

**NOTICE OF PROPOSED SETTLEMENT  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

On July 12, 2002, the California Regional Water Quality Control Board, San Diego Region (Regional Board) lodged a proposed consent decree for settlement of its lawsuit against the United States International Boundary and Water Commission. The terms of the proposed consent decree are subject to final approval by the federal government and the Regional Board after a public notice and comment period and subject to approval by the court.

The United States International Boundary and Water Commission, a federal agency, operates the International Wastewater Treatment Plant, located in San Ysidro. The plant treats sewage from the City of Tijuana, Baja California, Mexico, and discharges the effluent to the Pacific Ocean via the South Bay Ocean Outfall.

In February 2001, California's Office of the Attorney General, on behalf of the Regional Board, filed a complaint in U.S. District Court, Southern District of California, alleging violations of the federal Clean Water Act and the California Porter-Cologne Water Quality Control Act. Specifically, the complaint alleged USIBWC's discharge violated the terms of its NPDES permit issued by the Regional Board by failing to treat the effluent to secondary standards and for violating other effluent limitations.

Settlement terms have been proposed that would require the United States International Boundary and Water Commission to take one of the following actions on or before December 31, 2004:

- (a) sign a contract to construct a secondary treatment facility with completion of construction no later than December 31, 2007; or
- (b) sign a contract or enter into a written agreement for another entity, either public or private, to provide secondary treatment with initiation of secondary treatment no later than December 31, 2007; or
- (c) cease violations of the applicable permit limits by some other means, including, but not limited to, redirecting some or all of the International Wastewater Treatment Plant effluent from California's waters and/or instituting a partial combination of the above option (a) and/or (b).

Under the terms of the proposed settlement the United States International Boundary and Water Commission would also be required to submit reports at various stages of the process, including semi-annual compliance reports beginning the first full calendar year after the date of entry of the settlement decree.

Interested persons are invited to express their views in writing on the above-mentioned proposed consent decree. Written comments must be submitted to the Regional Board at address listed below no later than August 19, 2002.

A copy of the proposed consent decree is on file and may be reviewed at the office of the Regional Board at 9174 Sky Park Court, Suite 100, San Diego, CA 92123, telephone (858) 467-2952 on the following dates and times: Monday, Tuesday, and Friday from 8:30 to 11:30 a.m., and Monday and Thursday from 1:30 to 4:30 p.m., or on the Internet website at: [www.swrcb.ca.gov/rwqcb9](http://www.swrcb.ca.gov/rwqcb9).

Please bring the foregoing to the attention of any person known to you who would be interested in these matters. For questions regarding the proposed consent decree, please contact the undersigned at (858) 467-2952.

JOHN H. ROBERTUS  
Executive Officer

July 17, 2002