

EXECUTIVE OFFICER SUMMARY REPORT
October 8, 2014

ITEM: 6

SUBJECT: Rescission of Cease and Desist Order: An Order rescinding Cease and Desist Order No. 96-52 for the International Boundary and Water Commission, U.S. Section, South Bay International Wastewater Treatment Plant, South Bay Ocean Outfall, San Diego County (Tentative Order No. R9-2014-0081). (*Joann Lim*)

PURPOSE: To consider adopting Tentative Order No. R9-2014-0081, rescinding Cease and Desist Order (CDO) No. 96-52.

RECOMMENDATION: Adoption of Tentative Order No. R9-2014-0081 is recommended.

KEY ISSUES: The U.S. Section of the International Boundary and Water Commission (USIBWC) has achieved compliance with the secondary treatment requirements of CDO No. 96-52 for the South Bay International Wastewater Treatment Plant (SBIWTP) discharge and it is therefore appropriate to rescind CDO No. 96-52.

PRACTICAL VISION: The USIBWC achievement of compliance with the secondary treatment requirements of CDO No. 96-52 for the SBIWTP discharge advances implementation of the San Diego Water Board's Practical Vision entitled *Healthy Waters, Healthy People*. Consistent with the aspirational goals of the *Strategizing for Healthy Waters* chapter of the Practical Vision, compliance with the secondary treatment effluent limitations as required by CDO No. 96-52 and Order No. R9-2014-0009, NPDES Permit No. CA0108928 (the current NPDES Permit for the SBIWTP discharge) will provide a significant reduction in effluent toxicity and solids loading to ocean waters and help ensure long term compliance with ocean water quality standards for the protection of human health and aquatic life.

- DISCUSSION:** On November 14, 1996, the San Diego Water Board adopted CDO No. 96-52, which directed the USIBWC to achieve compliance with secondary treatment effluent limitations as required by the 1996 NPDES Permit for the SBIWTP discharge. The CDO directed the USIBWC to achieve compliance by completing construction of secondary treatment process facilities at the SBIWTP.
- After a lengthy design and construction process, slowed by legal considerations, USIBWC completed construction of the secondary treatment process facilities at the SBIWTP in November 2010 and the facilities became operational shortly thereafter. In June 2013, the San Diego Water Board determined that the SBIWTP effluent quality has demonstrated substantial compliance with secondary treatment effluent limitations. The USIBWC has achieved full compliance with the requirements in CDO No. 96-52 and it is appropriate for the San Diego Water Board to rescind CDO No. 96-52.
- Tentative Order No. R9-2014-0081 (**Supporting Document No. 1**) proposes to rescind CDO No. 96-52 and was released for a 30-day public review and comment period on August 5, 2014. The San Diego Water Board did not receive any comments on the Tentative Order.
- LEGAL CONCERNS:** None
- SUPPORTING DOCUMENT:** 1. Tentative Order No. R9-2014-0081
- PUBLIC NOTICE:** On August 5, 2014, the Tentative Order was sent to the USIBWC and all known interested parties for review and comment. The Tentative Order was also posted on the San Diego Water Board web site. Notice was also provided in the Meeting Notice and Agenda for the October 8, 2014 Board meeting.