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

ORDER NO. R4-2002-0108
WASTE DISCHARGE REQUIREMENTS
FOR
KISSEL COMPANY, INC.
(Paradise Cove Mobile Home Park)
(File No. 01-083)

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

1. The Kissel Company, Inc. (hereinafter Discharger) owns and operates the Paradise Cove Mobile Home Park (Park), a 72 acre residential community located at 28128 W. Pacific Coast Highway, Malibu, California (Figure1- Site Location Map). There are currently 257 mobile homes located in the Park (Figure 2- Existing Facility Map). All homes located within the Park are within 1500 feet of the Pacific Ocean.

2. The Park is located in an unsewered area of the City of Malibu (City). No public sewers have been scheduled for construction in the vicinity of the site. The City currently does not provide wastewater collection and treatment utilities; rather, the City primarily relies upon onsite subsurface disposal systems for disposal of domestic, commercial, and industrial wastewater.

3. The Park has never had Waste Discharge Requirements (WDRs). The Discharger first submitted to the Regional Board a Report of Waste Discharge (RoWD) on February 7, 2000, for the discharge of domestic wastewater from the existing septic system in the Park. A site inspection was conducted by Regional Board staff on May 31, 2001.

4. The average flow of domestic wastewater has been estimated at 41,000 gallons per day (gpd). Peak flow rate is estmated at 60,000 gpd. Currently, wastewater is disposed through 29 separate, onsite, septic systems. The current septic tanks are primary settling tanks having no disinfection capability, and they range in size from 750 gallons to 3500 gallons. These tanks are in turn connected to over 160 seepage pits and/or leachfields. In addition, adjacent to the Park, there are public restrooms for day users of the Paradise Cove Pier and Beach. Wastes from the public restrooms are pumped up the hill to the Park and disposed with the domestic waste from the Park.

5. The existing septic system has been installed and expanded over a period of 60 years. Newer seepage pits and leachfields have been constructed as needed as the older ones become plugged with time. The effluent quality and quantity from the septic system are not monitored on a regular basis. As a result, the effluent quality and quantity from the septic system are not well documented. Numerous overflows have been documented; there were 180 overflows between 1995 and 1999, and 26 overflows were documented in the year 2000. In 1995, the Malibu Times reported that Heal the Bay regularly samples Paradise Cove and had given this beach an “F“ rating. Los Angeles County Department of Environmental Health calls for beach closure if two consecutive samples have coliform levels above 5000 MPN/100mL. Information in the file indicated there was at least one official beach closure on May 12, 1997, occurred at Paradise Cove.

6. Discharges from the existing septic tank system infiltrate groundwater through the disposal system. The bottom of the disposal system and the water table may not have a minimum 10–feet vertical separation in some areas of the Park. In the lower, older portion of the Park, groundwater elevation has been measured in early May at 23 to 27 feet below the surface of the ground and the depth of the gravel fill in some of these seepage pits is 30 feet. In addition, portions of the septic discharge disposal system are in close proximity, approximately 400 feet, from the Pacific Ocean, and groundwater might be in hydraulic connection with the Ocean.

7. The existing septic system and its various components such as seepage pits and leachfields were installed as approved by the California State Department of Housing and Community Development, the County of Los Angeles, the California Coastal Commission and since 1992, the City of Malibu. Because of the various ages and uncertainty as to condition, the Discharger plans to abandon the use of all existing tanks.

8. On July 23, 2001, the Discharger's consultant, Biosolutions, Inc., submitted a revised RoWD, proposing a conceptual secondary treatment and disinfection system including a Septic Tank Effluent Pump (STEP)/Septic Tank Effluent Gravity (STEG) sewer. The RoWD was deemed complete with receipt of their submittal dated September 4, 2001, which contained additional information on the conceptual engineering design.

9. The Discharger plans to construct the STEP/STEG sewer system with a centralized secondary treatment system using packed bed/media filters and disinfection system using ultra violet (U.V.) light. After processing through the treatment plant and the disinfection system, the treated effluent will be disposed into either a network of zoned seepage pits and/or directed through a sub-surface drip irrigation system. Drip irrigation plans will be submitted only after geotechnical studies have been made to determine its feasibility in the various areas of the Park with regard to slope stability and soil capacity.

10. The details on the location of the replacement septic tanks, the pump stations, and engineering design with the final engineering plans for the new treatment/disposal system will be provided to the Board on a schedule set by the Time Schedule Order accompanying this Order.

11. Paradise Cove is located on the southern slopes of the Santa Monica Mountains between Malibu Valley and Point Dume. There are no downgradient water wells. Potable water consumers in the subject area receive only imported water from the Los Angeles County Waterworks District No. 29. The Los Angeles County Waterworks District No. 29 has received water from the Metropolitan Water District of Southern California via the West Basin Municipal Water District, since 1961.

12. The Park is located in the Point Dume 7.5" Quadrangle. The facility's approximate Latitude is 34^0 01 16" and its Longitude is 118^0 47´ 19".

13. On June 13, 1994, the Regional Board adopted a revised *Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan) which was amended on January 27, 1997 by Regional Board Resolution No. 97-02. The Basin Plan (i) designates beneficial uses for surface and groundwaters, (ii) sets narrative and

numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state antidegradation policy (*Statement of Policy with Respect to Maintaining High Quality Waters in California*, State Board Resolution No. 68-16, October 28, 1968), and (iii) describes implementation programs to protect all waters in the Region. In addition, the Basin Plan incorporates by reference applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations. The Regional Board prepared the 1994 update of the Basin Plan to be consistent with previously adopted State and Regional Board plans and policies. This Order implements the plans, policies and provisions of the Regional Board's Basin Plan.

14. On November 16, 2000, the State Board adopted a revised *Water Quality Control Plan for the Ocean Waters of California* (Ocean Plan*)*. The State of California Office of Administrative Law and the USEPA approved the revised plan on July 9, 2001 and December 3, 2001, respectively. The revised plan contains water quality objectives for coastal waters of California. This Order includes effluent and receiving water limitations, prohibitions, and provisions that implement the objectives of the plan.

15. Paradise Cove Mobile Home Park is located on the northern side of Escondido Beach and straddles the Ramirez Canyon drainage. Ramirez Canyon Creek flows through the Park in a concrete lined channel. The Nearshore Zone, that zone within 1000 feet of the shoreline or the 30 foot depth contour along the coast between Latigo Point to Big Sycamore Canyon is an Area of Special Biological Significance.

16. The potential beneficial use (municipal and domestic water supply) of the aquifer under the site is of limited use due to sea water intrusion. There are no 303(d) listed water bodies in the area which have Total Maximum Daily Loading (TMDL) criteria for nitrogen. The Basin Plan has the following beneficial use designations:

<u>Surface water (Ramirez Canyon Creek)</u>:

Existing:	wildlife habitat
Intermittent:	municipal and domestic water supply, contact and non-contact recreation, warm fresh water habitat.
Potential:	spawning, reproduction, and /or early development.

<u>Groundwater (Malibu Valley):</u>

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

<u>Coastal Features (Escondido Beach):</u>

Existing:	navigation, water contact recreation, non-contact water recreation, commercial and sport fishing, marine habitat, wildlife habitat and shellfish harvesting.
Potential:	spawning, reproduction, and/or early development.

Coastal Features (Area of Special Biological Significance):

Existing: industrial service supply, navigational, contact and non-contact recreation, commercial and sports fishing, marine habitat, wildlife habitat, one or more rare, threatened, or endangered species use the area for foraging and/or nesting, aquatic organisms use the area for spawning, reproduction, early development and/or migration, and an area exhibiting large shellfish populations.

17. The 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 and nutrients. The Discharger is not able to quantify potential impacts, if any, resulting from the discharge to groundwater or to nearby surface waters, since no groundwater or surface water monitoring is currently being conducted. Paradise Cove has a history of septic overflows, but the file has only one official beach closure by Los Angeles County in 1997. Potential impacts include the discharge of nutrients and bacteria from groundwaters to surface waters and near shores, and the corresponding "water imbalance" whereby the high volume of wastewater discharged to groundwater can cause increased discharge of groundwater to surface waters. During a site inspection made May 31, 2001, Ramirez Canyon Creek was observed to contain water in the lower areas of the Park.

18. A groundwater-monitoring program is necessary to evaluate any impacts from the discharge of wastewater to groundwater. The monitoring is necessary to help determine the rate and volume of wastewater movement through the subsurface. A groundwater-monitoring program shall be established, so that groundwater may be sampled and analyzed to determine the degree that wastewater discharges impact water quality.

19. The Discharger has previously submitted a proposed site-monitoring plan dated April 25, 2000. The monitoring program was designed to establish groundwater quality both upgradient and downgradient from the wastewater discharges at Paradise Cove, and determine if discharges from the seepage pit disposal system have impacted, or are impacting, water quality. In correspondence dated August 7, 2001, Regional Board staff requested the addition of a monitoring well in the overflow disposal area and minor location adjustments for two of the proposed monitoring wells, Ob-2 and Ob-3. On September 4, 2001, the Discharger agreed to the proposed site monitoring plan changes.

20. Regional Board staff have consulted with representatives of the State of California, Department of Health Services (DHS) to determine what concerns they might have with drip irrigation used as a method of subsurface domestic wastewater disposal. On April 15, 2002, they indicated that there are no regulations that can be directly applied to subsurface irrigation/ disposal projects. DHS representatives declined review of planned subsurface irrigation/disposal at Paradise Cove if the proposed project is applied to an area with limited public access where there is no chance of surface discharge, and the practice is utilized for only deep rooted plants (6 to 12 inches). DHS indicated that any subsurface irrigation of shallow rooted plants such as lawns and/ or turf, which has roots less than 3 inches, would require imposition of title 22 California Code of Regulations requirements. Regarding the Park, DHS representatives requested that the technical

report submitted for review prior to initiation of subsurface irrigation/disposal projects include the following: a description of the area to be irrigated which includes but is not limited to the type of vegetation to be irrigated, degree of public access, hydrology of the area, and depth and design of the sub-surface irrigation pipeline, and an engineering description of the treatment facilities which includes the anticipated water quality of the treated water.

21. The Discharger has indicated that it cannot immediately comply with the requirements contained in these WDRs because the existing septic system needs to be upgraded. In order to ensure compliance with these WDRs, the Regional Board has included a Time Schedule Order (TSO) that will allow the Discharger to complete all needed upgrades within a timeframe specified in the TSO.

22. This project involves an existing facility that was established in the 1940's, many years prior to the 1972 California Environmental Quality Act. As such, the Park is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 2100 et seq.) in accordance with California Code of Regulations, title 14, Chapter 3, section 15301.

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

24. In accordance with the Governor's Executive Order requiring that any proposed activity be reviewed to determine whether such activity will cause additional energy usage, Regional Board staff believe that implementation of these WDRs could cause some increase in energy usage.

The Regional Board has notified the Discharger and interested agencies and persons of the intent to issue WDRs for this discharge, and has provided them with an opportunity to submit their 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 the Kissel Company, Inc. shall comply with the following:

A. INFLUENT LIMITATIONS

1. Waste discharged shall be limited to domestic wastewater only. No water softener discharge shall enter the collection systems to the treatment unit.

2. The design capacity shall be based on expected peak flow rate of 60,000 gpd for the existing 257 hook-ups, and the maximum daily flow of influent from the collection system to the treatment system shall not exceed the design capacity of the plant. This flow limitation also applies to treated effluent discharged to the disposal system.

3. No volatile organic compounds are to be discharged into the collection systems to the treatment unit.

B. EFFLUENT LIMITATIONS

1. The pH of wastes discharged shall at all times be between 6.5 to 8.5 pH units.

2. The wastewater discharged to the subsurface disposal systems (seepage pits, leachfields or subsurface drip irrigation areas) shall not contain constituents in excess of the following limits:

Constituent	Units	Monthly Average	Daily Maximum
Total Dissolved Solids	mg/L	1000	--
Total Suspended Solids	mg/L	30	45
BOD_5	mg/L	30	45
Turbidity	NTU	5.0	--
Oil and grease	mg/L	--	15
Nitrate + Nitrite + Ammonia + Organic Nitrogen as Nitrogen	mg/L	--	10.0 (a)
Total chlorine residual [(b)]	µg/L	--	8.0

mg/L = milligrams per liter; NTU = nephelometric turbidity units; µg/L micrograms per liter

(a) Total nitrogen includes ammonia-N, organic nitrogen, nitrate-N and nitrite-N. The point of compliance is groundwater.
(b) In the event chlorine is used for disinfection

3. The wastewater discharged to the irrigation and disposal areas shall not contain salts, heavy metals, or organic pollutants at levels that would impact groundwater in hydraulic connection with surface waters designated for marine aquatic life or body contact recreation.

4. The median total coliform density in the wastewater discharged to the irrigation and disposal area shall not exceed 70 per 100 milliliters (ml), and not more than 10 percent of the samples shall exceed 230 per 100 ml. In addition, a geometric mean enterococcus density shall not exceed 24 organisms per 100 ml for a 30-day period.

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

C. 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 shall 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.

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

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

D. PROHIBITIONS

1. There shall be no overflows of the community sanitary sewer in this facility or discharge of wastes to waters of the State (including storm drains) at any time.

2. No part of the disposal system shall be closer than 150 feet to any water well. No part of the treatment system and disposal system shall be closer than 100 feet to any stream, channel or other watercourse.

3. No part of the disposal system shall extend to a depth where wastes may deleteriously affect an aquifer that is usable for domestic purposes. At all times, a minimum of 5 feet of vertical separation between the disposal system and the water table must be maintained.

. 4. Wastes shall not be disposed of in geologically unstable areas or so as to cause earth movement.

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

6. Adequate facilities shall be provided to divert surface and storm water away from the treatment plant and disposal system and from areas where any potential pollutants are stored.

7. The septic tanks, treatment system, sewer collection system and the disposal system shall be protected from damage by storm flows or runoff generated by a 100-year storm.

8. There shall be no onsite disposal of sludge. Any offsite disposal of sewage 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, and which is in full compliance therewith. Any sewage or sludge handling shall be in such a manner as to prevent its reaching surface waters or watercourses.

9. The treatment system, including the collection system and the disposal system, shall be maintained in such a manner that at no time sewage will be permitted to surface or overflow at any location.

10. Sewage odors shall not be detectable.

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

12. The discharge of waste shall not create a condition of pollution, contamination, or nuisance.

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

14. Any discharge of wastewater from the treatment system (including wastewater collection system) at any point other than specifically described in this Order is prohibited, and constitutes a violation of the Order.

E. PROVISIONS

1. In accordance with CWC section 13267, the Discharger shall furnish, under penalty of perjury, technical monitoring program reports: such reports shall be submitted in accordance with specifications prepared by the Executive Officer, which specifications are subject to periodic revisions as may be warranted.

2. The Discharger shall cause the treatment system to be inspected annually during the life of the permit by an inspector to be retained by the Discharger but subject to the approval of the Executive Officer.

3. The Discharger shall comply with all applicable requirements of Chapter 4.5 (commencing with section 13290 of Division 7) of the CWC.

4. The Discharger shall notify the Regional Board within 24 hours of any adverse condition resulting from the discharge of wastewater from this facility; written confirmation shall follow within one week. This information shall be confirmed in the next monitoring report. In addition, the report shall also 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.

5. The Discharger shall notify the Regional Board within 24 hours, by telephone, of any bypassing or surfacing of wastes. Written confirmation shall follow within one week and shall include information relative to the location(s), estimated volume, date and time, duration, cause, and remedial measures taken to effect cleanup and measures taken to prevent any recurrence.

6. This Order does not alleviate the responsibility of the Discharger 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.

7. After notice and opportunity for a hearing, this Order may be terminated or modified for cause 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;

   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.

8. The Discharger 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 Discharger shall also furnish to the Regional Board, upon request, copies of records required to be kept by this Order.

9. Should monitoring data indicate impacts to groundwater or nearby surface water, the Discharger shall submit, within 90 days after determination of the problem, plans for measures that will be taken, or have been taken, to mitigate any long-term effects that may result from the subsurface disposal of wastes. Any water quality impact to surface and groundwater such as, but not limited to, risks to human health from pathogens, and accelerated eutrophication of surface waters from nutrients in waste waters shall be reported.

10. This Order includes the attached Monitoring and Reporting Program (Attachment T) which is incorporated herein by reference. The Monitoring and Reporting Program contains requirements, among others, specifying the following:

    - The Discharger shall establish baseline bacteria levels in the effluent from the treatment system by monitoring bacteria in wastewater prior to discharge into the seepage pits, leachfields and/or subsurface drip irrigation system and the groundwater.

11. The Discharger shall ensure that the capacity of the disposal area is adequate for the discharge and that adequate steps are taken to rectify system failures 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 sewage system.

12. This Order includes the attached "Standard Provisions Applicable to Waste Discharge Requirements. " (Attachment W) which is incorporated herein by reference. If there is any conflict between provisions stated herein and the

attached "Standard Provisions Applicable to Waste Discharge Requirements" those provisions stated herein will prevail.

13. The Discharger shall submit to the Regional Board, within 180 days of the adoption of this Order, procedures that will be, or have been taken to ensure that no discharge or recycling of any untreated or partially treated sewage will result from the treatment facility in the event of equipment failure.

14. In accordance with section 13263 (e) of the CWC, these requirements are subject to periodic review and revision by the Regional Board with a five (5) year cycle.

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

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 May 23, 2002.

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Dennis A. Dickerson
Executive Officer