63E+07
4,6-dinitro-2-methylphenol	µg/L	--	--	--	2.10E+04
	lbs/day	--	--	--	4.39E+03
2,4-dinitrophenol	µg/L	--	--	--	3.82E+02
	lbs/day	--	--	--	7.97E+01
Ethylbenzene	µg/L	--	--	--	3.92E+05
	lbs/day	--	--	--	8.17E+04
Fluoranthene	µg/L	--	--	--	1.43E+03
	lbs/day	--	--	--	2.99E+02
Hexachlorocyclopentadiene	µg/L	--	--	--	5.54E+03
	lbs/day	--	--	--	1.16E+03
Nitrobenzene	µg/L	--	--	--	4.68E+02
	lbs/day	--	--	--	9.77E+01
Toluene	µg/L	--	--	--	8.13E+06
	lbs/day	--	--	--	1.69E+06
1,1,1-trichloroethane	µg/L	--	--	--	5.16E+07
	lbs/day	--	--	--	1.08E+07
BASED ON OCEAN PLAN OBJECTIVES FOR PROTECTION OF HUMAN HEALTH - CARCINOGENS					
Acrylonitrile	µg/L	--	--	--	9.56E+00
	lbs/day	--	--	--	1.99E+00
Aldrin	µg/L	--	--	--	2.10E-03
	lbs/day	--	--	--	4.39E-04
Benzene	µg/L	--	--	--	5.64E+02
	lbs/day	--	--	--	1.18E+02
Beryllium, Total Recoverable	µg/L	--	--	--	3.15E+00
	lbs/day	--	--	--	6.58E-01
Bis(2-chloroethyl) Ether	µg/L	--	--	--	4.30E+00
	lbs/day	--	--	--	8.97E-01
Bis(2-ethlyhexyl) Phthalate	µg/L	--	--	--	3.35E+02
	lbs/day	--	--	--	6.98E+01
Carbon Tetrachloride	µg/L	--	--	--	8.60E+01
	lbs/day	--	--	--	1.79E+01

ED_002551_00000954-00008

Parameter	Unit[1,2]	Performance Goals[1,3]			
		6-Month Median	Maximum Daily	Instantaneous Maximum	30-Day Average
Chloroform	µg/L	--	--	--	1.24E+04
	lbs/day	--	--	--	2.59E+03
1,4-dichlorobenzene	µg/L	--	--	--	1.72E+03
	lbs/day	--	--	--	3.59E+02
3,3'-dichlorobenzidine	µg/L	--	--	--	7.74E-01
	lbs/day	--	--	--	1.61E-01
1,2-dichloroethane	µg/L	--	--	--	2.68E+03
	lbs/day	--	--	--	5.58E+02
1,1-dichloroethylene	µg/L	--	--	--	8.60E+01
	lbs/day	--	--	--	1.79E+01
Dichlorobromomethane	µg/L	--	--	--	5.93E+02
	lbs/day	--	--	--	1.24E+02
Dichloromethane (Methylene Chloride)	µg/L	--	--	--	4.30E+04
	lbs/day	--	--	--	8.97E+03
1,3-dichloropropene (1,3-Dichloropropylene)	µg/L	--	--	--	8.51E+02
	lbs/day	--	--	--	1.77E+02
Dieldrin	µg/L	--	--	--	3.82E-03
	lbs/day	--	--	--	7.97E-04
2,4-dinitrotoluene	µg/L	--	--	--	2.49E+02
	lbs/day	--	--	--	5.18E+01
1,2-diphenylhydrazine	µg/L	--	--	--	1.53E+01
	lbs/day	--	--	--	3.19E+00
Halomethanes[1]	µg/L	--	--	--	1.24E+04
	lbs/day	--	--	--	2.59E+03
heptachlor	µg/L	--	--	--	4.78E-03
	lbs/day	--	--	--	9.97E-04
Hexachlorobutadiene	µg/L	--	--	--	1.34E+03
	lbs/day	--	--	--	2.79E+02
Hexachloroethane	µg/L	--	--	--	2.39E+02
	lbs/day	--	--	--	4.98E+01
Isophorone	µg/L	--	--	--	6.98E+04
	lbs/day	--	--	--	1.46E+04
N-nitrosodimethylamine	µg/L	--	--	--	6.98E+04
	lbs/day	--	--	--	1.46E+04
N-nitrosodi-N-propylamine	µg/L	--	--	--	3.63E+01
	lbs/day	--	--	--	7.57E+00
N-nitrosodiphenylamine	µg/L	--	--	--	2.39E+02
	lbs/day	--	--	--	4.98E+01

ED_002551_00000954-00009

Parameter	Unit[1,2]	Performance Goals[1,3]			
		6-Month Median	Maximum Daily	Instantaneous Maximum	30-Day Average
PAH[1]	µg/L	--	--	--	8.41E-01
	lbs/day	--	--	--	1.75E-01
1,1,2,2-tetrachloroethane	µg/L	--	--	--	2.20E+02
	lbs/day	--	--	--	4.58E+01
Tetrachloroethylene (Tetrachloroethene)	µg/L	--	--	--	1.91E+02
	lbs/day	--	--	--	3.99E+01
Trichloroethylene (Trichloroethene)	µg/L	--	--	--	2.58E+03
	lbs/day	--	--	--	5.38E+02
1,1,2-trichloroethane	µg/L	--	--	--	8.99E+02
	lbs/day	--	--	--	1.87E+02
2,4,6-trichlorophenol	µg/L	--	--	--	2.77E+01
	lbs/day	--	--	--	5.78E+00
Vinyl Chloride	µg/L	--	--	--	3.44E+03
	lbs/day	--	--	--	7.18E+02

1 See Attachment A for definitions of abbreviations and a glossary of common terms used in this Order.

2 The mass emission rate (MER) limit, in pounds per day, was calculated based on the following equation: MER (lb/day) = 8.34 x Q x C, where Q is the maximum allowable flow rate (in MGD) and C is the concentration (in mg/L).

3 Scientific "E" notation is used to express certain values. In scientific "E" notation, the number following the "E" indicates that position of the decimal point in the value. Negative numbers after the "E" indicate that the value is less than 1, and positive numbers after the "E" indicate that the value is greater than 1. In this notation a value of 6.1E-02 represents 6.1×10^{-2} or 0.061, 6.1E+02 represents 6.1×10^{2} or 610, and 6.1E+00 represents 6.1×10^{0} or 6.1.

4 The Discharger may, at their option, apply this performance goal as a total chromium performance goal.

5 If a Discharger can demonstrate to the satisfaction of the San Diego Water Board (subject to USEPA approval) that an analytical method is available to reliably distinguish between strongly and weakly complexed cyanide, effluent limitations for cyanide may be met by (or performance goals may be evaluated with) the combined measurement of free cyanide, simple alkali metals cyanides, and weakly complexed organometallic cyanide complexes. In order for the analytical method to be acceptable, the recovery of free cyanide from metal complexes must be comparable to that achieved by the approved method in title 40 Code of Federal Regulations (CFR) part 136, as revised May 14, 1999.

6 The water quality objectives for total chlorine residual applicable to intermittent discharges not exceeding two hours, shall be determined through the use of the following equation:

$\log y = -0.43 (\log x) + 1.8$,

where y = the water quality objective (in µg/l) to apply when chlorine is being discharged;

x = the duration of uninterrupted chlorine discharge in minutes.

Actual effluent limitations for total chlorine, when discharging intermittently, shall then be determined according to Implementation Procedures for Table 1 from the Ocean Plan, using a minimum probable initial dilution factor of 94.6 and a flow rate of 25 MGD.

3. Interim Effluent Limitations - Not Applicable

B. Land Discharge Specifications – Not Applicable

C. Recycling Specifications – Not Applicable

ED_002551_00000954-00010

V. RECEIVING WATER LIMITATIONS

A. Surface Water Limitation

The receiving water limitations set forth below for ocean waters are based on water quality objectives contained in the Basin Plan and Ocean Plan and are a required part of this Order. The discharge of waste shall not cause or contribute to violation of these limitations in the Pacific Ocean. Compliance with these limitations shall be determined from samples collected at stations representative of the area within the waste field where initial dilution is completed.

1. **Bacterial Characteristics**

   a. Within a zone bounded by the shoreline and a distance of three nautical miles from the shoreline, including all kelp beds, the following bacterial objectives shall be maintained throughout the water column. The zone of initial dilution for the ocean outfall is excluded.

      i. 30-day Geometric Mean – The following standards are based on the geometric mean of the five most recent samples from each site:

         a) Total coliform density shall not exceed 1,000 per 100 mL;

         b) Fecal coliform density shall not exceed 200 per 100 mL; and

         c) Enterococcus density shall not exceed 35 per 100 mL.

      ii. Single Sample Maximum:

         a) Total coliform density shall not exceed 10,000 per 100 mL;

         b) Fecal coliform density shall not exceed 400 per 100 mL;

         c) Enterococcus density shall not exceed 104 per 100 mL; and

         d) Total coliform density shall not exceed 1,000 per 100 mL when the fecal coliform/total coliform ratio exceeds 0.1.

   b. The Initial Dilution Zone of wastewater outfall shall be excluded from designation as kelp beds for purposes of bacterial standards. Adventitious assemblages of kelp plants on waste discharge structures (e.g., outfall pipes and diffusers) do not constitute kelp beds for purposes of bacterial standards.

   c. At all areas where shellfish may be harvested for human consumption, as determined by the San Diego Water Board, the median total coliform density shall not exceed 70 per 100 mL throughout the water column, and not more than 10 percent of the samples shall exceed 230 per 100 mL.

2. **Physical Characteristics**

   a. Floating particulates and grease and oils shall not be visible.

   b. The discharge of waste shall not cause aesthetically undesirable discoloration of the ocean surface.

   c. Natural light shall not be significantly reduced at any point outside the initial dilution zone as a result of the discharge of waste.

ED_002551_00000954-00011

d. The rate of deposition of inert solids and the characteristics of inert solids in the ocean sediments shall not be changed such that benthic communities are degraded.

3. **Chemical Characteristics**

a. The dissolved oxygen concentration shall not at any time be depressed more than 10 percent from that which occurs naturally, as the result of the discharge of oxygen demanding waste materials.

b. The pH shall not be changed at any time more than 0.2 units from that which occurs naturally.

c. The dissolved sulfide concentration of waters in and near sediments shall not be significantly increased above that present under natural conditions.

d. The concentration of substances set forth in Chapter II, Table 1 of the Ocean Plan, shall not be increased in marine sediments to levels that would degrade indigenous biota.

e. The concentration of organic materials in marine sediments shall not be increased to levels that would degrade marine life.

f. Nutrient materials shall not cause objectionable aquatic growths or degrade indigenous biota.

g. Numerical water quality objectives established in Chapter II, Table 1 of the Ocean Plan apply to all discharges within the jurisdiction of the Ocean Plan. Unless otherwise specified, all metal concentrations are expressed as total recoverable concentrations.

4. **Biological Characteristics**

a. Marine communities, including vertebrate, invertebrate, and plant species, shall not be degraded.

b. The natural taste, odor, color of fish, shellfish, or other marine resources used for human consumption shall not be altered.

c. The concentration of organic materials in fish, shellfish, or other marine resources used for human consumption shall not bioaccumulate to levels that are harmful to human health.

5. **Radioactivity**

Discharge of radioactive waste shall not degrade marine life.

B. Groundwater Limitations – Not Applicable

VI. PROVISIONS

A. Standard Provisions

1. The Discharger shall comply with all Standard Provisions included in Attachment D of this Order.

2. The Discharger shall comply with the following provisions. In the event that there is any conflict, duplication, or overlap between provisions specified by this Order, the more stringent provision shall apply.

a. The Facility shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to title 23, division 3, chapter 26 of the California Code

of Regulations (CCR). The Facility shall be provided with a sufficient number of qualified personnel to operate the Facility effectively so as to achieve the required level of treatment at all times.

b. All proposed new treatment facilities and expansions of existing treatment facilities shall be completely constructed and operable prior to initiation of the discharge from the new or expanded facilities. The Discharger shall submit a certification report for each new canyon collector, treatment facility, expansion of an existing treatment facility, and design capacity re-ratings. The certification report shall be prepared by the design engineer. For design capacity re-ratings, the certification report shall be prepared by the engineer who evaluated the treatment facility design capacity. The signature and engineering license number of the engineer preparing the certification report shall be affixed to the report. If reasonable, the certification report shall be submitted prior to beginning construction.

i. The certification report shall:

a) Identify the design capacity of the treatment facility, including the daily and 30-day design capacity;

b) Certify the adequacy of each component of the treatment facility; and

c) Contain a requirement-by-requirement analysis, based on acceptable engineering practices, of the process and physical design of the facility to ensure compliance with this Order.

ii. The Discharger shall not initiate a discharge from an existing treatment facility at a daily flow rate in excess of its previously approved design capacity until:

a) The certification report is received by the San Diego Water Board;

b) The San Diego Water Board has received written notification of completion of construction (new treatment facilities and expansions only);

c) An inspection of the facility has been made by the San Diego Water Board or its designated representatives (new treatment facilities and expansions only); and

d) The San Diego Water Board has provided the Discharger with written authorization to discharge at a daily flow rate in excess of its previously approved design capacity.

c. All waste treatment, containment, and disposal facilities shall be protected against 100-year peak stream flows as defined by the San Diego County flood control agency.

d. All waste treatment, containment, and disposal facilities shall be protected against erosion, overland runoff, and other impacts resulting from a 100-year, 24-hour storm event.

e. This Order expires on July 31, 2019, after which, the terms and conditions of this permit are automatically continued pending issuance of a new permit, provided that all requirements of USEPA's NPDES regulations at 40 CFR section 122.6 and the

State's regulations at title 23, division 3, chapter 9, article 3, section 2235.4 of the CCR regarding the continuation of expired permits and waste discharge requirements are met.

f. A copy of this Order shall be posted at a prominent location at or near the treatment and disposal facilities and shall be available to operating personnel at all times.

B. Monitoring and Reporting Program (MRP) Requirements

The Discharger shall comply with the MRP, and future revisions thereto, in Attachment E of this Order.

C. Special Provisions

1. Reopener Provisions

a. This Order may be reopened for modification to include an effluent limitation if monitoring establishes that the discharge causes, has the reasonable potential to cause, or contributes to an excursion above a performance goal(s) set forth in section IV.A.2, Table 5, of this Order or as otherwise described in Ocean Plan Table 1. (40 CFR section 122.44(d)(1))

b. This Order may be reopened for modification of the monitoring and reporting requirements and/or special studies requirements, at the discretion of the San Diego Water Board. Such modification(s) may include, but is (are) not limited to, revision(s) (i) to implement recommendations from Southern California Coastal Water Research Project (SCCWRP), (ii) to develop, refine, implement, and/or coordinate a regional monitoring program, (iii) to develop and implement improved monitoring and assessment programs in keeping with San Diego Water Board Resolution No. R9-2012-0069, *Resolution in Support of a Regional Monitoring Framework*, and/or (iv) to add provisions to require the Discharger to evaluate and provide information on cost and values of the monitoring and reporting program.

c. This Order may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:

i. Violation of any terms or conditions of this Order. (Water Code section 13381(a))

ii. Obtaining this Order by misrepresentation or failure to disclose fully all relevant facts. (Water Code section 13381(b))

iii. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge. (Water Code section 13381(c))

d. The filing of a request by the Discharger for modifications, revocation and reissuance, or termination of this Order does not stay any condition of this Order. Notification by the Discharger of planned operational or facility changes or anticipated noncompliance with this Order does not stay any condition of this Order. (40 CFR section 122.41(f))

e. If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under section 307(a) of the CWA for a toxic pollutant and that standard or prohibition is more stringent than any limitation on the pollutant in this Order, the San Diego Water Board may institute proceedings under these regulations to modify or revoke

and reissue the Order to conform to the toxic effluent standard or prohibition. (40 CFR section 122.4(b)(1))

f. This Order may be reopened and modified, in accordance with the provisions set forth in 40 CFR parts 122 and 124.

g. This Order may be reopened and modified to revise effluent limitations as a result of future Basin Plan Amendments, or the adoption of a total maximum daily load (TMDL) for the receiving water. (40 CFR section 122.62(a)(2))

h. This Order may be reopened upon submission by the Discharger of adequate information, as determined by the San Diego Water Board, to provide for dilution credits or a mixing zone, as may be appropriate. (40 CFR section 122.62(a)(2))

i. This Order may also be reopened and modified, revoked and, reissued or terminated in accordance with the provisions of 40 CFR sections 122.44, 122.62 to 122.64, and 125.62. Causes for taking such actions include, but are not limited to, failure to comply with any condition of this Order and permit, and endangerment to human health or the environment resulting from the permitted activity.

2. Special Studies, Technical Reports and Additional Monitoring Requirements

a. **Spill and Transboundary Wastewater Flow Event Prevention and Response Plan**.

i. **Spill and Transboundary Wastewater Flow Event Types.** For purposes of section VI.C.2, spill and transboundary wastewater flow event types are defined and categorized as set forth below. Event types do not include waste discharges to the Pacific Ocean at SBOO Discharge Point No. 001 or discharges of waste from the Facilities specifically regulated by separate waste discharge requirements or an NPDES permit.

a) **Spill from the Facilities (Facilities Spill Event).** A discharge of treated or untreated wastewater or other material to the environment that occurs from the Discharger's Facilities, including, but not limited to, the entire wastewater conveyance, storage, treatment, and disposal system (wastewater system) that is owned and operated by the Discharger. The wastewater system includes all devices and system components used such as pipes, pump stations, force mains, Junction Box 1, Junction Box 2, the five canyon collector systems, the treatment works, SBLO, and SBOO.

b) **Transboundary Wastewater Flow Past the Canyon Collector System (Flow Event Type A).** A dry weather transboundary treated or untreated wastewater or other flow through a conveyance structure owned and operated by the United States Government into Smuggler Gulch, Goat Canyon, Canyon del Sol, Stewart's Drain, or Silva Drain and not diverted into the canyon collector system for treatment at the Facility.

c) **Transboundary Wastewater Flow Event or Other Spill/Wastewater Flow Event in Mexico (Flow Event Type B).** A dry weather spill or dry weather transboundary wastewater or other flow (not categorized in other Event Types above) that creates, or threatens to create, pollution or nuisance conditions in waters of the United States and/or State including the Tijuana River (main channel), Yogurt Canyon drainage, other unnamed

drainages and nearby coastal marine waters. These spills or transboundary flows include, but are not limited to the following:

1) A dry weather transboundary treated or untreated wastewater flow in waters of the Tijuana River (main channel) as described in Commitment No. 16 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*).

2) A dry weather transboundary treated or untreated wastewater flow through a conveyance structure owned and operated by the United States Government into Yogurt Canyon.

3) Spills or wastewater flows occurring in Mexico that the Discharger has knowledge of.

ii. **Development and Submittal**. The Discharger shall prepare and submit a *Spill and Transboundary Wastewater Flow Prevention and Response Plan* (Prevention/Response Plan) to the San Diego Water Board, via the State Water Board's California Integrated Water Quality System (CIWQS) Program Web site, no later than 180 days after the adoption of this Order. The Prevention/Response Plan shall be developed in consultation with the Comisión Internacional de Limites y Aguas (CILA, the Mexican Section of the IBWC), the San Diego Water Board, the County of San Diego Department of Environmental Health (DEH), and other interested stakeholders. At a minimum, the Prevention/Response Plan shall address the three types of events identified above in section VI.C.2.a.i of this Order and shall include the following elements:

a) **Goal.** The goal of the Prevention/Response Plan shall be described and consistent with the following criteria:

1) Reduce, eliminate and prevent the recurrence of spills and transboundary wastewater flows;

2) Protect public health and safety; and

3) Prevent adverse impacts to the environment from spills and transboundary wastewater flows, including but not limited to, adverse impacts to waters of the United States and/or State.

b) **Desired Outcomes.** The Prevention/Response Plan shall be consistent with the following desired outcomes:

1) Prompt notification and reporting of spills and transboundary wastewater flows to appropriate regulatory agencies, municipalities, and other potentially affected entities is ensured;

2) Effective measures are identified, documented and implemented to prevent, reduce, and eliminate spills and transboundary wastewater flows;

3) Compliance with the requirements of this Order is achieved and maintained;

4) Effective remedial measures are implemented to 1) control or limit the spill and/or transboundary wastewater flow volume, 2) terminate the spill and/or transboundary wastewater flow, and 3) recover as much of the spill and/or transboundary wastewater flow volume as possible for proper disposal, including any wash down water; and

5) A framework for binational actions and cooperation in achieving the goals and desired outcomes of the Prevention/Response Plan is established and followed by the Discharger and CILA and the following agencies to the extent that these agencies are willing and able to participate, Secretaría de Protección al Ambiente (SPA), Comisión Estatal de Servicios Públicos de Tijuana (CESPT), Procuraduría Federal de Protección al Ambiente (PROFEPA), Comisión Nacional del Agua (CONAGUA), and the City of Tijuana's Secretaría de Desarrollo Urbano y Ecología (SDUE).

c) **Roles and Responsibilities.** The Prevention/Response Prevention/Response Plan shall:

1) Identify the duly authorized individual(s) or position(s) having overall responsibility for the development and implementation of the Prevention/Response Plan on behalf of the Discharger as described in Attachment D of this Order, Special Provisions, section V.B;

2) Identify the names of all key individuals, associated position titles, e-mail addresses and telephone numbers, including management, administrative, contractor and maintenance positions, responsible for implementing specific measures described in the Prevention/Response Plan, on behalf of the Discharger; *and*

3) Provide a complete description of the roles and responsibilities, and lines of authority for implementation of the Prevention/Response Plan with respect to the Discharger, including organization chart(s) or similar document(s).

4) Provide a complete description of the roles and responsibilities, and lines of authority for implementation of the Prevention/Response Plan with respect to CILA, SPA, CESPT, PROFEPA, CONAGUA, and SDUE, including organization chart(s) or similar document(s) to the extent that they are available. The Discharger shall request in writing this information to assist the Discharger in implementing the Prevention/Response Plan. The Discharger shall include a copy of the request and CILA's response to the request in the Prevention/Response Plan. If CILA refuses or does not confirm within one month, the Discharger shall communicate the same to the San Diego Water Board in writing in a timely manner.

d) **Communication and Coordination with Mexico.** The Prevention/Response Plan shall document the framework and procedures for coordination between the Discharger, CILA, SPA, CESPT, the San Diego Water Board, and interested parties through regular meetings and written or oral communication to:

1) Develop procedures for reducing, eliminating, and preventing recurrence of transboundary wastewater flows resulting from an emergency or unanticipated outages of wastewater infrastructure on either side of the international border;

2) Develop binational emergency response and notification procedures for loss of wastewater infrastructure capacity on either side of the international border;

3) Review existing plans, specifications and reports of key wastewater infrastructure on both sides of the international border;

4) Assist CILA and local agencies in Mexico, as requested by these entities through IBWC, in preventing, reducing, terminating, and recovering transboundary wastewater flows;

5) Provide a framework for binational actions and cooperation in achieving the goals and desired outcomes of the Prevention/Response Plan; and

6) Optimize use of available wastewater infrastructure capacity on both sides of the international border. This topic shall include, but is not limited to, use of an emergency connection to the City of San Diego sewage collection system, increases in available sewage collection and treatment capacity in Tijuana, and increase in wastewater flow diversion to the IWTP.

e) **Inspection and Preventative Maintenance Program.** The Prevention/Response Plan shall provide a program for routine inspection and preventative maintenance of the entire wastewater system that is owned and operated by the Discharger including backup power and electrical systems. The inspection and preventative maintenance program shall include the following components:

1) **Map, Flow Diagrams, and Design Capacity Documentation.** The Prevention/Response Plan shall provide an accurate map and flow diagram, and the design capacity for each key component of the entire Discharger's wastewater system as well as the main wastewater conveyance and treatment system in Mexico. The information shall address key pipes, force mains, pump stations, treatment plant capacities, and all discharge point(s).

2) **Inspection and Preventative Maintenance Program.** The Prevention/Response Plan shall provide a description of the routine inspection and preventative maintenance program for the Discharger's

ED_002551_00000954-00018

wastewater system. The description shall include schedules, protocols, documentation procedures, and associated activities for inspection, preventative maintenance, and cleaning. The documentation procedures shall include the system used to document the inspection and preventive maintenance activities, such as work orders. The Prevention/Response Plan shall include exercising and testing of all key systems and components to verify adequate operation of the system and associated backup alarms.

Each canyon collector shall be inspected daily. The Prevention/Response Plan shall also provide a description of the specific circumstances, mechanisms, and frequency of occurrence whereby the hydraulic capacity of the canyon collector systems is reduced below its design capacity from stoppage, blockage, debris obstructions, vandalism or other causes that impact or limit the flow of wastewater into and through the canyon collector systems. The Prevention/Response Plan shall identify the best practices and procedures employed by the Discharger to reduce, prevent, or eliminate the severity and impact of these mechanisms and to restore the system's functional capacity to handle transboundary wastewater flows at the design capacity flow rate as quickly as possible. These practices and procedures shall also address the steps taken or planned to ensure adequate clearing and removal of accumulated sand/silt and blockages and correction of all capacity deficiencies in the canyon collector systems within 96 hours following a storm event of 0.1 inches or greater (i.e. 24 hours after wet weather, as defined in Attachment A).

3) **Replacement Components.** The Prevention/Response Plan shall also describe practices for identifying key replacement components and maintaining an adequate inventory of critical replacement components.

4) **Log Maintenance and Retention of Records.** The Prevention/Response Plan shall provide for maintaining a log of all pertinent inspection, cleaning, maintenance and repair records for at least five (5) years for use in identifying and prioritizing system deficiencies in order to devise a corrective action strategy to prevent future spills.

f) **Rehabilitation and Replacement.** The Prevention/Response Plan shall describe a rehabilitation and replacement program to detect, identify, and address any structural deficiencies, or other system devices or components that have caused or are likely to cause spills from the Discharger's wastewater system. Structural deficiencies include, but are not limited to, major pipe breaks and cracks, inadequate pipe slopes, internal corrosion areas, areas of significant root intrusion, and inadequate hydraulic capacity. The rehabilitation and replacement program shall provide for identification, ranking and prioritizing of system deficiencies and implementation of short-term and long-term rehabilitation or replacement actions to address each identified deficiency. Rehabilitation and replacement activities should focus on infrastructure that is older and at risk or prone to more frequent blockage

due to sediment or debris. The Prevention/Response Plan shall also describe a capital improvement program which manages and preserves infrastructure assets, identifies and ranks infrastructure rehabilitation and replacement capital projects, provides a planning and implementation schedule, and identifies options for obtaining the funding needed to implement the program.

g) **Training**. The Prevention/Response Plan shall describe a program for providing training to ensure that the Discharger's employees, contractors, and other representatives are adequately trained and possess adequate knowledge, skills and abilities to implement the Prevention/Response Plan.

h) **Facilities Spill and Transboundary Wastewater Spill Containment and Cleanup**. This section of the Prevention/Response Plan shall apply to Facilities Spill Event and Flow Event Type A.

The Prevention/Response Plan shall describe guidelines and procedures for taking all feasible steps and necessary remedial actions to 1) control or limit the spill and/or transboundary wastewater flow volume, 2) terminate the spill and/or transboundary wastewater flow, and 3) recover as much of the spill and/or transboundary wastewater flow volume as possible for proper disposal, including any wash down water. The Prevention/Response Plan shall incorporate the following components:

1) **Investigation and Assessment.** The Prevention/Response Plan shall describe procedures for spill and/or transboundary wastewater flow investigation and assessment including volume estimation, adequate monitoring to determine the nature and impact of the event, identification of receiving waters impacted, calls for additional backup support, and notification of appropriate agencies as required under section VI.C.2.d of this Order.

2) **Containment.** Procedures for containment of the spill and/or transboundary wastewater flow volume including but not limited *to* the following actions:

i) Use of sand bags or containment barriers;

ii) Containment in downstream storm drains and plugging downstream storm drain outlets to capture the spill and/or transboundary wastewater flow if possible; and

iii) Excavation as necessary to establish containment of spill and/or transboundary wastewater flow.

3) **Cleanup.** Procedures for cleanup of the spill and/or transboundary wastewater flow including but not limited to the following actions:

i) Collection of solid and liquid material and other debris;

ii) Vacuum truck recovery of wastewater or polluted water and wash down water;

iii) Cleanup of debris within the affected area(s); and

iv) Clean-up of impacted storm drains in accordance with NPDES storm water permit.

i) **Notifications and Reporting.** This section of the Prevention/Response Plan shall apply to Facilities Spill Event and Flow Event Type A. The Prevention/Response Plan shall describe procedures for prompt notification and reporting of these spills to appropriate parties as described in section VI.C.2.d of this Order. The Prevention/Response Plan shall provide for maintenance of a regularly updated notification and reporting contact list (emails and phone numbers) and adequate public notification to protect the public from exposure to spills and/or transboundary wastewater flows. Written notifications and reports should be provided to appropriate regulatory agencies, municipalities, and other potentially affected entities to the extent required by this Order, other permits and licenses, state and federal laws, local ordinances or as otherwise described in the Prevention/Response Plan. These organizations shall include, but are not be limited to:

1) California Governor's Office of Emergency Services (Cal OES);

2) DEH;

3) San Diego Water Board;

4) California Department of Fish and Wildlife;

5) U.S. Fish and Wildlife Service;

6) City of Imperial Beach;

7) City of San Diego;

8) USEPA

9) Local water agencies if a water supply has been affected;

10) Interested non-governmental organizations (NGOs); and

11) Other interested parties.

j) **Documentation.** The Prevention/Response Plan shall include procedures for documentation of each event as required under section VI.C.2.d of this Order including, but not limited to, a description of the spill event and its cause; exact dates and times for when the event started, when the Discharger responded, when the event stopped, when containment and cleanup occurred, the volume recovered, the volume released to the

environment, notifications made, and the steps taken or planned to mitigate and prevent recurrence of the event.

k) **Notifications and Reporting of Transboundary Wastewater Flows or Other Spills within Mexico**. This section of the Prevention/Response Plan shall apply to Flow Event Type B. The Prevention/Response Plan shall describe procedures for notification and reporting of Flow Event Type B. These events should be reported within 24 hours of the time the Discharger becomes aware of the event. The procedures shall provide for notification and reporting of such events to governmental agencies, municipalities, and other organizations as described in section VI.C.2.a.ii.i) above. (The Discharger is not responsible for the investigation, assessment, containment, cleanup, or documentation of such events, but only for the reporting of such events for which the Discharger becomes aware.)

iii. **Prevention/Response Plan Implementation.** Upon receipt, the San Diego Water Board will issue a public notice and release the Prevention/Response Plan for public review and comment for a minimum of 30 days. The Discharger must consider revisions to the Prevention/Response Plan based on written comments received during the specified comment period. The Discharger must submit a revised Prevention/Response Plan, with responses to written comments received, to the San Diego Water Board no later than 60 days after the close of the comment period. The Discharger shall commence with implementation of the Prevention/Response Plan immediately upon submission of the revised Prevention/Response Plan unless otherwise directed in writing by the San Diego Water Board Executive Officer.

a) **Prevention/Response Plan Amendment.** The Discharger shall conduct regular review and assessment of the Prevention/Response Plan to identify improvements and modify it as necessary to reduce, eliminate, and prevent the recurrence of spills and/or transboundary wastewater flows. The Discharger shall keep the Prevention/Response Plan in an up-to-date condition and shall amend the Prevention/Response Plan whenever there is a change (e.g., in the design, construction, operation, or maintenance of the Facilities) which materially affects the potential for spill and/or transboundary wastewater flow events; or which materially affects the response required for each event. The Discharger shall include any modifications as an amendment to the Prevention/Response Plan submittal in CIWQS within 30 days of making the amendment.

b) **Prevention/Response Plan Posting.** A copy of the most current Prevention/Response Plan shall be posted at a prominent location at or near the Facility and shall be readily available to Discharger's employees, contractors, and other representatives at all times. The Discharger shall also post a publicly available internet accessible copy of the most current Prevention/Response Plan on the Discharger's website.

b. **Sharing Transboundary Wastewater Flow Information with Mexico**

i. The Discharger shall meet with CILA to share the approved Prevention/Response Plan and answer any questions about its content within one year of the adoption of this Order. The Discharger shall request in writing that CILA share the approved Prevention/Response Plan with SPA, CESPT, PROFEPA, CONAGUA, and SDUE. If CILA refuses or does not confirm within one month, the Discharger shall communicate the same to the San Diego Water Board in writing in a timely manner. A copy of the written request to CILA and written confirmation from CILA shall be included as an amendment to the Prevention/Response Plan submittal in CIWQS.

ii. The Discharger shall conduct binational technical committee meetings, with simultaneous translation services, if needed, on transboundary wastewater flow prevention and response in the international border region periodically but no less than two times per year. The Discharger shall invite CILA, the San Diego Water Board, and USEPA to attend. In consultation with CILA, the Discharger shall consider inviting additional stakeholders including, but not limited to, the County of San Diego, the City of San Diego, the City of Imperial Beach, California State Parks, U.S. Fish and Wildlife, California Department of Fish and Wildlife, SPA, CESPT, PROFEPA, CONAGUA, SDUE, and NGOs, such as Tijuana-based Tijuana Calidad de Vida and Proyecto Fronterizo de Educación Ambiental, WILDCOAST, Surfrider Foundation San Diego, and San Diego Coastkeeper. The Discharger shall prepare an agenda with input from invited stakeholders and shall prepare a meeting summary after the meeting and distribute it to all invited stakeholders. The binational technical committee meetings for the transboundary wastewater flows can be combined with the binational technical committee meetings for the pretreatment required in section VI.C.5.b.i. The Discharger shall promote discussion of binational interests, including but not limited to the following:

a) Development and improvement of binational prevention, response, and notification procedures of spills and/or transboundary wastewater flows due to loss of wastewater infrastructure capacity on either side of the international border or other problems;

b) Review of existing and proposed plans, specifications, and reports for key wastewater infrastructure on both sides of the international border;

c) Assist CILA and local agencies in Mexico, as requested by these entities through IBWC, in identifying, preventing, reducing, terminating, and recovering spills and/or transboundary wastewater flows;

d) Optimizing use of available wastewater infrastructure capacity on both sides of the international border to reduce, eliminate, and prevent the recurrence of spills and/or transboundary wastewater flows. This topic shall include, but is not limited to, use of an emergency connection to the City of San Diego sewage collection system, increases in available sewage collection and treatment capacity in Tijuana, and increase in wastewater flow diversion to the IWTP;

e) Share and discuss the current version of the Prevention/Response Plan;

f) Share and discuss Tijuana River, transboundary canyons, and coastal water quality data, and discuss possible sources of contamination; *and*

g) Development and improvement of binational actions and cooperation in achieving the goals and desired outcomes of the Prevention/Response Plan.

iii. In the event Mexico fails to prevent a discharge of treated or untreated wastewaters into waters of the Tijuana River that cross the international boundary as described in Commitment No. 16 of IBWC Minute No. 283, the Discharger's Commissioner or designee shall, within 24 hours of becoming aware of the event, notify the Commissioner of CILA or designee in writing that such a discharge has occurred and request that special measures be taken to immediately stop such discharges and make any necessary repairs in accordance with Commitment No. 16 of IBWC Minute No. 283. If CILA refuses or does not confirm within one day, the Discharger will communicate the same in writing to the San Diego Water Board in a timely manner.

iv. The Discharger shall share the monthly self-monitoring report (SMR) required in Attachment E of this Order with CILA on or before the due date for submittal to the San Diego Water Board. The monthly SMR shall include the monthly transboundary wastewater flow report as required in section VII.B.4 of Attachment E of this Order.

v. The Discharger shall prepare technical presentations which clearly summarize transboundary wastewater flows and compares the flows with the flows occurring during the previous year for the same time periods and year to date. The presentations shall include the information listed in section VI.B.4 of Attachment E of this Order, as well as any other information on the circumstances and impacts of the transboundary wastewater flows and ways to improve the prevention of, and response to, transboundary wastewater flows. The presentation may be combined with the pretreatment technical presentation required in section VI.C.5.b.iv of this Order.

a) The Discharger shall meet with CILA each quarter to share the approved presentations and answer any questions about its content. If no transboundary flows occurred during any given quarter, the Discharger is not required to prepare a technical presentation for that quarter. If there is no technical presentation for that quarter, the Discharger is not required to meet with CILA for that quarter.

b) The Discharger shall request in writing that CILA share the approved presentations at venues hosted by the regulated community at least once, if appropriate venues are available. 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.

c) The Discharger shall request in writing that CILA share the approved presentations with SPA and CESPT. If CILA refuses or does not confirm

within one month, the Discharger will communicate the same to the San Diego Water Board in a timely manner.

d) The presentations shall be processed in accordance with the following schedule unless the Discharger is otherwise directed in writing by the San Diego Water Board:

Table 6. Sharing Transboundary Wastewater Information with Mexico

Quarterly Presentation Period[1]	Presentations Due to the San Diego Water Board for approval	Discharger Share Presentations with CILA	Discharger Request for CILA to Share Presentations with CESPT and SPA
January 1 through March 31	May 15	June 1	June 15
April 1 through June 30	August 15	September 1	September 15
July 1 through September 30	November 15	December 1	December 15
October 1 through December 31	February 15	March 1	March 15

1 If no transboundary flows occurred during any given quarter, the Discharger is not required to prepare a technical presentation for that quarter. If there is no technical presentation for that quarter, the Discharger is not required to meet with CILA for that quarter.

vi. The Discharger may, for reasons of international protocol, submit the agenda, meeting summary, monthly SMR, technical presentation, and other documents described in section VI.C.2.b to CILA in English. If the documents are submitted in English, the Discharger shall request in writing that CILA translate the documents into Spanish prior to distribution to the stakeholders in Mexico. If CILA does not translate the documents as requested, the Discharger shall do the translation.

c. **Other Transboundary Wastewater Flow Requirements**

i. The Discharger shall work through CILA to coordinate with SPA and/or CESPT in preventing, reducing, terminating, and recovering transboundary wastewater flows. Efforts to achieve this goal shall include, but are not limited to, improved communication between the Discharger, CILA, SPA, and CESPT; and providing training, available funding, and other assistance to SPA and CESPT.

ii. Annually, the Discharger shall request in writing from CILA the information listed below for the previous calendar year. If CILA refuses or fails to provide this information by March 1, the Discharger shall communicate the same to the San Diego Water Board in writing in a timely manner.

a) A brief description of any programs CILA and local agencies in Mexico implements to prevent, reduce, terminate, and recover transboundary wastewater flows;

ED_002551_00000954-00025

b) A brief description of any significant changes in transboundary wastewater flow prevention and response activities which differ from the previous year including, but not limited to, changes concerning administrative structures, monitoring programs or monitoring frequencies, legal authority, enforcement policies, funding levels, or staffing levels;

c) A summary of the annual transboundary wastewater flow prevention and response budget, including the cost of program functions and equipment purchases; and

d) A summary of all activities undertaken to educate the public on how to prevent wastewater discharges (e.g. reducing discharges of fats, oils, and grease into the sewage collection system).

d. **Spill and Transboundary Wastewater Flow Event Notification and Reporting Requirements**

The Discharger shall report spills and transboundary wastewater flows in accordance with the following procedures for Facilities Spill Events and Flow Events Type A. The San Diego Water Board requests that the Discharger apply this section of the Prevention/Response Plan to Flow Events Type B.

i. Facilities Spill Events and Flow Events Types A and B, as defined in section VI.C.2.a.i above, shall be categorized for notification and reporting purposes as follows:

a) Category 1 include discharges that contain wastewater of any volume that: 1) Reach surface water and/or reach a drainage channel tributary to a surface water; or 2) Reach a Municipal Separate Storm Sewer System (MS4), and are not fully captured and returned to the Facilities or not otherwise captured and disposed of properly. Any volume not recovered from the MS4 is considered to have reached surface water unless the MS4 discharges to a dedicated storm water or groundwater infiltration basin (e.g., infiltration pit, percolation pond).

b) Category 2 includes discharges that contain wastewater of 1,000 gallons or greater that do not reach surface water, a drainage channel, or a MS4.

c) Category 3 includes all other discharges that contain wastewater.

d) Category 4 includes discharges of hazardous substances.

e) Category 5 includes discharges of oil or petroleum products.

f) Category 6 includes discharges of other materials related to the facilities that may endanger health or the environment.

ii. Within two hours of becoming aware of any Category 1 Event greater than or equal to 1,000 gallons discharged to surface water or a spill or flow to a location where it probably will be discharged to surface water, the Discharger shall notify the Cal OES and obtain a notification control number. The Discharger shall

provide the information requested by Cal OES before receiving a control number. Spill/flow information requested by Cal OES may include:

a) Name of person notifying Cal OES and direct return phone number.

b) Estimated spill/flow volume (gallons).

c) If ongoing, estimated spill/flow rate (gallons per minute).

d) Spill/flow incident description including a brief narrative, on-scene point of contact for additional information (name and cell phone number); date and time Discharger became aware of the spill/flow; location of discharge; cause of the spill/flow (if known).

e) Indication of whether the spill/flow has been contained.

f) Indication of whether surface water is impacted.

g) Name of surface water impacted by the spill/flow, if applicable.

h) Indication of whether a drinking water supply is or may be impacted by the spill/flow.

i) Any other known spill/flow impacts.

j) Spill/flow incident location (address, city, state, and zip code).

Following the initial notification to Cal OES and until such time that the Discharger submits a certified report, the Discharger shall provide updates to Cal OES regarding substantial changes to the estimated volume of untreated or partially treated wastewater discharged and any substantial change(s) to known impact(s).

iii. For Category 1 and 2 Events, the Discharger shall submit a preliminary report within three business days of becoming aware of the spill/flow by email to the San Diego Water Board (RB9Spill_Report@waterboards.ca.gov), DEH, local municipalities, and other interested parties. At a minimum, the following mandatory information shall be included in the preliminary report:

a) Spill/flow contact information. (Name and telephone number of the Discharger contact person who can answer specific questions about the spill/flow being reported).

b) Spill/flow location name.

c) Global Positioning System (GPS) coordinates for the spill/flow location. If a single spill event results in multiple appearance points, provide GPS coordinates for each appearance point.

d) Whether or not the spill/flow reached surface water, a drainage channel, or entered and was discharged from a drainage structure.

e) Whether or not the spill/flow reached a MS4. If known, provide the name of the jurisdiction that owns or operates the MS4 and estimate the spill/flow volume that may have entered the MS4.

f) Whether or not the total spill/flow volume that reached a MS4 was fully recovered. If not, estimate the volume that was recovered from the MS4 (if applicable).

g) Estimate of the spill/flow volume, inclusive of all discharge point(s).

h) Estimate of the spill/flow volume that reached surface water, a drainage channel, or was not recovered from an MS4. If known, provide the name of the surface water body, drainage channel, or drainage structure.

i) Estimate of the spill/flow volume recovered from all sources and media (if applicable).

j) Number of spill/flow appearance point(s).

k) Description and location of spill/flow appearance point(s). If a single sewage collection system failure results in multiple spill appearance points, each appearance point must be described.

l) Spill/flow start date and time.

m) Date and time the Discharger was notified of, or self-discovered, the spill/flow.

n) Estimated operator arrival time.

o) Spill/flow end date and time or expected end date and time.

p) Date and time when cleanup was completed (if applicable);

q) Probable cause of the spill/flow (if known)

r) For spills/flows greater than or equal to 1,000 gallons, the date and time Cal OES was called.

s) For spills/flows greater than or equal to 1,000 gallons, the Cal OES control number.

iv. For Category 1 and 2 Events, the Discharger shall submit a certified report within 15 calendar days of spill/flow end date by email to the San Diego Water Board (RB9Spill_Report@waterboards.ca.gov), DEH, local municipalities, and interested parties. The report shall be signed and certified as required in Attachment D, section V.B At a minimum, the following mandatory information shall be reported for the certified report, in addition to all fields in subsection iii above:

a) Description of spill/flow destination(s).

b) Spill/flow end date and time.

c) Spill/flow cause(s) (e.g. pipe blockage; fats, oil, and grease; root intrusion; pipe break; pump station failure; power outage; component failure; inadequate hydraulic capacity; inflow and infiltration; or vandalism).

d) Spill/flow failure point (pump station, junction point, etc.).

e) Whether or not the spill/flow was associated with a storm event.

f) Description of spill/flow corrective actions, including steps planned or taken to reduce, eliminate, and prevent reoccurrence of the spill/flow; and a schedule of major milestones for those steps.

g) Description of spill/flow response activities.

h) Spill/flow response completion date.

i) Whether or not there is an ongoing investigation, the reasons for the investigation, and the expected date of completion.

j) Whether or not health warnings were posted as a result of the spill/flow.

k) Name of beach(es) closed and/or impacted.

l) Name of surface water(s) impacted.

m) Location and number of water quality samples collected or reason why no samples collected.

n) Parameters for which the water quality samples (if any) were analyzed.

o) Regulatory agencies that received sample results (if any).

p) Description of methodology(ies) and data relied upon for estimations of the spill/flow volume and amount recovered.

v. For Category 4 Events, as soon as (A) the Discharger has knowledge of the discharge, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures, the Discharger shall immediately notify the Cal OES of the discharge in accordance with the spill reporting provision of the state toxic disaster contingency plan adopted pursuant to article 3.7 (commencing with section 8574.16) of chapter 7 of division 1 of title 2 of the Government Code. (Water Code section 13271)

vi. For Category 5 Events, as soon as (1) the Discharger has knowledge of the discharge, (2) notification is possible, and (3) notification can be provided without substantially impeding cleanup or other emergency measures, the Discharger shall immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the California oil spill contingency plan adopted pursuant to article 3.5 (commencing with section 8574.1) of chapter 7 of division 1 of title 2 of the Government Code. This section

shall not apply to spills of oil into marine waters as defined in Subdivision (f) of section 8670.3 of the Government Code. (Water Code section 13272)

vii. For Category 6 Events, the Discharger shall notify the San Diego Water Board (RB9Spill_Report@waterboards.ca.gov), DEH, local municipalities, and interested parties within 24 hours of becoming aware of the discharge.

viii. For all Facilities Spill Events, the Discharger shall include a detailed summary of spills in the monthly self-monitoring report for the month in which the spill occurred, as required in section VI.A of Attachment E of this Order.

ix. The spill/flow reporting requirements contained in this Order do not relieve the Discharger of responsibilities to report spills/flows to other agencies, such as the Cal OES and DEH.

e. **Toxicity Reduction Evaluation (TRE)**

i. **TRE Workplan Development and Submittal.** The Discharger shall develop and submit a TRE workplan to the San Diego Water Board, via the State Water Board's CIWQS Program Web site, within 180 days of the adoption of this Order. The TRE workplan shall incorporate TRE procedures established in available USEPA guidance documents[2], including, but not limited to, the following information:

a) Criteria for determining that the discharge consistently exceeds a toxicity effluent limitation;

b) Roles and responsibilities of the team conducting the TRE;

c) A description of reasonable anticipated actions to be undertaken by the Discharger to investigate, identify and correct the causes of toxicity;

d) Provisions and criteria for implementation of a Toxicity Identification Evaluation (TIE), as necessary, based upon the magnitude and persistence of toxicity effluent limitation exceedances;

e) Provisions for data evaluation and interpretation;

f) Provision for follow-up actions and communications, including communications with CILA, SPA, PROFEPA, and CESPT, to reduce toxicity in instances where the probable cause of the toxicity effluent limitation exceedances is attributable to sources in Mexico; and

g) Provisions for development of a schedule for completion of all activities and submission of a final report within 30 days of completion of the TRE.

[2] See (a) TRE Guidance for Municipal Wastewater Treatment Plants (EPA 833-B-99-002, 1999); (b) Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations (EPA/600/2-88/070); Toxicity Identification Evaluation, Phase I (EPA/600/6-91/005F); (c) Methods for Aquatic Toxicity Identification Evaluations, Phase II (EPA/600/R-92/080); (d) Methods for Aquatic Toxicity Identification Evaluations, Phase III (EPA/600/R-92/081); and (e) Marine Toxicity Identification Evaluation (TIE): Phase I Guidance Document (EPA/600/R-96-054,1996).

ii. **TRE Workplan Approval and Implementation.** The Discharger shall implement the TRE Workplan (60) days after submission unless otherwise directed in writing to modify it by the San Diego Water Board. The Discharger shall post and maintain an up-to-date copy of the TRE Workplan on the Discharger's website.

iii. **Requirement to Conduct TRE.** If the effluent limitation for acute or chronic toxicity is exceeded in any one test, the Discharger shall conduct a TRE if the toxicity is exceeded in any of the next six (6) succeeding tests performed at 14-day intervals and notify the San Diego Water Board. After the acute or chronic toxicity exceedance, the Discharger shall continue to conduct the routine weekly monitoring for both acute and chronic toxicity as required in Attachment E of this Order.

The TRE shall be conducted in accordance with the approved TRE workplan and available USEPA guidance documents[3]. Within 30 days of completion of the TRE, the Discharger shall submit a TRE Final Report on the results of the TRE to the San Diego Water Board. The TRE Final Report shall include the following:

a) A description of the probable source and cause of the toxicity effluent limitation exceedances (if known);

b) A summary of the findings including a tabulation, evaluation, and interpretation of the data generated;

c) Copies of any written request to CILA for assistance and any responses received;

d) A list of corrective actions taken or planned by the Discharger and/or CILA to reduce toxicity so that the Discharger can achieve consistent compliance with the toxicity effluent limitation of this Order and prevent recurrence of exceedances of the limitation; and

e) If the exceedances of the toxicity effluent limitation have not been corrected, the anticipated time it is expected to continue and a time schedule for the steps planned to reduce, eliminate, and prevent recurrence of the exceedances.

The Discharger shall implement any planned corrective actions assigned to the Discharger in the TRE Final Report in accordance with the specified time schedule, unless otherwise directed in writing by the San Diego Water Board. The corrective actions and time schedule shall be modified at the direction of the San Diego Water Board.

iv. **Sharing TRE Information with Mexico**

a) ***TRE Workplan.*** Sixty days after submitting the TRE Workplan, or as otherwise directed in writing by the San Diego Water Board, the Discharger shall a) provide a copy of the approved TRE Workplan to CILA; and b) meet

[3] Ibid

with CILA to answer any questions about its content. The Discharger shall request in writing that CILA share the approved TRE Workplan with SPA and CESPT and shall provide a copy of the request to the San Diego Water Board. If CILA refuses or does not confirm within one month, the Discharger shall communicate the same to the San Diego Water Board in writing in a timely manner.

b) ***TRE Final Report.*** If the TRE Final Report, described in section VI.C.2.e.iii of this Order, determines that the toxicity effluent limitation exceedances were, or likely were, attributable to the introduction of pollutants into the Facility from Mexico, then the Discharger shall provide a copy of the TRE Final Report to CILA within 30 days after completion of the TRE Final Report. The TRE Final Report shall be provided to CILA. The Discharger also shall meet with CILA and answer any questions about the content of the TRE Final Report. The Discharger shall request in writing that CILA share the TRE Final Report with SPA and CESPT and request their assistance in addressing the probable sources and causes of the toxicity effluent limitation exceedances. The Discharger shall provide a copy of the request to the San Diego Water Board. If CILA refuses or does not confirm within one month, the Discharger shall communicate the same to the San Diego Water Board in writing in a timely manner.

c) The Discharger may, for reasons of international protocol, submit the TRE Workplan, TRE Final Report, and other documents described in section VI.C.2.e.iv to CILA in English. If the documents are submitted in English, the Discharger shall request in writing that CILA translate the documents into Spanish prior to distribution to the stakeholders in Mexico. If CILA does not translate the documents as requested, the Discharger shall do the translation.

3. Best Management Practices and Pollution Prevention – Not Applicable

4. Construction, Operation and Maintenance Specifications – Not Applicable

5. Special Provisions for Municipal Facilities (Wastewater Facilities Only)

a. **Influent Limitations**

i. In consultation with CILA the Discharger shall develop and comply with mass emission rates and concentration limitations for the influent to the Facility (influent limitations), or Maximum Allowable Headworks Allocations (MAHA), for pollutants that may cause or contribute to interference, pass through, or the other problems described at 40 CFR section 403.5. The influent limitations shall prevent violations of the Ocean Plan and this Order. At a minimum, the following information shall be considered in developing the influent limitations:

a) ***Wastewater characteristics*** -- Monthly average plant operational data from the Facility and other wastewater monitoring data after secondary treatment was completed.

b) ***Effluent limitations and discharge specifications*** -- The analysis shall be conducted using the effluent limitations and discharge specifications contained in this Order.

c) ***Inhibition/interference data*** -- Literature from USEPA guidance or other sources. The analysis shall include, but is not be limited to, inhibition/inference from litter, sand, and sediment.

d) ***Process removal data*** -- If influent and effluent values are available, actual removal rates from advanced primary and secondary treatment operating data at the Facility shall be calculated. If sufficient data are not available, literature values from the USEPA Water Engineering Research Laboratory (WERL) Treatability Database may be used. A mass balance (input-output) approach shall be conducted to convert criteria into allowable headworks loadings. This includes tracing the routes of each pollutant through the treatment process, taking into account pollutant removals in treatment units.

e) ***Background data*** -- Values for domestic/background levels from USEPA guidance or other sources.

f) ***Safety factor*** – The Discharger, in consultation with CILA, shall recommend and evaluate appropriate approaches regarding growth, slug loadings, and data uncertainty.

The Discharger shall submit the report with the proposed influent limitations to the San Diego Water Board via the State Water Board's CIWQS Program Web site, no later than one year after the adoption of this Order, for approval and incorporation into this Order.

ii. The final influent limitations developed under section VI.C.5.a.i of this Order and approved by the San Diego Water Board are listed below in Table 7. Compliance with these final influent limitations shall be measured at Monitoring Location INF-001 as described in the Monitoring and Reporting Program, Attachment E.

Table 7. Final Influent Limitations

Parameter	Average Monthly Influent Limitation	
	mg/l[1]	lbs/day
Antimony	0.44	92
Arsenic	0.0403	8.41
Cadmium	0.0165	3.44
Chromium, Total	0.257	53.6
Copper	0.0480	10.0
Cyanide	0.103	21.4
Lead	0.259	54.0
Mercury	0.00369	0.77
Molybdenum	0.337	70.2
Nickel	0.218	45.5
Selenium	0.0208	4.34
Silver	0.0916	19.1
Thallium, Total	0.212	44.2
Zinc	0.0820	17.1
Chlorodibromomethane (Dibromochloromethane)	2.61	545
Chloroform	0.0116	2.41

Parameter	Average Monthly Influent Limitation	
	mg/l[1]	lbs/day
Phenol	3.26	680
Tetrachlorodibenzodioxin (TCDD) Equivalents	0.0000000233	0.00000486
Toluene	150.00	31,275

1. Concentration-based influent limitations based on the facility permitted flow of 25 MGD.

iii. Any exceedance of an interim or final influent limitation, as applicable, is inconsistent with IBWC Minute No. 283 of July 2, 1990. The Discharger shall take all actions available under U.S. law and international treaty and agreement to achieve compliance with those limitations. If the Discharger is unable to achieve compliance with the influent limitations, the Discharger shall formally elevate the matter in writing within the U.S. Department of State regarding the reasons for lack of progress and offer strategies for addressing the difficulties. The Discharger shall encourage elevated diplomatic attention by the U.S. Department of State to issues that the Discharger has been unable to resolve. Similarly, USEPA shall elevate discussion within the Office of Water and the Office of International Activities. A copy of the written request to the U.S. Department of State shall be submitted to the San Diego Water Board in a timely manner.

b. **Sharing Pretreatment Information with Mexico**

i. The Discharger shall conduct binational technical committee meetings periodically but no less than twice per year, with simultaneous translation services, if needed. The Discharger shall invite CILA, the San Diego Water Board, and USEPA to attend. In consultation with CILA, the Discharger shall consider inviting additional stakeholders including, but not limited to, SPA, CESPT, PROFEPA, and other local authorities in the United States and Mexico. The Discharger shall prepare an agenda with input from invited stakeholders and shall prepare a meeting summary after the meeting and distribute to all invited stakeholders. The binational technical committee meetings for pretreatment can be combined with the binational technical committee meetings for transboundary wastewater flows required in section VI.C.2.b.ii. The Discharger shall promote discussion of binational interests, including but not limited to the following information:

(1) influent monitoring data;

(2) a comparison of influent monitoring data compared to the influent limitations, including identification of any exceedances of influent limitations;

(3) an analysis of the influent monitoring data, including an evaluation and interpretation of the influent data and a discussion of any actual or potential adverse effect(s) attributable to the influent on the Facility treatment works, including but not limited to interference as defined in 40 CFR section 403.3(k), pass through of pollutants as defined in 40 CFR section 403.3(p), or acute worker health and safety problems or other problems as defined in 40 CFR section 403.5(b); and

(4) a description of the steps taken or planned by the Discharger and/or the government of Mexico to reduce, eliminate, and prevent the reoccurrence of

ED_002551_00000954-00034

noncompliance with influent limitations or any actual or potential adverse effect(s) attributable to the influent on the Facility treatment works.

ii. In the event of an exceedance of an influent limitation, the Commissioner of the Discharger or designee shall notify the Commissioner of CILA or designee in writing within 24 hours of becoming aware of the exceedance.

iii. The Discharger shall share the monthly SMR required in Attachment E of this Order with CILA on or before the due date for submittal to the San Diego Water Board. The monthly SMR shall include at a minimum the following information:

(1) influent monitoring data;

(2) a comparison of influent monitoring data compared to the influent limitations, including identification of any exceedances of influent limitations;

(3) an analysis of the influent monitoring data, including an evaluation and interpretation of the influent data and a discussion of any actual or potential adverse effect(s) attributable to the influent on the Facility treatment works, including but not limited to interference as defined in 40 CFR section 403.3(k), pass through of pollutants as defined in 40 CFR section 403.3(p), or acute worker health and safety problems or other problems as defined in 40 CFR section 403.5(b); and

(4) a description of the steps taken or planned by the Discharger and/or the government of Mexico to reduce, eliminate, and prevent the reoccurrence of noncompliance with influent limitations or any actual or potential adverse effect(s) attributable to the influent on the Facility treatment works.

iv. Each quarter, the Discharger shall prepare technical presentations which clearly do the following:

(1) summarizes influent monitoring data for the Facility;

(2) compares the influent monitoring data to the influent limitations, identifying any exceedances of influent limitations

(3) compares the current influent monitoring data with the influent monitoring data from the previous year for the same time periods;

(4) analyses the influent monitoring data, including an evaluation and interpretation of the influent data and a discussion of any actual or potential adverse effect(s) attributable to the influent on the Facility treatment works, including but not limited to interference as defined in 40 CFR section 403.3(k), pass through of pollutants as defined in 40 CFR section 403.3(p), or acute worker health and safety problems or other problems as defined in 40 CFR section 403.5(b); and

(5) describes of the steps taken or planned by the Discharger and/or the government of Mexico to reduce, eliminate, and prevent the reoccurrence of noncompliance with influent limitations or any actual or potential adverse effect(s) attributable to the influent on the Facility treatment works.

The presentation may be combined with the technical presentation required in section VI.C.2.b.v of this Order. With each presentation, the Discharger shall

also prepare a one-page information sheet which highlights any challenges associated with the Facility influent.

a) The Discharger shall meet with CILA each quarter to share the approved presentations and one-page information sheets and answer any questions about its content. If there are (1) no influent limitation exceedances; and (2) no instances of any actual or potential adverse effect(s) attributable to the influent on the Facility treatment works, including, but not limited to, interference as defined in 40 CFR section 403.3(k), pass through of pollutants as defined in 40 CFR section 403.3(p), or acute worker health and safety problems or other problems as defined in 40 CFR section 403.5(b), during any given quarter, the Discharger is not required to prepare a technical presentation or information sheet for that quarter. If there is no technical presentation or information sheet for that quarter, the Discharger is not required to meet with CILA for that quarter.

b) The Discharger shall request in writing that CILA share the approved presentations at venues hosted by the regulated community at least once, if appropriate venues are available. If CILA refuses or fails to confirm within one month, the Discharger shall communicate the same to the San Diego Water Board in writing in a timely manner.

c) The Discharger shall request in writing that CILA share the approved presentations with SPA and CESPT. If CILA refuses or does not confirm within one month, the Discharger shall communicate the same to the San Diego Water Board in writing in a timely manner.

d) The Discharger shall request in writing that CILA provide the approved one-page information sheets to SPA and CESPT for inclusion in billing for industrial customers. If CILA refuses or does not confirm within one month, the Discharger shall communicate the same to the San Diego Water Board in writing in a timely manner.

e) If there is an exceedance of allocated loadings for a given constituent during a quarter, the Discharger shall request in writing that CILA host a pretreatment workshop focused on the associated contaminant(s) within 60 days following the calendar month in which the exceedance occurred. If needed, a minimum of one workshop will be hosted per year. If CILA refuses to cooperate or does not confirm, the Discharger shall communicate the same to the San Diego Water Board in writing in a timely manner.

f) The presentations and one-page information sheets shall follow the schedule below, unless the Discharger is otherwise directed in writing by the San Diego Water Board:

Table 8. Sharing Pretreatment Information with Mexico

Quarterly Presentation and Information Sheet Period[1]	Presentations and Information Sheets Due to the San Diego Water Board	Discharger Share with Presentations and Information Sheets with CILA	Discharger Request for CILA to Share Presentations and Information Sheets
January 1 through March 31	May 15	June 1	June 15
April 1 through June 30	August 15	September 1	September 15
July 1 through September 30	November 15	December 1	December 15
October 1 through December 31	February 15	March 1	March 15

1 If there are(1) no influent limitation exceedances; and (2) no instances of any actual or potential adverse effect(s) attributable to the influent on the Facility treatment works, including, but not limited to, interference as defined in 40 CFR section 403.3(k), pass through of pollutants as defined in 40 CFR section 403.3(p) , or acute worker health and safety problems or other problems as defined in 40 CFR section 403.5(b), during any given quarter, the Discharger is not required to prepare a technical presentation or information sheet for that quarter. If there is no technical presentation or information sheet for that quarter, the Discharger is not required to meet with CILA for that quarter.

v. The Discharger may, for reasons of international protocol, submit the agenda, meeting summary, monthly SMR, technical presentation, one-page information sheet, and other documents described in section VI.C.5.b to CILA in English. If the documents are submitted in English, the Discharger shall request in writing that CILA translate the documents into Spanish prior to distribution to the stakeholders in Mexico. If CILA does not translate the documents as requested, the Discharger shall do the translation.

c. **Pretreatment Conditions for the Discharger**

The Discharger shall take the following measures to achieve the influent limitations contained in section VI.C.5.b and compliance with pretreatment program requirements within the communities that contribute wastewater to the Facility.

i. Consistent with the *Treaty for the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande* (Treaty of 1944) and IBWC Minute No. 283, the Discharger shall work with CILA to take all appropriate actions to prevent the discharge of untreated industrial wastewater into the Tijuana sewage collection system which would in turn discharge into the Facility. In particular, the Discharger shall work with CILA to encourage and enhance the ability of CILA, SPA, SDUE, and/or CESPT to prevent the introduction of pollutants into the Tijuana sewage collection system that a) inhibit or disrupt the Facility, its treatment processes or operations, or its sludge processes, use, or disposal; or b) pass through the Facility in quantities or concentrations that cause or contribute to an exceedance of an applicable water quality standard in the receiving water.

ii. The Discharger shall monitor and limit the pollutants in the influent from Mexico to the Facility and report the monitoring results as specified in Attachment E of this Order.

iii. The Discharger shall work with CILA to

a) Improve communication between CILA, SPA, SDUE and CESPT with respect to influent quality and effluent quality at the Facility;

b) Provide training to SPA, SDUE, and CESPT and the business community in Tijuana, Mexico regarding pretreatment requirements and the impacts of influent limitation exceedances;

c) Provide funding, if available, and/or assistance to SPA, SDUE, and CESPT to improve monitoring capabilities, to improve laboratory analytical capabilities (including lab certification for the Tijuana water quality laboratory), and to assist in providing educational programs to the regulated community.

iv. Annually, the Discharger shall request in writing from CILA the information listed below for the previous calendar year. If CILA refuses or fails to provide this information by March 1, the Discharger shall communicate the same to the San Diego Water Board in writing in a timely manner.

a) A brief description of any programs CILA (and/or other agencies) implements to reduce pollutants from non-domestic users that are not classified as Significant Industrial Users (SIUs) (a non-domestic user would be any commercial or industrial user);

b) A brief description of the development and implementation of any local limits and enforcement programs.

c) A brief description of any significant changes in operating the pretreatment program which differ from the previous year including, but not limited to, changes concerning the program's administrative structure, local limits, monitoring program or monitoring frequencies, legal authority, enforcement policy, funding levels, or staffing levels;

d) A summary of the annual pretreatment budget, including the cost of pretreatment program functions and equipment purchases;

e) A summary of all activities undertaken to involve and inform the public of the pretreatment program and pretreatment requirements including a copy of any notices provided;

f) A list of the industries that could discharge to the Facility including the name, location, activity, type of waste, applicable local limits (if any), and any enforcement activities (if any); and

g) Industrial and/or wastewater collection system monitoring in Tijuana conducted by CILA, CESPT, SPA, SDUE, and/or CESPT.

v. By March 31 of each year, the Discharger shall submit an annual report to USEPA Region 9 and the San Diego Water Board for the previous calendar year. The report shall contain the following:

a) A discussion of upset, interference, or pass through incidents at the Facility, if any, which the Discharger knows or suspects were caused by the influent to the Facility;

b) Influent limitation exceedances, if any;

c) A discussion of any coordination with CILA to determine the reasons why the incidents above occurred and any corrective actions (if applicable);

d) A description of all activities undertaken during the previous calendar year working with CILA and any other entities in Mexico to address any upset, interference, or pass through incidents described in section VI.C.5.d.v.a), to address any influent limitation exceedances, and to meet the requirements in section VI.C.5.d.iii;

e) A description of any changes in sludge disposal methods;

f) A description of any significant changes in the influent limitations or implementation plan;

g) A discussion of any concerns not described elsewhere in this report.

h) The annual report provided by CILA as per section VI.C.5.d.iv, if any; and

i) A copy of the agenda and meeting summary required in section VI.C.5.c.i; the notification required in section VI.C.5.c.ii (if any); and the written requests to CILA required in sections VI.C.5.c.iii.b), VI.C.5.c.iii.c), VI.C.5.c.iii.d), VI.C.5.c.iii.e), and VI.C.5.c.iv.

The Discharger shall submit this annual report to the USEPA Region 9 and San Diego Water Board at the following addresses:

USEPA Region 9
Pretreatment Coordinator
75 Hawthorne Street
San Francisco, CA 94105

California Regional Water Quality Control Board, San Diego Region
Pretreatment Coordinator
2375 Northside Drive
San Diego, CA 92108

If either agency relocates its offices, the annual report shall be submitted to the new office address provided by the San Diego Water Board.

vi. If, after one year of the effective date of this permit, the requirements in this Order are not sufficient to achieve the goals described in section VI.C.5.d.i, the Discharger shall submit a proposal for additional action(s) that will be taken to achieve these goals, and the permit may be amended to incorporate the proposed actions. The proposal must be received by the San Diego Water Board by 18 months after the effective date of this permit.