



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## Los Angeles Regional Water Quality Control Board

August 25, 2016

Mr. Steve Dahlbery  
The Kissel Company, Inc.  
Paradise Cove and Land Company, LLC  
28128 West Pacific Coast Highway  
Malibu, CA 90265

Dr. Rita Kampalath  
Heal the Bay  
1444 9<sup>th</sup> Street  
Santa Monica, CA 90401

**REVISED TENTATIVE WASTE DISCHARGE REQUIREMENTS/WATER RECLAMATION REQUIREMENTS, MONITORING AND REPORTING PROGRAM, AND CEASE AND DESIST ORDER FOR THE KISSEL COMPANY, INC. AND PARADISE COVE LAND COMPANY, LLC – PARADISE COVE MOBILE HOME PARK AND PARADISE COVE BEACH CAFÉ, 28128 WEST PACIFIC COAST HIGHWAY, MALIBU, CALIFORNIA (FILE NO. 01-083, CI NO. 8342, GLOBAL ID WDR100026601)**

Dear Mr. Dahlberg and Dr. Kampalath:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) received timely written comments from Advanced Onsite Water (representing The Kissel Company, Inc. and Paradise Cove Land Company, LLC) and Heal the Bay concerning the tentative Waste Discharge Requirements/Water Reclamation Requirements (WDRs/WRRs), Monitoring and Reporting Program (MRP), and Cease and Desist Order (CDO) for the above-referenced site. Regional Board staff has considered all comments timely submitted, made appropriate revisions to the tentative WDRs/WRRs, MRP, and CDO accordingly, and prepared responses to written comments (enclosed). These documents are available on the Regional Board's website at [http://www.waterboards.ca.gov/losangeles/board\\_decisions/tentative\\_orders/](http://www.waterboards.ca.gov/losangeles/board_decisions/tentative_orders/)

In accordance with administrative procedures, the Regional Board will consider the revised tentative WDRs/WRRs, MRP, and CDO, as well as written comments and oral testimony, at a public hearing. Please note the change to the date, time, and location of the Regional Board meeting in which the public hearing will be conducted. The Regional Board meeting will begin at 12:30 PM on **September 7, 2016** at the City of Agoura Hills Council Chambers, located at 30001 Ladyface Court, Agoura Hills, California.

If you have any questions, please contact me at (213) 576-6683 or via email at [Eric.Wu@waterboards.ca.gov](mailto:Eric.Wu@waterboards.ca.gov).

Sincerely,



Eric Wu, Ph.D., P.E.

Chief of Groundwater Permitting Unit

Enclosures: 1. Revised tentative WDRs/WRRs Order No. R4-2016-XXXX  
2. Revised tentative Monitoring and Reporting Program CI No. 8342  
3. Revised tentative CDO No. R4-2016-XXXX  
4. Response to Comments

cc (via email): Ms. Barbara Bradley, Advanced Onsite Water  
Mr. Craig George, City of Malibu  
Mr. Michelle Tsiebos, County of Los Angeles Environmental Health  
Mr. Steve Braband, Biosolutions, Inc.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**

**LOS ANGELES REGION**

320 West 4<sup>th</sup> Street, Suite 200, Los Angeles, California 90013

(213) 576-6660 • Fax (213) 576-6640

<http://www.waterboards.ca.gov/losangeles/>

**ORDER NO. R4-2016-XXXX**

**(FILE NO. 01-083)**

**CI NO. 8342**

**WASTE DISCHARGE REQUIREMENTS  
AND WATER RECLAMATION REQUIREMENTS  
FOR**

**THE KISSEL COMPANY, INC.  
AND PARADISE COVE LAND COMPANY, LLC  
(PARADISE COVE MOBILE HOME PARK AND PARADISE COVE BEACH CAFÉ)**

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) finds:

**PURPOSE OF ORDER**

1. The Kissel Company, Inc. (Kissel) and the Paradise Cove Land Company, LLC (jointly referred to as Dischargers) own and operate the Paradise Cove Mobile Home Park (Park) and the Paradise Cove Beach Café (Beach Café) located at 28128 Pacific Coast Highway in Malibu, California (Site).
2. Kissel is subject to Waste Discharge Requirements (WDRs) contained in Regional Board Order No. R4-2002-0108 and monitoring and reporting program (MRP) CI No. 8342, issued by the Regional Water Board on May 23, 2002, for the discharge of wastewater generated from the Park. Order No. R4-2008-0108 prescribed effluent limitations for pH, total dissolved solids, total suspended solids, biochemical oxygen demand, turbidity, oil and grease, total residual chlorine, total coliform and enterococcus. No effluent limitations for nitrate as N, total nitrogen, chloride, chloride, sulfate, and boron were prescribed. No receiving (groundwater) water limitations were prescribed except for total nitrogen.
3. On December 29, 2003, the Regional Water Board also authorized Kissel to discharge wastewater generated from the Beach Café under General WDRs contained in State Water Resources Control Board (State Water Board) Water Quality Order No. 97-10-DWQ, *General WDRs for Discharges to Land by Small Domestic Wastewater Treatment Systems*, adopted by State Water Board on November 18, 1997, along with MRP CI No. 8568. Based on the location of the Beach Café being on the coastal zone of the Pacific Ocean, the water quality objectives specified in the Ocean Plan were utilized as the receiving (groundwater) water limitations. The receiving water limitations were for ammonia, pH, total coliform, fecal coliform, and enterococcus. There were no effluent limitations contained in the General WDRs; rather, the General WDRs included performance goals that triggered additional actions when the goals were exceeded. The upgrades to the Beach Café OWTS were completed in 2014.
4. On October 2, 2015, the Regional Water Board issued a directive pursuant to Water Code section 13260 requiring Kissel to submit a report of waste discharge (RoWD) for the Park. On November 2, 2015, Kissel submitted a RoWD for the Park.

Draft April 23, 2016

Revised Draft June 29, 2016

Revised Draft August 25, 2106

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5. To verify the information provided in the RoWD, Regional Water Board staff conducted an inspection of the Park and Beach Café on January 26, 2016. During the inspection, the Dischargers expressed their intent to consolidate flows from the Café with the Park and add additional treatment to allow for the use of recycled water. The Dischargers propose to add ~~1240~~ new mobile home units at the Park. The units will be located northeast of the Beach Café. It is anticipated that an additional ~~2,000~~2,400 gpd of wastewater will be discharged through the Beach Café's OWTS. The current Beach Café's OWTS has enough capacity to treat the additional wastewater from these 10 new units. In addition, the Dischargers also propose to install a blending and polishing treatment system consisting of a two-stage ammonia reduction and denitrification, disinfection, and filtration treatment system, in order to meet recycled water requirements. The Dischargers plan to use recycled water for irrigation, which will reduce potable water usage at the Park.
6. On February 1, 2016, the Dischargers submitted a document to the Regional Water Board entitled "*Conceptual Plan and Timeline for Improving Effluent Quality, Blending Effluent, and Installing Subsurface Drip Reuse at Paradise Cove*" (Plan). The Plan contained a detailed timeline for the expansion and improvement of the Park's advanced OWTS and the Beach Café's OWTS. In the Plan, the Dischargers indicate they intend to install a filtration system at the Park's OWTS prior to disinfection to improve the disinfection efficiency. The Dischargers will develop an engineering plan for transferring the treated wastewater from the Beach Café OWTS and blending with the treated wastewater generated from the Park's OWTS. The Dischargers plan to install additional treatment units, which will include two blend tanks, followed by process units for enhanced nitrification and denitrification as well as filtration and disinfection in order to meet all requirements for recycling of the treated wastewater for irrigation at the Park. The capacity after the Dischargers' upgrades to the systems will be sufficient to treat wastewater from the Beach Café, the Sandbox restrooms, and the proposed additional 10 mobile home units. The combined wastewater treatment systems are hereafter collectively referred to as the Paradise Cove Wastewater Treatment Plant (Paradise Cove WWTP).
7. Following a review of the waste discharge requirements in Regional Board Order No. R4-2002-00108 for the Park and the General WDRs in State Water Board Order No. 97-10-DWQ for the Beach Café, and in consideration of the inspection conducted at both facilities on January 26, 2016, as well as the Plan submitted on February 1, 2016, the Regional Board has determined that revised and consolidated waste discharge requirements for the Park and the Beach Café are necessary and appropriate. This Order includes revised findings, effluent limitations, water reclamation requirements for the use of recycled water, groundwater limitations, standard provisions, and monitoring and reporting program requirements.
8. The upgraded Paradise Cove WWTP will provide additional treatment to the existing Beach Café wastewater treatment system and the Mobile Home Park wastewater treatment system. The treated wastewater, after meeting the more protective limits based on the Water Quality Control Plan, Los Angeles Region (Basin Plan) and recycled water requirements, will be used for landscape irrigation, which will reduce the volume of potable water use for vegetation maintenance. The improved effluent water quality from Paradise Cove WWTP and reduction of discharge volume to groundwater will minimize the impact to groundwater quality, and protect the public health and beneficial uses for

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underlying groundwater and adjacent coastal waters.

## **BACKGROUND**

9. On November 5, 2009, the Regional Board adopted an amendment to Chapter 4 of the *Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan) to prohibit onsite wastewater discharge systems (OWDSs) in the Malibu Civic Center Area (and a small portion of unincorporated Los Angeles County) through Resolution No. R4-2009-007. Neither the Park nor the Beach Café is in the prohibition area; they are located approximately 6 miles west of the Malibu Civic Center Area.

### **Paradise Cove Mobile Home Park**

10. The Park encompasses approximately 72 acres of land. There are approximately 210 mobile home sites. All mobile home sites in the Park are located within 1,300 feet of the Pacific Ocean.
11. The domestic wastewater generated from the mobile home units is sent to the Park's advanced onsite wastewater treatment system (OWTS), which was completed in 2008. The system provides secondary treatment followed by an ultraviolet (UV) disinfection system; effluent from the treatment system is then distributed to a series of seepage pits for disposal. The Park's advanced OWTS is designed for an average flow of about 40,000 gallons per day (gpd) and a peak flow rate of 60,000 gpd. The existing seepage pits for the Park have a total designed disposal capacity of 73,464 gpd.
12. On May 23, 2002, the Regional Board adopted Order No. R4-2002-0108 prescribing WDRs to Kissel for the Park to operate an onsite wastewater treatment plant and discharge treated effluent to a subsurface disposal systems consisting of seepage pits, leach fields, or subsurface drip irrigation areas. At that time, Kissel indicated that it could not immediately comply with the WDRs prescribed in Order No. R4-2002-0108 because the Park's then-existing septic disposal system provided only primary treatment and needed to be upgraded. In order to ensure compliance with the WDRs, the Regional Board adopted Time Schedule Order (TSO) No. R4-2002-0109 that allowed Kissel to complete all needed upgrades according to a set schedule. TSO No. R4-2002-0109 ordered Kissel to submit various plans for approval to upgrade the then-existing septic disposal system. Kissel was required to complete construction, and testing to achieve full compliance with all requirements contained in Order No. R4-2002-0108, by November 30, 2003. The deadline for achieving compliance with the WDRs was extended to September 30, 2004 by the Executive Officer upon Kissel's request.
13. On March 3, 2006, the Regional Board issued a Notice of Violation (NOV) to Kissel for the discharge of untreated sewage at the Park on February 14, 2006. The Regional Board issued another NOV on September 26, 2006 for discharges of untreated sewage at the Park on August 9, August 15, August 19, and September 17, 2006. Both NOVs required that Kissel submit to the Regional Board a report detailing implementation of corrective and preventative actions taken to prevent future sewage spills. On October 25, 2006, Kissel responded to the September 26, 2006 NOV and indicated that pump trucks were used to pump the affected system and that cleanup commenced

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immediately. Kissel also stated that sand bags were placed in the spill area and that disinfection was achieved by spraying bleach over the entire affected area.

14. On October 24, 2006, at a public hearing, the Regional Board adopted Amended TSO No. R4-2006-0079. TSO No. R4-2002-0109 was rescinded, except for enforcement purposes. The Amended TSO required Kissel to comply with the following tasks and respective deadlines: (A) By November 1, 2006, complete construction of the wastewater treatment plant; (B) By December 1, 2006, remove or legally abandon septic tanks not part of the new treatment system; and (C) By February 1, 2007, achieve full compliance.
15. On November 8, 2006, November 22, 2006, February 1, 2007, and August 8, 2007, the Regional Board issued Kissel NOVs for failure to meet all three deadlines prescribed in Amended TSO No. R4-2006-0079.
16. On August 13, 2007, Kissel completed construction of the advanced onsite wastewater treatment system (AOWTS). The AOWTS consists of an Orenco AdvanTex® treatment system. The system consists of 18 primary treatment tanks, two underground recirculation tanks, AXMAX packed bed treatment system, and a dosing tank (distribution). An ultraviolet (UV) system provides tertiary treatment and then the
17. from the treatment system is distributed to a series of seepage pits for disposal. While construction of the AOWTS was completed on August 13, 2007, and start-up began, Kissel did not achieve compliance with the WDRs prescribed in Order No. R4-2002-0108 until November 4, 2008.
18. On September 5, 2007, the Regional Board issued Cleanup and Abatement Order (CAO) No. R4-2007-0043 to Kissel. This CAO was issued in response to the chronic unpermitted discharges of untreated sewage that occurred between September 30, 2006 to July 23, 2007 at several locations within the Park. The CAO directed Kissel to take remedial action to cleanup and abate actual and threatened discharges of raw sewage at the Park.
19. On November 17, 2008, Kissel's representative transmitted the first laboratory results from the new AOWTS to the Regional Board. Samples of total coliform and enterococcus, which were collected on November 5, 2008, were in compliance with effluent limitations contained in Order No. R4-2002-0108.
20. On February 4, 2009, Administrative Civil Liability Complaint No. R4-2009-0017 was issued to Kissel for violations of requirements contained in Order No. R4-2002-0108, Amended TSO No. R4-2006-0079, and CAO No. R4-2007-0043. On June 5, 2009, a hearing on the Complaint was held before the Regional Board. Upon hearing the evidence and arguments presented by the parties, the Regional Board determined that Kissel violated requirements contained in Order No. R4-2002-0108, Amended TSO No. R4-2006-0079, and CAO No. R4-2007-0043. The Regional Board imposed administrative civil liability on Kissel in the amount of \$54,500 pursuant to California Water Code section 13350.

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Paradise Cove Beach Café

21. The Beach Café is located on a flat arc-shaped beach, approximately 150 feet from the Pacific Ocean, between bluffs and 70 feet from the Ramirez Creek culvert. The Beach Café is a one-story building with seating for 300 persons.
22. The Beach Café is open daily and year-round for breakfast, lunch, and dinner. The number of meals served per day varies substantially with the high season occurring in the summer and low season in the winter. A separate restroom facility called the Sandbox serves the beach visitors.
23. On December 29, 2003, the Regional Board authorized Kissel to discharge wastewater generated from the Beach Café and Sandbox under General WDRs contained in State Water Board Water Quality Order No. 97-10-DWQ, *General WDRs for Discharges to Land by Small Domestic Wastewater Treatment Systems*, adopted by the State Water Board on November 18, 1997, along with MRP CI No. 8568.
24. On October 18, 2006, June 6, 2008, and September 20, 2011, the Regional Board issued NOVs to Kissel for violations of groundwater limitations for total coliform, enterococcus and for exceeding the allowable daily maximum flow of 20,000 gpd for the Beach Café.
25. On April 24, 2012, the Dischargers submitted a workplan to the Regional Board titled "Upgrade to Existing Wastewater Treatment and Disposal System." The proposed upgrades included the following: (1) reconfiguration of the existing grease tank and septic tank to dedicate both tanks to treating kitchen/food service wastewater; (2) installation of a larger septic tank providing additional equalization volume; (3) the installation of a new pump with a higher volume to upgrade the lift pump station; (4) the installation of two advanced aeration vacuum bubble technology (VBT) aerators within the pre-aeration compartment of the recirculation tank to increase nutrient reduction; and (5) the installation of a chlorination/dechlorination contact tank providing disinfection for the treated wastewater.
26. On December 14, 2012, the Regional Board approved the proposed upgrades at the Beach Café wastewater treatment system. MRP CI No. 8568 was subsequently revised on November 12, 2013; and the upgrades to the Beach Café's wastewater treatment system were completed in 2014.
27. All wastewater generated from the Beach Café and the Sandbox is sent to the Beach Café's advanced OWTS. The treated wastewater is then distributed to 21 seepage pits, and four (4) zones of subsurface drip dispersal located on the south slope of the east bluff section of the Park. The Beach Café's OWTS is designed for an average flow of 16,000 gpd and a peak flow rate of 25,000 gpd. The existing seepage pits for the Beach Café have a total designed disposal capacity of 23,159 gpd.

**CURRENT FACILITY AND TREATMENT PROCESS DESCRIPTION**

28. The Paradise Cove WWTP, which includes the Paradise Cove Mobile Home Park wastewater treatment system, the Paradise Cove Beach Café wastewater treatment system, the new blend/equalization tanks, disposal systems, and the proposed recycled

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water application areas, are located in and around Section 6, T1S, R16W, San Bernardino Base & Meridian. (See Figure 1. Facility Area Map, Figure 2. Wastewater Treatment and Collection System Layout Map, and Figure 3. Proposed Blending and Polishing Treatment System Layout Map).

29. The Park and Beach Café are located in an unsewered area of Los Angeles County. To date, no public sewers have been scheduled for construction in the vicinity of the Site. The closest sewer connection is approximately eight (8) miles away.

#### Paradise Cove Mobile Home Park Wastewater Treatment System

30. The wastewater generated at the Park is treated at the Paradise Cove Mobile Home Park wastewater treatment system. The Park's wastewater treatment system consist of 4-inch and 6-inch polyvinyl chloride (PVC) gravity sewer lines, 18 septic tanks with effluent filters, an Orenco Systems, Inc. AX100 AdvanTex® recirculating bed filter system, an ultraviolet (UV) disinfection unit, 67 seepage pits, and a designated area for 100% expansion.
31. Wastewater is first discharged into 18 primary treatment tanks; the filtered effluent then flows by gravity to the pump stations, from where it is pumped to an underground recirculation tank at the treatment facility.
32. Primary treated wastewater flows into two (2) 30,000-gallon fiberglass tanks, which provide sufficient volume for equalizing flow to the treatment pods and for recirculating the water through the AdvanTex® treatment pod system. Then the wastewater flows to twenty (20) AX100 AdvanTex® treatment pods for secondary treatment.
33. The effluent from all the treatment pods is collected by a filtrate line and flows by gravity to a recirculation splitter valve, located at the recirculation tank. A portion of the filtrate is recirculated back into the tank and a portion is released as secondary effluent.
34. The secondary treated wastewater flows by gravity from the recirculation splitter valve into an effluent pump station. This pump station pumps the secondary effluent to a UV disinfection unit.
35. The disinfected effluent flows by gravity to a 30,000-gallon fiberglass underground dosing tank, from which it is pumped and distributed to the seepage pits. The dosing tank is sized to accommodate shut-offs for up to 6 hours to allow for maintenance and repairs to the disinfected effluent distribution pipeline.
36. The Paradise Cove Mobile Home Park wastewater treatment system is designed for an average flow of about 40,000 gpd and a peak flow rate of 60,000 gpd. The existing seepage pits for the Park have a total designed disposal capacity of 73,464 gpd.

#### Paradise Cove Beach Café Wastewater Treatment System

37. The Paradise Cove Beach Café wastewater treatment system consists of a series of primary treatment tanks followed by an Orenco AX100 secondary treatment system, a disinfection system, 21 seepage pits, and a subsurface irrigation system.

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38. Wastewater generated from the Beach Café flows into two (2) grease interceptors followed by a 15,000-gallon septic tank. Wastewater generated from the Sandbox restrooms flows into a 5,000-gallon septic tank. The wastewater from the Beach Café and the Sandbox restrooms drains to a 12,000-gallon septic tank. The blended primary treated wastewater from this tank is then pumped up to the bluff for secondary treatment, in ten (10) AX100 Advantex® treatment pods, then to the dosing tank, followed by chlorination disinfection treatment. The treated wastewater is then distributed to the 21 seepage pits, and four (4) zones of subsurface drip dispersal located on the south slope of the east bluff section of the Park.
39. The Beach Café wastewater treatment system is designed for an average flow of about 16,000 gpd and a peak flow rate of 25,000 gpd. The capacity after the Dischargers' upgrade to the system will be sufficient to treat wastewater from the Beach Café, the Sandbox restrooms, and the proposed additional 10 mobile home units.
40. The existing seepage pits for the Beach Café have a total designed disposal capacity of 23,159 gpd.

Recycled Water Use for Both Paradise Cove Mobile Home Park and Paradise Cove Beach Cafe

41. The Dischargers are planning to install a blending and polishing treatment system, which will allow for the blending and further treatment of the wastewater from the existing Park's treatment system and the Beach Café treatment system.
42. Treated wastewater from both the Park's treatment system and the Beach Café's treatment system will be blended in a 30,000-gallon equalization tank and further treated in the AdvanTex® AX-MAX300 polishing treatment pods in order to meet Title 22 water recycling criteria. The treated wastewater will flow into the filtration system, followed by chlorination disinfection. The treated wastewater from the chlorination dosing tank will be pumped out and utilized for subsurface irrigation. The upgraded treatment system, including the Park's treatment system, the Beach Café's treatment system, the equalization tank and the polishing treatment pods, once completed, will be referred as the Paradise Cove Wastewater Treatment Plant.
43. Once completed, the Paradise Cove Wastewater Treatment Plant will have a designed capacity of 85,000 gpd and produce wastewater meeting advanced (with nitrification-denitrification) tertiary treatment effluent limits, which can be recycled for subsurface irrigation.
44. Treated wastewater from the Paradise Cove WWTP will irrigate up to 65,000 square-feet (1.5 acres) of landscape area controlled by the Dischargers. During the dry months, up to 60,000 gallons of the treated wastewater will be recycled on a daily basis, but the actual amount of recycled water use will depend on the demand of recycled water needed for irrigation.
45. Treated wastewater not being used for irrigation (e.g., during periods of rainfall) will be discharged to the seepages pits located throughout the Park. The seepages pits will also be used to divert treated wastewater during maintenance of the subsurface drip system and as an emergency backup disposal system. The existing seepage pits for the Paradise Cove WWTP has a total capacity of 96,623 gpd, which is sufficient to

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accommodate wastewater discharges from both the Paradise Cove Mobile Home Park wastewater treatment system and the Paradise Cove Beach Café wastewater treatment system under the circumstances that the recycled water cannot be used for irrigation.

46. The Paradise Cove WWTP is designed to produce wastewater meeting advanced (with nitrification-denitrification) secondary treatment effluent limits, which can be recycled for subsurface irrigation with a design capacity of 85,000 gpd.

## **COMPLIANCE HISTORY**

### **Paradise Cove Mobile Home Park**

47. The effluent water quality data collected from the Paradise Cove Mobile Home Park wastewater treatment system from January 2009 to December 2015 are as follows:

**Table 1. Paradise Cove Mobile Home Park Effluent Water Quality**

Constituent	Units	Treated Wastewater <sup>[1]</sup>	Effluent Limit <sup>[3]</sup>	
			Daily Maximum	Monthly Average
pH	pH units	6.0 – 8.5	6.5 - 8.5	
BOD <sub>5</sub> 20°C	mg/L	5 – 386 <sup>[2]</sup>	30	45
Total suspended solids	mg/L	5 – 52	30	45
Turbidity	NTU	0.3 – 33.9	5.0	NA <sup>[4]</sup>
Oil & grease	mg/L	5 – 48	15	NA <sup>[4]</sup>
Nitrate as N	mg/L	0.33 – 21.9	NA <sup>[4]</sup>	NA <sup>[4]</sup>
Nitrite as N	mg/L	0.02 – 1.99	NA <sup>[4]</sup>	NA <sup>[4]</sup>
Ammonia as N	mg/L	0.33 – 20.9	NA <sup>[4]</sup>	NA <sup>[4]</sup>
Organic Nitrogen	mg/L	0.10 – 18.5	NA <sup>[4]</sup>	NA <sup>[4]</sup>
Total Nitrogen	mg/L	1.02 – 53.3	10 <sup>[5]</sup>	NA <sup>[4]</sup>
Total dissolved solids	mg/L	102 – 832	1,000	NA <sup>[4]</sup>
Total coliform	MPN/100mL	2 – 900	70	230
Fecal coliform	MPN/100mL	2 – 900	NA <sup>[4]</sup>	NA <sup>[4]</sup>
Enterococcus	MPN/100mL	1 – 2,419.2	24	NA <sup>[4]</sup>

[1]Range based on reported values for all samples analysis performed after the advanced OWTS was completed, from January 2009 to December 2015.

[2]BOD concentration of 386 mg/L was a one-time exceedance that occurred on November 28, 2012.

[3]Effluent limits prescribed in Order No. R4-2002-0108 as monthly average and daily maximum

[4]NA= Not applicable. No effluent limit was prescribed.

[5]Point of compliance was set at groundwater (Order No. R4-2002-0108).

48. Under Order No. R4-2002-0108 and MRP CI No. 8342, Kissel was not required to monitor chloride, sulfate, and boron concentrations in the effluent from Park's advanced OWTS. As indicated above, Order No. R4-2002-0108 did not prescribe effluent limitations for sulfate, chloride, and boron. Upon the request of Regional Water Board staff during permit development, the Dischargers analyzed effluent samples in May through August 2016, which indicated concentrations of up to 184134 mg/L for chloride, 274264 mg/L for sulfate and, 0.34 mg/L for boron.

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49. Groundwater monitoring wells (MW-1, MW-2, and MW-3) were installed in 2002. Monitoring data from March 2008 to December 2015 characterize the recent groundwater quality resulting from discharges to the seepage pits as follows:

**Table 2. Paradise Cove Mobile Home Park Monitoring Well Groundwater Quality**

Constituent	Units <sup>[1]</sup>	MW-1 <sup>[2]</sup> (Upgradient Well)	MW-3 <sup>[2]</sup> (Cross-gradient Well)	MW-2 <sup>[2]</sup> (Downgradient Well)	Water Quality Objectives <sup>[3]</sup>
pH	pH units	5.7 - 8.1	6.0 - 7.8	5.8 - 7.9	--
Ammonia as N	mg/L	0.02 - 0.6	0.01-1.54	0.01 - 0.37	--
Nitrate as N	mg/L	0.01 - 0.91	0.02-1.49	0.03 - 0.54	--
Nitrite as N	mg/L	0.01 - 0.04	0.03-0.07	0.03 - 0.07	--
Total Nitrogen	mg/L	6.1 - 17.9	0.44 - 2.58	0.1 - 2.16	10
Total dissolved solids	mg/L	932 - 1,588	2,288 - 3,432	29.8 - 3,360	--
Sulfate	mg/L	182 - 437	918 - 1,660	830 - 2,040	--
Chloride	mg/L	147 - 297	203 - 829	344 - 815	--
Boron	mg/L	0.38 - 0.57	0.15 - 0.3	0.26	--
Total Coliform	MPN/100mL	2 - 1,600	2 - 300	2 - 1,600	--
Fecal Coliform	MPN/100mL	2 - 50	4 - 300	2 - 12	--

<sup>[1]</sup>mg/L=milligrams per liter; MPN/100mL = most probable number (MPN) per 100 milliliters

<sup>[2]</sup>Based on analyses performed from April 30, 2003 to December 4, 2014

MW-1: Upgradient Well; MW-3: Cross-gradient Well; and MW-2: Downgradient Well

<sup>[3]</sup>Basin Plan water quality objectives for the Point Dume Area. However, Regional Board Order No. R4-2002-0108 did not prescribe receiving (groundwater) limitations.

50. Monitoring well MW-1 is located in the northwest part of the Park, near Pacific Coast Highway, and a groundwater survey conducted by Kissel show several likely sources of pollution, north of Pacific Coast Highway. Some possible contributors of wastewater-related pollutants might be the Malibu Villas condominiums and the residence(s) located on Pacific Coast Highway. Currently, Regional Board staff is working on preparing WDRs for the Malibu Villas condominiums.
51. Monitoring wells MW-2 and MW-3 are located closer to the Pacific Ocean and may be under tidal influence, which will result in higher concentrations of total dissolved solids (TDS), sulfate, and chloride.

#### Paradise Cove Beach Café

52. Monitoring data from the Paradise Cove Beach Café treatment system from March 2014 to December 2015 characterizes the effluent water quality as follows (see Table 3):

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**Table 3. Paradise Cove Beach Café Effluent Water Quality**

Constituent	Units	Treated Wastewater <sup>[1]</sup>	Performance Goals <sup>[2]</sup>
pH	pH units	6.9 – 8.2	6 - 9
BOD <sub>5</sub> 20°C	mg/L	5 – 43	10
Turbidity	NTU	0.60 – 20.5	NA <sup>[3]</sup>
Total suspended solids	mg/L	5 – 45	10
Oil & grease	mg/L	5 – 30	1
Nitrate as N	mg/L	0.04 - 37.2	10
Nitrite as N	mg/L	0.1 – 1.22	1
Ammonia as N	mg/L	0.27 – 6.78	NA <sup>[3]</sup>
Organic Nitrogen	mg/L	0.57 – 6.5	NA <sup>[3]</sup>
Total Nitrogen	mg/L	5.9 – 38.6	NA <sup>[3]</sup>
Total dissolved solids	mg/L	776 – 1,232	NA <sup>[3]</sup>
Total coliform	MPN/100mL	2 – 90,000	1.1
Fecal coliform	MPN/100mL	1 – 30,000	1.1
Enterococcus	MPN/100mL	1 – 2,419.6	1.1

[1]Range based on the statistical minimum and maximum reported values for all sample analysis performed after the upgrades to the wastewater treatment system were completed.

[2]The General WDRs did not prescribe effluent limitations; rather, performance goals were specified triggering additional actions upon exceedance of the goal.

[3]NA= Not applicable. There are not water quality objectives under the Ocean Plan.

53. The General WDRs for discharges from the Beach Café wastewater treatment system did not require effluent monitoring for chloride, sulfate, and boron. Upon, the request of Regional Water Board staff during permit development, the Dischargers collected and analyzed an effluent samples in May, June and August 2016, which indicated concentrations for TDS was up to 1,2881,152 mg/L, up to 313 mg/L for chloride, 220179 mg/L for sulfate and, 0.2 mg/L for boron.
54. Monitoring data for monitoring wells (MW-6, MW-12, and MW-11) from March 2014 to December 2015 characterize the recent groundwater quality resulting from discharges to the seepage pits as follows (See Table 4):

**Table 4. Paradise Cove Beach Café Monitoring Well Groundwater Quality**

Constituent	Units <sup>[1]</sup>	MW-6 <sup>[2]</sup> (Upgradient Well)	MW-12 <sup>[2]</sup> (Cross-gradient Well)	MW-11 <sup>[2]</sup> (Downgradient Well)	Water Quality Objectives <sup>[3]</sup>
pH	pH units	6.5 - 7.4	6.9 - 7.4	6.5 - 7.0	6.0 – 9.0
Ammonia as N	mg/L	0.02 - 0.23	0.07-0.32	0.11 - 0.36	2.4
Nitrate as N	mg/L	0.02 - 0.09	0.01 – 1.33	0.01 - 0.07	--
Nitrite as N	mg/L	0.02	0.01 -0.1	0.01 - 0.1	--
Organic N	mg/L	0.83 - 9.87	0.63-1.97	2 - 18.4	--
Total Nitrogen	mg/L	1.17 - 10	0.92-2.83	0.21 - 18.9	--
Total dissolved solids	mg/L	2,592-	936-	2,496 –	--

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Constituent	Units <sup>[1]</sup>	2,996 MW-6 <sup>[2]</sup> (Upgradient Well)	1,152 MW-12 <sup>[2]</sup> (Cross-gradient Well)	4,276 MW-11 <sup>[2]</sup> (Downgradient Well)	Water Quality Objectives <sup>[3]</sup>
Sulfate	mg/L	1,500 - 2,240	88.1 - 159	1,230 - 5,320	--
Chloride	mg/L	265 - 489	191 - 383	281 - 1,270	--
Boron	mg/L	0.25 - 0.33	0.18 - 0.26	0.18 - 0.31	--
Total Coliform	MPN/100mL	2 - 8,000	2 - 130	2 - 3,000	10,000
Fecal Coliform	MPN/100mL	2 - 1,600	2 - 130	2 - 20	400
Enterococcus	MPN/100mL	8.4 - 342.8	2 - 2,419.2	1 - 2,419.2	140

<sup>[1]</sup>mg/L=milligrams per liter; MPN/100mL = most probable number (MPN) per 100 milliliters

<sup>[2]</sup>Based on analyses performed after the upgrades to the wastewater treatment system were completed.

MW-6: Upgradient Well; MW-12: Cross-gradient Well; and MW-11: Downgradient Well

<sup>[3]</sup>Water quality objectives based on the 2012 California Ocean Plan.

55. Monitoring well MW-6 is located near the Park's entrance, at the southwest corner of Paradise Cove Road and Pacific Coast Highway. Kissel conducted a groundwater survey, which shows that the sources of pollution are likely originating from the north of Pacific Coast Highway. Some possible contributors of wastewater-related pollutants might be the Saint Aidan's Episcopal Church and School, and the residence(s) located across the Park. Currently, Regional Board staff are preparing a directive pursuant to California Water Code section 13260 for Saint Aidan's School and church.
56. Monitoring wells MW-11 and MW-12 are located approximately 100 feet away from the Pacific Ocean and may be under tidal influence, which will result in higher concentrations of total dissolved solids (TDS), sulfate, and chloride.
57. Based on the location of the Beach Café, and the connectivity of the underlying groundwater with the Pacific Ocean, Water Quality objectives specified in the California Ocean Plan are applicable as the groundwater quality objectives. After the upgrade of the Beach Café wastewater treatment system, the effluent has met all the performance goals, and the groundwater quality underlying the Beach Café has been in compliance with the State Water Board General Order No. 97-10-DWQ.
58. The Dischargers, with the current treatment processes at the Park and the Beach Café, will achieve compliance with the effluent limitations listed in this Order except nitrate as nitrogen, total nitrogen, total coliform, turbidity, total dissolved solids, sulfate, and chloride. In order to allow recycled water to be utilized from this system, this tentative Order No. R4-2016-XXXX prescribes more protective effluent limits based on the requirements specified in the Basin Plan and Title 22. A separate Cease and Desist Order will prescribe the schedule and requirements to effect these improvements.

#### SITE-SPECIFIC CONDITIONS

59. Paradise Cove Mobile Home Park, Paradise Cove Beach Café, the proposed recycled water application area, the Paradise Cove Wastewater Treatment Plant, disposal area,

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and seepage pits are located in the Ramirez Canyon Creek Hydrologic Subarea of the Point Dume Hydrologic Area.

60. Groundwater beneath the Site is contained in terrace deposits. Groundwater levels and flow directions beneath the Site are determined by these deposits. In addition, groundwater may be present in some sandstone rock formations underlying recent deposits, especially in fracture systems within bedrock formations. According to the lithologic logs from all the borings drilled at the Park, there is no continuous impermeable layer (i.e., aquitard) between the land surface and the groundwater table.
61. Groundwater underneath the Beach Café parking lot was reportedly encountered at 6 feet below ground surface (bgs) with a flow direction toward the Pacific Ocean. Groundwater flow direction in the bluff area underneath the seepage pits, however, was complicated because of the existing east/west-trending Paradise Cove Fault which transverses through the Park. Generally, the groundwater was encountered at 81 feet bgs. Groundwater at northern part of the Park flows in a southwesterly direction toward the Fault, and groundwater at the area adjacent to the Fault flows toward to the Fault line. The groundwater in the southern portion of the Park closer to the Ocean flows southerly towards the canyon located at the west of the Site or to the Pacific Ocean.
62. The geological materials underneath the Site consist of fill, silty sand and sandy clay soil, marine terrace deposits, and the Monterey Formation siltstone bedrock.
63. The fill deposits are minor and it overlies the natural soil. The fill deposits are present on portions of the Site, primarily on the level areas, which are occupied by trailers and access roads. The fill consists of disturbed soil and also an admixture of soil and marine terrace deposits. The fill is described as silty sand, clayey sand, and sandy clay with gravel. The gravel component of the fill varies from angular, pebble-size siltstone clasts to construction size gravel.
64. The Late Pleistocene marine, coastal terrace deposits are especially prominent west of Point Dume, where younger, Holocene and upper Pleistocene, nonmarine coastal terrace deposits also occur. Holocene and upper Pleistocene stream terrace deposits are perched on the flanks of Trancas, Zuma, Ramirez, and Medea Creek canyons. Most of these terrace deposits consist of gravel, sand, and silt.
65. The remaining Quaternary deposits are relatively young and are considered to be of late Pleistocene to Holocene age, except for the artificial fill, which is strictly Holocene.
66. The natural residual soil is described as silty sand and sandy clay; and it overlies the marine terrace deposits and bedrock on the majority of the Park. The basal contact of the soil is gradational with the underlying marine terrace deposits and bedrock.
67. The marine terrace deposits underlie the "bluff-top" areas of the Site. These deposits consist of clayey sand, silty sand, and sand with gravel. The marine terrace deposits are horizontally stratified and have a horizontal basal contact with the underlying sedimentary bedrock.
68. The bedrock underlying the Site consists of diatomaceous siltstone, part of the Monterey Formation of Miocene age.

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69. The geological materials underneath the Site are porous media consisting of unconsolidated loose sands, sandy clay, and marine terrace deposits, or fractured bedrock, all of which are pathways for percolating water. Wastewater discharged to the irrigation fields and percolation pits at the Park will travel through the vadose zone (unsaturated zone between land surface and groundwater table) by gravity, and reach the groundwater underneath the irrigation fields and pits.
70. There are no domestic water wells downgradient of the Paradise Cove Mobile Home Park and Paradise Cove Beach Café. The Park, the Beach Café, and all the residents receive their water supplies from the Los Angeles County Waterworks District 29.

#### **APPLICABLE PLANS, POLICIES AND REGULATIONS**

71. *Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan) – On June 13, 1994, the Regional Board adopted a revised Basin Plan. The Basin Plan: (i) designates beneficial uses for surface and groundwater, (ii) establishes narrative and numeric water quality objectives that must be attained or maintained to protect the designated beneficial uses, and (iii) sets forth implementation programs to protect the beneficial uses of the waters of the state. The Basin Plan also incorporates State Water Board Resolution 68-16 (“Statement of Policy with Respect to Maintaining High Quality Waters in California”, also called the “Antidegradation Policy”). In addition, the Basin Plan incorporates applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations. The Basin Plan has been amended occasionally since 1994, including recent administrative updates. This Order implements the Basin Plan.
72. To protect sources of drinking water, the Basin Plan (Chapter 3) incorporates the primary and secondary maximum contaminants levels (MCLs) for inorganic, organic, and radioactive contaminants in drinking water, which are codified in California Code of Regulations, Title 22, Division 4. This incorporation by reference is prospective including future changes to the incorporated provisions as the changes take effect. The primary MCLs are applicable water quality objectives for a receiving water to protect beneficial uses when that receiving water is designated as municipal and domestic supply. Also, the Basin Plan specifies that “Ground waters shall not contain taste or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses.” Therefore, the secondary MCLs, which are limits based on aesthetic, organoleptic standards, are applicable water quality objectives for a receiving water to protect beneficial uses when that receiving water is designated as municipal and domestic supply. These water quality objectives are implemented in this Order to protect groundwater quality.
73. The Paradise Cove Wastewater Treatment Plant, seepage pits, and the recycled water application areas are located 1,100 feet west of the Ramirez Canyon Creek, and approximately 1,033 feet away from the Pacific Ocean Nearshore Zone. The Basin Plan specifies the following beneficial use designations:

Surface water (Ramirez Canyon Creek):

Existing: wildlife habitat

Intermittent: municipal and domestic water supply, contact and non-contact recreation, warm fresh water habitat

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Potential: spawning, reproduction, and /or early development

Coastal Features (Nearshore):

Existing: Industrial service supply, navigation, water contact and non-water contact recreation, commercial and sport fishing, marine habitat, wildlife habitat, biological habitat preserve, rare and endangered species habitat support, migration of aquatic organisms, spawning and reproduction of aquatic organisms and shell fish harvesting.

74. The Site overlies the groundwater along the southern slopes of the Santa Monica Mountains (Point Dume Area). The Basin Plan contains water quality objectives for the Point Dume Area, which is considered to be the receiving water underlying the future recycled water use area. The beneficial uses of the receiving groundwater are as follows:

Groundwater (Point Dume Hydrologic area):

Existing: municipal and domestic water supply, agricultural supply  
Potential: industrial service supply

75. It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes that policy by requiring discharges to meet MCLs designed to protect human health and ensure that water is safe for domestic use.
76. The State Water Board adopted Resolution No. 77-1, *Policy with Respect to Water Reclamation in California*, which includes principles that encourage and recommend funding for water recycling and its use in water-short areas of the state. On September 26, 1988, the Regional Water Board also adopted Resolution No. 88-012, *Supporting Beneficial Use of Available Reclaimed Water in Lieu of Potable Water for the Same Purpose*, which encourages the beneficial use of recycled wastewater and supports water recycling projects.
77. The State Water Board's Division of Drinking Water (DDW) has primary statewide responsibility for protecting public health with respect to the use and application of recycled water. It has established statewide water recycling criteria in California Code of Regulations, Title 22, Division 4, Chapter 3 (hereafter referred to as Title 22). Approved uses of recycled water under Title 22 depend on the level of treatment, disinfection, and potential for public contact.

State Water Board Resolution No. 68-16 requires the Regional Board, in regulating the discharges of waste, to maintain high quality waters of the state unless it is demonstrated that any change in quality is consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in the State Water Board's policies (e.g., quality that exceeds water quality objectives). The Regional Board finds that the discharge, as allowed in this Order, is consistent with Resolution No. 68-16 since this Order: (1) requires compliance with the requirements set forth in this Order, including the use of best practicable treatment and control of the discharges, (2) requires implementation of a Monitoring and Reporting Program (MRP); and (3) requires that the discharges comply with effluent limits to meet water quality objectives. Application of recycled water for

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irrigation is limited to agronomic rates and therefore is not expected to measurably impact groundwater quality. This Order requires the effluent to meet MCLs for drinking water and groundwater quality objectives in the Basin Plan.

78. The California Legislature has declared that a substantial portion of the future water requirements of the state may be economically met by beneficial use of recycled water (Water Code section 13511). The Legislature also expressed its intent that the State undertake all possible steps to encourage development of water recycling facilities so that recycled water may be made available to help meet the growing water demands of the state (Water Code section 13512). This Order requires best practicable treatment or control, which is a combination of treatment, storage, and application methods that implement the requirements of Title 22 and the Basin Plan. The use of recycled water in place of both raw and potable water supplies for the non-potable uses allowed under this Order improves water supply availability and helps to ensure that higher quality water will continue to be available for human uses. Treatment technologies required under this Order include tertiary treatment and disinfection for pathogen removal. As required by the Antidegradation Policy, the Regional Water Board finds that very little, if any, degradation of water may occur as the result of the use of disinfected tertiary treated effluent as a source of recycled water, since limited percolation to groundwater is expected to take place through irrigation.
79. *Recycled Water Policy* – On February 9, 2009, the State Water Board adopted Resolution No. 2009-0011, *Policy for Water Quality Control for Recycled Water* (Recycled Water Policy). The Recycled Water Policy became effective when it was approved by the Office of Administrative Law on May 14, 2009. This Recycled Water Policy is intended to support the State Water Board's Strategic Plan to promote sustainable local water supplies. Increasing the acceptance and promoting the use of recycled water is a means towards achieving sustainable local water supplies and can result in reduction in greenhouse gases, a significant driver of climate change. The Recycled Water Policy is also intended to encourage beneficial use of, rather than solely disposal of, recycled water generated from municipal wastewater sources in a manner that fully implements state and federal water quality laws.
80. Section 13523 of the California Water Code provides that a Regional Water Board, after consulting with and receiving recommendations from DDW or its delegated local health agency, and after any necessary hearing, shall, if it determines such action to be necessary to protect the health, safety, or welfare of the public, prescribe water reclamation requirements (WRRs) for water that is used or proposed to be used as recycled water. California Water Code section 13523 further provides that, at a minimum, the WRRs shall include, or be in conformance with, the statewide water recycling criteria established by DDW pursuant to California Water Code section 13521.
81. Pursuant to California Water Code section 13523, the Regional Water Board has consulted with DDW regarding the proposed recycling project. On April 22, 2016, a Title 22 Engineering Report was submitted to DDW for its review and approval for the recycled use of treated wastewater for subsurface irrigation as required by section 60323 of Title 22. The Title 22 Engineering Report was subsequently approved by DDW on June 14, 2016. All of DDW's requirements and/or conditions are incorporated into this Order by attachment.

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82. Salt and Nutrient Management Plans (SNMPs) are required for each basin/sub-basin in California in accordance with the State Board's Recycled Water Policy. The Malibu SNMP Planning Area is located within the lower Malibu Creek watershed area and includes the Civic Center area of the City of Malibu and portions of unincorporated Los Angeles County, and overlies the Malibu Valley Groundwater Basin. The Malibu SNMP will be adopted by the Regional Board at a future Board meeting. Furthermore, Paradise Cove Mobile Home Park, Paradise Cove Beach Café, and the Paradise Cove Wastewater Treatment Plant are located approximately 6 miles west of the Malibu Civic Center, and it is not subject to the Malibu SNMP.
83. California Water Code section 13523.5 concerning water recycling requirements states that a regional water board may not deny issuance of water recycling requirements to a project that violates only a salinity standard in a basin plan. In 1985, soon after this provision was added to the Water Code, the State Water Board's Office of Chief Counsel issued a legal opinion concluding that this provision does not apply to waste discharge requirements. Hence, waste discharge requirements for recycled water projects may contain effluent and other limitations on discharges of salts as necessary to meet water quality objectives, comply with the Antidegradation Policy, or otherwise protect beneficial uses.
84. The WRRs in this Order are proposed pursuant to California Water Code section 13523. The WRRs prescribe the requirements and limits for recycled water and the Dischargers' responsibilities for the production and monitoring of recycled water. The Dischargers are also responsible for inspecting point-of-use facilities, and ensuring compliance with the WRRs contained in this Order. The distribution and irrigation systems will be maintained by the Dischargers.
85. The requirements contained in this Order are in conformance with the goals and objectives of the Basin Plan and implement the requirements of the California Water Code and California Code of Regulations, Title 22, Division 4, Chapter 3 - Water Recycling Criteria.
86. This Order establishes limitations and requirements that will not unreasonably affect present and anticipated beneficial uses or result in receiving water quality that exceeds water quality objectives set forth in the Basin Plan. This means that where the stringency of the limitations for the same waste constituent differs according to beneficial use, the most stringent applies as the governing limitation for that waste constituent. This Order contains tasks for assuring that best practicable treatment or control (BPTC) and the highest water quality consistent with the maximum benefit to the people of the State will be achieved. Accordingly, the discharge is consistent with the antidegradation provisions of Resolution 68-16. Based on the results of the scheduled tasks for the proposed upgrade, the Regional Board may reopen this Order to reconsider groundwater limitations and other requirements to comply with Resolution 68-16.
87. The use of recycled wastewater for subsurface drip irrigation could affect the public health, safety, or welfare; requirements for such use are therefore necessary in accordance with section 13523 of the California Water Code.
88. Global Warming and Climate Change – In Southern California, the predicted impacts of climate change are numerous. Annual average temperatures are expected to increase, coupled with a higher frequency of extreme heat days. A likely consequence of this

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warmer climate will be more severe drought periods, leading to an increase in the amount and intensity of fires and a longer fire season. In addition, precipitation patterns are likely to be modified. A decrease in snowfall, combined with warmer temperatures, will induce a decrease in the amount and duration of snowpack, an essential source of freshwater to the region. Although changes to mean precipitation are expected to be small, the increasing occurrence of extreme precipitation events will amplify the risk of flooding. Climate change will also induce an additional rise in sea level (sea level rise has already occurred with warming), and with it, an increase in the incidence of extreme high sea level-related events such as extreme tides, wave-driven run-up and storm surge, causing more extensive and frequent damage including flooding, and land and beach erosion.

These impacts will affect water quality in multiple ways, including decreases in stream flow, reductions in, and changes to, aquatic habitats, increases in surface water temperature, increases in pollutant levels, sedimentation, algal growth, and changes in salinity levels and acidification in coastal areas. For permitted facilities such as Publically Owned Treatment Works (POTWs), specific impacts could include, but are not limited to, an increase in the concentration of pollutants entering the facility, an increase in the temperature of effluents and receiving waters, an increase in storm water inflow and infiltration, increase in flooding/inundation of facilities, sewer overflows, power outages, pump maintenance issues, and onsite or nearby hillside destabilization.

Recognizing the challenges posed by climate change, on April 29, 2015, Governor Jerry Brown issued Executive Order B-30-15, which directs state agencies to take climate change into account in their planning decisions, guided by the following principles: Priority should be given to actions that both build climate preparedness and reduce greenhouse gas emissions; where possible, flexible and adaptive approaches should be taken to prepare for uncertain climate impacts; actions should protect the state's most vulnerable populations; and natural infrastructure solutions should be prioritized.

Waste Discharge Requirements for this facility contain provisions to require planning and actions to address climate-related impacts that can cause or contribute to violations of permit requirements and/or degradation of waters of the state.

89. Pursuant to California Water Code section 13263(g), the discharge of waste is a privilege, not a right, and adoption of this Order does not create a vested right to continue discharging.
90. The Regional Board will review this Order periodically and will revise requirements when necessary. The Regional Board may reopen this Order at any time.
91. Section 13267(b) of the California Water Code states, in part, that "In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging or who proposes to discharge within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste outside of its region that could affect the quality of waters of the state within its region shall furnish under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs of these reports shall bear a reasonable relationship to the

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need for the reports and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports." The Dischargers operate facilities that discharge waste to waters of the state, subject to this Order. The information and reports required by Monitoring and Reporting Program CI No. 8342 are necessary to assure compliance with these waste discharge requirements and water reclamation requirements.

#### **CALIFORNIA ENVIRONMENTAL QUALITY ACT AND NOTIFICATION**

92. This project involves the renewal of WDRs/WRRs for two existing facilities, Paradise Cove Mobile Home Park and Paradise Cove Beach Café that involves the addition of ten new mobile home units. The proposed Paradise Cove Wastewater Treatment Plant will recycle the treated wastewater for irrigation at an agronomic rate. The amount of treated wastewater discharged to groundwater, after recycled water use, will be significantly less than the current volume of wastewater discharged from the Park and the Beach Café.
93. The City of Malibu (City) is the lead agency for the proposed addition of ten mobile home units at the Park. The City has determined that this expansion is a revision to the existing project. The conditional use permit issued by the City has been revised to incorporate the proposed expansion; therefore, the action to adopt WDRs/WRRs is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.) in accordance with California Code of Regulations, title 14, section 15301.
94. On April 22, 2016, the Regional Board notified the Dischargers and interested agencies and persons of its intent to prescribe WDRs/WRRs for the Site and has provided them with an opportunity to submit their written comments and recommendations.
95. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge and to the tentative requirements.
96. Pursuant to California Water Code section 13320, any person affected by this action of the Regional Board may petition the State Water Board to review the action in accordance with section 13320 of the California Water Code and Title 23, California Code of Regulations, Section 2050. The State Water Board (P.O. Box 100, Sacramento, California, 95812) must receive the petition within 30 days of the date this Order is adopted. The regulations regarding petitions may be found at:  
[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/index.shtml](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/index.shtml)

**THEREFORE, IT IS HEREBY ORDERED** that in order to meet the provisions contained in Division 7 of the California Water Code (commencing with section 13000) and regulations adopted thereunder, The Kissel Company, Inc. and the Paradise Cove Land Company, LLC shall comply with the following requirements in this Order in all wastewater operations and activities at the Paradise Cove Wastewater Treatment Plant, including the Paradise Cove Mobile Home Park wastewater treatment system and the Paradise Cove Beach Café wastewater treatment system:

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A. EFFLUENT LIMITATIONS

1. The maximum daily discharge from the Paradise Cove Wastewater Treatment Plant shall not exceed 85,000 gpd.
  - a. The maximum daily discharge from the Paradise Cove Mobile Home Park wastewater treatment system shall not exceed 60,000 gpd.
  - b. The maximum daily discharge from the Paradise Cove Beach Café wastewater treatment system shall not exceed 25,000 gpd.
2. The pH in the effluent (treated wastewater discharged from the Paradise Cove Wastewater Treatment Plant) shall at all times be from 6.5 to 8.5 pH units.
3. Effluent shall not contain constituents in excess of the following limits: (see Table 5):

Table 5. Effluent Limitations

Constituent	Units <sup>1</sup>	Daily Maximum	30-Day Average
BOD <sub>5</sub> 20°C	mg/L	45	30
Total suspended solids	mg/L	45	30
Total nitrogen <sup>2</sup>	mg/L	10	--
Nitrate as N	mg/L	10	--
Nitrite as N	mg/L	1	--
Oil and grease	mg/L	15	10
Total dissolved solids (TDS)	mg/L	1,000	--
Sulfate	mg/L	250	--
Chloride	mg/L	250	--
Boron	mg/L	1.0	--
MBAS <sup>3</sup>	mg/L	0.5	--

<sup>1</sup>mg/L=milligrams per liter; MPN/100mL = most probable number (MPN) per 100 milliliters;

<sup>2</sup>Total nitrogen= nitrate-N + nitrite-N + ammonia-N + Organic Nitrogen

<sup>3</sup>Methylene Blue Active Substances

4. Turbidity Limits: The turbidity of the effluent shall not exceed any of the following:
  - a) A daily average of 2 Nephelometric turbidity units (NTUs),
  - b) 5 NTUs more than 5 percent of the time (72 minutes) during any 24-hour period, and
  - c) 10 NTU at any time.
5. Total coliform Limits: The total coliform (median number of coliform organisms in the effluent) shall not exceed 23 MPN per 100 ml, as determined from the bacteriological results of the last 7 days for which analyses have been completed, and the number of total coliform bacteria shall not exceed 240 MPN/100 mL in more than one sample in any 30 days period.

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6. Effluent shall not contain heavy metals, arsenic, or cyanide, or other pollutants designated Priority Pollutants (Appendix A to 40 CFR, Part 423--126 Priority Pollutants) by the U.S. Environmental Protection Agency in concentrations exceeding the limits contained in the California Drinking Water Standards, California Code of Regulations, title 22, section 64431 (Attachment A-1).
7. Effluent shall not contain organic chemicals in concentrations exceeding the limits contained in the current California Drinking Water Standards, California Code of Regulations, title 22, section 64444 or subsequent revisions (Attachment A-2).
8. Effluent shall not contain disinfectant byproducts in concentrations exceeding the limits contained in the current California Drinking Water Standards, California Code of Regulations, title 22, section 64533, or subsequent revisions (Attachment A-3).

**B. GROUNDWATER LIMITATIONS**

1. "Receiving water" is defined as groundwater underlying the Site, including the Paradise Cove wastewater treatment plant, the discharge areas, and the recycled water application area.
2. The Dischargers shall monitor the background of the receiving groundwater quality as it relates to its effluent discharges. Should the constituent concentrations in groundwater exceed the limits specified in Table 6; the Dischargers shall demonstrate that the discharge from the Paradise Cove Wastewater Treatment Plant does not contribute to the degradation of groundwater quality.

**Table 6. Groundwater Limitations**

Constituent	Units <sup>1</sup>	Maximum Limitation <sup>2</sup>
Total dissolved solids (TDS)	mg/L	1,000
Sulfate	mg/L	250
Chloride	mg/L	250
Boron	mg/L	1.0
Total nitrogen <sup>3</sup>	mg/L	10
Nitrate as N	mg/L	10
Nitrite as N	mg/L	1
Total coliform	MPN/100mL	1.1
Fecal coliform	MPN/100mL	1.1
Enterococcus	MPN/100mL	1.1

<sup>1</sup>mg/L=milligrams per liter; MPN/100mL=most probable number (MPN) per 100 milliliters.

<sup>2</sup>The point of compliance with groundwater limitations is the downgradient monitoring wells.

<sup>3</sup>Total nitrogen= nitrate-N + nitrite-N + ammonia-N + Organic Nitrogen

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C. RECYCLED WATER SPECIFICATIONS FOR IRRIGATION

1. Recycled water used as a source of supply for nonedible vegetation irrigation shall meet at all times water quality limitations listed in Section A above, and if necessary, be adequately oxidized and disinfected.
2. Recycled water shall be distributed uniformly on adequate acreage or disposal area.
3. Hydraulic loading of recycled water shall be at agronomic rates designed to minimize the percolation of process wastewater and irrigation water below the root zone (i.e., deep percolation).
4. Recycled water used for irrigation shall be retained on the areas of use and shall not be allowed to escape as surface flow.
5. Recycled water shall be applied at such a rate and volume as not to exceed vegetation demand and soil moisture conditions. Special precautions shall be taken to prevent clogging of drip tubes, to prevent over-watering and to exclude the production of runoff. Pipelines shall be maintained so as to prevent leaks.
6. Recycled water shall not be applied within 100 feet of any well used for domestic purposes.
7. The use of the recycled water shall not cause the concentration of organic and inorganic chemicals (i.e., heavy metals, arsenic, or cyanide) in the receiving water to exceed the limits contained in California Code of Regulations, title 22, sections 64431 (Inorganic chemical) and 64444 (Organic chemical).
8. Recycled water shall not be used for irrigation during periods of rainfall and/or runoff.
9. Recycled water use shall not result in breeding of mosquitoes, gnats, or other pests.
10. Recycled water used for irrigation shall not result in earth movement in geologically unstable areas.
11. All disposal areas with public access and landscape impoundments shall be posted to warn the public that recycled water is being stored or used.
12. Recycled water distribution systems shall be inspected at least monthly to assure proper operation, absence of leaks, and absence of illegal connections.
13. All areas where recycled water is used shall be posted with conspicuous signs that include the following wording in a size no less than 4 inches high by 8 inches wide: "ATTENTION: NON-POTABLE WATER - DO NOT DRINK" or "RECYCLED WATER USED FOR IRRIGATION – DO NOT DRINK." Perimeter warning signs indicating that the treated wastewater is in use shall be posted at least every 500 feet, with a minimum of at least one sign on each corner of each irrigation area at

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access road entrances.

14. The portions of the wastewater piping system that are in areas subject to access by the public shall not include any hose bibs. Only quick couplers that differ from those used on the potable water system shall be used on the portions of the wastewater piping system in areas subject to public access.
15. Discharges to the land application area shall be managed to minimize erosion, runoff, and over irrigation from the land application area.
16. There shall be no standing water in the land application area 24 hours after wastewater is applied.
17. The perimeter of the land application areas shall be bermed or graded to prevent ponding along public roads or other public areas.
18. The resulting effect of the wastewater discharge on the soil pH shall not exceed the buffering capacity of the soil profile.

D. GENERAL REQUIREMENTS

1. The Dischargers shall evaluate the possible damage caused by extreme weather, such as heavy precipitation and floods, as a result of climate change to the infrastructure including collection system, pipelines, and treatment facility(ies). The siting, design, and construction of the Paradise Cove wastewater treatment plant shall be sufficient to ensure proper operation during extreme weathers, be protective of groundwater quality and public health, and prevent the possible loss of human life.
2. Standby or emergency power facilities and/or sufficient capacity shall be provided for treated wastewater storage during rainfall or in the event of plant upsets or outages.
3. The Dischargers shall operate all systems and equipment to maximize treatment of wastewater and optimize the quality of the discharge.
4. The Dischargers shall comply with all the effluent limitations listed in this Order and shall not discharge any wastewater to surface water from the treatment system.
5. The treatment system, including the collection system that is a part of the treatment system and the disposal system, shall be maintained in such a manner that prevents wastewater from surfacing or overflowing at any location.
6. Sludge and other solids removed from wastewater shall be disposed of in a manner that is consistent with California Code of Regulations, Title 27, Division 2, Subdivision 1 and approved by the Executive Officer.
7. Sludge and other solids shall be removed from wastewater treatment equipment, sumps, ponds, etc. as needed to ensure optimal plant operation and

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adequate hydraulic capacity.

8. Storage and disposal of domestic wastewater shall comply with existing Federal, State, and local laws and regulations, including permitting requirements and technical standards.
9. Any proposed change in solids use or disposal practice from a previously approved practice shall be reported to the Executive Officer at least 60 days in advance of the change.
10. Wastewater discharged to land via subsurface irrigation shall not result in concentrations of salts, heavy metals, or organic pollutants from being present in the receiving water at levels that would affect the designated beneficial uses of groundwater or, in the event that groundwater is in hydraulic connection with surface waters, the designated beneficial uses of surface water.
11. Any wastes that do not meet the foregoing requirements shall be held in impervious containers and discharged at a legal point of disposal.
12. The Dischargers shall comply with all requirements specified in the attached conditional approval letter issued by the DDW on June 14, 2016.
13. A copy of these requirements shall be maintained at the wastewater treatment facility(ies) at the Site so as to be available at all times to operating personnel.
14. Dischargers are directed to submit all reports required by the WDRs/WRRs, including all analytical data and discharge location data, to the State Water Board GeoTracker database under Global ID WDR100026601.

E. PROHIBITIONS

1. The direct or indirect discharge of any waste and/or wastewater to surface waters or surface water drainage courses is prohibited.
2. Discharge of waste classified as "hazardous," as defined in section 2521(a) of Title 23, CCR, Section 2510 et seq., is prohibited. Discharge of waste classified as "designated," as defined in California Water Code section 13173, in a manner that causes violation of groundwater limitations, is prohibited.
3. Wastes discharged shall not impart tastes, odors, color, foaming or other objectionable characteristics to the receiving water.
4. Any offsite disposal of wastewater or sludge shall be made only to a legal point of disposal. For purposes of this Order, a legal disposal site is one for which requirements have been established by a California Regional Water Quality Control Board or comparable regulatory entity, and which is in full compliance therewith. Any wastewater or sludge handling shall be in such a manner as to prevent its reaching surface waters or watercourses.

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5. Odors originating at this facility shall not be perceivable beyond the limits of the property owned by the Dischargers.
6. Wastes discharged from the wastewater treatment plant shall at no time contain any substances in concentrations toxic to human, animal, plant, or aquatic life.
7. The discharge of waste shall not create a condition of pollution, contamination, or nuisance.
8. No new connections may be made without notification to the Regional Board.
9. The holding tanks shall not contain floating materials, including solids, foams or scum in concentrations that cause nuisance, adversely affect beneficial uses, or serve as a substrate for undesirable bacterial or algae growth or insect vectors.
10. Any discharge of wastewater from the treatment plant(s) (including the wastewater collection system) at any point other than specifically described in this Order is prohibited and constitutes a violation of this Order.

F. PROVISIONS

1. A copy of this Order shall be maintained at the facility so as to be available at all times to operating personnel.
2. The Dischargers shall file with the Regional Board technical reports on self-monitoring work performed according to the detailed specifications contained in Monitoring and Reporting Program CI No. 8342, attached hereto and incorporated herein by reference, as directed by the Executive Officer. The results of any monitoring done more frequently than required at the location and/or times specified in the Monitoring and Reporting Program shall be reported to the Regional Board. The Dischargers shall comply with all of the provisions and requirements of the Monitoring and Reporting Program.
3. The Dischargers shall comply with all limitations and requirements prescribed in this Order.
4. Wastewater treatment and discharge at the discharge/disposal recycle water use areas shall not cause pollution or nuisance as defined in California Water Code section 13050.
5. In accordance with California Water Code section 13260(c), the Dischargers shall file a report of any material change or proposed change in the character, location, or volume of the discharge.
6. The Dischargers shall operate and maintain its wastewater collection, treatment and disposal facilities in a manner to ensure that all facilities are adequately staffed, supervised, financed, operated, maintained, repaired, and upgraded as necessary, to provide adequate and reliable transport, treatment, and disposal of all wastewater from both existing and planned future wastewater sources under the Dischargers' responsibilities. Anyone employed in the operation of the

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wastewater treatment plant must be certified pursuant to California Water Code sections 13625 to 13633.

7. The Dischargers shall take all reasonable steps to minimize or prevent any discharge that has a reasonable likelihood of adversely affecting human health or the environment.
8. For any violation of requirements in this Order, the Dischargers shall notify the Regional Board within 24 hours of knowledge of the violation either by telephone or electronic mail. The notification shall be followed by a written report within one week of the violation. The Dischargers in the next monitoring report shall also confirm this information. In addition, the report shall include the reasons for the violations or adverse conditions, the steps being taken to correct the problem (including dates thereof), and the steps being taken to prevent a recurrence.
9. This Order does not relieve the Dischargers from the responsibility to obtain other necessary local, state, and federal permits to construct facilities necessary for compliance with this Order; nor does this Order prevent imposition of additional standards, requirements, or conditions by any other regulatory agency.
10. After notice and opportunity for a hearing, this Order may be terminated or modified for causes including, but not limited, to:
  - a) Violation of any term or condition contained in this Order;
  - b) Obtaining this Order by misrepresentation, or failure to disclose all relevant facts; or
  - c) A change in any condition, or the discovery of any information, that requires either a temporary or permanent reduction or elimination of the authorized discharge.
11. The Dischargers shall furnish, within a reasonable time, any information the Regional Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The Dischargers shall also furnish to the Regional Board, upon request, copies of records required to be kept by this Order.
12. The Dischargers shall comply with the attached *Standard Provisions Applicable to Waste Discharge Requirements*, which are incorporated herein by reference. If there is any conflict between provisions stated herein and the *Standard Provisions Applicable to Waste Discharge Requirements*, the provisions stated herein will prevail.
13. The Dischargers shall allow the Regional Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:
  - a) Enter upon the Dischargers' premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of

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this Order;

- b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
- c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- d) Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order, or as otherwise authorized by the California Water Code, any substances or parameters at any locations.

- 14. The WDRs/WRRs contained in this Order will remain in effect and will be reviewed periodically.
- 15. All discharges of waste into the waters of the State are privileges, not rights. In accordance with California Water Code section 13263(g), these requirements shall not create a vested right to continue to discharge and are subject to rescission or modification.
- 16. Failure to comply with this Order and MRP No. 8342, could subject the Dischargers to monetary civil liability pursuant to the California Water Code, including sections 13268 and 13350. Persons failing to furnish monitoring reports or falsifying any information provided therein is guilty of a misdemeanor.

G. TERMINATION

Regional Board Order No. R4-2002-0108, adopted by the Regional Board on May 23, 2002, is hereby terminated, except for enforcement purposes. This action in no way prevents the Regional Board from taking enforcement action for past violations of Order No. R4-2002-0108.

H. REOPENER

The Regional Board may modify, revoke, or revoke and reissue this Order at any time, including if present or future investigations demonstrate that the discharge(s) governed by this Order will cause, have the potential to cause, or will contribute to adverse impacts on water quality and/or beneficial uses of the receiving waters or to address the Dischargers' expansion or mitigation plans, or Basin Plan provisions, or compliance with Resolution 68-16.

I, Samuel Unger, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on September 7 ~~July 14~~, 2016.

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Samuel Unger, P. E.  
Executive Officer

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## Attachment A-1

Table 64431-A: Inorganic Chemicals <sup>1</sup>	
Constituent	Maximum Contamination Levels (mg/L)
Aluminum	1
Antimony	0.006
Arsenic	0.05
Asbestos	7 MFL <sup>2</sup>
Barium	1
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.2
Fluoride	2
Mercury	0.002
Nickel	0.1
Selenium	0.05
Thallium	0.002

1. California Code of Regulation (CCR) Title 22, Section 64431

2. MFL= million fibers per liter; MCL for fibers exceeding 10µm in length

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**Table 64444-A – Organic/Regulated Chemicals**

<b>Constituent</b>	<b>Maximum Contamination Levels (mg/L)</b>
<b>Non-Volatile synthetic Organic Chemicals</b>	
Di(2-ethylhexyl)adipate	0.4
Di(2-ethylhexyl)phthalate	0.004
Dinoseb	0.007
Diquat	0.02
Endothall	0.1
Endrin	0.002
Ethylene Dibromide (EDB)	0.00005
Glyphosate	0.7
Heptachlor	0.00001
Heptachlor Epoxie	0.00001
Hexachlorobenzene	0.001
Hexachlorocyclopentadiene	0.05
Lindane	0.0002
Methoxychlor	0.04
Molinate	0.02
Oxamyl	0.2
Pentachlorophenol	0.001
Picloram	0.5
Polychlorinated Biphenyls	0.0005
Simazine	0.004
Thiobencarb	0.07
Toxaphene	0.003
2,3,7,8-TCDD (Dioxin)	$3 \times 10^{-8}$
2,4,5-TP (Silvex)	0.05

4. CCR Title 22, Section 64444

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## Attachment A-2

Table 4 – Radioactivity <sup>3</sup>	
Constituent	Maximum Contamination Levels (pCi/L)
Combined Radium-226 and Radium-228	5
Gross Alpha Particle Activity (Including Radium-226 but Excluding Radon and Uranium)	15
Tritium	20,000
Strontium-90	8
Gross Beta Particle Activity	50
Uranium	20

3. CCR Title 22, Section 64443

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### Attachment A-3

Table 64444-A – Organic/Regulated Chemicals	
Constituent	Maximum Contamination Levels (mg/L)
<b>Volatile Organic Chemicals</b>	
Benzene	0.001
Carbon Tetrachloride (CTC)	0.0005
1,2-Dichlorobenzene	0.6
1,4-Dichlorobenzene	0.005
1,1-Dichloroethane	0.005
1,2-Dichloroethane (1,2-DCA)	0.0005
1,1-Dichloroethene (1,1-DCE)	0.006
Cis-1,2-Dichloroethylene	0.006
Trans-1,2-Dichloroethylene	0.01
Dichloromethane	0.005
1,2-Dichloropropane	0.005
1,3-Dichloropropene	0.0005
Ethylbenzene	0.7
Methyl-tert-butyl-ether	0.013
Monochlorobenzene	0.07
Styrene	0.1
1,1,2,2-Tetrachloroethane	0.001
Tetrachloroethylene (PCE)	0.005
Toluene	0.15
1,2,4-Trichlorobenzene	0.07
1,1,1-Trichloroethane	0.2
1,1,2-Trichloroethane	0.005
Trichloroethylene (TCE)	0.005
Trichlorofluoromethane	0.15
1,1,2-Trichloro-1,2,2-Trifluoroethane	1.2
Vinyl Chloride	0.0005
Xylenes (m,p)	1.75
<b>Non-Volatile synthetic Organic Chemicals</b>	
Alachlor	0.002
Atrazine	0.003
Bentazon	0.018
Benzo(a)pyrene	0.0002
Carbofuran	0.018
Chloradane	0.0001
2,4-D	0.07
Dalapon	0.2
1,2-Dibromo-3-chloropropane	0.0002

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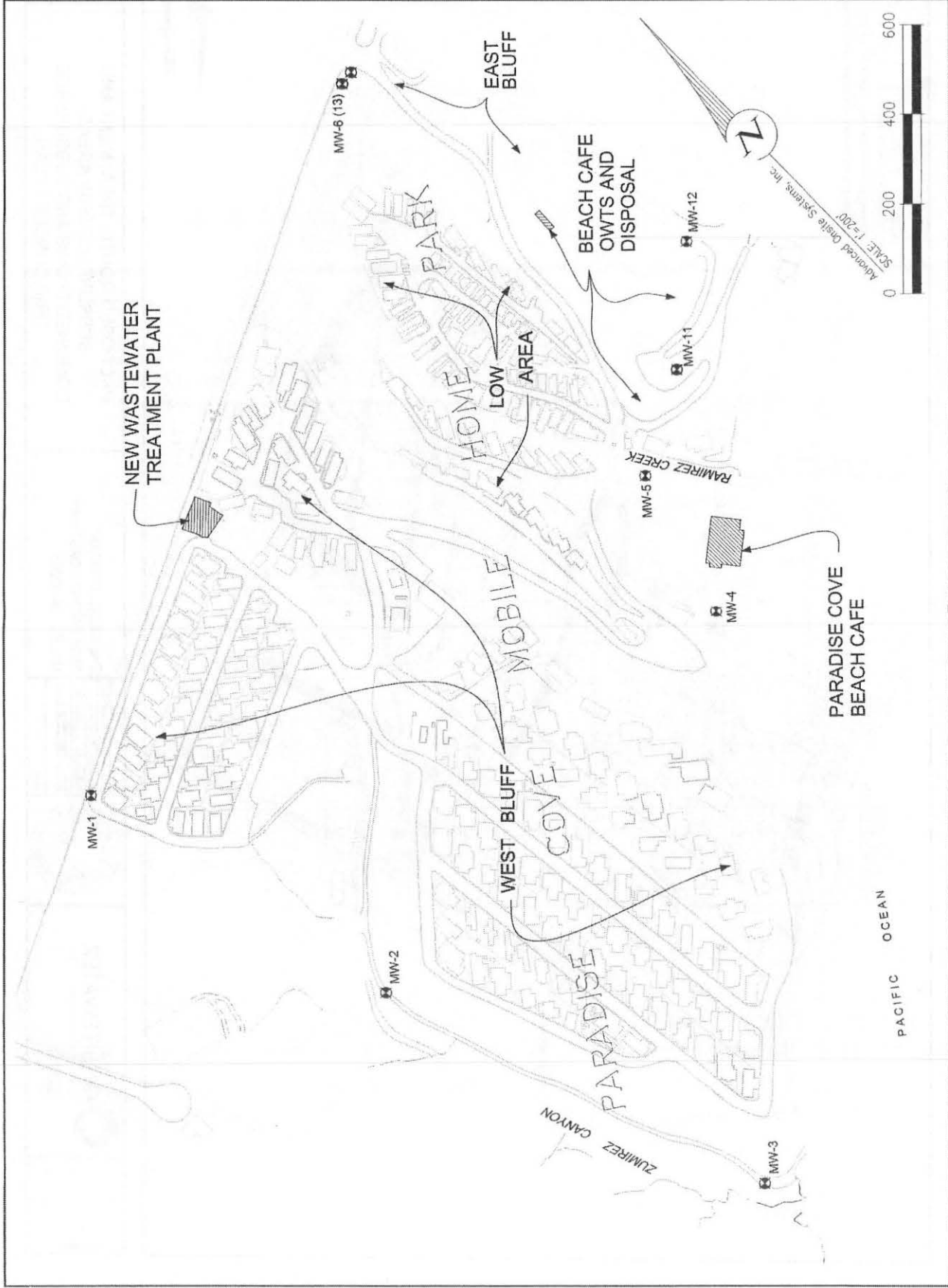


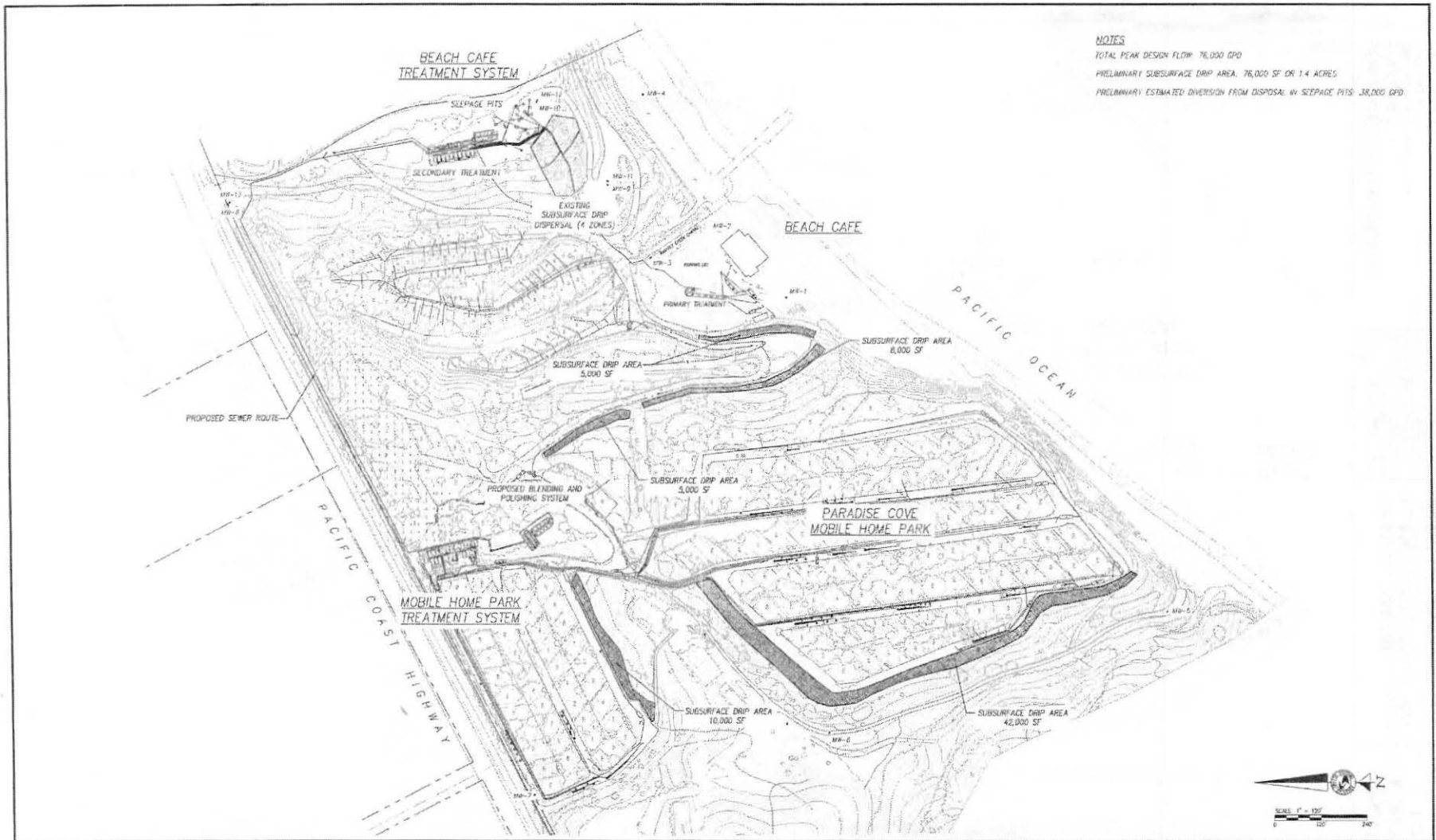
Advanced Onsite Systems, Inc.  
 1704 Summit Drive  
 Escondido, CA 92027-4728  
 (760) 743-8777  
 (760) 743-3306 FAX



Job No.  
 Designed By: B. BRADLEY PE  
 Drawn By: BENJAMIN  
 Checked By: B. BRADLEY PE  
 Date: JANUARY 2007  
 Scale: 1" = 200'

THE KISSEL COMPANY  
 28128 W. PACIFIC COAST HWY  
 MALIBU, CA 92065

PARADISE COVE  
 MONITORING WELL  
 LOCATIONS  
 FIGURE 1





Revisions:	<div>  <b>ADVANCED ONSITEWATER</b>  <small>WWW.ADVANCEDONSIWATER.COM  2704 SUMMIT DRIVE  FISCONINGO, CA 95027  (760) 743-8777</small> </div>	<div>  </div>	<div> Designed By: B. BRADLEY PE  Drawn By: A. HERNANDEZ  Checked By: B. BRADLEY PE  Date: FEBRUARY 2018  Scale: 1"=120' </div>	<div> THE KISSEL COMPANY  28128 PACIFIC COAST HWY  MALIBU, CA 90265 </div>	<div> PROPOSED ROUTE, TREATMENT AND  SUBSURFACE DRIP AREAS  COMBINED FLOWS AND SUBSURFACE  DRIP CONCEPT PLAN </div>	<div> Figure  2 </div>
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# CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

## LOS ANGELES REGION

320 West 4<sup>th</sup> Street, Suite 200, Los Angeles, California 90013

(213) 576-6660 • Fax (213) 576-6640

<http://www.waterboards.ca.gov/losangeles/>

### REVISED MONITORING AND REPORTING PROGRAM CI NO. 8342

#### FOR

#### THE KISSEL COMPANY, INC. AND

#### PARADISE COVE LAND COMPANY, LLC

#### PARADISE COVE MOBILE HOME PARK AND

#### PARADISE COVE BEACH CAFÉ

#### (FILE NO. 01-083)

This Revised Monitoring and Reporting Program (MRP) CI No. 8342 is issued pursuant to California Water Code section 13267, which authorizes the Regional Water Quality Control Board, Los Angeles Region (Regional Board) to require The Kissel Company, Inc. and the Paradise Cove Land Company, LLC (hereinafter collectively referred to as Dischargers) to submit technical and monitoring reports. The reports required herein are necessary to assure compliance with prescribed waste discharge requirements (WDRs) and water reclamation requirements in Order No. R4-2016-XXXX and to protect the waters of the state and their beneficial uses. The evidence that supports the need for the reports is set forth in the WDRs and the Regional Board record.

#### I. SUBMITTAL OF REPORTS

1. The Dischargers shall comply with the Electronic Submittal of Information (ESI) requirements by submitting all reports required under the MRP, including electronic data format (EDF) effluent and groundwater monitoring data, use of recycled water data, discharge location data, and pdf monitoring to the State Water Resources Control Board (State Water Board) GeoTracker database under Global ID WDR100026601 on the dates indicated as follows:

- A. **Quarterly Monitoring Reports** shall be received at the Regional Board by the 30<sup>th</sup> day of the month following the end of each quarterly monitoring period according to Table 1. The first monitoring report under this program shall be received at the Regional Board by July 30, 2015.

**Table 1. Reporting Period and Due Dates**

Reporting Period	Report Due
January - March	April 30
April - June	July 30
July - September	October 30
October - December	January 30

- B. **Annual Summary Report** shall be received at the Regional Board by March 1 of each year. The first Annual Summary Report under this program shall be received at the Regional Board by March 1, 2017.

2. If there is no discharge during any reporting period, the report shall so state.



3. Data collected from monitoring wells shall be included in the quarterly and annual report. The data shall include the well specifications, ordinances, well heads elevation to mean sea level (MSL) and the method to develop the well. The construction of wells shall follow *California Well Standards* of the California Department of Water Resources.
4. All report shall be prepared by or under the direction of a licensed engineer in the State of California or a certified hydrogeologist in the State of California. All monitoring reports must include, at minimum, the following:
  - A. Well and surface water station identification, date and time of sampling;
  - B. Sampler identification, and laboratory identification; and,
  - C. Quarterly observation of groundwater levels, recorded to 0.01 feet mean sea level (MSL), and flow direction.

## II. MONITORING REQUIREMENTS

1. Monitoring shall be used to determine compliance with the requirements of Regional Board Order No. R4-2016-XXXX and shall include, but not be limited to, implementation, documentation, and reporting of the following:
  - A. Locations of each monitoring point, including groundwater wells, where representative samples can be obtained and the rationale for the selection. The Dischargers must include a map, at a scale of 1 inch equals 1,200 feet or less, that clearly identifies the locations of all sampling locations.
  - B. Sampling protocols (specified in Title 40 Code of Federal Regulations (CFR) Part 136 or American Water Works Association (AWWA) standards where appropriate) and chain of custody procedures.
  - C. Laboratory or laboratories, which conducted the analyses. Include copy or copies of laboratory certifications by the State Water Board, Division of Drinking Water (DDW) Environmental Laboratory Accreditation Program (ELAP) every year or when the Discharger changes their contract laboratory.
  - D. Analytical test methods used and the corresponding detection limits for purposes of reporting (DLRs) for unregulated and regulated chemicals. For regulated chemicals, please see the State Water Board website at: [http://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/Chemicalcontaminants.shtml](http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Chemicalcontaminants.shtml)
  - E. Quality assurance and control measures.
2. Unless specified differently below, the samples shall be analyzed using analytical methods described in 40 CFR Part 136; or where no methods are specified for a given pollutant, by commercially available methods approved by the United States Environmental Protection Agency (USEPA), the Regional Board, and/or

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the State Water Board. The Dischargers shall select the analytical methods that provide reporting detection limits (RDLs) lower than the limits prescribed in the accompanying Regional Board Order No. R4-2016-XXXX.

3. The Dischargers shall instruct its laboratories to establish calibration standards so that the detection limit reporting (DLRs) (or its equivalent if there is a different treatment of samples relative to calibration standards) are the lowest calibration standard. At no time shall the Discharger use analytical data derived from extrapolation beyond the lowest point of the calibration curve.
4. Upon request by the Discharger, the Regional Board, in consultation with the State Water Board Quality Assurance Program, may establish DLRs, in any of the following situations:
  - A. When the pollutant has no established method under 40 CFR Part 136 (revised May 14, 1999, or subsequent revision);
  - B. When the method under 40 CFR Part 136 for the pollutant has a DLR higher than the limit specified in this Order; or
  - C. When the Discharger agrees to use a test method that is more sensitive than those specified in 40 CFR Part 136 and is commercially available.
5. Samples of disinfected effluent must be analyzed within allowable holding time limits as specified in 40 CFR Section 136.3. All quality assurance and quality control (QA/QC) analyses must be run on the same dates when samples were actually analyzed. The Discharger shall make available for inspection and/or submit the QA/QC documentation upon request by the Regional Board. Proper chain of custody procedures must be followed and a copy of that documentation shall be submitted with the quarterly report.
6. For unregulated chemical analyses, the Discharger shall select methods according to the following approach:
  - A. Use drinking water, if available;
  - B. Use DDW-recommended methods for unregulated chemicals, if available;
  - C. If there is no DDW-recommended water and wastewater method for a chemical, and more than a single USEPA-approved method is available, use the most sensitive of the USEPA-approved methods;
  - D. If there is no USEPA-approved method for a chemical, and more than one method is available from the scientific literature and commercial laboratory, after consultation with DDW, use the most sensitive method;
  - E. If no approved method is available for a specific chemical, the Dischargers' laboratory may develop or use its own methods and should provide the analytical methods to DDW or the Regional Board for review. Those methods

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may be used until DDW-recommended or EPA-approved methods are available.

F. If the only method available for a chemical is for wastewater analysis (e.g., a chemical listed as a priority pollutant only), sample and analyze for that chemical in the treated and disinfected effluent immediately increase the likelihood of detection. Use this approach until the Dischargers' laboratory develops a method for the chemical in drinking water, or until a DDW-recommended or EPA-approved drinking water method is available.

G. The Discharger is required to inform the Regional Board, in event that D, E, F is occurring.

7 For constituents of emerging concern (CECs) analyses:

CECs (see Attachment A) are being collected to determine occurrence of these compounds in the effluent. Currently, there are no numeric water quality objectives for the constituents listed in Attachment B. The attached reporting limits shall be used for these constituents.

### III. REPORTING REQUIREMENTS

The Dischargers shall submit all reports, shown on Section I. All quarterly, and annual monitoring reports shall contain a separate section titled "Summary of Non-Compliance", which discusses the compliance records and corrective actions taken or planned that may be needed to bring the effluent into full compliance with water discharge requirements. This section shall clearly list all non-compliance with the WDRs/WRRs during the reporting period, as well as all excursions of effluent limitations.

#### 1. Quarterly reports

A. These reports shall include, at a minimum, the following information:

- a. The volume of the final effluent and the final effluent used for recycled water. If no recycled water is used during the quarter, the report shall so state.
- b. The date and time of sampling and analyses.
- c. All analytical results of samples collected during the monitoring period of the final effluent and recycled water.
- d. Records of any operational problems, plant upset and equipment breakdowns or malfunctions, and any discharge(s) used for non-potable Title 22 recycled water applications including landscape irrigation.
- e. Documentation of all QA/QC procedures that were followed during sampling and laboratory analyses.

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- f. Discussion of compliance, noncompliance, or violation of requirements.
  - g. All corrective or preventive action(s) taken or planned with schedule of implementation, if any violation occurs.
  - h. The Los Angeles County Waterworks District 29 water quality data containing information on the quality and quantity of the water sources to the service area for the Paradise Home Mobile Home Park and the Paradise Cove Beach Café.
- B. For the purpose of reporting compliance with numerical limitations, analytical data shall be reported using the following reporting protocols:
- a. Sample results greater than or equal to the RDL must be reported "as measured" by the laboratory (i.e., the measured chemical concentration in the sample); or
  - b. Sample results less than the RDL, but greater than or equal to the laboratory's method detection limit (MDL), must be reported as "Detected, but Not Quantified", or DNQ. The laboratory must write the estimated chemical concentration of the sample next to DNQ as well as the words "Estimated Concentration" (may be shortened to Est. Conc.); or
  - c. Sample results less than the laboratory's MDL must be reported as "Not-Detected", or ND.

If more than one analytical test method is available for a given parameter, the City must select the test method with lowest Minimum Level.

- C. If the Dischargers samples and performs analyses (other than for process/operational control, startup, research, or equipment testing) on any sample more frequently than required in this MRP using approved analytical methods, the results of those analyses shall be included in the report. These results shall be included in the calculation of the average used in demonstrating compliance with average effluent limitations, receiving groundwater water limitations.
- D. The Regional Board may request supporting documentation, such as daily logs of operations.

## **2. Annual Reports**

- A. Tabular and graphical summaries of the monitoring data quantity and quality of potable water quality of effluent, and groundwater; quantity of effluent to effluent storage equalization tank and sewer, and effluent used for recycled water applications) obtained during the previous calendar year. A comparison of laboratory results against effluent limits contained in these WDR/WRRs and notations of any exceedances of limits or other requirements shall be summarized and submitted at the beginning of the report.

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- B. Discussion of the compliance record and corrective or preventive action(s) taken or planned that may be needed to bring the treated effluent, including the treated effluent used for recycled water, into full compliance with the requirements prescribed in Regional Board Order No. R4-2016-XXXX.
- C. An in-depth discussion of the results of the final effluent monitoring and groundwater monitoring conducted during the previous year.
- D. The description of any changes and anticipated changes including any impacts in operation of any unit processes or facilities shall be provided.
- E. A list of the analytical methods employed for each test and associated laboratory quality assurance/quality control procedures shall be included. The report shall restate, for the record, the laboratories used by the Dischargers to monitor compliance with Regional Board Order No. R4-2016-XXXX, their status of certification, and provide a summary of performance.
- F. The report shall confirm operator certification and provide a list of current operating personnel, their responsibilities, and their corresponding grade of certification.
- G. The report shall also include the date of the Paradise Cove Wastewater Treatment Plant Operation and Maintenance Management Plan, the date the plan was last reviewed, and whether the plan is complete and valid.

#### **IV. WATER QUALITY MONITORING REQUIREMENTS**

##### **A. EFFLUENT MONITORING REQUIREMENTS**

- 1. An effluent monitoring station(s) shall be established for the Paradise Cove Mobile Home Park wastewater treatment system and the Paradise Cove Beach Café wastewater treatment system where representative samples can be obtained prior to discharge to the seepage pits. Once all upgrades are completed an effluent monitoring station(s) shall be established for the Paradise Cove Wastewater Treatment Plant at location(s) where representative samples passing the final disinfection and filtration process can be obtained prior to discharge for recycled water use or for disposal to the seepage pits.
- 2. The following shall constitute the effluent monitoring program, specified in Table 2:

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**Table 2. Effluent Monitoring Program**

Constituent	Units <sup>[3]</sup>	Type of Sample	Minimum Frequency of Analysis
Total flow <sup>[1]</sup>	gal/day	recorder	continuous
pH	pH Units	grab	monthly
Total coliform	MPN/100mL	grab	daily <sup>[4]</sup> /weekly
Fecal coliform	MPN/100mL	grab	daily <sup>[4]</sup> /weekly
Enterococcus	MPN/100mL	grab	daily <sup>[4]</sup> /weekly
E. Coli	MPN/100mL	grab	daily <sup>[4]</sup> /weekly
Turbidity	NTU	grab	daily <sup>[4]</sup> /weekly
BOD <sub>5</sub> 20°C <sup>[2]</sup>	mg/L	grab	weekly <sup>[5]</sup> /monthly
Total suspended solids	mg/L	grab	weekly <sup>[5]</sup> /monthly
Oil and grease	mg/L	grab	weekly <sup>[5]</sup> /monthly
MBAS	mg/L	grab	weekly <sup>[5]</sup> /monthly
Ammonia-N	mg/L	grab	weekly <sup>[5]</sup> /monthly
Nitrite-N	mg/L	grab	weekly <sup>[5]</sup> /monthly
Nitrate-N	mg/L	grab	weekly <sup>[5]</sup> /monthly
Organic nitrogen	mg/L	grab	weekly <sup>[5]</sup> /monthly
Total nitrogen <sup>[6]</sup>	mg/L	grab	weekly <sup>[5]</sup> /monthly
Total dissolved solids	mg/L	grab	monthly
Sulfate	mg/L	grab	monthly
Chloride	mg/L	grab	monthly
Boron	mg/L	grab	monthly
Priority Pollutants <sup>[7]</sup>	µg/L	grab	annually
CECs <sup>[8]</sup>	µg/L	grab	annually <sup>[9]</sup>

<sup>[1]</sup>For those constituents that are continuously monitored the Discharger shall report the minimum, maximum, and daily average values.

<sup>[2]</sup>BOD<sub>5</sub>20°C=Biochemical oxygen demand

<sup>[3]</sup>mg/L=milligrams per liter; µg/L: microgram per liter; °F: degree Fahrenheit; MPN/100mL=most probable number per 100 milliliters; NTU= Nephelometric turbidity units; pCi/L=picocuries per liter.

<sup>[4]</sup>The effluent shall be sampled daily for the first 12 weeks after start-up of the new advanced OWTS and weekly thereafter.

<sup>[5]</sup>The effluent shall be sampled weekly for the first 12 weeks after start-up of the new advanced OWTS and monthly thereafter.

<sup>[6]</sup>Total nitrogen= nitrate-N + nitrite-N + ammonia-N + Organic Nitrogen

<sup>[7]</sup>See Appendix A to 40 CFR, Part 423 for list of priority pollutants

<sup>[8]</sup>See Attachment B for the list of California Constituents of Emerging Concerns (CECs)

<sup>[9]</sup>The Dischargers shall monitor the CECs in the effluent discharger. Analysis of CECs is for monitoring of occurrence purposes only. Analytical results obtained will not be used for compliance determination purposes.

- CECs, listed in Attachment B, shall be monitored annually. The Executive Officer may add or delete chemicals from this list as new analytical methods become available and may also make revisions to approved analytical methods as needed. A revised CECs list will be made available to the City when changes occur. The Dischargers shall request (and submit a justification for) any deviation from the attached list for Executive Officer

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approval, if a change is required, before collecting samples.

4. The quarterly reports shall contain the following information:

- a. Average and maximum daily waste flow (effluent from wastewater treatment system) for each month of the quarter in gallons per day.
- b. Results of at least monthly observations in the disposal area for any over flow or surfacing of wastes.
- c. In addition, the Discharger shall annually inspect the wastewater treatment system, including the disposal area, and submit an operation and maintenance report on the system (See section VI, page T-8).

B. GROUNDWATER MONITORING PROGRAM

The groundwater monitoring program for the Paradise Cove Wastewater Treatment Plant consists of a network of nine monitoring wells (MW-1, MW-2, MW-3, MW-4, MW-5, MW-6, MW-11, MW-12, and MW-14A) installed around the Paradise Cove Mobile Home Park, Paradise Cove Beach Café, and the seepage pits.

The following shall constitute the groundwater monitoring program, specified in Table 3:

**Table 3. Groundwater Monitoring Program**

Constituent	Units <sup>[1]</sup>	Type of Sample	Minimum Frequency of Analysis
pH	pH Units	grab	quarterly
Total coliform	MPN/100mL	grab	quarterly
Fecal coliform	MPN/100mL	grab	quarterly
Enterococcus	MPN/100mL	grab	quarterly
Ammonia-N	mg/L	grab	quarterly
Nitrate-N	mg/L	grab	quarterly
Nitrite-N	mg/L	grab	quarterly
Organic nitrogen	mg/L	grab	quarterly
Total nitrogen <sup>[2]</sup>	mg/L	grab	quarterly
Total dissolved solids	mg/L	grab	quarterly
Sulfate	mg/L	grab	quarterly
Chloride	mg/L	grab	quarterly
Boron	mg/L	grab	quarterly
Priority pollutants <sup>[3]</sup>	µg/L	grab	annually <sup>[4]</sup>
CECs <sup>[5]</sup>	µg/L	grab	annually <sup>[6]</sup>

<sup>[1]</sup> mg/L=milligrams per liter; MPN/100mL=most probable number per 100 milliliters

<sup>[2]</sup> Total nitrogen = nitrate-N + nitrite-N + ammonia-N + Organic Nitrogen

<sup>[3]</sup> See Appendix A to 40 CFR, Part 423 for list of priority pollutants

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<sup>[4]</sup>Groundwater monitoring for priority pollutants shall be performed annually during the first five years of the WDRs adoption, and once every five (5) years thereafter.

<sup>[5]</sup>See Attachment B for the list of California Constituents of Emerging Concerns (CECs)

<sup>[6]</sup>The Dischargers shall monitor the CECs in the effluent discharger. Analysis of CECs is for monitoring of occurrence purposes only. Analytical results obtained will not be used for compliance determination purposes.

All groundwater monitoring reports must include, at minimum, the following:

- a. Well identification, date and time of sampling;
- b. Sampler identification, and laboratory identification;
- c. Quarterly measurement of groundwater levels, recorded to 0.01 feet mean sea level;
- d. An assessment of the hydraulic connection, if any, between the disposal areas, groundwater and surface water; and
- e. Groundwater contour map depicting the direction of groundwater flow across the Paradise Cove Mobile Home Park.

#### **V. GENERAL REPORTING AND REPORTING REQUIREMENTS**

1. The Dischargers shall comply with all Standard Provisions related to monitoring, reporting, and recordkeeping.
2. For every item where the requirements are not met, the Dischargers shall submit a statement of the actions undertaken or proposed that will bring the treated effluent and/or treated effluent used for the recycled water program into full compliance with requirements at the earliest possible time, and submit a timetable for implementation of the corrective measures.
3. Monitoring reports shall be signed by either the principal Executive Officer or ranking elected official. A duly authorized representative of the aforementioned signatories may sign documents if:
  - A. The authorization is made in writing by the signatory;
  - B. The authorization specifies the representative as either an individual or position having responsibility for the overall operation of the regulated facility or activity; and,
  - C. The written authorization is submitted to the Executive Officer of this Regional Board.
4. The monitoring report shall contain the following completed declaration:

"I certify under penalty of law that this document, including all attachments and supplemental information, was prepared under my

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Executed on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_.

\_\_\_\_\_ (Title)"

- REVISED TENTATIVE

In the event that waste oil and grease, sludge, or other wastes are hauled offsite, the name and address of the hauler shall be reported, along with types and quantities

hailed during the reporting period and the location of final point of disposal. In the event that no wastes are hauled during the reporting period, a statement to that effect shall be submitted.

## VII. OPERATION AND MAINTENANCE REPORT

The Dischargers shall annually submit a technical report to the Executive Officer relative to the operation and maintenance program for the Paradise Cove Wastewater Treatment Plant and disposal site at the Paradise Cove Mobile Home Park and Paradise Cove Beach Café wastewater treatment systems. The information to be contained in the report shall include the following:

- a. Results of annual inspection;
- b. The name of the person responsible for the operation and maintenance of the facility;
- c. The maintenance records for the wastewater treatment system;
- d. Type of maintenance (preventive or corrective action performed);
- e. Frequency of maintenance, if preventive;
- f. Maintenance record of leachfields disposal system; and
- g. Results of at least monthly observations in the disposal area for any overflow or surfacing of waste.

This operations and maintenance record shall be kept current and filed with the annual report due by March 1.

## VIII. MONITORING FREQUENCIES

Specifications in this monitoring program are subject to periodic revisions. Monitoring requirements may be modified or revised by the Executive Officer based on review of monitoring data submitted pursuant to this Order. Monitoring frequencies may be adjusted to a less frequent basis or parameters and locations dropped by the Executive Officer if the Discharger makes a request and the request is backed by statistical trends of monitoring data submitted.

These records and reports are public documents and shall be made available for inspection during normal business hours at the office of the California Regional Water Quality Control Board, Los Angeles Region.

Ordered by:

Samuel Unger, PE  
Executive Officer

Date: ~~July 14~~ September 7, 2016

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## Appendix A to 40 CFR, Part 423--126 Priority Pollutants

001 Acenaphthene	047 Bromoform (tribromomethane)	090 Dieldrin
002 Acrolein	048 Dichlorobromomethane	091 Chlordane (technical mixture and metabolites)
003 Acrylonitrile	051 Chlorodibromomethane	092 4,4-DDT
004 Benzene	052 Hexachlorobutadiene	093 4,4-DDE (p,p-DDX)
005 Benzidine	053 Hexachloromyclopentadiene	094 4,4-DDD (p,p-TDE)
006 Carbon tetrachloride (tetrachloromethane)	054 Isophorone	095 Alpha-endosulfan
007 Chlorobenzene	055 Naphthalene	096 Beta-endosulfan
008 1,2,4-trichlorobenzene	056 Nitrobenzene	097 Endosulfan sulfate
009 Hexachlorobenzene	057 2-nitrophenol	098 Endrin
010 1,2-dichloroethane	058 4-nitrophenol	099 Endrin aldehyde
011 1,1,1-trichloroethane	059 2,4-dinitrophenol	100 Heptachlor
012 Hexachloroethane	060 4,6-dinitro-o-cresol	101 Heptachlor epoxide (BHC-hexachlorocyclohexane)
013 1,1-dichloroethane	061 N-nitrosodimethylamine	102 Alpha-BHC
014 1,1,2-trichloroethane	062 N-nitrosodiphenylamine	103 Beta-BHC
015 1,1,2,2-tetrachloroethane	063 N-nitrosodi-n-propylamin	104 Gamma-BHC (lindane)
016 Chloroethane	064 Pentachlorophenol	105 Delta-BHC (PCB-polychlorinated biphenyls)
018 Bis(2-chloroethyl) ether	065 Phenol	106 PCB-1242 (Arochlor 1242)
019 2-chloroethyl vinyl ether (mixed)	066 Bis(2-ethylhexyl) phthalate	107 PCB-1254 (Arochlor 1254)
020 2-chloronaphthalene	067 Butyl benzyl phthalate	108 PCB-1221 (Arochlor 1221)
021 2,4, 6-trichlorophenol	068 Di-N-Butyl Phthalate	109 PCB-1232 (Arochlor 1232)
022 Parachlorometa cresol	069 Di-n-octyl phthalate	110 PCB-1248 (Arochlor 1248)
023 Chloroform (trichloromethane)	070 Diethyl Phthalate	111 PCB-1260 (Arochlor 1260)
024 2-chlorophenol	071 Dimethyl phthalate	112 PCB-1016 (Arochlor 1016)
025 1,2-dichlorobenzene	072 1,2-benzanthracene (benzo(a) anthracene)	113 Toxaphene
026 1,3-dichlorobenzene	073 Benzo(a)pyrene (3,4-benzo-pyrene)	114 Antimony
027 1,4-dichlorobenzene	074 3,4-Benzofluoranthene (benzo(b) fluoranthene)	115 Arsenic
028 3,3-dichlorobenzidine	075 1,12-benzofluoranthene (benzo(b) fluoranthene)	116 Asbestos
029 1,1-dichloroethylene	076 Chrysene	117 Beryllium
030 1,2-trans-dichloroethylene	077 Acenaphthylene	118 Cadmium
031 2,4-dichlorophenol	078 Anthracene	119 Chromium
032 1,2-dichloropropane	079 1,12-benzoperylene (benzo(ghi) perylene)	120 Copper
033 1,2-dichloropropylene (1,3-dichloropropene)	080 Fluorene	121 Cyanide, Total
034 2,4-dimethylphenol	081 Phenanthrene	122 Lead
035 2,4-dinitrotoluene	082 1,2,5,6-dibenzanthracene (dibenzo(h) anthracene)	123 Mercury
036 2,6-dinitrotoluene	083 Indeno (1,2,3-cd) pyrene	124 Nickel
037 1,2-diphenylhydrazine	(2,3-o-pheynylene pyrene)	125 Selenium
038 Ethylbenzene	084 Pyrene	126 Silver
039 Fluoranthene	085 Tetrachloroethylene	127 Thallium
040 4-chlorophenyl phenyl ether	086 Toluene	126 Silver
041 4-bromophenyl phenyl ether	087 Trichloroethylene	128 Zinc
042 Bis(2-chloroisopropyl) ether	088 Vinyl chloride (chloroethylene)	129 2,3,7,8-tetrachloro-dibenzo-p-dioxin (TCDD)
043 Bis(2-chloroethoxy) methane	089 Aldrin	
044 Methylene chloride (dichloromethane)		
045 Methyl chloride (dichloromethane)		
046 Methyl bromide (bromomethane)		

**Attachment B – Monitoring for Constituents of Emerging Concerns (CECs) <sup>[1]</sup>**

<b>Constituent</b>	<b>Reporting Limit (µg/L)</b>
17β-Estradiol	0.001
Caffeine	0.05
NDMA	0.002
Triclosan	0.05
DEET	0.05
Sucralose	0.1

<sup>[1]</sup>CECs are based on Table 1 Groundwater Recharge Reuse – Subsurface Application of State Water Board Resolution 2013-003



**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION**

320 West 4<sup>th</sup> Street, Suite 200, Los Angeles, California 90013  
(213) 576-6660 • Fax (213) 576-6640  
<http://www.waterboards.ca.gov/losangeles/>

**CEASE AND DESIST ORDER NO. R4-2016-XXXX  
(FILE NO. 01-083)**

**REQUIRING THE KISSEL COMPANY, INC. AND PARADISE COVE LAND COMPANY, LLC  
(PARADISE COVE MOBILE HOME PARK AND PARADISE COVE BEACH CAFÉ)  
TO CEASE AND DESIST DISCHARGING WASTE CONTRARY TO WASTE DISCHARGE  
REQUIREMENTS AND WATER RECLAMATION REQUIREMENTS PRESCRIBED IN ORDER  
NO. R4-2016-XXXX AND TO COMPLY WITH REMEDIAL ACTIONS AND TIME SCHEDULE**

The California Regional Water Quality Control Board, Los Angeles Region (hereinafter, Regional Water Board) finds:

1. The Kissel Company, Inc. (Kissel) and the Paradise Cove Land Company, LLC (jointly referred to as Dischargers) own and operate the Paradise Cove Mobile Home Park (Park) and the Paradise Cove Beach Café (Beach Café) located at 28128 Pacific Coast Highway in Malibu, California.
2. The Park encompasses approximately 72 acres of land. There are approximately 210 mobile home sites. All mobile home sites in the Park are located within 1,300 feet of the Pacific Ocean. The domestic wastewater generated from the mobile home units is sent to the Park's advanced onsite wastewater treatment system (OWTS), which was completed in 2008. The system provides secondary treatment followed by an ultraviolet (UV) disinfection system; effluent from the treatment system is then distributed to a series of seepage pits for disposal. The Park's advanced OWTS is designed for an average flow of about 40,000 gallons per day (gpd) and a peak flow rate of 60,000 gpd. The existing seepage pits for the Park have a total designed disposal capacity of 73,464 gpd.
3. Discharges of wastewater from the Park were previously regulated by waste discharge requirements (WDRs) contained in Regional Water Board Order No. R4-2002-0108 and monitoring and reporting program (MRP) CI No. 8342, issued by the Board on May 23, 2002. Order No. R4-2008-0108 prescribed effluent limitations for pH, total dissolved solids, total suspended solids, biochemical oxygen demand, turbidity, oil and grease, total residual chlorine, total coliform and enterococcus. No effluent limitations for nitrate as N, total nitrogen, chloride, chloride, sulfate, and boron were prescribed. No receiving (groundwater) water limitations were prescribed except for total nitrogen. The advanced OWTS upgrade was completed in November 2008.
4. The Beach Café is located on a flat arc-shaped beach, approximately 150 feet from the Pacific Ocean, between bluffs and 70 feet from the Ramirez Creek culvert. The Beach Café is a one-story building with seating for 300 persons. A separate restroom facility called the Sandbox serves beach visitors. All wastewater generated from the Beach Café and the Sandbox is sent to the Beach Café's advanced OWTS, which was upgraded in 2014. The treated wastewater is then distributed to 21 seepage pits, and four (4) zones of subsurface drip dispersal located on the south slope of the east bluff section of the Park. The Beach Café's OWTS is designed for an average flow of 16,000

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gpd and a peak flow rate of 25,000 gpd. The existing seepage pits for the Beach Café have a total designed disposal capacity of 23,159 gpd.

5. Discharges of wastewater from the Beach Café and Sandbox were previously regulated by General WDRs in State Water Resources Control Board (State Water Board) Water Quality Order No. 97-10-DWQ, *General WDRs for Discharges to Land by Small Domestic Wastewater Treatment Systems*, adopted by State Water Board on November 18, 1997. The Regional Water Board authorized such discharges on December 29, 2003, along with MRP CI No. 8568. Based on the location of the Beach Café being on the coastal zone of the Pacific Ocean, the water quality objectives specified in the Ocean Plan were utilized as the receiving (groundwater) water limitations. The receiving water limitations were for ammonia, pH, total coliform, fecal coliform, and enterococcus. There were no effluent limitations contained in the General WDRs; rather, the General WDRs included performance goals that triggered additional actions when the goals were exceeded.
6. The Water Quality Control Plan for the Los Angeles Region (Basin Plan) designates beneficial uses, establishes water quality objectives, and contains implementation plans and policies for protecting waters of the state. The Park overlies the Point Dume Groundwater Area ground waters along the southern slopes of the Santa Monica Mountains. The designated beneficial uses of the underlying groundwater are municipal and domestic water supply (existing), agricultural supply (existing), and industrial service supply (potential).
7. There are no domestic water wells downgradient of the Park and Beach Café. The Park, the Beach Café, and all the residents receive their water supplies from the Los Angeles County Waterworks District 29.
8. On October 2, 2015, the Regional Water Board issued a directive pursuant to Water Code section 13260 requiring Kissel to submit a report of waste discharge (RoWD) for the Park. On November 2, 2015, Kissel submitted a RoWD for the Park.
9. To verify the information provided in the RoWD, Regional Water Board staff conducted an inspection of the Park and Beach Café on January 26, 2016. During the inspection, the Dischargers expressed their intent to consolidate flows from the Café with the Park and add additional treatment to allow for the use of recycled water. The Dischargers propose to add 120 new mobile home units at the Park. The units will be located northeast of the Beach Café. It is anticipated that an additional 2,4000 gpd of wastewater will be discharged through the Beach Café's OWTS. The current Beach Café's OWTS has enough capacity to treat the additional wastewater from these 10 new units. In addition, the Dischargers also propose to install a blending and polishing treatment system consisting of a two-stage ammonia reduction and denitrification, disinfection, and filtration treatment system, in order to meet recycled water requirements. The Dischargers plan to use recycled water for irrigation, which will reduce potable water usage at the Park.
10. On February 1, 2016, the Dischargers submitted a document to the Regional Water Board entitled "*Conceptual Plan and Timeline for Improving Effluent Quality, Blending Effluent, and Installing Subsurface Drip Reuse at Paradise Cove*" (Plan). The Plan contained a detailed timeline for the expansion and improvement of the Park's advanced

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OWTS and the Beach Café's OWTS. In the Plan, the Dischargers indicate they intend to install a filtration system at the Park's OWTS prior to disinfection to improve the disinfection efficiency. The Dischargers will develop an engineering plan for transferring the treated wastewater from the Beach Café OWTS and blending with the treated wastewater generated from the Park's OWTS. The Dischargers plan to install additional treatment units, which will include two blend tanks, followed by process units for enhanced nitrification and denitrification as well as filtration and disinfection in order to meet all requirements for recycling of the treated wastewater for irrigation at the Park. The capacity after the Dischargers' upgrades to the systems will be sufficient to treat wastewater from the Beach Café, the Sandbox restrooms, and the proposed additional 10 mobile home units.

11. Treated wastewater from both the Park's treatment system and the Beach Café's treatment system will be blended in a 30,000-gallon equalization tank and further treated in the AdvanTex® AX-MAX300 polishing treatment pods in order to meet Title 22 water recycling criteria. The treated wastewater will flow into the filtration system, followed by chlorination disinfection. The treated wastewater from the chlorination dosing tank will be pumped out and utilized for subsurface irrigation. The upgraded treatment system, including the Park's treatment system, the Beach Café's treatment system, the equalization tank and the polishing treatment pods, once completed, will be referred as the Paradise Cove Wastewater Treatment Plant.
12. Once completed, the Paradise Cove Wastewater Treatment Plant will have a designed capacity of 85,000 gpd and produce wastewater meeting advanced (with nitrification-denitrification) tertiary treatment effluent limits, which can be recycled for subsurface irrigation.
13. Treated wastewater from the upgraded treatment system will irrigate up to 65,000 square-feet (1.5 acres) of landscape area controlled by the Dischargers. During the dry months, up to 60,000 gallons of the treated wastewater will be recycled on a daily basis, but the actual amount of recycled water use will depend on the demand of recycled water needed for irrigation.
14. Treated wastewater not being used for irrigation (e.g., during periods of rainfall) will be discharged to the seepage pits located throughout the Park. The seepage pits will also be used to divert treated wastewater during maintenance of the subsurface drip system and as an emergency backup disposal system. The existing seepage pits have a total capacity of 96,623 gpd, which is sufficient to accommodate wastewater discharges from both the Park's wastewater treatment system and the Beach Café's wastewater treatment system when recycled water cannot be used for irrigation.
15. Following a review of the WDRs in Regional Water Board Order No. R4-2002-0108 for the Park and the General WDRs in State Water Board Order No. 97-10-DWQ for the Beach Café, and in consideration of the inspection conducted at both facilities on January 26, 2016, as well as the Plan submitted on February 1, 2016, the Regional Water Board determined that revised and consolidated WDRs for the Park and the Beach Café were necessary and appropriate.
16. On ~~September 7~~ July 14, 2016, following a public hearing, the Regional Water Board adopted Order No. R4-2016-XXXX, which established consolidated WDRs and water

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reclamation requirements (WRRs) for the Park and Beach Café. These WDRs/WRRs specify requirements for the recycled water use and wastewater discharges at the Park and Beach Cafe. In order to allow recycled water to be utilized from the upgraded system, the WDRs/WRRs prescribe new and/or more stringent effluent limitations based on the requirements specified in the Basin Plan and Water Recycling Criteria in California Code of Regulations, Title 22, Division 4, Chapter 3. The WDRs/WRRs require the effluent to meet Maximum Contaminant Levels (MCLs) for drinking water and groundwater quality objectives in the Basin Plan.

17. WDRs/WRRs Order No. R4-2016-XXXX requires the Dischargers to comply with the following effluent limitations at the Park and Beach Café, including, but not limited to:

Constituent	Units <sup>[1]</sup>	Daily Maximum	30-Day Average
pH	pH units	6.5 – 8.5	---
BOD <sub>5</sub> 20°C	mg/L	45	30
Total suspended solids	mg/L	45	30
Total nitrogen <sup>[2]</sup>	mg/L	10	--
Nitrate as N	mg/L	10	--
Nitrite as N	mg/L	1	--
Oil and grease	mg/L	15	10
Total dissolved solids (TDS)	mg/L	1,000	--
Sulfate	mg/L	250	--
Chloride	mg/L	250	--
Boron	mg/L	1.0	--
MBAS <sup>[3]</sup>	mg/L	0.5	--

Constituent	Units <sup>1</sup>	Limit
Turbidity	NTUs	The turbidity of the effluent shall not exceed any of the following: a) A daily average of 2 NTUs, b) 5 NTUs more than 5 percent of the time (72 minutes) during any 24-hour period, and c) 10 NTU at any time.
Total Coliform	MPN	The total coliform (median number of coliform organisms in the effluent) shall not exceed 23 MPN per 100 ml, as determined from the bacteriological results of the last 7 days for which analyses have been completed, and the number of total coliform bacteria shall not exceed 240 MPN/100 mL in more than one sample in any 30 days period.

<sup>[1]</sup> mg/L=milligrams per liter; MPN/100mL = most probable number (MPN) per 100 milliliters;  
NTU= Nephelometric turbidity units

<sup>[2]</sup> Total nitrogen= nitrate-N + nitrite-N + ammonia-N + Organic Nitrogen

<sup>[3]</sup> Methylene Blue Active Substances



18. The effluent water quality data collected from the Park's advanced OWTS from January 2009 to December 2015 are as follows:

Constituent	Units	Treated Wastewater <sup>[1]</sup>	Effluent Limit <sup>[3]</sup>	
			Daily Maximum	Monthly Average
pH	pH units	6.0 – 8.5	6.5 - 8.5	
BOD <sub>5</sub> 20°C	mg/L	5 – 386 <sup>[2]</sup>	30	45
Total suspended solids	mg/L	5 – 52	30	45
Turbidity	NTU	0.3 – 33.9	5.0	NA <sup>[4]</sup>
Oil & grease	mg/L	5 – 48	15	NA <sup>[4]</sup>
Nitrate as N	mg/L	0.33 – 21.9	NA <sup>[4]</sup>	NA <sup>[4]</sup>
Nitrite as N	mg/L	0.02 – 1.99	NA <sup>[4]</sup>	NA <sup>[4]</sup>
Ammonia as N	mg/L	0.33 – 20.9	NA <sup>[4]</sup>	NA <sup>[4]</sup>
Organic Nitrogen	mg/L	0.10 – 18.5	NA <sup>[4]</sup>	NA <sup>[4]</sup>
Total Nitrogen	mg/L	1.02 – 53.3	10 <sup>[5]</sup>	NA <sup>[4]</sup>
Total dissolved solids	mg/L	102 – 832	1,000	NA <sup>[4]</sup>
Total coliform	MPN/100mL	2 – 900	70	230
Fecal coliform	MPN/100mL	2 – 900	NA <sup>[4]</sup>	NA <sup>[4]</sup>
Enterococcus	MPN/100mL	1 – 2,419.2	24	NA <sup>[4]</sup>

[1]Range based on reported values for all samples analysis performed after the advanced OWTS was completed, from January 2009 to December 2015.

[2]BOD concentration of 386 mg/L was a one-time exceedance that occurred on November 28, 2012.

[3]Effluent limits prescribed in Order No. R4-2002-0108 as monthly average and daily maximum

[4]NA= Not applicable. No effluent limit was prescribed in Order No. R4-2002-0108.

[5]Point of compliance was set at groundwater (Order No. R4-2002-0108).

19. Under Order No. R4-2002-0108 and MRP CI No. 8342, Kissel was not required to monitor chloride, sulfate, and boron concentrations in the effluent from Park's advanced OWTS. As indicated above, Order No. R4-2002-0108 did not prescribe effluent limitations for sulfate, chloride, and boron. Upon the request of Regional Water Board staff during permit development, the Dischargers analyzed effluent samples collected in May through August 2016, which indicated concentrations up to 18434 mg/L for chloride, 274264 mg/L for sulfate, and 0.34 mg/L for boron.
20. Monitoring data from the Beach Café's OWTS from March 2014 to December 2015 characterizes the effluent water quality as follows:

Constituent	Units	Treated Wastewater <sup>[1]</sup>	Performance Goals <sup>[2]</sup>
pH	pH units	6.9 – 8.2	6 - 9
BOD <sub>5</sub> 20°C	mg/L	5 – 43	10
Turbidity	NTU	0.60 – 20.5	NA <sup>[3]</sup>
Total suspended solids	mg/L	5 – 45	10
Oil & grease	mg/L	5 – 30	1
Nitrate as N	mg/L	0.04 - 37.2	10
Nitrite as N	mg/L	0.1 – 1.22	1

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Constituent	Units	Treated Wastewater <sup>[1]</sup>	Performance Goals <sup>[2]</sup>
Ammonia as N	mg/L	0.27 – 6.78	NA <sup>[3]</sup>
Organic Nitrogen	mg/L	0.57 – 6.5	NA <sup>[3]</sup>
Total Nitrogen	mg/L	5.9 – 38.6	NA <sup>[3]</sup>
Total dissolved solids	mg/L	776 – 1,232	NA <sup>[3]</sup>
Total coliform	MPN/100mL	2 – 90,000	1.1
Fecal coliform	MPN/100mL	1 – 30,000	1.1
Enterococcus	MPN/100mL	1 – 2,419.6	1.1

[1]Range based on the statistical minimum and maximum reported values for all sample analysis performed after the upgrades to the wastewater treatment system were completed.

[2]The General WDRs did not prescribed effluent limitations; rather, performance goals were specified triggering additional actions upon exceedance of the goal.

[3]NA= Not applicable. The Order No. 97-10-DWQ does not include performance goals.

21. The General WDRs for discharges from the Beach Café wastewater treatment system did not require effluent monitoring for chloride, sulfate, and boron. Upon, the request of Regional Water Board staff during permit development, the Dischargers collected and analyzed an effluent samples in May, June and August 2016, which indicated concentrations for TDS was up to 1,2881,152 mg/L, up to 313 mg/L for chloride, 220179 mg/L for sulfate and, 0.2 mg/L for boron.
22. Based on historical monitoring data, the Dischargers, with the current treatment process at the Park should achieve immediate compliance with the effluent limitations prescribed in Order No. R4-2016-XXXX, except for nitrate as N, total nitrogen, total coliform, turbidity, and sulfate. The Dischargers will be able to consistently comply with the effluent limitations for nitrate as N, total nitrogen, total coliform, turbidity, and sulfate once the Dischargers' proposed upgrade is complete.
23. Based on historical monitoring data, the Dischargers, with the current treatment process at the Beach Café should achieve immediate compliance with the effluent limitations prescribed in Order No. R4-2016-XXXX, except for nitrate as N, total nitrogen, total coliform, turbidity, total dissolved solids, and chloride. The Dischargers will be able to comply with the effluent limitations for nitrate as N, total nitrogen, total coliform, turbidity, total dissolved solids, and chloride once the Dischargers' proposed upgrade is complete.
24. California Water Code section 13301 provides in pertinent part "When a regional board finds that a discharge of waste is taking place, or threatening to take place, in violation of requirements or discharge prohibitions prescribed by the regional board or the state board, the board may issue an order to cease and desist and direct that those persons not complying with the requirements or discharge prohibitions (a) comply forthwith, (b) comply in accordance with a time schedule set by the board, or (c) in the event of a threatened violation, take appropriate remedial or preventive action...Cease and desist orders may be issued directly by a board, after notice and hearing."
25. As a result of the historical monitoring data and other activities described in this Order, the Regional Water Board finds that a discharge of waste is taking place or threatening to take place in violation of requirements or discharge prohibitions prescribed by the Regional Water Board in the WDRs/WRRs. This Order requires the Dischargers to take

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- appropriate remedial action and to comply in accordance with the time schedule set forth below. The time schedule provides the Dischargers sufficient time to complete upgrades to the wastewater treatment plant(s) at the Park and Beach Café to promptly achieve compliance with the WDRs/WRRs in Order No. R4-2016-XXXX.
26. This Order includes interim effluent limitations, identified below, and actions and milestones leading to compliance with the effluent limitations for turbidity, nitrate as N, total nitrogen, total coliform, total dissolved solids, chloride, and sulfate. The interim effluent limitations are derived statistically at the 99<sup>th</sup>/95<sup>th</sup> percentile of monitoring data collected from January 2009 through May 2016, and March 2014 to May 2016 for the Beach Café. The established time schedule is as short as possible, taking into account the technological, operation, and economic factors that affect the design, development, and implementation of the remedial actions that are necessary to comply with the effluent limitations.
27. A Cease and Desist Order is appropriate in these circumstances to allow time for the Dischargers to complete facility modifications that will bring the Park and Beach Café's treatment systems into compliance with effluent limitations. The temporary exceedances allowed by this Order are in the public interest given the significant environmental benefits associated with upgrading the treatment systems to promptly achieve compliance with the effluent limitations to allow for recycled water use at the Park, especially in light of California's historic drought and predictions for future climatological effects from climate change.
28. California Water Code section 13267 provides in pertinent part:
- (a) A regional board, in establishing or reviewing any water quality control plan or waste discharge requirements, or in connection with any action relating to any plan or requirement or authorized by this division, may investigate the quality of any waters of the state within its region.
- (b)(1) In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region . . . shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.
29. The technical and/or monitoring reports required by this Order are necessary to assure compliance with the WDRs/WRRs and this Order. The Dischargers operate the Park and Beach Café that produces and discharges the waste subject to the WDRs/WRRs. The actions and reports required by this Order are directly related to the Dischargers' compliance with these requirements and do not require expense that is not already required pursuant to the WDRs/WRRs. The expense will not affect the Dischargers' ability to continue in business. The burden of these actions and reports bears a reasonable relationship to the need for the actions and reports.

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30. This Cease and Desist Order concerns an existing facility and does not significantly alter the status with respect to the facility. The issuance of this Order is an enforcement action by a regulatory agency and is being taken for the protection of the environment. Therefore, issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21100, et seq.) in accordance with sections 15061(b)(3), 15301, 15306, 15307, 15308, and 15321(a)(2) of Title 14 of the California Code of Regulations.
31. The Regional Water Board has notified the Dischargers and interested agencies and persons of its intent to issue this Order concerning compliance with the WDRs/WRRs. The Regional Water Board accepted written comments, and heard and considered all comments and evidence pertaining to this matter in a public hearing.
32. Any person aggrieved by this action of the Regional Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must *receive* the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

**THEREFORE, IT IS HEREBY ORDERED** that, pursuant to California Water Code sections 13301 and 13267, The Kissel Company, Inc. and Paradise Cove Land Company, LLC, as owners and operators of the Paradise Cove Mobile Home Park and the Paradise Cove Beach Café, shall comply with the following measures to ensure compliance with Order No. R4-2016-XXXX:

1. Cease and desist discharging wastes in violation or threatened violation of Order No. R4-2016-XXXX. No term or condition of Order No. R4-2016-XXXX is superseded or stayed by this Order.
2. Comply immediately with the effluent limitations prescribed in Order No. R4-2016-XXXX, except where interim effluent limitations have been prescribed below.
3. For discharges from the Park's advanced OWTS, comply immediately with the interim effluent limitations specified in Table 1, below, which shall be deemed effective from June 28, 2016 to August 31, 2018:

**Table 1. Interim Effluent Limitations for Discharges from the Park**

Constituent	Units <sup>[1]</sup>	Daily Maximum	Monthly Average
Turbidity	NTU	23.2	16.6
Nitrate as N	mg/L	21	22
Total Nitrogen	mg/L	51.9	45.9
Total coliform	MPN/100mL	1,600	500

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Constituent	Units <sup>[1]</sup>	Daily Maximum	Monthly Average
Sulfate	mg/L	--	274264

[1]mg/L=milligrams per liter; MPN/100mL = most probable number (MPN) per 100 milliliters; NTU= Nephelometric turbidity units

4. For discharges from the Beach Café OWTS, comply immediately with the interim effluent limitations specified in Table 2, below, which shall be deemed effective from June 28, 2016 to August 31, 2018:

**Table 2. Interim Effluent Limitations for Beach Cafe**

Constituent	Units <sup>[1]</sup>	Daily Maximum	Monthly Average
Turbidity	NTU	20.5	10.6
Nitrate as N	mg/L	37.2	31.8
Total Nitrogen	mg/L	38.6	37.4
Total coliform	MPN/100mL	10,000 <sup>[2]</sup>	1,000 <sup>[3]</sup>
Total dissolved solids	mg/L	1,232	1,228
Chloride	mg/l	--	313

[1]mg/L=milligrams per liter; MPN/100mL = most probable number (MPN) per 100 milliliters; NTU= Nephelometric turbidity units

[2] Based on California Ocean Plan requirements for single sample.

[3] Based on California Ocean Plan requirements for a 30-day geometric mean of the last 5 samples.

5. Comply with the following remedial actions and milestones according to the time schedule below:
- By **January 30, 2017**, the Dischargers shall submit a workplan to investigate possible sources of TDS, sulfate, and chloride in the effluent, for Executive Officer review and approval. The plan should include investigating best management practices (BMPs) for source management including, but not limited to, the prohibition of the use of salt generating water softeners within the Park and the Beach Café, development of a pollution prevention plan, and calculations to evaluate whether the blending of both the Park and the Beach Café's OWTS' effluents will meet the effluent limitations prescribed in Order No. R4-2016-XXXX.
  - By **July 30, 2017**, the Dischargers shall submit a report summarizing the investigation required in Part 5.a. above.
  - By **November 1, 2017**, the Dischargers shall begin construction, installation, and/or expansion upgrades to the Park and Beach Café's OWTSs.
  - By **June 1, 2018**, the Dischargers shall complete construction, installation, and/or expansion upgrades to the Park and Beach Café's OWTSs.
  - As soon as possible, but no later than **September 1, 2018**, the Dischargers shall achieve full compliance with all requirements in Order No. R4-2016-XXXX.

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6. Until such time as the Dischargers achieve full compliance with all effluent limitations prescribed in Order No. R4-2016-XXXX, the Dischargers are prohibited from using recycled water at the Park or Beach Café.
7. Submit quarterly progress reports on the status of the construction, installation, and expansion upgrades according to the following schedule (see Table 3). The first report is due on **October 30, 2016**

**Table 3. Quarterly Progress Reports Schedule**

Reporting Period	Report Due
January - March	April 30
April - June	July 30
July - September	October 30
October - December	January 30

8. Any person signing a document submitted under this Order shall make the following certification:  
  
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
9. In accordance with California Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. All technical reports specified herein that contain work plans for, that describe the conduct of investigations and studies, or that contain technical conclusions and recommendations concerning engineering and geology shall be prepared by or under the direction of appropriately qualified professional(s), even if not explicitly stated. Each technical report submitted by the Dischargers shall contain the professional's signature and/or stamp of the seal.
10. The Dischargers shall submit all reports required under this Order, including groundwater monitoring data in Electronic Data Format, well and discharge location data, and searchable PDF reports and correspondence, to the State Water Resources Control Board's GeoTracker database under Global ID WDR100026601.
11. If the Dischargers fail to comply with any provision of this Order, the Regional Water Board may take any further action authorized by law. The Executive Officer, or his/her delegatee, may take appropriate administrative enforcement action pursuant, but not limited to, California Water Code sections 13268 and/or 13350. The Regional Water Board may also refer any violations to the Attorney General for judicial enforcement, including injunction and civil monetary remedies.

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12. The Regional Water Board may reopen this Order at its discretion or at the request of the Dischargers or interested persons, if warranted. Lack of progress towards compliance with this Order may be cause for the Regional Water Board to modify the terms and conditions of this Order.

13. This Order becomes effective immediately upon issuance.

I, Samuel Unger, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on September 7~~July 14~~, 2016.

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Samuel Unger, P.E.  
Executive Officer

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**RESPONSE TO COMMENTS - PART 1**  
**(Comment Period Ending on May 23, 2016)**

**Tentative Waste Discharge Requirements/Water Reclamation Requirements and Cease and Desist Order for  
The Kissel Company, Inc. and Paradise Cove Land Company, LLC for  
Paradise Cove Mobile Home Park and Paradise Cove Beach Café**

Comment Letter	Commented by	Date
1	Advanced OnsiteWater (Discharger's Consultant)	March 23, 2016

No.	Comment	Response to Comment
<b>Advanced OnsiteWater (Discharger's Consultant)</b>		
1.1	Tentative Waste Discharge Requirements: please correct Paragraph 10 to state '68 acres' and '256 mobile homes.' Plans are in develop to increase the number of homes to 267	<p>Comment noted. Finding 10 of the tentative permit has been revised and it reads as follows:  "The Park encompasses approximately 68 acres of land. There are approximately 256 mobile home sites."</p> <p>Finding No. 5 has also been revised to reflect the number (11) of mobile homes to be developed in the future.</p>
1.2	<p>The Tentative Waste Discharge Requirements impose unreasonable and excessive limits on total dissolved solids, boron, chloride, and sulfate through inappropriate application of the Anti-Degradation Policy and by using the Drinking Water Maximum Contaminant Levels, which are not applicable to this site.</p> <p>Paragraph 69-70 refers to the Basin Plan and to 'beneficial uses when that receiving water is designated as municipal and domestic supply.'</p> <p>Paragraph 75 states that "This Order requires the effluent to meet MCLs for drinking water and groundwater quality objectives in the Basin Plan."</p> <p>Order Paragraph A.3. Table 5. Page 18. Effluent Limitations listed for TDS, boron, chloride, and sulfate.</p>	<p>Regional Board staff disagree. The effluent and groundwater limitations for total dissolved solids, boron, chloride, and sulfate are appropriately included in the tentative permit. The site overlies the Point Dume groundwater area at the southern slopes of the Santa Monica Mountains. The subject groundwater basin is assigned with beneficial uses including municipal and domestic water supply. The Basin Plan prescribes specific groundwater quality objectives for the groundwater basin at the Point Dume. Water Code section 13263(a) states, in part, that waste discharge requirements "shall implement any relevant water quality control pans that have been adopted, and shall take into consideration the beneficial uses to be protected, [and] the water quality objectives reasonably required for that purpose..." As such, permits issued, and limitations prescribed, by the Regional Board shall be consistent with the Basin Plan, as well as state law, regulations, and policies.</p> <p>State Water Board Resolution No. 88-63 (Sources of Drinking Water),</p>

No.	Comment	Response to Comment
	<p>Order Paragraph B.2. Table 6. Page 19. Groundwater Limitations for TDS, boron, chloride, and sulfate.</p>	<p>followed by Regional Board Resolution No. 89-03 (Incorporation of Sources of Drinking Water Policy into the Water Quality Control Plans) states that "All surface and ground waters of the State are considered to be suitable, or potentially suitable, for municipal or domestic water supply and should be so designated by the Regional Boards...[with certain exceptions which must be adopted by the Regional Board.]" In adherence with these policies, all inland surface and ground waters have been designated as MUN – presuming at least a potential suitability for such a designation.</p> <p>To protect public health, safety, or welfare and drinking water supply, recycled water used at the Park for irrigation is required to meet MCLs in Title 22 of the California Code of Regulations and groundwater quality objectives in the Basin Plan. Compliance with statewide recycling criteria in Title 22 is also required.</p> <p>Finding 69 references the Basin Plan and the anti-degradation policy (which is incorporated into the Basin Plan) and notes that the tentative permit implements the Basin Plan. Finding 70 references the primary and secondary MCLs, which explains that the primary MCLs are applicable water quality objectives for a receiving water to protect beneficial uses when that receiving water is designated as municipal and domestic supply. The water quality objectives are included in the tentative permit to protect groundwater quality. Finding 75 notes that the State Water Board's Division of Drinking Water has primary statewide responsibility for protecting public health with respect to the use and application of recycled water and has established statewide recycling criteria. These authorities are applicable to the discharges of treated wastewater and the use of recycled water for landscape irrigation at the Park to protect the underlying groundwater and public health. As noted in response to Comments-Part 2, 1.2, the Discharger may propose studies to examine the possibilities of natural sources and other Basin Planning considerations.</p>
1.3	<p><b>Maximum Contaminant Levels Do Not Apply.</b> The Basin Plan designation as a municipal and domestic supply and the application of Maximum Contaminant Levels (MCLs) are neither applicable nor appropriate for this site due to the presence of total dissolved solids (TDS), boron, chloride, and sulfur in naturally occurring</p>	<p>Regional Board staff disagree that MCLs are not applicable for this site. Based on the location of the site, the groundwater quality objectives specified in the Basin Plan for the Point Dume groundwater basin are applicable and shall be implemented in the WDRs/WRRs for the site. Although the current groundwater quality at the site may be compromised by anthropogenic or natural occurring sources, the</p>



No.	Comment	Response to Comment
	<p>background groundwater at levels that exceed the MCLs and which represent concentrations in excess of the effluent concentrations.</p> <p>Long-term monitoring of groundwater at this facility has shown that downgradient, cross gradient, and upgradient wells contain TDS and boron levels that exceed the MCLs. Downgradient and cross gradient wells also exceed MCLs for chloride and sulfate (See Table 2 to the TWDR, page 8).</p>	<p>beneficial uses and the groundwater quality must still be protected and the discharges from the site shall not cause or contribute to additional or further impairment.</p> <p>After the treatment plant upgrade is complete, the treated wastewater from the upgraded system will be either recycled for landscape irrigation or discharged to the underlying groundwater. Therefore, the MCLs in A1 through A4 are applicable.</p> <p>Regional Board staff concurs that the downgradient, cross-gradient, and upgradient wells indicate TDS, chloride, sulfate, and boron levels that sometimes exceed the MCLs. Even when groundwater may exceed the MCLs, the Dischargers shall continue to monitor the background of the receiving groundwater quality as it relates to its effluent discharges. This monitoring is needed so the Dischargers are able to demonstrate that the discharge from the treatment systems do not cause or contribute to the degradation of groundwater quality.</p>
1.4	<p><b>Water Quality Objectives Are Not Prescribed.</b> Basin Plan Water Quality Objectives (WQOs) were not prescribed for these constituents in this area (See Table 2 to the TWDR, page 8).</p> <p>Applicable WQO are based on the California Ocean Plan. The Ocean Plan has not set WQOs for TDS, boron, chloride, or sulfate. On this basis, effluent concentrations do not represent a source of degradation of groundwater for these constituents nor does the groundwater represent a feasible source of municipal water supply.</p>	<p>See responses to Comment Nos. 1.2 and 1.3.</p> <p>The State Water Board's <i>Water Quality Control Plan for Ocean Waters of California</i> (Ocean Plan) applies to discharges to the ocean. The Mobile Home Park wastewater treatment system, the Beach Café wastewater treatment system, seepage pits, and the recycled water application areas are located approximately 1,300 feet from the Pacific Ocean, so its location is more inland. The site discharges to groundwater and the extent of influence of seawater on groundwater in this area is not known. The Paradise Cove Mobile Home Park, the Beach Café, disposal area, and recycled water application areas overlie the groundwater along the southern slopes of the Santa Monica Mountains (Point Dume Area). The Basin Plan contains water quality objectives for the Point Dume Area, which is considered to be the receiving water underlying the seepage pits and the future recycled water use area. Therefore, the California Ocean Plan water quality objectives are not applicable.</p> <p>A study can be done in the future to further define the seawater/freshwater interface.</p>
1.5	<b>Naturally occurring source of elevated constituents.</b>	See response to Comments No. 1.2 and 1.3. Regional Board staff



No.	Comment	Response to Comment
	<p>The source of naturally occurring elevated concentrations of TDS, boron, chloride, and sulfate is the Marine Terrace, a geologic formation deposited under seawater. The Marine Terrace is well documented in boring logs from geologic investigations conducted at this site over the course of 15 years. Boring logs were submitted to the Water Board in a series of geologic reports by Mountain Geology.</p> <p>Due to its origin, the Marine Terrace contains entrained salts. The Marine Terrace underlies the whole site. This sedimentary formation naturally leaches salts into the groundwater, resulting in elevated TDS, boron, chloride, and sulfur in groundwater. The groundwater is not a suitable source of water for drinking or other municipal purposes. Effluent concentrations do not pose a source of degradation to groundwater quality. Furthermore, it will be impossible to meet MCLs and the proposed groundwater limits when the saline Marine Terrace is dictating the concentrations. Please refer to the attached table of recent water quality testing in the effluent and monitoring wells.</p>	<p>concur that elevated concentration of TDS, chloride, sulfate, and boron in groundwater exceed the MCLs and it might be due to geologic history of the site. As mentioned in 1.4 above, a study could be completed to determine seawater and marine terrace influences, which could inform future groundwater requirements.</p> <p>The tentative permit requires the Dischargers to monitor the background of the receiving water groundwater quality as it relates to its effluent discharges. Should the constituent concentrations in groundwater exceed the groundwater limits in Table 6, the Dischargers shall demonstrate that the discharges from the Beach Café wastewater treatment system and the Paradise Cove Mobile Home Park wastewater treatment system are not contributing to the degradation of groundwater quality beneath the site.</p>
1.6	<p><b>TDS.</b> Recent groundwater TDS levels ranges from 740 mg/L to 3,432 mg/L with an average of 2,240 mg/L, well in excess of the 1,000 mg/L MCL. Beach Cafe TDS ranges from 684 mg/L to 1,160 mg/L and Paradise Cove Mobile Home Park (PC MHP) TDS ranges from 102 mg/L to 680 mg/L. TDS in the treated wastewater effluents are lower than recent, and especially lower than long-term, background TDS concentrations in groundwater. These sources do not contribute to the high concentrations of TDS groundwater. There is no significant TDS contribution from these discharges. Furthermore, removing TDS from the effluents cannot alter the higher concentrations of background TDS in groundwater. The MCL standard for TDS should be removed from the Tentative Waste Discharge Requirements (TWDR).</p>	<p>See response to Comment No. 1.5.</p> <p>The limits for TDS, boron, chloride and sulfate are based on the groundwater quality objectives specified in the Basin Plan. Constituents and the associated MCLs in Attachments A1 through A4 are referenced from Drinking Water Standards, but do not contain MCLs for TDS, boron, chloride, and sulfate.</p> <p>The limits for TDS, boron, chloride and sulfate are based on the Basin Plan groundwater quality objectives, which are different than the secondary drinking water standards cited in the comment letter.</p> <p>The concentrations of salts (chloride, boron, sulfate and TDS) in the wastewater depend largely on the quality of water supply and additions from human use. Currently, the treated wastewater generated from the Paradise Cove Mobile Home Park treatment system and the Beach Café</p>

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		wastewater treatment system shows concentrations below the TDS effluent limitations of 1,000 mg/L.
1.7	<p><b>Boron.</b> Recent groundwater boron levels range from &lt;0.1 mg/L to 0.48 mg/L with an average of 0.29 mg/L well in excess of the 0.1 mg/L MCL. Beach Cafe boron was measured at 0.2 mg/L. PCMHP boron was measured at 0.34 mg/L. Boron in the treated wastewater effluents are not a contributor to elevated concentrations of boron in the groundwater. Removing boron from the effluents will not result in lowering the higher concentrations of background boron in groundwater. The MCL standard for boron should be removed from the TWDR.</p>	<p>See response to Comment No. 1.5.</p> <p>The Basin plan water quality objective (Point Dume Area) for boron is 1.0 mg/L. Currently, the groundwater quality data from all groundwater monitoring wells from Paradise Cove Mobile Home Park and Beach Café shows boron concentrations below the groundwater quality objectives of 1.0 mg/L.</p>
1.8	<p><b>Chloride.</b> Recent groundwater chloride levels range from 147 mg/L to 1,240 mg/L with an average of 371 mg/L. The MCL of 500 mg/L is exceeded in groundwater notably at wells 2, 3, 4, and 11. Beach Cafe chloride was measured at 313 mg/L. PC MHP chloride was measured at 131 mg/L. Chloride in the treated wastewater effluents are lower than background chloride concentrations in groundwater and are not feasible as contributors to the higher concentrations found in groundwater. Removing chloride from the effluents will not result in lowering the higher concentrations of background chloride in groundwater. The MCL standard for chloride should be removed from the TWDR.</p>	<p>See response to Comment No. 1.5.</p> <p>The Basin plan water quality objective (Point Dume Area) for chloride is 250 mg/L. Currently, the treated wastewater generated from the Paradise Cove Mobile Home Park treatment system and the Beach Café wastewater treatment system shows concentrations below the chloride effluent limitation of 250 mg/L.</p> <p>Monitoring wells MW-2, MW-3, MW-4, and MW-11 are located closer to the Pacific Ocean and may be under tidal influence, which could result in higher concentrations of total dissolved solids (TDS), sulfate, and chloride.</p>
1.9	<p><b>Sulfate.</b> Recent groundwater sulfate levels range from 77 mg/L to 3,230 mg/L with an average of 371 mg/L. The 500 mg/l MCL for sulfate is exceeded in groundwater at wells 2, 3, 4, 5, 6/13, and 11. Beach Cafe sulfate was measured at 179 mg/L. PC MHP sulfate was measured at 264 mg/L. Sulfate in the treated wastewater effluents are lower than background concentrations in groundwater and are not feasible as contributors to the higher concentrations found in groundwater. Removing sulfate from the effluents will not result in lowering the</p>	<p>See response to Comment No. 1.5.</p> <p>The Basin plan water quality objective (Point Dume Area) for sulfate is 250 mg/L. Currently, the treated wastewater generated from the Paradise Cove Mobile Home Park treatment system and the Beach Café treatment system shows concentrations below the sulfate effluent limitations of 250 mg/L.</p> <p>Monitoring wells MW-2, MW-3, MW-4, and MW-11 are located closer to the Pacific Ocean and may be under tidal influence, which could result in</p>

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	higher concentrations of background sulfate in groundwater. The MCL standard for sulfate should be removed from the TWDR.	higher concentrations of total dissolved solids (TDS), sulfate, and chloride.
1.10	<p><b>Financial Implications of Imposing Limitations for TDS, Boron, Chloride, and Sulfate.</b> The tentative effluent and groundwater limitations impose an undue and staggering financial burden on the discharger. The excessive cost is a direct effect of the available technologies for removal of these constituents and the unavoidable need to off-haul a brine byproduct of desalting the effluents.</p> <p>Consider the unending daily need to remove brine from this location, the cost of transporting the brine on PCH and other congested roadways, and the fee for discharging at an as-yet unidentifiable distant location. Considering the fact that the geologic formation is causing elevated concentrations of these constituents, the undue cost burden is unjustified. Effluent and groundwater quality limits for TDS, boron, chloride, and sulfate should not be included in the WDR.</p>	<p>Regional Board staffs disagree. Currently, the treated wastewater generated from the Paradise Cove Mobile Home Park treatment system and the Beach Café treatment system shows concentrations below the TDS, chloride, sulfate, and boron effluent limitations, which shows that the water quality objectives can be met at the end-of-pipe.</p> <p>Monitoring of the effluent for these constituents (TDS, chloride, sulfate, and boron) is necessary to demonstrate that the discharges from the treatment systems are not contributing to the degradation of groundwater quality.</p> <p>Further, the proposed upgrade to treat the wastewater in order to use recycled water for landscape irrigation at the Park will allow the Dischargers to minimize the dependence on potable water for landscape irrigation, which in turn will reduce their water bill. In addition, based on the meeting held on January 26, 2016 between Discharger and Regional Board representatives, the proposed upgrade to combine the Beach Café treatment system and Mobile Home Park treatment system will allow additional space at the Park for more mobile homes, which would generate additional income.</p>

**RESPONSE TO COMMENTS - PART 2**  
**(Comment Period ending on August 8, 2016)**

**Revised Tentative Waste Discharge Requirements/Water Reclamation Requirements and Cease and Desist Order for  
The Kissel Company, Inc. and Paradise Cove Land Company, LLC for  
Paradise Cove Mobile Home Park and Paradise Cove Beach Café**

Comment Letter	Commented by	Date
1	Advanced OnsiteWater (Discharger's Consultant)	August 8, 2016
2	Health the Bay	August 8, 2016

No.	Comment	Response to Comment
<b>Advanced OnsiteWater (Discharger's Consultant)</b>		
1.1	<p><b>Concentration of Sulfate in the Effluent.</b> The Revised CDO establishes an interim limit for sulfate based on a single sample collected from each of the discharges in May 2016. The higher of those two concentrations (264 mg/L) was used as the interim limit. Since May, PCLC collected and tested three additional effluent samples. The additional tests indicate that sulfate ranges considerably in concentration, especially for the PC MHP (213 mg/L to 274 mg/L).</p> <p>Given the brief time available to collect and analyze samples, it is entirely possible that sulfate concentrations will continue to vary and may be considerably higher than what has been found to date. We respectfully request that the interim limit not be set so low that it will be impossible not to incur exceedances during the interim period simply due to the unknown range of sulfate in the effluent. We are requesting that the concentration of sulfate be raised to</p>	<p>Based on the more recent water quality data submitted by the Discharger, Regional Board staff agree that the interim effluent limit for sulfate in the CDO should be revised to allow the Discharger to identify the cause of the elevated sulfate concentration in the effluent of the Park's treatment system. Regional Board staff disagree. The samples collected from the Mobile Home Park's treatment system and analyzed for sulfate indicated a range of concentrations from 213 mg/L to 274 mg/L. Base on this recent sampling data, the sulfate interim limit was changed to 274 mg/L in the Tentative CDO. There is no scientific justification to increase the interim effluent limit for sulfate from 274 mg/L to 300 mg/L.</p>



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	300 mg/L.	
1.2	<p><b>WQO and Subsurface Investigation.</b> It is widely known that the underlying marine sediment was deposited under marine conditions. This formation contains salts that may be contributing to sulfate in groundwater and causing it to be higher than the stated WQO for this area. PCLC will be investigating the natural background contribution of sulfate to the groundwater and the relevance of the WQO for this site. PCLC reserves the right to challenge the WQO for the area and the Tentative WDR.</p>	<p>Comment noted. Regional Board staff responded to the Discharger's prior comments concerning the application of the water quality objective for sulfate in response to Comments – Part 1, 1.5.</p> <p>Further, the Tentative Monitoring and Reporting Program requires the Discharger to monitor groundwater quality up-gradient, cross-gradient and downgradient to the points of discharge. In the event that the groundwater exceeds the water quality objective for sulfate, monitoring the background of the receiving groundwater quality is needed so that the Dischargers are able to demonstrate that the discharge from the treatment systems do not cause or contribute to the degradation of groundwater quality.</p> <p>The Discharger can propose a study to examine the possibility of sulfate being a natural condition.</p>
1.3	Tentative Cease and Desist Order: please state the PCLC intends to add up to 12 additional mobile home units at Paradise Cove Mobile Home Park.	The Tentative WDRs/WRRs Finding 5 and CDO Finding 10 have been revised to reflect the number (12) of mobile homes to be developed in the future.
1.4	The interim effluent limitations for turbidity and total coliform at PC MHP should not be deemed effective for eight months (March 2017).	Regional Board staff disagree. The interim effluent limitations for turbidity and total coliform are calculated based on the performance of existing wastewater treatment systems separately for the Mobile Home Park and for the Beach Café. The daily maximum and monthly average limits are derived statistically at the 99 <sup>th</sup> /95 <sup>th</sup> percentile of monitoring data collected from January 2009 through May 2016 for the Mobile Home Park, and March 2014 to May 2016 for the Beach Café. The Discharger has provided no compelling reason for a delay in the effective date. As such, the Discharger shall maintain proper



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		operation of the systems and comply with the interim effluent limits before the upgrade is completed.
1.5	The interim effluent limitations for turbidity and total coliform at the Beach Café should not be deemed effective for three months (October 2016).	See response to Comment No. 1.4.
1.6	The interim effluent limit for sulfate at PC MHP should be increased to 300 mg/L and the interim effluent limit for chloride at the Beach Café should be increased to 350 mg/L.	<p>Regional Board staff disagree. The samples collected from the Mobile Home Park's treatment system and analyzed for sulfate indicated a range of concentrations from 213 mg/L to 274 mg/L. As previously indicated in response to Comment No. 1.1, based on this recent sampling data, the sulfate interim limit was changed to 274 mg/L in the Tentative CDO. There is no scientific justification to increase the interim effluent limit for sulfate from 274 mg/L to 300 mg/L.</p> <p>The additional samples collected in June and August 2016 of effluent from the Beach Café's treatment system indicated chloride concentrations ranging between 89.9 mg/L and 306 mg/L. These analytical results are below the currently proposed interim effluent limit for chloride of 313 mg/L. There is also no scientific justification to increase the interim effluent limit for chloride for the Beach Café treatment system from 313 mg/L to 350 mg/L.</p>
1.7	Either eliminate the deadlines for commencing and completing construction and achieving full compliance with the Tentative WDRs or expressly state that the deadlines for these requirements may be extended depending on the results of the investigation, including if PCLC has to redesign the Upgraded System.	Pursuant to Water Code section 13301, the requirement to comply in accordance with a time schedule set by the Regional Board is appropriately included in a CDO. The deadlines specified in the Tentative CDO for various tasks, including a schedule to complete the proposed upgrades of both the Mobile Home Park and Beach Café's wastewater treatment systems, were originally provided by the Discharger. Regional Board staff has discussed these deadlines with the Discharger, including deadlines for tasks that may require local permits, and the

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		<p>Discharger agreed that the deadlines are reasonable and achievable. Therefore, Regional Board staff disagree to eliminate the deadlines as the schedule of completing tasks is an essential and critical element of the CDO.</p> <p>In addition, Requirement #5 of the CDO states that the Regional Board may reopen the CDO "at its discretion or at the request of the Dischargers or interested persons, if warranted." If the Discharger will not be able to meet the deadlines specified in the CDO due to unforeseeable reasons that are not under the control of the Discharger, the Discharger shall inform the Regional Board in writing before the specific deadline, and may request modification of the schedule in the CDO. Upon any such request, Regional Board staff would review then-current compliance with the CDO, communication records, and efforts made by the Discharger to comply to determine the appropriateness of a schedule modification. Should Regional Board staff determine that the Discharger's request is warranted, staff will prepare a tentative amendment to the CDO for the Regional Board's consideration at a public Board Meeting.</p>
<b>Heal the Bay</b>		
2.1	<p>Heal the Bay has been closely engaged for numerous years in advocating for effective controls to stop the release of bacteria-laden water from the site into the ocean. This history has included numerous spills of raw sewage into Ramirez Creek and the ocean, resulting in chronic bacteria violations for years, and leading to years of failing grades on Heal the Bay's Beach Report Card.</p>	<p>Since the upgrades of the wastewater treatment systems at the Mobile Home Park and the Beach Café were completed, the Regional Board has no records of raw sewage or sewage spills at either the Park or the Cafe. The Regional Board's records indicate that the last raw sewage spills occurred at the Mobile Home Park on January 6, 2011, and on January 12, 2011 at the Beach Café, which are more than 5 years ago. Sewage spills are currently no longer a continuing problem at the Mobile Home Park or the Beach Café.</p>

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2.2	<p>The seriousness of this issue is exacerbated both by the nature of the pollution which is raw sewage flowing into recreational waters, and the fact that the Permittee, which operates a very popular destination in one of the most expensive areas perhaps in the world, should have more than ample resources to have upgraded to a 21st century system, rather than continuing to use archaic seepage pits. Just weeks following the ground-breaking of the Malibu Civic Center Treatment Plant, truly a proud moment for the Regional Board and partners who fought for it, the very existence of seepage pits in such a high profile location just a few miles away is simply unacceptable.</p>	<p>Wastewater from both the Mobile Home Park and the Beach Café treatment systems are treated effluent, not raw sewage any more. The treated effluent is thereafter discharged to seepage pits for disposal, which have proper separation from groundwater and enough setback from surface water. Seepage pits are commonly used as an effective method to discharge treated wastewater in sloped areas. There are no recent sewage spills flowing into recreational waters. See response to Comment No. 2.1.</p> <p>The tentative WDRs/WRRs and revised CDO require the Discharger to further upgrade the treatment systems at the Mobile Home Park and the Beach Café to meet modern requirements, including meeting recycled water standards to allow the Discharger to recycle the treated wastewater for subsurface irrigation. In addition, once the upgrades are complete, the seepage pits will only be used as the backup a system for discharges when the wastewater cannot be recycled. And the treated wastewater will still meet the effluent limits prescribed in the WDRs/WRRs.</p> <p>Lastly, neither the Mobile Home Park nor the Beach Café are located within the Malibu Onsite Wastewater Disposal System Prohibition area, and are approximately 6 miles west of the future Malibu Civic Center Wastewater Treatment Facility. Therefore, the Discharger is not required to connect to the Malibu Civic Center Wastewater Treatment Facility when it is constructed.</p>
2.3	<p>While we are incredibly disappointed that there is even a need to consider a Cease and Desist Order, we are heartened by the proposed solution to finally implement a system that should effectively address the chronic issues at the site by treating and reusing wastewater from the site</p>	<p>Comment noted. Regional Board staff have proposed issuance of a CDO in order to allow time for the Discharger to complete facility modifications that will combine effluents and bring the Mobile Home Park and Beach Café's treatment systems into compliance with effluent limitations in accordance with an</p>

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	<p>for onsite irrigation, with the seepage pits serving only as back-up during times of high flow. Our understanding is that this solution has the added benefit of offsetting the need for potable water supplies.</p>	<p>established schedule.</p> <p>We share the enthusiasm of having recycled water produced at this site which will offset the use of potable water sources for irrigation.</p> <p>As previously noted, the existing seepage pits will be used as an emergency backup disposal system. Treated wastewater not being used for irrigation (e.g., during periods of rainfall) will be discharged to the seepages pits. The seepages pits will also be used to divert treated wastewater during maintenance of the subsurface drip system.</p>
2.4	<p>We urge the Regional Board to work with the Permittee to establish a reasonable schedule and strictly hold the Permittee accountable to it. We ask that mandatory penalties be included as part of the CDO in the event that the Permittee does not meet their stated obligations and schedule. The numerous benefits of operating in such a stunning site and treasured public resource should come with strict adherence to the attendant responsibilities to the health and well-being of the public and the ecosystem as a whole</p>	<p>As noted in Requirement #11 of the CDO, if the Discharger fails to comply with any provision of the CDO, the Regional Board may take any further action authorized by law, including, but not limited to administrative enforcement action pursuant to Water Code section 13268 and/or 13350 or judicial enforcement, including injunction and civil monetary remedies.</p> <p>Regarding the commenter's request for inclusion of mandatory penalties in the CDO, Regional Board staff assumes that the commenter is referring to stipulated penalties pursuant to Water Code section 13308. Such penalties are not appropriate at this time. In order to assess stipulated penalties in the CDO, the Regional Board would first need to determine that the Discharger has threatened to violate or will continue to violate the CDO. As the CDO has not been issued yet, it is premature and inappropriate to incorporate stipulated penalties into this tentative CDO with the assumption that the Discharger will violate the CDO.</p> <p>While the Discharger has had compliance issues in the past, the</p>



No.	Comment	Response to Comment
		<p>currently proposed CDO does not address those past issues as those issues have been resolved. Rather, the proposed CDO establishes separate tasks and a schedule to allow the Discharger time to complete upgrades at the Mobile Home Park and the Beach Café to comply with permit requirements, including water recycling standards.</p> <p>Regional Board staff is committed to closely overseeing the construction and implementation of the upgrades at the Mobile Home Park and Beach Café pursuant to the schedule in the CDO. If there is evidence that the Discharger will not meet a deadline in the CDO, the Regional Board could, if warranted, issue an order for stipulated penalties pursuant to Water Code section 13308, or proceed with an enforcement action.</p>