



California Regional Water Quality Control Board

Los Angeles Region



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November 8, 2004

Mr. Andrea Bullo, Partner
Moon Shadows Limited Partners
20356 Pacific Coast Highway
Malibu, CA 90265

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CLAIM NO. 7002 2410 0006 3316 2094

Dear Mr. Bullo:

GENERAL WASTE DISCHARGE REQUIREMENTS FOR WASTE DISCHARGES TO LAND BY SMALL DOMESTIC WASTEWATER SYSTEMS AT 20356 PACIFIC COAST HIGHWAY, MALIBU, CALIFORNIA, (FILE NO. 03-084, CI NO. 8824)

We have completed our review of your application for Waste Discharge Requirements (WDRs) for domestic wastewater generated from the above-mentioned facility to an on-site septic disposal system. Facility details are given in the attached Fact Sheet.

Regional Board staff have reviewed the information provided and have determined that the proposed discharge meets the conditions specified in the State Water Resources Control Board (State Board) Water Quality Order No. 97-10-DWQ, "*General Waste Discharge Requirements for Discharges to Land by Small Domestic Wastewater Treatment Systems*," adopted by the State Board on November 18, 1997.

Enclosed are your WDRs consisting of Order No. 97-10-DWQ, Monitoring and Reporting Program No. 97-10-DWQ (Attachment A), Monitoring and Reporting Program No. CI-8824 and Standard Provisions and Reporting for Waste Discharge Requirements (Attachment B). Please note that your discharge must meet the groundwater quality objectives set in the Regional Board's *Water Quality Control Plan for Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan) which was adopted on June 13, 1994 and amended on January 27, 1997. In addition, the Basin Plan incorporates applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations.

Although your discharge is enrolled under the General Permit (Order No. 97-10-DWQ), it will be reviewed periodically and based on the technical information pertaining to your septic disposal system and/or groundwater, the Regional Board Executive Officer (Executive Officer) may determine that the discharge would be better regulated under another general WDR or a specific WDR. Once the decision is made, you will be notified within 30 days before any Board action. If the discharge is regulated under another general WDR, or a specific WDR, which requires board action, the applicability of permit Order No. 97-10-DWQ will be immediately terminated on the effective date of the issuance of a new WDR.

Should changes to your septic disposal system be needed, engineering drawings showing the change must be filed with the Regional Board a minimum of thirty days prior to the change. The Discharger must receive approval of such change. In a letter of October 14, 2004, prepared by your consultant, Ensitu Engineering Inc. (Ensitu), Ensitu indicated that the existing septic system has not been located. Although you estimated the average discharge volume as 2000 gallons

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per day (gpd), staff estimated that based on the 120-seat restaurant the maximum discharge volume could be up to 6000 gallons per day. Based on the above, you are required to inspect the existing septic tank system by December 15, 2004 and report the result of the inspection by January 15, 2005 (refer to Item II of the Monitoring and Reporting Program No. CI-8824).

The Monitoring and Reporting Program requires you to implement the monitoring program on the effective date of coverage under this permit. All monitoring reports should be sent to the Regional Board, ATTN: Information Technology Unit. When submitting monitoring or technical reports to the Regional Board per these requirements, please include a reference to CI No. 8824, which will assure that the reports are directed to the appropriate file and staff. Do not combine other reports with your monitoring reports. Submit each type of report as a separate document.

The Regional Board is increasingly concerned about the aggregate effects of discharges from individual and community subsurface disposal systems on the Malibu watershed and groundwaters. At this time, these WDRs are being issued to regulate an individual disposal system. Future requirements, however, may require the discharge to be connected to a community collection system, or future requirements may require consistency with the WDRs established for a community collection system.

We are sending a copy of Order No. 97-10-DWQ to the applicant only. A copy of the Order will be furnished to anyone who requests it.

If you have additional questions, please contact Dr. Kwangil Lee at (213) 620-2269 or Toni Callaway at (213) 620-2271.

Sincerely,

Jonathon Bishop
Executive Officer

Enclosures

1. Attachment A: State Water Resources Control Board Monitoring and Reporting Program
2. Attachment B: Standard Provisions and Reporting for Waste Discharge Requirements
3. Monitoring and Reporting Program CI No. 8824
4. Fact Sheet

cc: Mr. Michael Lauffer, Office of Chief Counsel, State Water Resources Control Board
Mr. Robert Sams, Office of Chief Counsel, State Water Resources Control Board
Mr. Victor Peterson, City of Malibu
Mr. Franco Simplicio
Mr. John Yaroslaski, Ensitu Engineering, Inc.

