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

MONITORING AND REPORTING PROGRAM No. CI-XXXX
FOR

MALIBU CANTINA LLC

(File No. 09-054)

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I. REPORTING REQUIREMENTS

Malibu Cantina LLC (hereinafter the Discharger) shall implement this monitoring and reporting program for the proposed restaurant located at 22716 Pacific Coast Highway, Malibu, California 90265, on the effective date of this Order.

A. For the initial 12 weeks of operation of the advanced onsite wastewater treatment system, weekly sampling results shall be submitted monthly on the 15th of the following month. After the initial 12 weeks, monthly sampling results shall be submitted quarterly. The first quarterly monitoring report under this Program, for April – June 2010, shall be received at the Regional Board by July 15, 2010. Subsequent monitoring reports shall be received by the Regional Board on a quarterly basis by 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

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 January 30th of each year, beginning January 30, 2011, 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, and maintenance procedures. 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 Public Health ~~Services~~ Environmental Laboratory Accreditation Program (ELAP). A copy of the laboratory certification shall be provided each time a new and/or renewal certification is obtained from ELAP.

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. The Discharger shall submit a list of the analytical methods employed for each test and the associated laboratory quality assurance/quality control (QA/QC) procedures upon request by the Regional Board.

F. Water/wastewater samples must be analyzed within allowable holding time limits as specified in 40 CFR Part 136. All QA/QC samples must be run on the same dates when samples were actually analyzed. At least once a year, the Discharger shall maintain and update a list of the analytical methods employed for each test and the associated laboratory QA/QC procedures. The Discharger shall make available for inspection and/or submit the QA/QC documentation upon request by Regional Board staff.

G. Each monitoring report must affirm in writing that "All analyses were conducted at a laboratory certified for such analyses by the California Department of Public Health ~~Services~~, and in accordance with current United States Environmental Protection Agency (USEPA) guideline procedures or as specified in this Monitoring Program."

H. Proper chain of custody procedures must be followed and a copy of the completed chain of custody form shall be submitted with the report.

I. 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 waste discharge requirements. This section shall be located at the front of the report and shall clearly list all non-compliance with discharge requirements, as well as all excursions of effluent limitations.

J. For every item where the requirements are not met, the Dischargers 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.

K. The Discharger shall maintain all records of sampling and analytical results: 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.

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L. If the Discharger performs analyses on any effluent more frequently than required by this Order using approved analytical methods, the results of those analyses shall be included in the report. Those results shall also be reflected in the calculation of the average values used in demonstrating compliance with average effluent limitations.

M. 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.

N. Any mitigation/remedial activity including any pre-discharge treatment conducted at the site must be reported in the quarterly monitoring report. In addition, if effluent or groundwater monitoring programs have not yet been implemented, a short description of the status of both shall also be included.

O. The annual report shall also include any updates or changes to documents submitted during the first year after approval of Order R4-2010-XXXX.

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II. WATER QUALITY MONITORING REQUIREMENTS

A. Pretreatment and Start-up Monitoring

1. Occupant of Property: The Discharger shall provide the name of the occupant that will discharge into the advanced onsite wastewater treatment system (OWTS) together with the flow and characteristics of the waste stream from that occupant. Evidence of pre-treatment education and/or lease language on pretreatment shall be provided for the occupant.

2. Water Conservation Report: Documentation of conservation efforts shall be provided for approval by the Executive Officer within 30 days after adoption of R4-2010-XXXX. Actual water savings shall be documented for each quarter.

3. Baseline Groundwater Elevation: The Discharger shall establish baseline groundwater elevations and water quality from all onsite monitoring wells prior to initial discharge and document them in the quarterly monitoring report.

4. Surface Water Quality: The Discharger shall establish a surface water quality baseline. The surface water quality monitoring program shall at a minimum consists of two monitoring stations ~~on~~ near the east and west boundaries of your ocean front property at ankle depth during low tide.

B. Influent Monitoring

1. Wastewater Flow: The Discharger shall document continuous measurement of the wastewater flow and calculate the monthly average and daily waste flow from the collection system to the treatment system and discharge systems.

2. Potable Flow: The Discharger shall monitor influent daily flows with a flow meter with signal to the advanced OWTS's control panel for tracking and logging.

3. Periods when influent or effluent flow must be modified due to the minimum separation requirement between the bottom of the leachfield and the water table shall be described in the quarterly reports. Any corrective actions taken to eliminate discharge during each period of high groundwater shall be described in each quarterly report. If the five feet of separation is maintained in all groundwater monitoring wells, the report shall so state.

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C. Effluent Monitoring

1. A sampling station shall be established at a location where representative samples of treated effluent can be obtained prior to discharge to the leachfield disposal system.

a. The following tests shall constitute the effluent monitoring program:

Constituent	Units	Type of Sample	Minimum Frequency Of Analysis
Total Flow	gal/day	recorder	continual
pH	pH units	grab	weekly[1]/monthly
Total Suspended Solids	mg/L	grab	weekly[1]/monthly
BOD_5 20^0C	mg/L	grab	weekly[1]/monthly
Oil and grease	mg/L	grab	weekly[1]/ monthly
Fecal coliform	MPN/100mL[2]	grab	weekly[1]/monthly
Total coliform	MPN/100mL[2]	grab	weekly[1]/monthly
Enterococcus	MPN/100mL[2]	grab	weekly[1]/monthly
Nitrate-N	mg/L	grab	weekly[1]/monthly
Nitrite-N	mg/L	grab	weekly[1]/monthly
Organic Nitrogen	mg/L	grab	weekly[1]/monthly
Ammonia-N	mg/L	grab	weekly[1]/ monthly
Sulfate	mg/L	grab	weekly[1]/monthly
Boron	mg/L	grab	weekly[1]/monthly
Chloride	mg/L	grab	weekly[1]/monthly
TDS (Total Dissolved Solids)	mg/L	grab	weekly[1]/monthly
~~Total chlorine residual~~	~~mg/L~~	~~grab~~	~~weekly[1]/monthly~~

[1] For the first 12 weeks after the wastewater treatment system start-up, all of the above constituents must be analyzed weekly. After the start-up period and the establishment of system operational performance and effluent limits have been met, the effluent monitoring frequency shall be reduced to a monthly interval. If effluent limitations cannot be met, the Executive Office may require more frequent monitoring.

[2] MPN/100mL: Most Probable Number per 100 milliliters; discharger has the option to report total coliform in terms of CFU/100mL after providing advance notice of intent to do so to the Executive Officer.

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D. Surface Water Monitoring

~~1.Discharge from the subsurface to the surface, which the Discharger or the Regional Board identifies as possibly related to the advanced OWTS, shall also be sampled by the Discharger, upon written direction by the Executive Officer. A report of the results shall be delivered to the Executive Officer 30 days after the effluent's appearance at the surface. Documentation of the discharge to the surface may include a photographic record and a description of the cleanup methods used to protect the public health.~~

~~2.~~1. ~~The Executive Officer shall determine if the reported discharge was to a Water of the State. If the Executive Officer determines discharge to a Water of the State has occurred, then sampling of the affected waterbody shall be conducted by the Discharger in accordance with the surface water monitoring program and the sampling shall continue until the discharge is eliminated.~~

~~3.~~A nearshore water monitoring program shall be implemented to detect and evaluate impacts from wastewater discharges to surface water, if any. Samples from the Pacific Ocean Nearshore Zone shall be collected at ankle depth during low tide and analyzed. A map depicting the Pacific Ocean Nearshore Zone sampling locations shall be submitted 60 days prior to discharge to the Executive Officer for review and approval. The following shall constitute the surface water monitoring program:

Constituent	Units	Type of Sample	Minimum Frequency Of Analysis
Total coliform	MPN/100mL[4]	grab	weekly[3]/monthly
Fecal coliform	MPN/100mL[4]	grab	weekly[3]/monthly
Enterococcus	MPN/100mL[4]	grab	weekly[3]/monthly
Ammonia-N	µg/L	grab	weekly[3]/monthly
Nitrate-N	mg/L	grab	weekly[3]/monthly
Nitrite-N	mg/L	grab	weekly[3]/monthly
Organic Nitrogen	mg/L	grab	weekly[3]/monthly
~~Total Nitrogen~~	~~mg/L~~	~~grab~~	~~weekly[3]/monthly~~
Sulfate	mg/L	grab	weekly[3]/monthly
Boron	mg/L	grab	weekly[3]/monthly
Chloride	mg/L	grab	weekly[3]/monthly

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Surface water monitoring reports must include the following information:

a. Sample location, including date and time sampled;
b. A map depicting sample locations;
c. Sampler identification and laboratory used and chain of custody;
d. Water temperature;
e. Water elevation (tide); and
f. Direction of current.

Based on the results of the first six (6) months of monthly analyses, the Discharger may propose to the Executive Officer a reduced sampling and testing program.

E. Groundwater Monitoring

1. A groundwater monitoring plan shall be submitted 60 days prior to discharge to the Executive Officer for review and approval.

~~1.~~2. Groundwater Monitoring Design: Representative samples of groundwater and elevation limits shall be obtained from all groundwater monitoring wells installed at the Site. The separation between the base of the leachfield and the water table and the water quality shall be measured within five (5) feet of the edge the leachfield during high tide.

a. The following tests shall constitute the groundwater monitoring program:

Constituent	Units	Type of Sample	Minimum Frequency Of Analysis
Total Flow	gal/day	recorder	Continual
pH	pH units	grab	weekly[3]/monthly
Total Suspended Solids	mg/L	grab	weekly[3]/monthly
BOD_5 20°C	mg/L	grab	weekly[3]/monthly
Oil and grease	mg/L	grab	weekly[3]/monthly
Total coliform	MPN/100mL[4]	grab	weekly[3]/monthly
Fecal coliform	MPN/100mL[4]	grab	weekly[3]/monthly
Enterococcus	MPN/100mL[4]	grab	weekly[3]/monthly

[3] For the first 12 weeks after the wastewater treatment system start-up, all of the above constituents must be analyzed weekly. After the start-up period and the establishment of system operational performance and effluent limits have been met, the effluent monitoring frequency shall be reduced to a monthly interval. If effluent limitations cannot be met, the Executive Office may require more frequent monitoring.

[4] MPN/100mL: Most Probable Number per 100 milliliters; discharger has the option to report total coliform in terms of CFU/100mL after providing advance notice of intent to do so to the Executive Officer.

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Constituent	Units	Type of Sample	Minimum Frequency Of Analysis
Ammonia-N	µg/L	grab	weekly[3]/monthly
Nitrate-N	mg/L	grab	weekly[3]/monthly
Nitrite-N	mg/L	grab	weekly[3]/monthly
Organic Nitrogen	mg/L	grab	weekly[3]/monthly
~~Total Nitrogen~~	~~mg/L~~	~~grab~~	~~weekly[3]/monthly~~
Sulfate	mg/L	grab	weekly[3]/monthly
Boron	mg/L	grab	weekly[3]/monthly
Chloride	mg/L	grab	weekly[3]/monthly
TDS (Total Dissolved Solids)	mg/L	grab	weekly[3]/monthly

b. The objectives of the groundwater monitoring program shall be to:

(1) Measure vertical separation between the bottom of the leachfield and the water table, and
(2) Measure the interactions of the contaminants in the effluent discharged to the groundwater.
(3) Measure depth to groundwater and determine flow direction at the Site.

c. All groundwater monitoring and reports must include, at minimum, the following:

(1) Well identification, date and time of sampling;
(2) Sampler identification, laboratory identification; and chain of custody;
(3) Water temperature (in field);
(4) Continuous observations of groundwater levels, recorded and reported to within .01 feet above mean sea level and to within .01 feet below the surface; and
(5) Daily calculation of vertical separation of the water table from the bottom of the leachfield.

F. Provisions Reporting

1. Bypass Events: Each pumping event must be documented in the quarterly monitoring report, accompanied by the date, time, volume and documentation of written notification of the Executive Officer.

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2. Odor complaints shall be reported along with documentation of the operator response. Multiple odor complaints during a quarter are considered indicative of a preventable nuisance, and should be documented in the quarterly report with the specific technical measures taken by the Discharger to prevent a reoccurrence.

III. GENERAL PROVISIONS FOR SAMPLING AND ANALYSIS

All chemical, bacteriological, and toxicity analysis shall be conducted at a laboratory certified for such analysis by the State Department of Health Services Environmental Laboratory Accreditation Program, or approved by the Executive Officer. Laboratory analysis must follow methods approved by the United States Environmental Protection Agency (USEPA), and the laboratory must meet USEPA Quality Assurance/Quality Control criteria. Analytical data reported as less than or below the detection limit for the purpose of reporting compliance with limitations, shall be reported as less than" a numerical value or "below the detection limit" for that particular analytical method (also giving the numerical detection limit).

IV. 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 discharge 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; and

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

V. 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.

VI. OPERATION AND MAINTENANCE REPORTING

The Dischargers shall submit to the Executive Officer 60 days prior to initial discharge an Operations and Maintenance Manual (O&M Manual) for the System at flow ranging from no-flow to the maximum flow before discharge. The Dischargers shall maintain the O&M Manual in useable condition, and available onsite for reference and use by all personnel at all time. The Discharger shall regularly review, revise , and update the O&M Manual as necessary, in order for the document(s) to remain useful and relevant to

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current equipment and operation practices. The information to be contained in the O&M Manual shall include, at a minimum, the following:

A. The name and address 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. Planned maintenance pumping out of the septic tanks; and

E. Planned maintenance of leaching/disposal fields system.

F. Other material as specified in this WDR such as UV and Membrane Operation and Maintenance reports.

VII. MONITORING FREQUENCIES

The Executive Officer may authorize less frequent monitoring or reporting, or change the constituents if the Discharger makes a request and the request is supported by statistical trends of monitoring data submitted.

VIII. CERTIFICATION STATEMENT

Each report shall contain the following 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)

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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.

Tracy J. Egoscue
Executive Officer

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