



## Los Angeles Regional Water Quality Control Board

October 4, 2019

Ms. Irene Mefford  
144 Via Baja  
Ventura, CA 93003

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
CLAIM NO. 7018 1830 0001 5952 8224

**REVISED CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS UNDER THE WATER QUALITY CONTROL POLICY FOR SITING, DESIGN, OPERATION, AND MAINTENANCE OF ONSITE WASTEWATER TREATMENT SYSTEMS, IRENE MEFFORD RESIDENCE, 144 VIA BAJA, VENTURA, CALIFORNIA 93003 (FILE NO. 15-137, GLOBAL ID WDR100026607)**

Dear Ms. Mefford:

The Los Angeles Regional Water Quality Control Board (Regional Water Board), is the public agency with primary responsibility for the protection of ground and surface water quality for all beneficial uses within major portions of Los Angeles and Ventura Counties, including the referenced property above.

On October 26, 2015, you applied for Waste Discharge Requirements (WDR) for an onsite wastewater treatment system (OWTS) for your house at 144 Via Baja, Ventura, California. On August 12, 2016, Regional Water Board staff enrolled the OWTS under Order No. 2014-0153-DWQ. On June 29, 2017, Regional Water Board staff issued a Tier 0 Conditional Waiver of Waste Discharge Requirements under the OWTS Policy. We understand that in December 2017, both the house and the OWTS were destroyed in the Thomas Fire.

We understand that you plan to build a new 3,600-square foot house on the 32,670-square foot lot. The house will have four bedrooms, four bathrooms, two living rooms, a dining room, a kitchen, and a two-car garage. Based on the number of bedrooms, you originally proposed to install a 2,500-gallon septic tank and two 4-foot diameter by 25-foot deep seepage pits for the domestic wastewater discharged from the residence.

On June 5, 2019, you applied for a WDR for the newly proposed OWTS. Based on the inspection performed on July 26, 2019 and the estimated maximum discharge volume of 600 gallons per day (gpd), Regional Water Board staff determined the subject facility meets the applicable conditions specified in the OWTS Policy, Tier 1 (sections 7.0 and 8.0). Therefore, a Tier 1 Conditional Waiver of WDR was issued on August 30, 2019.

IRMA MUÑOZ, CHAIR | RENEE PURDY, EXECUTIVE OFFICER

320 West 4th St., Suite 200, Los Angeles, CA 90013 | [www.waterboards.ca.gov/losangeles](http://www.waterboards.ca.gov/losangeles)

On September 10, 2019, Mr. Bruce Labins of Bruce Labins Architect & Associates, sent an email to Regional Water Board staff indicating that the City of Ventura required larger capacity septic tank and seepage pits to be installed based on the 2016 California Plumbing Code. As a result, you proposed to install a 2,750-gallon septic tank and two 4-foot diameter by 33-foot deep seepage pits in the side yard of the proposed house. The changes in the sizes of the septic tank and seepage pits still meet the applicable conditions specified in the OWTS Policy, Tier 1 (sections 7.0 and 8.0).

Enclosed is an excerpt of the OWTS Policy, which includes requirements for Tier 1 and the *Conditional Waiver of Waste Discharge Requirements* (section 12 of the OWTS Policy). Should changes to the septic disposal system be needed, revised engineering drawings showing the change must be filed with the Regional Board a minimum of 30 days prior to the change. You must receive approval of such change from the Regional Water Board. The complete OWTS Policy is available at:

[http://www.waterboards.ca.gov/water\\_issues/programs/owts/docs/owts\\_policy.pdf](http://www.waterboards.ca.gov/water_issues/programs/owts/docs/owts_policy.pdf)

Failure to abide by the conditions of the OWTS Policy, the waiver of waste discharge requirements, and this letter authorizing applicability, could result in enforcement actions as authorized by provisions of the California Water Code.

If you have any questions, please contact the Project Manager, Mr. David Koo at (213) 620-6155 ([david.koo@waterboards.ca.gov](mailto:david.koo@waterboards.ca.gov)) or the Chief of Groundwater Permitting Unit, Dr. Eric Wu at (213) 576-6683 ([eric.wu@waterboards.ca.gov](mailto:eric.wu@waterboards.ca.gov)).

Sincerely,



Renee Purdy  
Executive Officer

Enclosures: 1. Tier 1 – Low Risk New or Replacement OWTS  
2. Conditional Waiver of Waste Discharge Requirements

cc (via email): Mr. Charles Genkel, Environmental Health Division, County of Ventura  
Ms. Gina Dorrington, Ventura Water  
Mr. Chris Palmeri, City of Ventura

# Tier 1 – Low Risk New or Replacement OWTS

## Tier 1 – Low Risk New or Replacement OWTS

New or replacement OWTS meet low risk siting and design requirements as specified in Tier 1, where there is not an approved Local Agency Management Program per Tier 2.

### 7.0 Minimum Site Evaluation and Siting Standards

- 7.1 A qualified professional shall perform all necessary soil and site evaluations for all new OWTS and for existing OWTS where the treatment or dispersal system will be replaced or expanded.
- 7.2 A site evaluation shall determine that adequate soil depth is present in the dispersal area. Soil depth is measured vertically to the point where bedrock, hardpan, impermeable soils, or saturated soils are encountered or an adequate depth has been determined. Soil depth shall be determined through the use of soil profile(s) in the dispersal area and the designated dispersal system replacement area, as viewed in excavations exposing the soil profiles in representative areas, unless the local agency has determined through historical or regional information that a specific site soil profile evaluation is unwarranted.
- 7.3 A site evaluation shall determine whether the anticipated highest level of groundwater within the dispersal field and its required minimum dispersal zone is not less than prescribed in Table 2 by estimation using one or a combination of the following methods:
  - 7.3.1 Direct observation of the highest extent of soil mottling observed in the examination of soil profiles, recognizing that soil mottling is not always an indicator of the uppermost extent of high groundwater; or
  - 7.3.2 Direct observation of groundwater levels during the anticipated period of high groundwater. Methods for groundwater monitoring and determinations shall be decided by the local agency; or
  - 7.3.3 Other methods, such as historical records, acceptable to the local agency.
  - 7.3.4 Where a conflict in the above methods of examination exists, the direct observation method indicating the highest level shall govern.
- 7.4 Percolation test results in the effluent disposal area shall not be faster than one minute per inch (1 MPI) or slower than one hundred twenty minutes per inch (120 MPI). All percolation test rates shall be performed by presoaking of percolation test holes and continuing the test until a stabilized rate is achieved.
- 7.5 Minimum horizontal setbacks from any OWTS treatment component and dispersal systems shall be as follows:
  - 7.5.1 5 feet from parcel property lines and structures;
  - 7.5.2 100 feet from water wells and monitoring wells, unless regulatory or legitimate data requirements necessitate that monitoring wells be located closer;

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- 7.5.3 100 feet from any unstable land mass or any areas subject to earth slides identified by a registered engineer or registered geologist; other setback distance are allowed, if recommended by a geotechnical report prepared by a qualified professional.
  - 7.5.4 100 feet from springs and flowing surface water bodies where the edge of that water body is the natural or levied bank for creeks and rivers, or may be less where site conditions prevent migration of wastewater to the water body;
  - 7.5.5 200 feet from vernal pools, wetlands, lakes, ponds, or other surface water bodies where the edge of that water body is the high water mark for lakes and reservoirs, and the mean high tide line for tidally influenced water bodies;
  - 7.5.6 150 feet from a public water well where the depth of the effluent dispersal system does not exceed 10 feet;
  - 7.5.7 Where the effluent dispersal system is within 1,200 feet from a public water systems' surface water intake point, within the catchment of the drainage, and located such that it may impact water quality at the intake point such as upstream of the intake point for flowing water bodies, the dispersal system shall be no less than 400 feet from the high water mark of the reservoir, lake or flowing water body.
  - 7.5.8 Where the effluent dispersal system is located more than 1,200 feet but less than 2,500 feet from a public water systems' surface water intake point, within the catchment of the drainage, and located such that it may impact water quality at the intake point such as upstream of the intake point for flowing water bodies, the dispersal system shall be no less than 200 feet from the high water mark of the reservoir, lake or flowing water body.
- 7.6 Prior to issuing a permit to install an OWTS the permitting agency shall determine if the OWTS is within 1,200 feet of an intake point for a surface water treatment plant for drinking water, is in the drainage catchment in which the intake point is located, and located such that it may impact water quality at the intake point such as being upstream of the intake point for a flowing water body. If the OWTS is within 1,200 feet of an intake point for a surface water treatment plant for drinking water, is in the drainage catchment in which the intake point is located, and is located such that it may impact water quality at the intake point:
- 7.6.1 The permitting agency shall provide a copy of the permit application to the owner of the water system of their proposal to install an OWTS within 1,200 feet of an intake point for a surface water treatment. If the owner of the water system cannot be identified, then the permitting agency will notify California Department of Public Health Drinking Water Program.
  - 7.6.2 The permit application shall include a topographical plot plan for the parcel showing the OWTS components, the property boundaries, proposed structures, physical address, and name of property owner.

## Tier 1 – Low Risk New or Replacement OWTS

- 7.6.3 The permit application shall provide the estimated wastewater flows, intended use of proposed structure generating the wastewater, soil data, and estimated depth to seasonally saturated soils.
- 7.6.4 The public water system owner shall have 15 days from receipt of the permit application to provide recommendations and comments to the permitting agency.
- 7.7 Natural ground slope in all areas used for effluent disposal shall not be greater than 25 percent.
- 7.8 The average density for any subdivision of property made by Tentative Approval pursuant to the Subdivision Map Act occurring after the effective date of this Policy and implemented under Tier 1 shall not exceed the allowable density values in Table 1 for a single-family dwelling unit, or its equivalent, for those units that rely on OWTS.

<b>Average Annual Rainfall (in/yr)</b>	<b>Allowable Density (acres/single family dwelling unit)</b>
0 - 15	2.5
>15 - 20	2
>20 - 25	1.5
>25 - 35	1
>35 - 40	0.75
>40	0.5

### 8.0 Minimum OWTS Design and Construction Standards

#### 8.1 OWTS Design Requirements

- 8.1.1 A qualified professional shall design all new OWTS and modifications to existing OWTS where the treatment or dispersal system will be replaced or expanded. A qualified professional employed by a local agency, while acting in that capacity, may design, review, and approve a design for a proposed OWTS, if authorized by the local agency.
- 8.1.2 OWTS shall be located, designed, and constructed in a manner to ensure that effluent does not surface at any time, and that percolation of effluent will not adversely affect beneficial uses of waters of the State.
- 8.1.3 The design of new and replacement OWTS shall be based on the expected influent wastewater quality with a projected flow not to exceed 3,500 gallons per day, the peak wastewater flow rates for purposes of sizing hydraulic components, the projected average daily flow for purposes of sizing the dispersal system, the characteristics of the site, and the required level of treatment for protection of water quality and public health.

## Tier 1 – Low Risk New or Replacement OWTS

- 8.1.4 All dispersal systems shall have at least twelve (12) inches of soil cover, except for pressure distribution systems, which must have at least six (6) inches of soil cover.
- 8.1.5 The minimum depth to the anticipated highest level of groundwater below the bottom of the leaching trench, and the native soil depth immediately below the leaching trench, shall not be less than prescribed in Table 2.

<b>Table 2: Tier 1 Minimum Depths to Groundwater and Minimum Soil Depth from the Bottom of the Dispersal System</b>	
<b>Percolation Rate</b>	<b>Minimum Depth</b>
Percolation Rate $\leq 1$ MPI	Only as authorized in a Tier 2 Local Agency Management Program
$1 \text{ MPI} < \text{Percolation Rate} \leq 5$ MPI	Twenty (20) feet
$5 \text{ MPI} < \text{Percolation Rate} \leq 30$ MPI	Eight (8) feet
$30 \text{ MPI} < \text{Percolation Rate} \leq 120$ MPI	Five (5) feet
Percolation Rate $> 120$ MPI	Only as authorized in a Tier 2 Local Agency Management Program
MPI = minutes per inch	

- 8.1.6 Dispersal systems shall be a leachfield, designed using not more than 4 square-feet of infiltrative area per linear foot of trench as the infiltrative surface, and with trench width no wider than 3 feet. Seepage pits and other dispersal systems may only be authorized for repairs where siting limitations require a variance. Maximum application rates shall be determined from stabilized percolation rate as provided in Table 3, or from soil texture and structure determination as provided in Table 4.
- 8.1.7 Dispersal systems shall not exceed a maximum depth of 10 feet as measured from the ground surface to the bottom of the trench.

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<b>Table 3: Application Rates as Determined from Stabilized Percolation Rate</b>							
Percolation Rate (minutes per Inch)	Application Rate (gallons per day per square foot)		Percolation Rate (minutes per Inch)	Application Rate (gallons per day per square foot)		Percolation Rate (minutes per Inch)	Application Rate (gallons per day per square foot)
<1	Requires Local Management Program		31	0.522		61	0.197
1	1.2		32	0.511		62	0.194
2	1.2		33	0.5		63	0.19
3	1.2		34	0.489		64	0.187
4	1.2		35	0.478		65	0.184
5	1.2		36	0.467		66	0.18
6	0.8		37	0.456		67	0.177
7	0.8		38	0.445		68	0.174
8	0.8		39	0.434		69	0.17
9	0.8		40	0.422		70	0.167
10	0.8		41	0.411		71	0.164
11	0.786		42	0.4		72	0.16
12	0.771		43	0.389		73	0.157
13	0.757		44	0.378		74	0.154
14	0.743		45	0.367		75	0.15
15	0.729		46	0.356		76	0.147
16	0.714		47	0.345		77	0.144
17	0.7		48	0.334		78	0.14
18	0.686		49	0.323		79	0.137
19	0.671		50	0.311		80	0.133
20	0.657		51	0.3		81	0.13
21	0.643		52	0.289		82	0.127
22	0.629		53	0.278		83	0.123
23	0.614		54	0.267		84	0.12
24	0.6		55	0.256		85	0.117
25	0.589		56	0.245		86	0.113
26	0.578		57	0.234		87	0.11
27	0.567		58	0.223		88	0.107
28	0.556		59	0.212		89	0.103
29	0.545		60	0.2		90	0.1
30	0.533					>90 - 120	0.1

## Tier 1 – Low Risk New or Replacement OWTS

<b>Table 4: Design Soil Application Rates</b>			
(Source: USEPA Onsite Wastewater Treatment Systems Manual, February 2002)			
Soil Texture (per the USDA soil classification system)	Soil Structure Shape	Grade	Maximum Soil Application Rate(gallons per day per square foot) <sup>1</sup>
Coarse Sand, Sand, Loamy Coarse Sand, Loamy Sand	Single grain	Structureless	0.8
Fine Sand, Very Fine Sand, Loamy Fine Sand, Loamy Very Fine Sand	Single grain	Structureless	0.4
Coarse Sandy Loam, Sandy Loam	Massive	Structureless	0.2
		Platy	Weak
	Platy	Moderate, Strong	Prohibited
		Prismatic, Blocky, Granular	Weak
Prismatic, Blocky, Granular	Moderate, Strong	0.6	
	Fine Sandy Loam, very fine Sandy Loam	Massive	Structureless
Platy		Weak, Moderate, Strong	Prohibited
Prismatic, Blocky, Granular		Weak	0.2
	Moderate, Strong	0.4	
Loam	Massive	Structureless	0.2
		Platy	Weak, Moderate, Strong
	Prismatic, Blocky, Granular	Weak	0.4
		Moderate, Strong	0.6
Silt Loam	Massive	Structureless	Prohibited
		Platy	Weak, Moderate, Strong
	Prismatic, Blocky, Granular	Weak	0.4
		Moderate, Strong	0.6
Sandy Clay Loam, Clay Loam, Silty Clay Loam	Massive	Structureless	Prohibited
		Platy	Weak, Moderate, Strong
	Prismatic, Blocky, Granular	Weak	0.2
		Moderate, Strong	0.4
Sandy Clay, Clay, or Silty Clay	Massive	Structureless	Prohibited
		Platy	Weak, Moderate, Strong
	Prismatic, Blocky, Granular	Weak	Prohibited
		Moderate, Strong	0.2

<sup>1</sup> Soils listed as prohibited may be allowed under the authority of the Regional Water Board, or as allowed under an approved Local Agency Management Program per Tier 2.



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- 8.1.8 All new dispersal systems shall have 100 percent replacement area that is equivalent and separate, and available for future use.
- 8.1.9 No dispersal systems or replacement areas shall be covered by an impermeable surface, such as paving, building foundation slabs, plastic sheeting, or any other material that prevents oxygen transfer to the soil.
- 8.1.10 Rock fragment content of native soil surrounding the dispersal system shall not exceed 50 percent by volume for rock fragments sized as cobbles or larger and shall be estimated using either the point-count or line-intercept methods.
- 8.1.11 Increased allowance for IAPMO certified dispersal systems is not allowed under Tier 1.

### 8.2 OWTS Construction and Installation

- 8.2.1 All new or replacement septic tanks and new or replacement oil/grease interceptor tanks shall comply with the standards contained in Sections K5(b), K5(c), K5(d), K5(e), K5(k), K5(m)(1), and K5(m)(3)(ii) of Appendix K, of Part 5, Title 24 of the 2007 California Code of Regulations.
- 8.2.2 All new septic tanks shall comply with the following requirements:
  - 8.2.2.1 Access openings shall have watertight risers, the tops of which shall be set at most 6 inches below finished grade; and
  - 8.2.2.2 Access openings at grade or above shall be locked or secured to prevent unauthorized access.
- 8.2.3 New and replacement OWTS septic tanks shall be limited to those approved by the International Association of Plumbing and Mechanical Officials (IAPMO) or stamped and certified by a California registered civil engineer as meeting the industry standards, and their installation shall be according to the manufacturer's instructions.
- 8.2.4 New and replacement OWTS septic tanks shall be designed to prevent solids in excess of three-sixteenths (3/16) of an inch in diameter from passing to the dispersal system. Septic tanks that use a National Sanitation Foundation/American National Standard Institute (NSF/ANSI) Standard 46 certified septic tank filter at the final point of effluent discharge from the OWTS and prior to the dispersal system shall be deemed in compliance with this requirement.

## **Tier 1 – Low Risk New or Replacement OWTS**

8.2.5 A Licensed General Engineering Contractor (Class A), General Building Contractor (Class B), Sanitation System Contractor (Specialty Class C-42), or Plumbing Contractor (Specialty Class C-36) shall install all new OWTS and replacement OWTS in accordance with California Business and Professions Code Sections 7056, 7057, and 7058 and Article 3, Division 8, Title 16 of the California Code of Regulations. A property owner may also install his/her own OWTS if the as-built diagram and the installation are inspected and approved by the Regional Water Board or local agency at a time when the OWTS is in an open condition (not covered by soil and exposed for inspection).

## Waiver – Effective Date – Financial Assistance

### Conditional Waiver of Waste Discharge Requirements

- 12.0 In accordance with Water Code section 13269, the State Water Board hereby waives the requirements to submit a report of waste discharge, obtain waste discharge requirements, and pay fees for discharges from OWTS covered by this Policy. Owners of OWTS covered by this Policy shall comply with the following conditions:
- 12.0.1 The OWTS shall function as designed with no surfacing effluent.
  - 12.0.2 The OWTS shall not utilize a dispersal system that is in soil saturated with groundwater.
  - 12.0.3 The OWTS shall not be operated while inundated by a storm or flood event.
  - 12.0.4 The OWTS shall not cause or contribute to a condition of nuisance or pollution.
  - 12.0.5 The OWTS shall comply with all applicable local agency codes, ordinances, and requirements.
  - 12.0.6 The OWTS shall comply with and meet any applicable TMDL implementation requirements, special provisions for impaired water bodies, or supplemental treatment requirements imposed by Tier 3.
  - 12.0.7 The OWTS shall comply with any corrective action requirements of Tier 4.
- 12.1 This waiver may be revoked by the State Water Board or the applicable Regional Water Board for any discharge from an OWTS, or from a category of OWTS.

### Effective Date

- 13.0 This Policy becomes effective six months after its approval by the Office of Administrative Law, and all deadlines and compliance dates stated herein start at such time.

