California Regional Water Quality Control Board
Los Angeles Region
Over 50 Years Serving Coastal Los Angeles and Ventura Counties
Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

Winston H. Hickox
*Secretary for Environmental Protection*

Gray Davis
*Governor*

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: http://www.swrcb.ca.gov/rwqcb4

October 2, 2001

Mr. David Wilstein
Trancas-PCH, LLC
2080 Century Park East, Penthouse
Los Angeles, CA 90067

Dear Mr. Wilstein:

**WASTE DISCHARGE REQUIREMENTS FOR TRANCAS-PCH, LLC, TENTATIVE TRACT 32415, TRANCAS CANYON ROAD, MALIBU, CALIFORNIA (File No. 98-190)**

Our letter of September 10, 2001 transmitted revised tentative Waste Discharge Requirements for your discharge of treated domestic wastewater.

Pursuant to Division 7 of the California Water Code, this Regional Board at a public meeting held on September 19, 2001, reviewed the revised tentative Waste Discharge Requirements, considered all factors in the case, and adopted Order No. 01-135 (copies attached) relative to this discharge. Standard Provisions, which are a part of the WDRs, are also enclosed.

You are required to implement Monitoring and Reporting Program No. 8327 on the effective date of Order No. 01-135. Your first monitoring report under these Requirements is due to this Regional Board by January 15, 2002. All monitoring reports should be sent to the Regional Board, Attn: Information Technology Unit.

Please reference all monitoring reports to Compliance File No. CI-8327. We would appreciate if you would not combine other reports, such as progress or technical reports, with your monitoring reports.

If you have any questions or need additional information, please call Thanhloan Nguyen (213) 620-2423.

Sincerely,

Paula Rasmussen

Paula Rasmussen, Section Chief
Enforcement and Groundwater Permitting

Enclosures:

1. Board Order No. 01-135, specifying WDRs
2. Monitoring and Reporting Program No. CI-8327
3. Standard Provisions applicable to Waste Discharge Requirements (addressee only)

cc: Mr. Mike Floyd, Division of Water Quality, State Water Resources Control Board
Mr. Robert Sams, Office of Chief Counsel, State Water Resources Control Board
Mr. Michael Lauffer, Office of Chief Counsel, State Water Resources Control Board
Mr. Carl Sjoberg, Department of Public Works, Environmental Program Division, County of Los Angeles
Mr. Dean D. Efstathiou, County of Los Angeles Department of Public Works
Mr. Victor Peterson, City of Malibu
Mr. Mark Gold, Heal the Bay
Ms. Monica D. Witt, Jeffer, Mangels, Butler & Marmaro LLP
Ms. Vera Melnyk Vecchio, Drinking Water Field Operations Branch, State Department of Health Services
Ms. Sally McCraven, Todd Engineers
Mr. Norman N. Hantzsche, Questa Engineering Corp.
Mr. Stephen Jones, Trancas Property Homeowners Association
Ms. Debra DeCray, Bailard Road Private Homeowners Association
Ms. Patt Healy, Malibu West Swimming Club

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

ORDER NO. 01-135

WASTE DISCHARGE REQUIREMENTS
FOR
TRANCAS-PCH, LLC
(TENTATIVE TRACT 32415)

(File No. 98-190)

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

1. Trancas-PCH, LLC (hereinafter Discharger) owns Tentative Tract 32415 located at Trancas Canyon Road in Malibu, California (Figure1). Trancas-PCH, LLC has filed a Report of Waste Discharge (RoWD) for the disposal of domestic wastewater from 15 single-family homes to be constructed on Tentative Tract 32415 to private subsurface disposal systems.

2. On June 25, 1979, Preferred Financial Corporation, a general partner of Trancas-PCH, LLC, obtained Waste Discharge Requirements (WDRs) Order No. 79-109 for discharges of domestic sewage from residential dwellings for the proposed development of Tentative Tract 29273 which included 52 townhouses and 15 single-family homes. Subsequently, the land development was divided into two phases with Tentative Tract 29273 including only the 52 townhouses and Tentative Tract 32415 including only the proposed 15 single-family homes (Figure 2). In 1998, the Discharger submitted a RoWD for Tentative Tract 32415 only. On August 28, 2001, the Discharger requested that the Regional Board rescind Order No. 79-109 as it pertains to Tentative Tract 32415, in conjunction with its issuance of new WDRs, and not rescind Order No. 79-109 as it pertains to Tentative Tract 29273.

3. The Discharger plans to develop Tentative Tract 32415 (approximately 15.6 acres) into 15 single-family homes which will discharge their domestic wastewaters to individual wastewater treatment units and disposal systems. Each individual wastewater treatment unit will consist of a watertight septic tank, AdvanTex™ textile filter, ultra violet disinfection unit, and effluent pump basin. The treated wastewater will be pumped to individual on-site disposal facilities which will include a subsurface landscape irrigation field and one or more seepage pits (Figures 3 and 4). The only exception is for lots 13 and 14 which do not have sufficient areas for landscape irrigation fields that meet the required100-foot set back from the seasonal watercourse that crosses through the project site. These two lots will only utilize seepage pits for disposal of treated wastewater, which will be located to meet the required 100-foot watercourse set back. Waste sludge will be hauled offsite to a legal disposal site.

4. The Discharger estimates that the proposed design flows are 750 and 900 gallons per day (gpd) for the proposed 4-bedroom and 5-bedroom single-family residences, respectively. The total design flow for all 15 single-family homes is 12,750 gpd, and the average daily flow is estimated to be 6,375 gpd. Approximately 73 percent of the treated wastewater will be discharged to the subsurface irrigation areas via time-controlled pumps and drip irrigation pipes. The approximate subsurface irrigation area is 5,000 square feet per lot for an estimated total of 65,000 square feet for the development. The Discharger states that the wastewater discharged from all lots will not result in daylighting on the slopes of the canyon. The Discharger also states that area for future 100-percent replacement of the subsurface disposal system shall be provided.

5. Potable water consumers in the area, including the subject site, receive water from the Metropolitan Water District of Southern California through the West Basin Municipal Water District.

6. The site, including the subsurface irrigation areas and seepage pits, is located in Section 35 M, Township 1S, Range 19W, and is at a latitude $34^0$ 02' 14" N and a longitude of 118 $^0$ 50' 48" W. Some of the hydrologic features near the site include:

   - Trancas Canyon drainage, which is approximately 1,200 feet to the east of the site;
   - Steep Hills Canyon drainage, which is approximately 2,900 feet to the west of the site;
   - The Pacific Ocean (Trancas Beach), which is approximately 1,900 feet to the south of the site;
   - An unnamed south-draining channel crosses the central area of the site draining from north to south. This drainage directs intermittent surface water flow from the site and a small area to the northwest of the site;

   The Report of Waste Discharge states that intermittent surface water flow in the unnamed channel is not in direct hydraulic connection with the groundwater.

7. The subject site is located in an unsewered area of the City of Malibu. There is no local sewer/treatment system available to accept discharge from Tentative Tract 32415. The nearest treatment plant, Trancas Water Pollution Control Plant (TWPCP) located at 6338 Paseo Canyon Drive, serves only those properties within the Trancas Zone of the Consolidated Sewer Maintenance District. The subject site is not within the Trancas Zone and therefore is not eligible for service at the TWPCP. Additionally, the City does not provide wastewater collection and treatment utilities; rather the City primarily relies upon subsurface disposal systems for disposal of domestic, commercial, and industrial wastewater.

8. The Regional Board adopted a revised *Water Quality Control Plan for the Los Angeles Region (Basin Plan) on June 13, 1994. The Basin Plan* designates beneficial uses of waters, and establishes water quality objectives for the protection of beneficial uses.

9. The sub-surface drip irrigation and seepage pits areas are in close proximity to Trancas Beach. The beneficial uses of the Trancas Beach include: navigation, water-contact recreation (REC-1), non-water contact recreation (REC-2), commercial and sport fishing, marine habitat, wildlife habitat, spawning and reproduction of aquatic organisms and shellfish harvesting. A Water Quality Assessment, adopted by this Regional Board on May 18, 1998, identified beaches along the Santa Monica Bay (including the Malibu area) as impaired by pathogens for contact water recreation.

10. The sub-surface drip irrigation and seepage pits areas are located in the Trancas Canyon Hydrologic Subarea within the Point Dume Hydrologic Area. The Basin Plan contains water quality objectives for groundwaters of Point Dume area. The beneficial uses for groundwater of the Point Dume area include potential agricultural supply, existing municipal, domestic and industrial service supply.

11. The treated wastewater discharged to the seepage pits will reach the groundwater after passage through a minimum of ten feet of soil. Discharges from the subsurface irrigation fields will be applied at rates that approximate the evaporation needs of landscape vegetation and will not reach the groundwater. The Discharger identified one irrigation well in the area of the Pacific Coast Highway, Lunita, and Bailard Roads, which is approximately 400 feet down gradient, southwest of the site. A groundwater monitoring program and a surface water monitoring program are necessary to evaluate any impacts from the discharge of waste to the groundwater quality, and to determine the migration potential of waste discharge to groundwater and nearby ocean water. Groundwater and surface water monitoring programs shall be established so that groundwater and surface water may be sampled and analyzed to determine if discharges from the septic systems impact water quality.

12. An action level for nitrate in the groundwater has been identified at 34 mg/L, or 75% of the State Department of Health Services Maximum Contaminant Level (MCL) of 45 mg/L. Identification of nitrate at this level should allow sufficient time for emplacement and activation of mitigation measures, should they become necessary.

13. The County of Los Angeles adopted a Negative Declaration, in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.).

14. In accordance with the Governor's Executive Order requiring any proposed activity be reviewed to determine whether such activity will cause additional energy usage, Regional Board staff have determined that implementation of these Waste Discharge Requirements will not result in a significant change in energy usage.

The Regional Board has notified the Discharger and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for this discharge, and provided them with an opportunity to submit their written views and recommendations for the requirements.

The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge and to the requirements.

IT IS HEREBY ORDERED that Trancas-PCH, LLC shall comply with the following:

A. INFLUENT LIMITATIONS

1. Waste discharged shall be limited to treated domestic wastewater only. No water softener regeneration brines, commercial, or industrial wastewaters shall be discharged to the on-site individual wastewater treatment systems.

2. No volatile organic compounds are to be discharged into the wastewater disposal system.

B. EFFLUENT LIMITATIONS

1. The maximum daily wastewater flow discharged from each individual wastewater treatment system, based on a 30-day average, shall not exceed 750 gpd and 900 gpd, respectively, for the proposed 4-bedroom and 5-bedroom single-family residences.

2. The pH of waste discharged shall at all times be between 6.5 to 8.5 pH units.

3. Treated wastewater shall be discharged only at the seepage pits and subsurface drip irrigation areas controlled by the Discharger. The discharge of wastes, whether treated or untreated, to any watercourse or drainage ditch is prohibited at all times.

4. The wastewater discharge to the disposal system including seepage pits and/ or subsurface drip irrigation system shall not contain constituents in excess of the following limits:

| Constituent | Units | 30-Day Average | Daily Maximum |
|---|---|---|---|
| $BOD_5$ | mg/L | 30 | 45 |
| Suspended solids | mg/L | 30 | 45 |
| Turbidity | NTU | 10 | 15 |
| Oil & Grease | mg/L | ---- | 15 |
| Total Dissolved Solids | mg/L | ---- | 1,000 |
| Sulfate | mg/L | ---- | 250 |
| Chloride | mg/L | ---- | 250 |
| Boron | mg/L | ---- | 1.0 |

5. The wastewater discharged to the sub-surface drip irrigation and seepage pits areas shall not contain salts, heavy metals, or organic pollutants at levels that would impact groundwater.

6. Any wastes that do not meet the foregoing requirements shall be held in impervious containers, and discharged at a legal point of disposal.

C. GROUND WATER LIMITATIONS

1. Receiving water shall be defined as groundwater at a point no greater than fifty (50) feet hydraulically downgradient of the furthermost extent of the disposal area, or the property line of the Discharger, whichever is less.

2. The receiving water shall not contain constituents in excess of the following limits:

| Constituent | Units | 30-Day Average | Daily Maximum |
|---|---|---|---|
| Fecal coliform | MPN/100mL | ---- | 1.1 |
| Total coliform | MPN/100mL | ---- | 1.1 |
| Enterococcus[1] | MPN/100mL | ---- | 1.1 |
| Nitrate-Nitrogen plus Nitrite-Nitrogen | mg/L | ---- | 10[2] |

D. SUBSURFACE DRIP IRRIGATION SPECIFICATIONS

1. Treated wastewater used for sub-surface drip irrigation shall be at all times adequately oxidized and disinfected. An oxidized wastewater means wastewater in which the organic matter has been stabilized, is nonputrescible, and contains dissolved oxygen.

2. Treated wastewater shall be applied at such a rate and volume as not to exceed vegetation demand and soil moisture conditions. Special precautions must be taken to prevent clogging of driplines, to prevent overwatering, and to exclude the production of runoff. Pipelines shall be maintained so as to prevent leaks.

3. There shall be no cross-connection between the potable water supply and piping containing recycled water.

[1] The Enterococcus limit is based on geometric mean of at least 5 equally spaced sample in any 30-day period.
[2] Action level for nitrate in the groundwater has been identified at 34 mg/L, or 75% of the state Department of Health Services MCL of 45 mg/L.

4. Treated wastewater shall not be used for irrigation during periods of rainfall and/or runoff.

5. Treated wastewater used for irrigation shall be retained on the areas of use and shall not be allowed to escape as surface flow.

E. RESPONSIBILITY

1. The Discharger must comply with all conditions of these Waste Discharge Requirements, and Monitoring and Reporting Program No. 8327. A copy of Order No. 01-135 shall be delivered at the time of closing to every home purchaser, explaining that the purchaser is accepting responsibility for compliance with the requirements of Order No. 01-135, and that the creation of a Homeowners Association is required to be an entity or agency for the purpose of Waste Discharge Requirements compliance. The Discharger shall provide a copy of the transfer agreement to the Regional Board 30 days before its effective date. Violation may result in enforcement actions, including Regional Board orders or court orders, requiring corrective action or imposing civil monetary liability, or in modification or revocation of these Waste Discharge Requirements by the Regional Board.

2. The Discharger must submit evidence of installation of dry sewers for mitigation measures as proposed by the Discharger, by a letter of proof to the Regional Board, certifying under penalty of perjury, that mitigation measures were completed. The letter must be submitted to the Regional Board 90 days prior to commencement of discharge.

3. The Discharger must notify the Executive Officer, in writing, at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new discharger. The notice must include a written agreement between the Discharger and the prospective discharger containing a specific date for the transfer of responsibility under this Order and compliance between the Discharger and the prospective discharger. Such agreement shall include an acknowledgement that the Discharger is liable for violations up to the transfer date, and that the prospective discharger is liable from the transfer date on.

F. GENERAL REQUIREMENTS

1. The on-site sewage treatment/disposal systems shall be maintained in such a manner that at no time will sewage be permitted to surface or overflow at any location.

2. The Discharger shall not discharge waste in excess of the maximum design and disposal capacity of the septic systems.

3. The on-site sewage treatment/disposal systems shall be protected from damage by storm flow or run off.

4. Sewage odors shall not be detectable.

5. Septic tank cleanings shall be performed only by a duly authorized service.

6. The Discharger shall ensure that the contents of the septic systems are disposed of in accordance with all applicable laws and ordinances.

7. In the event that wastes are transported to a different disposal site, the Discharger shall report: types of wastes and quantity of each type; name and address of each waste hauler (or method of transport if other than by hauling); and location of the final point(s) of disposal of each type of wastes.

8. Neither the treatment nor disposal nor any handling of wastes shall cause a condition of pollution or nuisance, or problems due to breeding of mosquitoes, midges, flies, or other pests.

G. PROHIBITIONS

1. Discharge of wastes to any point other than specifically described in this Order is prohibited and constitutes a violation thereof.

2. The discharge or use of raw or inadequately treated sewage at any time is prohibited.

3. Wastes discharged shall not impart tastes, odors, color, foaming or other objectionable characteristics to the receiving water.

4. Wastes discharged shall at no time contain any substance in concentrations toxic to human, animal, plant, or aquatic life.

5. The surfacing or overflow of sewage from the septic systems including the subsurface irrigation and disposal areas at any time and at any location and the direct or indirect discharge of wastes to waters of the State (including storm drains, groundwater or surface water drainage courses) is prohibited.

6. Any additional hookups to the septic systems without prior written approval from the Regional Board Executive Officer are prohibited.

7. The disposal of wastes in geologically unstable areas or so as to cause earth movement is prohibited.

8. The direct or indirect discharge of any wastewater to surface waters or surface water drainage courses is prohibited.

9. There shall be no on-site disposal of septage. Any offsite disposal of septage shall be only to a legal point of disposal, with the approval of the

legal disposal site Operator. For purpose of these requirements, a legal disposal site is one for which requirements have been established by a California Regional Water Quality Control Board and which is in full compliance therewith. Any septage handling shall be in such a manner as to prevent its reaching surface waters or watercourse.

10. No part of the septic systems shall be closer than 150 feet to any water well or closer than 100 feet to any stream, channel or other watercourse.

11. All discharges that do not meet the aforementioned requirements shall be held in impervious containers and discharged at a legal point of disposal.

12. No part of the seepage pits for the private sewage disposal system shall extend to a depth where waste may deleteriously affect any underground water stratum that is usable for domestic purposes. In no case may the sewage treatment or disposal system extend to within 10 feet of a zone of historic or anticipated high groundwater level.

13. Neither the treatment nor the discharge of waste shall create a condition of pollution, contamination, or nuisance.

H. PROVISIONS

1. A copy of these Waste Discharge Requirements shall be maintained at the office of the Discharger and be available at all times to local residents.

2. The Discharger shall file, with the Regional Board, technical reports on self-monitoring work performed according to the detailed specifications contained in Monitoring and Reporting Program No. 8327, 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. Monitoring and Reporting Program No. 8327 contains requirements, among others, specifying the following:

   a) The Discharger shall establish baseline bacteria levels in the effluent from the wastewater treatment units by monitoring bacteria in the wastewater prior to discharge into the subsurface irrigation areas and seepage pits.

   b) A monitoring program for groundwater shall be established so that the groundwater immediately upgradient and downgradient from the discharge area can be measured, sampled, and analyzed to determine if discharges from the irrigation/seepage pit disposal system have impacted, or are impacting, water quality. The groundwater monitoring workplan must be submitted to the Regional Board by December 1, 2001 and is subject to the Executive Officer's approval prior to implementation.

c) A surface water monitoring program shall be established so that surface water can be measured, sampled, and analyzed to determine if discharges from the site have impacted or are impacting water quality. The surface water monitoring workplan must be submitted to the Regional Board by December 1, 2001 and is subject to the Executive Officer's approval prior to implementation.

3. Within six months after a community wastewater collection (sewer) system becomes available, each residence shall connect to the community sewer system and properly close the private subsurface disposal system(s).

4. The Discharger shall ensure that the capacity of the disposal area is adequate and that adequate steps are taken to accommodate system failure or to deal with loss of assimilative capacity of the soils. The Discharger shall reserve sufficient land area for possible future 100 percent replacement of the subsurface disposal area until such time as the Discharger's facility is connected to a municipal sewerage system.

5. The Discharger shall submit the as-built construction and operation details of the private subsurface disposal system to the Regional Board for review within 90 days after the system is in place.

6. The Discharger shall comply with all the applicable requirements of Chapter 4.5 of Division 7 of the Water Code (commencing at section 13290) which requires standards to be developed for the operation of septic systems.

7. In the event of any change in the character, location, or volume of a discharge, the Discharger shall file with the Regional Board a new Report of Waste Discharge. A material change includes, but is not limited to, the following:

   a) Significant change in disposal method;

   b) Significant change in the disposal area; or

   c) Significant increase in flow.

8. These Waste Discharge Requirements are subject to review and revision by the Regional Board.

9. The Regional Board is currently studying the Total Maximum Daily Loading (TMDL) for nutrients into the Trancas Watershed in the Santa Monica Beaches Coliform TMDL. When the study is completed, nutrient loading rates will be assigned to dischargers. The Discharger shall comply with waste load allocations developed and approved pursuant to the process for the designation of Total Maximum Daily Loads for the

Trancas Watershed. The Regional Board may require that the Discharger meet nutrient discharge limits stricter than those imposed in this Order No. 01-135.

10. Where the Discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge, or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or correct information.

11. This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed here do not authorize the commission of any act causing injury to persons or property, and do not protect the Discharger from liability under Federal, State or local laws.

12. In accordance with Water Code section 13263 (g), these requirements shall not create a vested right to continue to discharge. All discharges of waste into waters of the state are privileges, not rights, and are subject to rescission or modification.

13. These requirements do not exempt the Discharger from compliance with any other laws, regulations, or ordinances which may be applicable, nor legalize the waste discharge.

14. The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with conditions of this Order.

15. The Discharger shall take all reasonable steps to minimize or prevent any discharge that has a reasonable likelihood of adversely affecting human health or the environment.

16. Should the nitrate concentration in any downstream monitoring well reach or exceed 34 mg/L (75% of the State Department of Health Services MCL of 45 mg/L), the Discharger must submit a plan to remediate nitrate pollution in the groundwater, so as to preclude any exceedance of the 45 mg/L MCL. The Plan must contain a detailed description of remediation methodology proposed, together with the time schedule of implementation, and must be submitted within 60 days of recording the nitrate exceedance of 34 mg/L.

17. The Discharger 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 Discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of 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 location.

18. In an enforcement action, it shall not be a defense for the Discharger that it would have been necessary to halt or to reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the private subsurface sewage disposal system, the Discharger shall, to the extent necessary to maintain compliance with this Order, control all the discharges until the system is restored or an alternative method of treatment is provided.

19. The Discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the Discharger becomes aware of the circumstances. A written submittal shall also be provided within five days of the time the Discharger becomes aware of the circumstances. The written submittal shall contain a description of the noncompliance and its cause, the period of noncompliance including exact dates and times; and if the noncompliance has not been corrected, the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following occurrence (s) must be reported to the Executive Officer within 24 hours:

a) Any overflow or surfacing of sewage, or leakage from the private subsurface sewage disposal system; and

b) Any bypass from any portion of the system.

20. This Order includes the attached Monitoring and Reporting Program (Attachment T). If there is any conflict between provisions stated in the Monitoring and Reporting Program and the Standard Provisions, those provisions stated in the Monitoring and Reporting Program prevail.

21. This Order includes the attached *Standard Provisions Applicable to Waste Discharge Requirements* (Attachment W). If there is any conflict between provisions stated herein and the *Standard Provisions Applicable*

*to Waste Discharge Requirements*, the provisions stated herein will prevail.

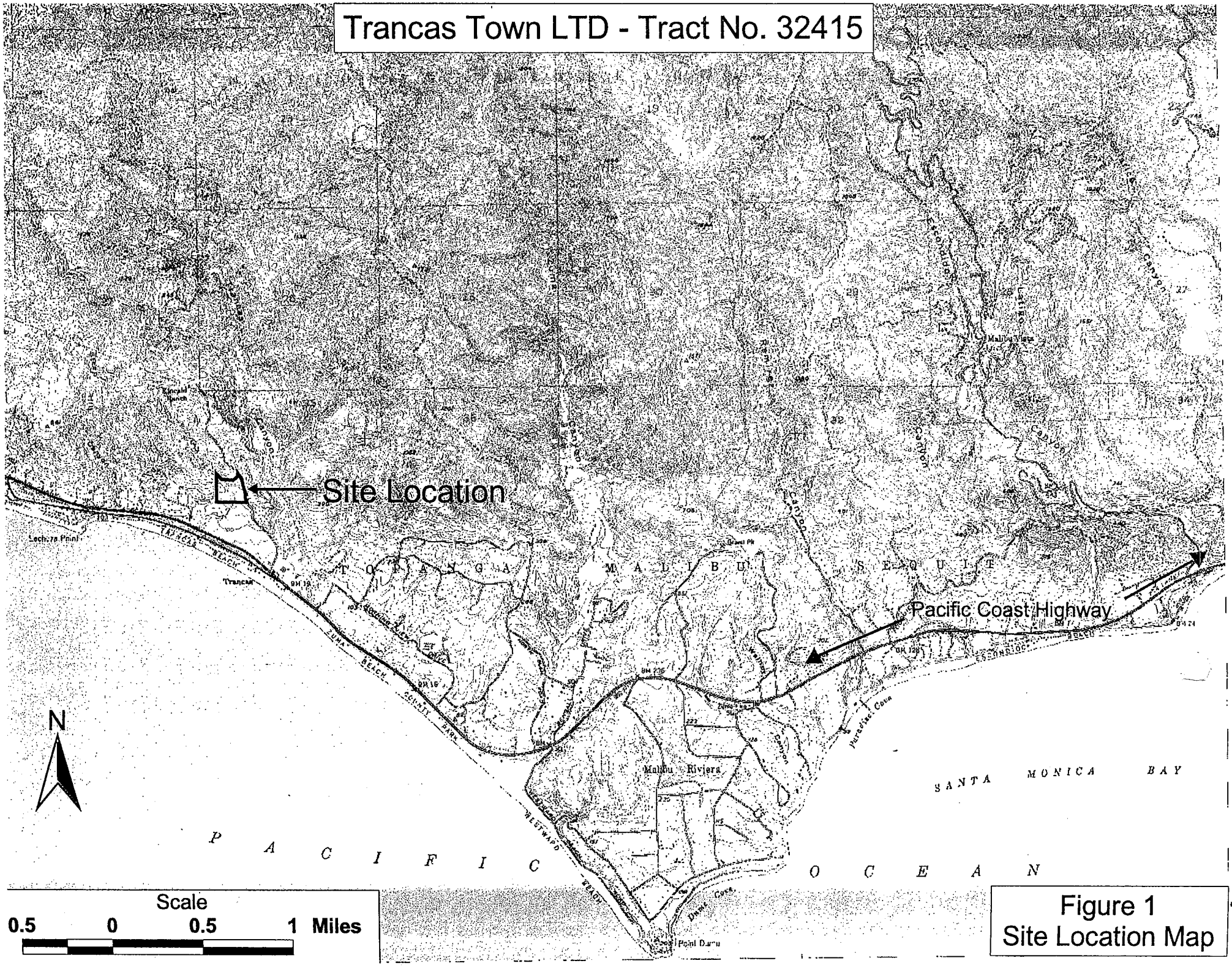
22. Pursuant to California Water Code section 13320, any aggrieved party may seek review of this Order by filing a petition with the State Board. A petition must be sent to the State Water Resources Control Board, P.O. Box 100, Sacramento, California, 95812, within 30 days of adoption of the Order.

I. RESCISSION

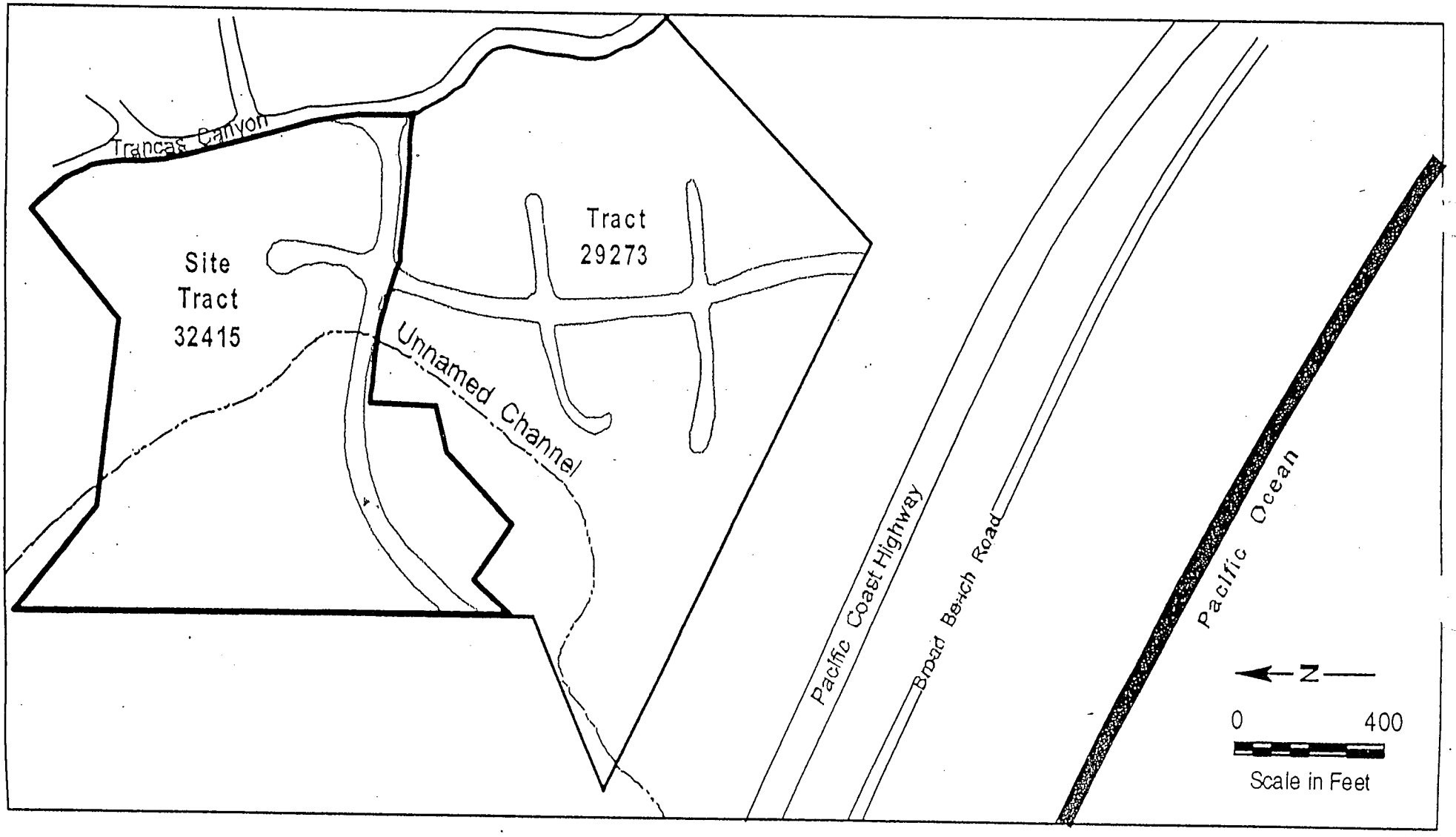
Insofar as Waste Discharge Requirements Order No. 79-109 pertains to Tentative Tract 32415 and the land encompassed by it, it is hereby rescinded. Insofar as Waste Discharge Requirements Order No. 79-109 pertains to current Tentative Tract 29273 and the land encompassed by it, it remains in full force and effect.

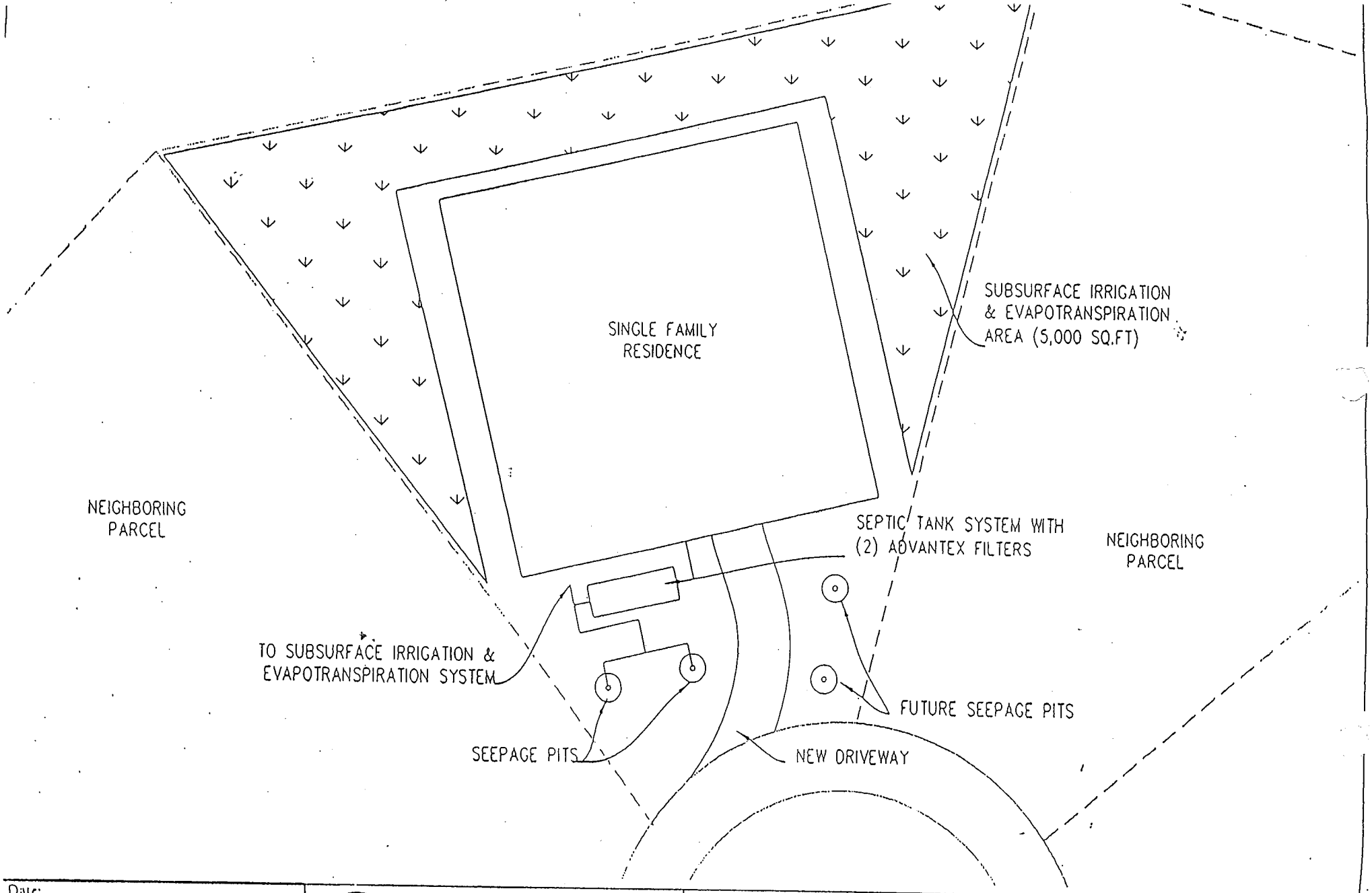
I, Dennis A. Dickerson, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region on September 19, 2001.

Dennis A. Dickerson
Executive Officer


Trancas Town LTD - Tract No. 32415
Site Location
Pacific Coast Highway
N
Scale
0.5 0 0.5 1 Miles
Figure 1
Site Location Map

# FIGURE 2
## LOCATION OF THE TENTATIVE TRACT 32415 AND TENTATIVE TRACT 29273






| | |
|---|---|
| Date: | 01-31-01 |
| Drawn: | M.M.M. |
| Appr'd: | N.H. |
| Dwg. No: | 99288_CUTSHEETS |

QUESTA ENGINEERING CORP.
Civil Environmental & Water Resources
P.O. Box 70356 1220 Brickyard Cove Road Point Richmond, CA 94807

# TYPICAL LAYOUT
# SINGLE FAMILY RESIDENCE
## TRANCAS DEVELOPMENT
## MALIBU, CALIFORNIA

FIGURE
3

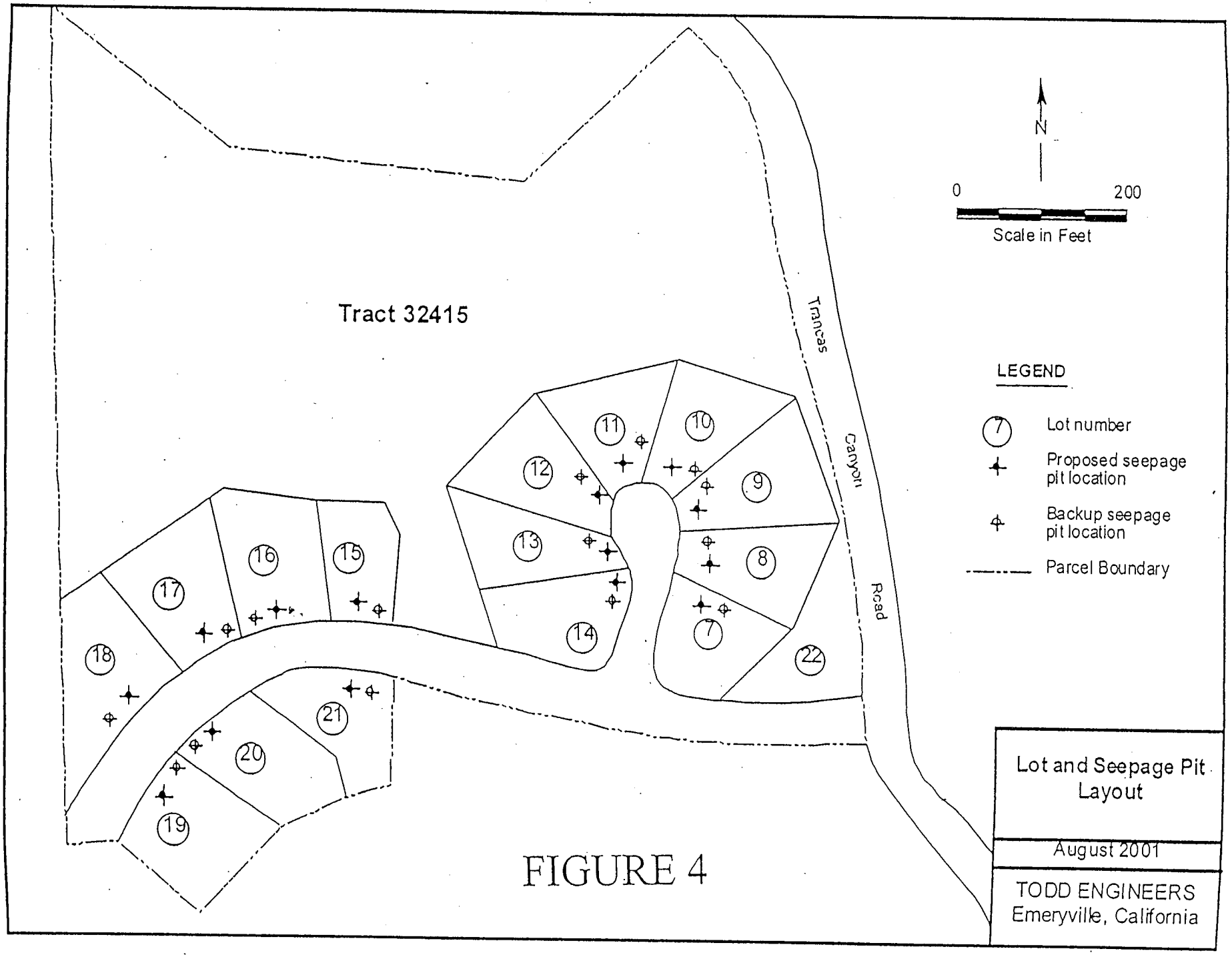

Tract 32415
Tranquas Canyon Road
N
0
200
Scale in Feet
LEGEND
Lot number
Proposed seepage pit location
Backup seepage pit location
Parcel Boundary
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
Lot and Seepage Pit Layout
August 2001
TODD ENGINEERS
Emeryville, California

FIGURE 4

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

MONITORING AND REPORTING PROGRAM NO. CI - 8327
FOR
TRANCAS-PCH, LLC
(TENTATIVE TRACT 32415)

(File No. 98-190, Order No. 01-135)

## I. REPORTING REQUIREMENTS

A. The Discharger shall implement this monitoring program on the effective date of this order. The first monitoring report under this Program is due by January15, 2002.

Monitoring reports shall be received by the dates in the following schedule:

| Reporting Period | Report Due |
|---|---|
| January - March | April 15 |
| April - June | July 15 |
| July - September | October 15 |
| October - December | January 15 |
| Annual Summary Report | March 1 of each year |

B. If there is no discharge, during any reporting period, the report shall so state. Monitoring reports must be addressed to the Regional Board, Attention: Information Technology Unit.

C. By March 1 of each year, the Discharger shall submit an annual summary report to the Regional Board. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous calendar year. In addition, the Discharger shall discuss the compliance record and the corrective actions taken or planned, which may be needed to bring the discharge into full compliance with the waste discharge requirements.

D. Laboratory analyses – all chemical, bacteriological, and toxicity analyses shall be conducted at a laboratory certified for such analyses by the California Department of Health Services Environmental Laboratory Accreditation Program (ELAP). The laboratory must meet the United States Environmental Protection Agency (USEPA) Quality Assurance/Quality Control (QA/QC) criteria. Pollutants shall be analyzed using the methods described in 40 CFR 136.3, 136.4, and 136.5; or where no methods are specified for a given pollutant, methods approved by the Regional Board shall be utilized.

E. The method limits (MLs) employed for effluent analyses shall be lower than the permit limits established for a given parameter, unless the Discharger can demonstrate that a particular ML is not attainable and obtains approval for a higher ML from the Executive Officer. At least once a year, the Discharger shall submit a

list of the analytical methods employed for each test and the associated laboratory QA/QC procedures.

F. Each monitoring report must affirm in writing that "All analyses were conducted at a laboratory certified for such analyses by the California Department of Health Services, and in accordance with current USEPA guideline procedures or as specified in this Monitoring Program." Proper chain of custody procedures must be followed and a copy of the chain of custody shall be submitted with the report.

G. For every item where the requirements are not met, the Discharger shall submit a statement of the cause(s), and actions undertaken or proposed which will bring the discharge into full compliance with waste discharge requirements at the earliest possible time, including a timetable for implementation of those actions.

H. The Discharger shall maintain all sampling and analytical results, including strip charts; date; exact place, and time of sampling; dates analyses were performed; analyst's name; analytical techniques used; and results of all analyses. Such records shall be retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.

I. In reporting the monitoring data, the Discharger shall arrange the data in tabular form so that the date, the constituents, and the concentrations are readily discernible. The data shall be summarized to demonstrate compliance with the requirements and, where applicable, shall include results of receiving water observations.

## II. WATER QUALITY MONITORING

A. Effluent Monitoring

1. Sampling stations for each individual septic system shall be established where representative samples of wastewater can be obtained. Sampling shall be done for each individual septic system for the 15 single-family homes. The collected samples from each sampling point (station) may be homogenized to form a composite sample representing the water quality at all discharge points. Each sampling station shall be identified.

   The Regional Board shall be notified in writing of any change in the sampling stations once established or in the methods for determining the quantities of pollutants in the individual waste streams.

   The Discharger shall evaluate and demonstrate the adequacy of the disinfection unit by establishing baseline bacteria levels in the effluent. An evaluation report with any recommendations must be submitted to the Regional Board within six months after installation of the disinfection unit.

   The following shall constitute the effluent monitoring program for the wastewater discharged to subsurface irrigation fields and seepage pits:

| Constituents | Units | Type of Sample | Minimum Frequency of Analysis* |
|---|---|---|---|
| pH | pH Units | grab | quarterly |
| $BOD_5$ | mg/L | grab | monthly |
| Suspended solids | mg/L | grab | quarterly |
| Turbidity | NTU | grab | quarterly |
| Oil & Grease | mg/L | grab | quarterly |
| Total dissolved solids | mg/L | grab | monthly |
| Sulfate | mg/L | grab | monthly |
| Chloride | mg/L | grab | monthly |
| Boron | mg/L | grab | monthly |
| Nitrate-N | mg/L | grab | monthly |
| Nitrite-N | mg/L | grab | monthly |
| Ammonia-N | mg/L | grab | monthly |
| Fecal Coliform | MPN/100ml | grab | monthly |
| Total Coliform | MPN/100ml | grab | monthly |
| Enterococcus | MPN/100ml | grab | monthly |
| Phosphorus | mg/L | grab | quarterly |
| MBAS (Surfactants) | mg/L | grab | quarterly |
| Priority pollutant scan[1] | µg/L | grab | annually |

* For all items required to be tested monthly, the Discharger shall test monthly for the first one year after installation of the treatment system. After that period, the Discharger may propose to the Executive Officer for approval a reduction in sampling frequency from monthly to quarterly for each of the parameters. Any reduction in monitoring frequency must be supported by proper operation and monitoring data of the wastewater treatment system during the first year.

B. Groundwater Monitoring

A groundwater monitoring program shall be designed to detect and evaluate impacts from wastewater discharges from the private disposal systems. A groundwater monitoring workplan must be submitted to this Regional Board by December 1, 2001 for approval by the Executive Officer prior to implementation. Upon obtaining the Executive Officer's approval, the groundwater monitoring wells must be installed in such a way so as to assess the background groundwater quality and downgradient groundwater quality. The plan shall include the exact location of the proposed wells, depths, construction of wells, schedule for the installation and proposed sampling of the wells.

The monitoring program must be prepared under the direction of a California Registered Geologist, or Certified Engineering Geologist, or a California Registered Civil Engineer with appropriate experience in hydrogeology.

[1] Priority Pollutants are listed in Attachment A

The following shall constitute the groundwater monitoring program:

| Constituent | Units | Type of Sample | Minimum Frequency of Analysis |
|---|---|---|---|
| pH | pH units | grab | quarterly |
| Fecal Coliform | MPN/100ml | grab | quarterly |
| Total Coliform | MPN/100ml | grab | quarterly |
| Enterococcus | MPN/100ml | grab | quarterly |
| $BOD_5$ | mg/L | grab | quarterly |
| Nitrite-N | mg/L | grab | quarterly |
| Ammonia-N | mg/L | grab | quarterly |
| Organic Nitrogen | mg/L | grab | quarterly |
| Total dissolved solids | mg/L | grab | quarterly |
| Sulfate | mg/L | grab | quarterly |
| Chloride | mg/L | grab | quarterly |
| Priority pollutant scan[1] | µg/L | grab | annually |

Basic information that must be included with all groundwater monitoring and reporting includes the following:

a) Well identification, date and time of sampling;

b) Sampler identification, laboratory identification; and chain of custody;

c) Water temperature (in field);

d) Quarterly observations of groundwater levels, recorded to .01 feet mean sea level, and flow direction; and

e) Vertical separation of the water table from the bottom of the treatment unit and disposal facility.

C. Surface Water Monitoring

A surface water monitoring program shall be established so that if any sewage is discharged to surface water it can be measured, sampled, and analyzed, to determine any water quality impacts.

The Discharger shall submit a workplan with a detailed map describing representative sampling stations by December 1, 2001, for approval by the Executive Officer.

[1] Priority Pollutants are listed in Attachment A

Sampling stations shall be located in all adjacent up/down gradient surface waters. The following shall constitute the surface water monitoring program:

| Constituent | Units | Type of Sample | Minimum Frequency of Analysis |
|---|---|---|---|
| Total Coliform | MPN/100 mL | grab | quarterly |
| Fecal Coliform | MPN/100 mL | grab | quarterly |
| Enterococcus | MPN/100 mL | grab | quarterly |

Surface water monitoring reports must include the following information:

a) Sample location, including date and time sampled;

b) A map depicting sample locations; and

c) Sampler identification, laboratory used and chain of custody.

Based upon the results of the first two years of quarterly analyses, the Discharger may propose to the Executive Officer a reduced sampling and testing program.

## III. GENERAL PROVISIONS FOR REPORTING

The Discharger shall identify all instances of non-compliance and shall submit a statement of the actions undertaken, or proposed, that will bring the Discharger into full compliance with requirements at the earliest time and submit a timetable for correction. The quarterly reports shall contain the following information:

a. A statement relative to compliance with discharge specifications during the reporting period.

b. Results of daily observations of the disposal area for any overflow, surfacing of wastes and/or other visible effects of waste discharge.

## IV. WASTE HAULING REPORTING

In the event that waste sludge, septage, or other wastes are hauled offsite, the name and address of the hauler shall be reported, along with types and quantities hauled during the reporting period with 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.

## V. OPERATION AND MAINTENANCE REPORT

The Discharger shall file a technical report with this Board, no later than 30 days after completion of the wastewater treatment unit and annually thereafter, relative to the operation and maintenance program for the wastewater treatment unit and disposal

facility. The information to be contained in the report shall include, at a minimum, the following:

a. The name, address, and signature of the person or company responsible for the operation and maintenance of the facility;

b. Type of maintenance (preventive or corrective action performed);

c. Frequency of maintenance, if preventive;

d. Periodic pumping out of the septic tanks; and

e. Maintenance records of the waste water treatment system, irrigation system and seepage pit disposal system.

## VI. CERTIFICATION STATEMENT

Each 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 direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated 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 a fine and imprisonment.

Executed on the _____day of _____

at _____

_____(Signature)

_____(Title)"

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: _____ Dated: September 19, 2001
Dennis A. Dickerson
Executive Officer