

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

**MONITORING AND REPORTING PROGRAM NO. CI-8860
FOR
MALIBU MANAGEMENT, LLC
(MALIBU SEAFOOD RESTAURANT AT 25653 PACIFIC COAST HIGHWAY)**

**ENROLLMENT UNDER STATE
ORDER NO. 97-10-DWQ (SERIES NO. 037)
(FILE NO. 05-009)**

I. REPORTING REQUIREMENTS

- A. Malibu Management LLC (Discharger) shall implement this monitoring program and the Attachment A (Septic Tank Monitoring) on the effective date of this enrollment (February 4, 2005) under State Water Resources Control Board Order No. 97-10 DWQ. The first monitoring report under this program, for January to March, shall be received at the Regional Board by April 15, 2005.

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

<u>Reporting Period</u>	<u>Report Due</u>
January – March	April 15
April – June	July 15
July – September	October 15
October – December	January 15

- B. By January 30th of each year, beginning January 30, 2006, 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 explain the compliance record and the corrective actions taken or planned, which may be needed to bring the discharge into full compliance with the WDRs.
- C. 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.
- 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

February 4, 2005

analyzed using the methods described in 40 CFR Part 136; 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 Regional Board Executive Officer (Executive Officer). The Discharger shall submit a list of the analytical methods employed for each test and the associated laboratory QA/QC procedures upon the request of the Regional Board.
- 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. Each monitoring report shall contain a separate section titled "Summary of Non-Compliance" which discusses the compliance record and the corrective actions taken or planned that may be needed to bring the discharge into full compliance with WDRs. This section shall be located at the front of the report and shall clearly list all non-compliance with WDRs, as well as all excursions of effluent limitations.
- H. The Discharger shall maintain records of sampling and analytical results indicating: 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.
- J. Any mitigation/remedial activity including any pre-discharge treatment conducted at the site must be reported in the quarterly monitoring report.

II. SEPTIC TANK AND DISPOSAL SYSTEM MONITORING REQUIREMENTS.

The Discharger shall implement the requirements for septic tank monitoring described in Attachment A.

In addition, the Discharger shall establish a system to measure the monthly average flow to or from the treatment systems. The Discharger shall provide influent monitoring information with quarterly reports. The Discharger may use a water bill to estimate the monthly average flow.

III. GROUNDWATER MONITORING PROGRAM

In the future, a groundwater monitoring program designed to detect and evaluate impacts from wastewater discharges from the septic disposal systems may be required.

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

V. MONITORING FREQUENCIES

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

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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: _____
Jonathan S. Bishop
Executive Officer

Date: February 4, 2005