



California Regional Water Quality Control Board

Los Angeles Region



Alan C. Lloyd, Ph.D.
Agency Secretary

Recipient of the 2001 Environmental Leadership Award from Keep California Beautiful

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Arnold Schwarzenegger
Governor

February 4, 2005

Ms. Patricia Roy
Malibu Management, LLC
5561 Horizon Drive
Malibu, CA 90265

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CLAIM NO. 7003 3110 0003 3258 3809

Dear Ms. Roy:

GENERAL WASTE DISCHARGE REQUIREMENTS FOR WASTE DISCHARGES TO LAND BY SMALL DOMESTIC WASTEWATER SYSTEMS FOR MALIBU SEAFOOD RESTAURANT LOCATED AT 25653 PACIFIC COAST HIGHWAY, MALIBU, CALIFORNIA, (FILE NO. 05-009)

We have completed our review of your application for Waste Discharge Requirements for commercial wastewater generated from the above-mentioned facility to an on-site septic disposal system.

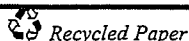
Malibu Management LLC (Discharger) owns the building that is leased by Malibu Seafood Restaurant located at 25653 Pacific Coast Highway in the City of Malibu. It operates wastewater treatment system that comprise of two septic tanks with a total volume of 3,000 gallons and seepage pits. The Discharger did not disclose the sizes or the number of the seepage pits on site. The average volume of discharge is estimated at 600 gallons per day (gpd) of commercial wastewater presumably discharged from the office building bathrooms and restaurants.

The depth of the groundwater table is unknown. In coastal areas, the groundwater is generally assumed to be the mean high tide, which varies from +1.9 to 2.5 feet mean sea level (msl) on Malibu Beaches. 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. The discharger indicated that the property is not located within 100 feet of a stream, channel, a blue line stream or other watercourse.

Regional Board staff have reviewed the information provided and have determined that the proposed discharge meets the conditions specified in the general permit of 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 Waste Discharge Requirements (WDRs), consisting of Order No. 97-10-DWQ, Monitoring and Reporting Program No. 97-10-DWQ (Attachment A), Monitoring and Reporting Program No. CI-8759 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. The Basin Plan incorporates applicable State and

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Ms. Patricia Roy
Malibu Seafood Restaurant

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Regional Board plans and policies and other pertinent water quality policies and regulations. In addition, 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 United States Environmental Protection Agency 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. Monitoring and Reporting Program CI No. 8759 includes receiving water limitations that implement the Ocean Plan.

Although your discharge is enrolled under the general permit (Order No. 97-10-DWQ), it will be reviewed periodically. Based on the technical information pertaining to your septic disposal system and/or groundwater, the Regional Board 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 Regional Board action. If the discharge is regulated under another general WDR, or a specific WDR, which requires board action, the applicability of Order No. 97-10-DWQ is immediately terminated on the effective date of the issuance of a new WDR.

The Regional Board is increasingly concerned about the aggregate effects of discharges from individual and community subsurface disposal systems on the Malibu watershed and groundwater. 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.

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. 8860, 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.

You are required to submit additional technical information regarding your septic system with your first quarterly monitoring report, which is due on April 15, 2005. The additional technical information required are a site map, a facility layout depicting the location of the septic tank and the seepage pit area, the number and size of the seepage pits and copies of water bills to determine actual waste discharge.

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.

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Ms. Patricia Roy
Malibu Seafood Restaurant

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If you have additional questions, please contact Dr. Kwangil Lee at (213) 620-2269 or Dionisia Rodriguez at (213) 620-6122.

Sincerely,

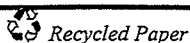
fr *David A. Bacharowski, AEC*
Jonathan S. Bishop
Executive Officer

Enclosures:

1. State Water Resources Control Board Water Quality Order No. 97-10-DWQ - *General Waste Discharge Requirements for Discharges to Land by Small Domestic Wastewater Treatment Systems*
 - a. Attachment A: State Water Resources Control Board Monitoring and Reporting Program
 - b. Attachment B: Standard Provisions and Reporting for Waste Discharge Requirements
2. Monitoring and Reporting Program CI No. 8860

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. Craig George, City of Malibu, Environmental and Building Safety
Mr. Steve Groner, S. Groner Associates

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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

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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 *JN David A. Bachorowski, AEO*
Jonathan S. Bishop
Executive Officer

Date: February 4, 2005