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COASTKEEPER



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San Diego Coastkeeper and Coastal Environmental Rights Foundation Put Feds on Legal Notice for Polluted Discharges from Border Wastewater Treatment Plant

South Bay International Treatment Plant discharges extremely high levels of sewage and toxic chemicals into the Tijuana River and Pacific Ocean in violation of its Clean Water Act permit, leading to years of public health impacts, beach closures and degradation of the Tijuana River Estuary

SAN DIEGO — San Diego Coastkeeper (Coastkeeper) and Coastal Environmental Rights Foundation (CERF) today sent a Clean Water Act Notice of Intent to Sue letter to the International Boundary and Water Commission (IBWC), documenting hundreds of violations of the South Bay facility's discharge permit that result in the Tijuana River and coastal marine waters being overwhelmed with untreated sewage and toxic chemicals. The letter serves as formal notice that Coastkeeper and CERF will file a lawsuit in federal court if the violations are not addressed.

IBWC is a federal agency within the U.S. State Department charged with operating infrastructure along the U.S./Mexico border. Since being built in 1990, the IBWC's South Bay treatment plant has suffered from operational and maintenance failures that result in chronic, severe pollution of coastal waters and the Tijuana River estuary. The City of Imperial Beach has borne the brunt of the impact, with its public beach closed for over two consecutive years due to polluted discharges from this facility and related discharges of raw sewage from Tijuana. Earlier this year, IBWC was forced to admit the plant needed over \$150 million in repairs, following decades of neglect.

As noted by Coastkeeper and CERF, the IBWC's Clean Water Act violations include:

- Discharges of DDT, PCBs, hexachlorobenzene and other hazardous chemicals at thousands of times the permit limit.
- Violations of receiving water limits for bacteria in the Pacific Ocean at hundreds of times the limit, in areas designated for water recreation and shellfish harvesting.



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- Failure to submit self-monitoring reports, depriving the public of meaningful access to information about the treatment plant's discharges.

"IBWC's continuous discharges of sewage and toxic chemicals are threatening public health, degrading the Tijuana estuary and our coastal waters and denying the people of Imperial Beach the right to live and recreate in a safe and clean environment," said Phillip Musegaas, Executive Director of Coastkeeper. "We are determined to hold IBWC accountable and compel action to solve this Tijuana sewage crisis once and for all."

"The people of the South Bay have suffered the failure of governmental leadership at all levels for far too long," said Marco Gonzalez, Executive Director of CERF. "Like these impacted communities, CERF is tired of waiting for officials to step up and finally address this decades old problem. Without citizen enforcement, it's clear nothing will change."

Background

Settlement of a lawsuit against IBWC in 2022 for its previous pollution of the Tijuana Estuary and Pacific Ocean resulted in \$300 million in funding from EPA to modernize and expand the South Bay Treatment Plant. However, IBWC was forced to acknowledge in 2023 that the plant needed at least \$150 million in repairs just to bring it back to a basic operating condition, and the expansion of the plant to accommodate future needs would cost nearly \$1 billion dollars. Since the settlement, the condition of the South Bay treatment plant has continued to deteriorate. The San Diego Regional Water Quality Control Board, which oversees the plant's Clean Water Act permit, has thus far only taken administrative action to bring the plant into compliance, with little success.

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About San Diego Coastkeeper

Founded in 1995, San Diego Coastkeeper protects and restores San Diego County's bays, beaches, watersheds, and ocean for the people and wildlife that depend on them. Coastkeeper balances community outreach, education, science, advocacy, and legal enforcement to promote clean water stewardship and a healthy coastal ecosystem. For more information, visit sdcoastkeeper.org.

About Coastal Environmental Rights Foundation

CERF is an environmental nonprofit founded in 2008 by surfers in Encinitas, CA. CERF is dedicated to the preservation, protection, and defense of the environment, the wildlife, and the natural resources of the California Coast. To learn more, visit www.cerf.org

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