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## San Diego Regional Water Quality Control Board

November 2, 2016

Sent By Email Only

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Area Operations Manager  
U.S. Section of the International Boundary and Water Commission  
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**In reply refer to:**  
**257821:JLLim**

**Subject: Staff Enforcement Letter for  
South Bay International Wastewater Treatment Plant,  
Order No. R9-2014-0009, NPDES Permit No. CA0108928**

Mr. Smullen:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) has reviewed the following self-monitoring reports (SMRs) and technical reports submitted between August 2015 and August 2016 for the aforementioned facility:

- Monthly SMRs – August 2015 through August 2016
- Quarterly SMRs – Third Quarter 2015 through Second Quarter 2016
- Quarterly Shared Presentations and Information Sheets – Third Quarter 2015 through Second Quarter 2016
- Annual SMRs – 2015
- Bacteriological Standards Compliance Assessment Report, submitted September 23, 2016

The following is a summary of the San Diego Water Board's findings:

### **1. Violations - Late Report; Sections VI.C.2.b.iv and VI.C.5.b.**

As required by sections VI.C.2.b.iv and VI.C.5.b.iii, U.S. Section of the International Boundary (USIBWC) is required to share the monthly SMRs with Comisión Internacional de Limites y Aguas (CILA, the Mexican Section of the International Boundary and Water Commission) on or before the due date for submittal to the San Diego Water Board. USIBWC emailed the August 2015 and October 2015 SMRs to CILA on October 5, 2015 and December 2, 2015, respectively, after the October 1, 2015 and December 1, 2015 due dates, respectively.

**2. Violations - Deficient Report; Sections VI.C.2.b.vi and VI.C.5.b.v, and Attachment E Section VII.A**

- a. As required by Attachment E, section VII.A, USIBWC is required to include a detailed summary of facilities spills or, if no facilities spills occurred, to report “No Facilities Spill Events” in the monthly SMRs for that calendar month. USIBWC did not include any details on whether there were facility spills or not in the August 2015 through August 2016 SMRs (with the exception of October 2015).
- b. Sections VI.C.2.b.vi and VI.C.5.b.v state that if USIBWC provides the monthly SMRs in English, USIBWC shall request in writing that CILA translate the documents into Spanish prior to distribution to the stakeholders in Mexico. For August 2015 through August 2016, USIBWC provided the monthly SMRs in English, but did not request that CILA translate the documents into Spanish prior to distribution to the stakeholders in Mexico.

**3. Violations - Late Report; Section VI.C.2.b.v, Table 6 and Section VI.C.5.b.iv, Table 8**

Section VI.C.2.b.iv, Tables 6 and 8 includes the due dates for providing presentations and information sheets to the San Diego Water Board and to CILA. USIBWC provided the July 2015 through March 2016 Shared Presentations and Information Sheets past the due dates, as described in the table below:

<b>Quarterly Presentation and Information Sheet Period</b>	<b>Deadline for USIBWC to submit Presentations and Information Sheets to the San Diego Water Board</b>	<b>Date Presentations and Information Sheets submitted to the San Diego Water Board</b>	<b>Deadline for USIBWC to meet with CILA to share Presentations and Information Sheets</b>	<b>Date Presentations and Information Sheets emailed to CILA</b>
July 1 through September 30, 2015	November 15, 2015	November 16, 2015 (1 day late)	December 1, 2015	December 4, 2015 (3 days late)
October 1 through December 31, 2015	February 15, 2016	February 17, 2016 (2 days late)	March 1, 2016	March 17, 2016 (16 days late)
January 1 through March 31, 2016	May 15, 2016	May 31, 2016 (16 days late)	June 1, 2016	June 23, 2016 (22 days late)
April 1 through June 30, 2016	August 15, 2016	October 4, 2016 (50 days late)	September 1, 2016	October 14, 2016 (43 days late)

**4. Violations - Deficient Report; Sections VI.C.2.b.v, VI.C.2.b.vi, VI.C.5.b.iv, and VI.C.5.b.v**

- a. Sections VI.C.2.b.v and VI.C.5.b.iv state that USIBWC shall meet with CILA to share the presentations and/or information sheets and answer any questions about the content. For July 2015 through March 2016, based on the submittals to the State Water Board’s California Integrated Water Quality System (CIWQS) and emails to CILA, USIBWC did not meet with CILA to share the quarterly presentations and/or information sheets; the quarterly presentations and information sheets for July 2015 through June 2016 were only sent to CILA by email.

- b. Sections VI.C.2.b.vi and VI.C.5.b.v state that if USIBWC provides the presentations and/or information sheets in English, USIBWC shall request in writing that CILA translate the documents into Spanish prior to distribution to the stakeholders in Mexico. For July 2015 through June 2016, USIBWC provided the presentations and information sheets in English, but did not request that CILA translate the documents into Spanish prior to distribution to the stakeholders in Mexico.

**5. Violation – Late Report; Section VI.C.5.a.i**

Section VI.C.5.a.i requires the Maximum Allowable Headworks Allocations Report be submitted by June 26, 2015. On September 9, 2016 (441 days after the June 26, 2015 due date), USIBWC submitted the Maximum Allowable Headworks Allocations Report to CIWQS.

**6. Violation – Late Report; Section VI.C.5.c.v**

Section VI.C.5.c.v requires the Annual Pretreatment Report be submitted by March 31 of each year for the period from January 1 through December 31 of the preceding year. On April 22, 2016 (22 days after the March 31, 2016 due date), USIBWC submitted the 2015 Annual Pretreatment Report to CIWQS.

**7. Violation – Late Report; Section VI.C.5.d.xi**

Section VI.C.5.d.xi requires the Annual Biosolids Report be submitted by March 30 of each year for the period from January 1 through December 31 of the preceding year. On April 7, 2016 (seven days after the March 30, 2016 due date), USIBWC submitted the 2015 Annual Biosolids Report to CIWQS.

**8. Violation – Late Report; Attachment E Section VI**

Attachment E section VI, requires the Bacteriological Standards Compliance Assessment Report be submitted by July 1, 2016. On September 23, 2016 (84 days after the July 1, 2016 due date), USIBWC submitted the Bacteriological Standards Compliance Assessment Report to CIWQS.

**9. Violation – Late Report; Attachment E Section VIII.B.3, Table E-11**

Attachment E section VIII.B.3, Table E-11 requires the Annual Receiving Waters Report be submitted by July 1 of each year for the period from January 1 through December 31 of the preceding year. On July 18, 2016 (17 days after the July 1, 2016 due date), USIBWC submitted the 2015 Annual Receiving Waters Report to CIWQS.

**10. Violation – Effluent Limitation Exceedance; Section IV.A.1.a, Table 4**

On October 6, 2016, chronic toxicity was reported as 100 TUc, exceeding the maximum daily effluent limitation of 95.6 TUc at Effluent Monitoring Location EFF-001.

**11. Violation – Deficient Monitoring; Attachment E Section III.C, Table E-4**

During the week of October 25, 2015, USIBWC failed to perform the weekly monitoring for chronic toxicity at Monitoring Location EFF-001, stating the chronic toxicity test could not be run due to the poor condition of the test species.

**12. Violation – Unauthorized Discharge; Section III.A**

Discharge Prohibition III.A states, “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.” The following discharges occurred from the South Bay International Wastewater Treatment Plant to an unauthorized location, in violation of Discharge Prohibition III.A:

- a. On October 17, 2015, approximately five gallons of sewage flowed into Storm Drain No. 3.
- b. On October 21, 2015, approximately 20 gallons of sewage flowed into Storm Drain No. 3.

**13. Comment - Section VI.C.5.c.v**

The 2015 Annual Pretreatment Report, Appendix A includes a table with the current influent limitations from Order No. R9-2014-0009 and “Monitoring Data (January 2008 – June 2010).” For future Annual Pretreatment Reports, please include monitoring data for the reporting year.

**14. Comment – Monthly electronic SMR - August 2015 through August 2016, Canyon Collector Daily Inspections**

Some of the Canyon Collector Daily Inspection Reports submitted to CIWQS were incomplete. For example, for August 21, 2015, for Goat Canyon, a flow amount coming from Mexico was entered (“0.1 CFS”), but the following questions were left blank:

- Is the Collector Operational?
- Are there any indications of sewage overflow in the last 24 Hrs?
- Are Flows Being Contained?

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

In the subject line of any response, please include the reference " 257821:JLLim". For questions or concerns regarding this letter, please contact Dat Quach at 619-521-5899 or [dat.quach.waterboards.ca.gov](mailto:dat.quach.waterboards.ca.gov) or Joann Lim at 619-521-3362 or [joann.lim@waterboards.ca.gov](mailto:joann.lim@waterboards.ca.gov).

Respectfully,



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

Tech Staff Info & Use	
Order No.	R9-2014-0009
Party IDs	21523 (USIBWC), 526083 (Smullen)
File No.	01-732
WDID	9 000000732
NPDES No.	CA0108928
Reg. Measure IDs	397052 ( R9-2014-0009), 410064 (SEL)
PIN	257821 (SBIWTP)
Violation IDs	1. 1014696 (August 2015) and 1014697 (October 2015) 2. 998014 (August 2015), 1014698 (September 2015), 1005869 (October 2015), 1014701 (November 2015), 1014704 (December 2015), 1014705 (January 2016), 1014708 (February 2016), 1014725 (March 2016), 1014727 (April 2016), 1014729 (May 2016), 1014731 (June 2016), 1014732 (July 2016), and 1014733 (August 2016), 3. 1014734 (3 <sup>rd</sup> Quarter 2015), 1014738 (4 <sup>th</sup> Quarter 2015), 1014742 (1 <sup>st</sup> Quarter 2016), and 1014746 (2 <sup>nd</sup> Quarter 2016) 4. 1014735 (3 <sup>rd</sup> Quarter 2015), 1014739 (4 <sup>th</sup> Quarter 2015), 1014744 (1 <sup>st</sup> Quarter 2016), and 1014747 (2 <sup>nd</sup> Quarter 2016) 5. 1014755 6. 1014751 7. 1014752 8. 1014753 9. 1014750 10. 999922 11. 1005869 12. 999923 (October 17, 2015) and 999924 ( October 21, 2015)