

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

ORDER NO. R4-2012-XXXX

WASTE DISCHARGE REQUIREMENTS
FOR
VENTURA REGIONAL SANITATION DISTRICT
(MALIBU BAY CLUB WASTEWATER TREATMENT PLANT)
(FILE NO. 72-006)

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

BACKGROUND

1. The Ventura Regional Sanitation District (hereinafter Discharger) owns and operates the Malibu Bay Club Wastewater Treatment Plant (Malibu Bay Club WWTP), located at 41000 Pacific Coast Highway, in Ventura County, California (Figure 1, Facility Site Location). The Malibu Bay Club WWTP was originally constructed in 2005, and serves the Malibu Bay 136-unit condominium residence complex (facility).
2. The domestic wastewater generated from the 136-unit condominium residence complex population was discharged to a septic tank/leachfield system under Waste Discharge Requirements (WDRs) Order No. 01-008, adopted by the Regional Board on January 11, 2001. The septic disposal system provided only primary treatment.
3. The Malibu Bay Club, Incorporated was not capable of achieving compliance with the WDRs requirements prescribed in Order No. 01-008 by use of the existing septic tank and leachfield disposal system. Therefore, Cease and Desist Order (CDO) No. 01-009 was adopted to allow the Malibu Bay Club, Incorporated to come into compliance with the WDRs after upgrades to the septic tank leachfield disposal system have been completed.
4. On January 21, 2001, the Regional Board issued CDO No. 01-009 to the Malibu Bay Club, Incorporated. CDO No. 01-009 ordered the Malibu Bay Club, Incorporated to immediately eliminate discharges of raw sewage and/or partially treated effluent at the facility. CDO No. 01-009 also ordered the Malibu Bay Club, Incorporated to upgrade the existing septic system and to complete construction, and testing to achieve full compliance with all requirements contained in Order No. 01-008 by July 31, 2002.
5. In February 2003, the Board of Directors for the Malibu Bay Club, Incorporated Homeowner's Association requested that the Regional Board amend CDO Order No. 01-009, by further extending the wastewater treatment plant construction and start-up completion date to October 31, 2003.

April 5, 2012

T
E
N
T
A
T
I
V
E

6. On April 10, 2003, the Regional Board amended CDO No. 01-009 and adopted Amended CDO Order No. R4-2003-0061, which required the Malibu Bay Club, Incorporated to complete the wastewater system upgrades including construction and testing to achieve full compliance with all the requirements contained in Board Order No. 01-008 by October 31, 2003.
7. On September 16, 2003, Ventura Regional Sanitation District entered an agreement with the Malibu Bay Club, Incorporated to design, build, own, maintain, and operate an advanced onsite wastewater treatment system, which included any related effluent disposal facilities on the Malibu Bay Club condominium property to treat all wastewater effluent generated from the newly constructed wastewater treatment plant.
8. On November 4, 2004, the Ventura Regional Sanitation District obtained Coastal Condition Use Permit LU04-0007 to construct and operate a wastewater treatment plant at Malibu Bay Club Condominium complex.
9. The start-up date of the new upgraded wastewater treatment plant for Malibu Bay Club, Incorporated began on October 18, 2005.
10. On February 5, 2009, the Regional Board reviewed the compliance with the requirements contained in CDO No. 01-009 and Amended CDO No. R4-2003-0061 and determined the Malibu Bay Club, Incorporated and the Ventura Regional Sanitation District had completed the tasks specified in CDO No. 01-009 and Amended CDO No. R4-2003-0061. Consequently, the Regional Board adopted Order No. R4-2009-0029, which determined that the Dischargers had met the all requirements specified in in CDO No. 01-009 and Amended CDO No. R4-2003-0061 by completing construction of the advanced Malibu Bay Club Wastewater Treatment plant (WWTP) on October 18, 2005 and the first test proving compliance with the discharge limits in WDR Order No. 01-008 was October 25, 2005.
11. The Discharger discharges on average 15,000 gallons per day (gpd) of secondary treated domestic wastewater. The Malibu Bay Club WWTP has a design treatment and disposal capacity of 36,000 gpd.
12. California Water Code section 13263(e) provides that all waste discharge requirements shall be reviewed periodically and, upon such review, may be revised by the Regional Board. Following a review of requirements in Order No. 01-008, these requirements have been revised to include additional findings, effluent limitations, updated standard provisions, and revised monitoring and reporting program.

PURPOSE OF ORDER

13. On November 14, 2010, the Discharger submitted a Report of Waste Discharge (RoWD) to the Regional Board for renewal of its WDRs for disposal of treated wastewater from the Malibu Bay Club Wastewater Treatment Plant. After requesting and receiving additional information from the Discharger, the report of waste discharge was declared complete on October 19, 2011.

T
E
N
T
A
T
I
V
E

FACILITY AND TREATMENT PROCESS DESCRIPTION

14. The wastewater treatment plant and leach fields are located in and around Section 6, T1S, R16W, San Bernardino Base & Meridian (See Figure 1. Facility Site Location and Figure 2. Monitoring Wells and Leachfields Location Map). The wastewater treatment plant's approximate latitude is 34° 2' 58.1"; its longitude 118° 57' 13.8".
15. The site is located in an unsewered area of Ventura County. To date no public sewers have been scheduled for construction in the vicinity of the project.
16. The Malibu Bay Club wastewater treatment plant was designed to produce secondary-level wastewater for discharge to groundwater with a design capacity of 36,000 gallons per day (gpd).
17. The primary and secondary treatment consists of a collection system, a primary settling/septage handling, a 9,000-gallon equalization tank, a trickling filter, a cleanstream treatment, disinfection and leachfield disposal system.
18. Waste flow from the facility is collected through underground piping utilizing gravity flow. The raw wastewater flows by gravity at a minimum scour velocity of 2 feet per second from the source to a primary settling/septic tank.
19. The septic tank units act as primary clarifiers, sludge storage tanks, and anaerobic sludge digesters for the wastewater treatment system. The Malibu Bay Club WWTP system reuses an 8,000-gallon fiberglass septic tank installed in January 2004. The 2005 construction diverted 100% of raw wastewater into this tank. The untreated wastewater from the fiberglass tank is split into two (2) of three (3) rehabilitated 9,000-gallon concrete septic tanks, in parallel, for primary clarification. There is a solids pumping pipe with one end in an at-grade box in the sand near each septic tank. The pumper truck hook-up is in a box within the landscape at the west end of Beach Club Way. The untreated wastewater then flows in to the flow equalization system.
20. The untreated wastewater from the parallel septic tanks enters a 1,000-gallon tank. There is a pipe and valve at the bottom of the 1,000-gallon tank. The 1,000-gallon tank and the third of the three (3) rehabilitated 9,000-gallon septic tanks, combine for an effective flow equalization variable volume of about 7,000 gallons.
21. The equalization (EQ) tank is connected to the pump vault in the sandbox. The EQ tank and pump vault are connected so that the water levels in the EQ Tank and pump vault are equal. The base of the pump vault is the same elevation as the bottom of the 9,000-gallon tank. The pump vault inlet is 1-foot above the base, forming a solids trapping area in 1,000 and 9,000-gallon tanks. The ceiling of the 9,000-gallon tank is 5 feet above the base. The pumps pump the untreated wastewater up to the treatment system located on Starfish Lane.
22. Treatment is performed using tower trickling filter(s). The tower trickling filters are composed of a cylindrical, flat-bottom fiberglass tank and are located in Starfish Lane.

T
E
N
T
A
T
I
V
E

The four towers sit on top of three concrete clarifier tanks (two on Clarifier 1 and one each on Clarifiers 2 and 3). Recirculation pumps located in the clarifier tanks continuously pump the water up to the spray nozzles at the top of the Trickling Filters. The water trickles down and returns to the clarifiers. The wastewater overflows by gravity from one clarifier to the next.

23. The treated effluent from the trickling filters flows by gravity into manhole No. 2 located in Starfish Lane. The High-Rate Sand Filtration System sucks water from manhole No. 2 through the filtration system. The high point of the suction lift pipe is about 13 feet at the start of pumping and 17 feet when pumping stops. Float switches in manhole No. 2 connect to Control Panel 2 (CP2), which operates the pump. The Sand Filtration system is located in the treatment equipment corridor located in the northwest corner of the property.
24. During the chlorination process, chlorine tablets are added to the wastewater prior to passing through the sand filter.
25. Prior to being discharged, disinfected wastewater is passed on to the ultra-violet unit and then dechlorination tablets are added at discharge of the ultra-violet (UV) weir. Finally, the treated wastewater is discharged to the groundwater through the leachfield disposal system. The leachfield disposal system consists of three (3) leachfields: the primary leachfield, an alternate leachfield and the backup leachfield. The leachfield disposal system consists of three (3) 75 feet long by 10 feet wide and 5 feet deep cells. The leachfield disposal system discharges in close proximity (approximately 30 feet) to the Pacific Ocean.
26. Self-monitoring data from January 2010 to December 2010 characterize the recent effluent and groundwater quality as follows:

Constituents	Units*	PMW-1 ¹	PMW-2 ¹	PMW-3 ¹	PMW-4 ¹	WWTP Effluent ²
pH	mg/L	7.32	7.44	7.45	7.50	7.49
Total Suspended Solids	mg/L	NR ³	NR ³	NR ³	NR ³	7.25
BOD ₅ 20°C	mg/L	<0.1	<0.1	<0.1	<0.1	<0.1
Turbidity	NTU	NR ³	NR ³	NR ³	NR ³	4.73
Total coliform	MPN/100 mL	<2	<2	<2	<2	<2
Fecal coliform	MPN/100 mL	<2	<2	<2	<2	<2
Enterococcus	MPN/100 mL	<1	<1	<1	<1	2
Oil & Grease	MPN/100 mL	NR ³	NR ³	NR ³	NR ³	<2
Total Dissolved Solids	mg/L	NR ³	NR ³	NR ³	NR ³	1,006
Nitrate as N	mg/L	0.29	16.58	18.5	0.11	18.5
Nitrite as N	mg/L	NR ³	NR ³	NR ³	NR ³	0.67
Ammonia as N	mg/L	10.42	1.48	<0.048	8.12	11.03
TKN	mg/L	9.92	<0.074	<0.074	8.03	8.84
Organic-N	mg/L	<0.48	<0.074	<0.074	8.03	NR ³

T
E
N
T
A
T
I
V
E

Constituents	Units*	PMW-1 ¹	PMW-2 ¹	PMW-3 ¹	PMW-4 ¹	WWTP Effluent ²
Phosphorus	mg/L	2.1	2.2	2.3	2.7	4.59
MBAS	mg/L	0.078	<0.019	<0.019	<0.019	0.26
Residual chlorine	mg/L	NR ³	NR ³	NR ³	NR ³	0.01

¹Based on analyses performed from January 14, 2010 to December 16, 2010

²Based on analyses from January 14, 2010 to December 16, 2010

³NR: Analyses not required

PMW-1: Cross-gradient Well

PMW-2 and PMW-3: Downgradient Well

PMW-4: Upgradient Well

SITE-SPECIFIC CONDITIONS

27. The Malibu Bay Club WWTP and leachfields are located in the Little Sycamore Canyon Creek Hydraulic Unit, and are in close proximity to the Pacific Ocean Nearshore Zone.
28. Groundwater beneath the Malibu Bay Club WWTP is contained in alluvial, beach and terrace deposits. Groundwater levels and flow directions beneath the site are controlled by these deposits. In addition, groundwater may be present in some sandstone rock formations underlying recent deposits, especially in fracture systems within bedrock formations.
29. Bedrock units exposed in this area are Paleocene to late Miocene in age. The rocks consist of marine sedimentary rocks, extrusive volcanic rocks and intrusive dikes and sills. Surficial deposits are limited to areas along active stream channels and on coastal terraces. Approximately, ¼ mile of the coast east of Little Sycamore Canyon, these surficial deposits rest on one or more coastal terraces cut into older bedrock. However, west of Little Sycamore Canyon, these deposits are rare.
30. The remaining Quaternary deposits are relatively young and considered Holocene in age. These Holocene sediments occur either as unconsolidated, cohesionless sand or as stream-deposited, unconsolidated, generally cohesionless gravel, sand, and silt.
31. Marine clastic sedimentary rocks of the middle Miocene Upper Topanga Formation overlie the Conejo Volcanics, a thick sequence of submarine and subaerial extrusive and related intrusive rocks of middle Miocene age. The Conejo Volcanics overlie middle and lower Miocene marine clastic sedimentary rocks of the Lower Topanga Formation, which in turn rests on Oligocene nonmarine clastic sedimentary rocks of the Sespe Formation.
32. Depth to groundwater at the Malibu Bay Club WWTP site ranges from a depth of 5 feet to 10 feet below ground surface (bgs). Groundwater flows in a southwesterly direction towards the Pacific Ocean.
33. There is no known groundwater basin in the vicinity of the discharge. No water supply wells are located within the immediate area of discharge.

T
E
N
T
A
T
I
V
E

34. Yerba Buena is a private water retailer in the area and is the source of domestic water supply for the Malibu Bay Club condominium and residence complex. The domestic water is supplied from production wells that are approximately 0.75 miles to 1 mile inland.

COMPLIANCE HISTORY

35. Monitoring reports submitted to the Regional Board from January 2006 through September 2011 show twenty-two (22) effluent limit violations for total suspended solids, biochemical oxygen demand (BOD₅ 20°C), turbidity, fecal coliform and enterococcus. The Malibu Bay Club WWTP operation personnel have fine-tuned the operations at the upgraded plant since the start of the WWTP in October 2005 to ensure that the quality of effluent prescribed in Board Order No. 01-008 are met and are closely monitoring the quality of the effluent ever since the last effluent limit violations occurred on May 20, 2010. The Malibu Bay Club WWTP compliance record has improved significantly.

APPLICABLE PLANS, POLICIES AND REGULATIONS

36. The Regional Board adopted a revised Water Quality Control Plan for the Los Angeles Region: Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan) on June 13, 1994, and amended by various Regional Board resolutions. This updated and consolidated plan represents the Board's master quality control planning document and regulations. The Basin Plan (i) designates beneficial uses for surface and groundwater, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated (existing and potential) beneficial uses and conform to the State's antidegradation policy, and (iii) includes implementation provisions, programs, and policies to protect all waters in the Region. In addition, the Basin Plan incorporates (by reference) all applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations.
37. On September 15, 2009, the State Water Resources Control Board (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 (USEPA) approved a revised plan in 2010. The revised plan contains water quality objectives for coastal waters of California. This Order includes receiving water limitations, prohibitions, and provisions that implement the objectives of the Ocean Plan.
38. State Board Resolution No. 68-16 (hereafter Resolution No. 68-16 or the "Antidegradation" Policy) requires the Regional Board in regulating the discharge of waste to maintain high quality waters of the State until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in the Regional Board's policies (e.g., quality that exceeds water quality objectives). Resolution No. 68-16 requires that any discharge that could degrade the waters of the State be regulated to assure use of best practicable treatment or control

T
E
N
T
A
T
I
V
E

(BPTC) of the discharge to assure that pollution or nuisance will not occur, and the highest water quality consistent with maximum benefit to the people of the State will be maintained.

39. This Order establishes limitations that will not unreasonably threaten present and anticipated beneficial uses or result in receiving quality that exceeds water quality objectives set forth in the Basin Plan. This means that where the stringency of the limitations for the same waste constituent differs according to beneficial use, the most stringent applies as the governing limitation for that waste constituent. This Order contains tasks for assuring that BPTC and the highest water quality consistent with the maximum benefit to the people of the State will be achieved. Accordingly, the discharge is consistent with the antidegradation provisions of Resolution No. 68-16. Based on the results of the scheduled tasks, the Regional Board may reopen this Order to reconsider groundwater limitations and other requirements to comply with Resolution No. 68-16.
40. The Malibu Bay Club WWTP and leach fields are located in close proximity to the Pacific Ocean Nearshore Zone. The Basin Plan has the following beneficial use designations:

Coastal Features (Nearshore):

Existing: industrial service supply, navigation, water contact and non-water contact recreation, commercial and sport fishing, marine habitat, wildlife habitat, biological habitat preserve, rare and endangered species habitat support, migration of aquatic organisms, spawning and reproduction of aquatic organisms and shell fish harvesting.

41. The Discharger will be able to achieve compliance with all the effluent limitations listed in this Order and will not discharge any wastewater to surface water from the treatment plant.
42. The leachfields discharge in close proximity (approximately 30 feet) to the Pacific Ocean. Groundwater monitoring is being required since groundwater under the leachfields may be in hydraulic connection with the Pacific Ocean.

GENERAL FINDINGS

43. Pursuant to California Water Code Section 13263(g), discharge is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge.
44. The Regional Water Board will review this Order periodically and will revise requirements when necessary.
45. Section 13267(b) of the California Water Code (CWC) states, in part, that "In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging or who proposes to discharge within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste outside of its region that could affect the quality of waters of the state within its region shall furnish

T
E
N
T
A
T
I
V
E

under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs of these reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports." The reports required by Monitoring and Reporting Program CI No. 5774 are necessary to assure compliance with these waste discharge requirements. The Discharger operates facilities that discharge wastes subject to this Order.

46. The technical reports required by this Order No. R4-2012-XXXX and the attached Monitoring and Reporting Program CI No. 5774 are necessary to assure compliance with these waste discharge requirements. The Discharger operates the Facility that discharges the waste subject to this Order.

ELECTRONIC SUBMITTAL OF INFORMATION

47. Dischargers are directed to submit all reports required under the waste discharge requirements (WDR) adopted by the Regional Board, including groundwater monitoring data in Electronic Data Format, well and discharge location data, and searchable pdf reports and correspondence, to the State Water Resources Control Board GeoTracker database effective October 1, 2011.

CALIFORNIA ENVIRONMENTAL QUALITY ACT AND NOTIFICATION

48. This project involves an existing facility. As such, the Malibu Bay Club WWTP 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.
49. 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 written views and recommendations for the requirements.
50. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge and to the tentative requirements.
51. Pursuant to CWC section 13320, any aggrieved party may seek review of this Order by filing a petition with the State Board. A petition must be received by the State Water Resources Control Board, P.O. Box 100, Sacramento, California, 95812, within 30 days of the date this Order is adopted.

IT IS HEREBY ORDERED that the Dischargers, Malibu Bay Club, Incorporated and Ventura Regional Sanitation District, shall be responsible for and shall comply with the following requirements in all operations and activities at the Malibu Bay Club Wastewater Treatment Plant (Malibu Bay Club WWTP):

T
E
N
T
A
T
I
V
E

A. INFLUENT LIMITATIONS

1. Waste discharged shall be limited to domestic wastewater only. No water softener regeneration brines, commercial, or industrial wastewaters shall be discharged to the system.
2. The maximum daily flow of influent from the collection system to the wastewater treatment system shall not exceed the maximum design flow of 36,000 gpd.
3. No volatile organic compounds are to be discharged into the Malibu Bay Club wastewater treatment plant.

B. EFFLUENT LIMITATIONS

1. The discharge flow shall not exceed a maximum flow of 36,000 gpd.
2. The pH in the effluent shall at all times be from 6.5 to 8.5 pH units.
3. Effluent shall not contain constituents in excess of the following limits:

Constituent	Units ¹	Daily Maximum	Monthly Average
BOD ₅ 20°C	mg/L	45	30
Total suspended solids	mg/L	45	30
Turbidity	NTU	10	--
Ammonia as N	mg/L	2.4	--
Nitrite as N	mg/L	1	--
Total residual chlorine	mg/L	0.01	--
Oil and grease	mg/L	15	--
MBAS ²	mg/L	0.5	--
Total coliform ^a	MPN/100mL	70	230
Fecal coliform ^a	MPN/100mL	400	200
Enterococcus ^b	MPN/100mL	104	35

¹mg/L: milligrams per liter; MPN/100mL = most probable number (MPN) per 100 milliliters

²Methylene Blue Active Substances

^aThe limits for total coliform and fecal coliform shall apply prior to discharge of the effluent into the leachfield disposal system.

^bThe enterococcus limit is based on the geometric mean of at least 5 equally spaced samples in any 5- week period.

T
E
N
T
A
T
I
V
E

4. Total Coliform Limits: The median total coliform density shall not exceed 70 per 100 mL, and not more than 10 percent of the samples shall exceed 230 per 100 mL.
5. Fecal Coliform Limits: For 30-day geometric mean, fecal coliform density shall not exceed 200 per 100 mL. For single sample maximum, fecal coliform density shall not exceed 400 per 100 mL.
6. Enterococcus Limits: For 30-day geometric mean, Enterococcus density shall not exceed 35 per 100 mL. For single sample maximum, Enterococcus density shall not exceed 104 per 100 mL.
7. Effluent (wastewater discharged from the wastewater treatment plant) shall not contain heavy metals, arsenic, or cyanide, or other pollutants designated Priority Pollutants (Attachment A-1) by the USEPA in concentrations exceeding the limits contained in the SDHS Drinking Water Standards.
8. Radioactivity shall not exceed the limits specified in the California Code of Regulations (CCR) title 22, chapter 15, section 64441 et seq., or subsequent revisions (Attachment A-2).
9. Effluent shall not contain organic chemicals, inorganic chemicals (i.e., heavy metals, arsenic, or cyanide) in concentrations exceeding the limits contained in the current California Drinking Water Standards, CCR title 22, sections 64431 and 64444 or subsequent revisions (Attachment A-3).

C. GROUNDWATER LIMITATIONS

1. "Receiving water" is defined as groundwater underlying the wastewater treatment plant.
2. The discharged treated wastewater from the wastewater treatment plant shall not cause the receiving water to contain waste constituents statistically greater than background water quality except the limits in B.3.
3. The discharged treated wastewater from the wastewater treatment plant shall not cause the receiving water (groundwater) to exceed the following limits:

Constituent	Units ¹	Maximum Limitation ³
Total residual chlorine	mg/L	0.01
MBAS ²	mg/L	0.5
Ammonia as N	mg/L	2.4

T
E
N
T
A
T
I
V
E

Constituent	Units ¹	Maximum Limitation ³
Total coliform	MPN/100mL	70
Fecal coliform	MPN/100mL	400
Enterococcus	MPN/100mL	104

¹mg/L: milligrams per liter; MPN/100mL = most probable number (MPN) per 100 milliliters

²Methylene Blue Active Substances

³Point of compliance with groundwater limitation is the downgradient monitoring well

D. GENERAL REQUIREMENTS

1. Standby or emergency power facilities and/or sufficient capacity shall be provided for treated wastewater storage in the event of plant upsets or outages.
2. The treatment system, including the collection system that is a part of the treatment system and the disposal system, shall be maintained in such a manner that prevents sewage from surfacing or overflowing at any location.
3. The treatment system, sewer collection system and the leachfield disposal system shall be protected from damage by storm flows or runoff generated by a 100-year storm.
4. The Discharger shall comply with the Electronic Submittal of Information (ESI) requirements by submitting all reports required under the MRP, including groundwater monitoring data, discharge location data, and pdf monitoring reports to the State Water Resources Control Board GeoTracker database under Global ID WDR100000096. The GeoTracker training video is available at:

<https://waterboards.webex.com/waterboards/ldr.php?AT=pb&SP=MC&rID=44145287&rKey=7dad4352c990334b>

E. PROHIBITIONS

1. The direct or indirect of any waste and/or wastewater to surface waters or surface water drainage courses is prohibited.
2. There shall be no waste and/or sanitary sewer overflows or discharge of partially-treated wastes from the Malibu Bay Club WWTP's treatment, storage or disposal facilities to adjacent drainage ways, adjacent properties or waters of the State (including storm drains) at any time.
3. Bypass, discharger or overflow of untreated wastes, except as allowed by Section D.12 of this Order, is prohibited.
4. Discharge of waste classified as 'hazardous', as defined in Section 2521(a) of

T
E
N
T
A
T
I
V
E

Title 23, California Code of Regulations, Section 2510 et seq., is prohibited. Discharge of waste classified as 'designated,' as defined in California Water Code Section 13173, in a manner that causes violation of groundwater limitations, is prohibited.

5. Wastes shall not be disposed of in geologically unstable areas or so as to cause earth movement.
6. Wastes discharged shall not impart tastes, odors, color, foaming or other objectionable characteristics to the receiving water.
7. There shall be no onsite permanent 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 or comparable regulatory entity, 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.
8. Sewage odors shall not be detectable at the property boundary.
9. Wastes discharged from the wastewater treatment plant shall at no time contain any substances in concentrations toxic to human, animal, plant, or aquatic life.
10. The discharge of waste shall not create a condition of pollution, contamination, or nuisance. No new connections may be made without notification to the Regional Board.
11. The discharge of any wastewater to surface waters or surface water drainage courses is prohibited without a NPDES permit.
12. Bypass (the intentional diversion of waste stream from any portion of a treatment facility) is prohibited. The Regional Board may take enforcement action against the Discharger for bypass unless:
 - (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage. (Severe property damage means substantial physical damage to property, damage to the treatment facilities that cause them to become inoperable, or substantial and permanent loss in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production);
 - (b) There were no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment down time. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that could occur during normal periods of equipment downtime or preventive maintenance; and

T
E
N
T
A
T
I
V
E

(c) The Discharger submitted a notice at least 48 hours in advance of the need for a bypass to the Regional Board.

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

E. PROVISIONS

1. A copy of this Order shall be maintained at the wastewater treatment plant so as to be available at all times to operating personnel.
2. The Discharger shall file with the Regional Board technical reports on self-monitoring work performed according to the detailed specifications contained in Monitoring and Reporting Program CI No. 5774 attached hereto and incorporated herein by reference, as directed by the Executive Officer. The results of any monitoring done more frequently than required at the location and/or times specified in the Monitoring and Reporting Program shall be reported to the Regional Board. The Discharger shall comply with all of the provisions and requirements of the Monitoring and Reporting Program.
3. The Discharger shall comply with all applicable requirements of chapter 4.5 (commencing with section 13290) of division 7 of the California Water Code.
4. Monitoring and Reporting Program CI No. 5774 contains requirements, among others, a groundwater monitoring program for the Malibu Bay Club WWTP so that the groundwater downgradient and upgradient from the leachfields and discharge/disposal area can be measured, sampled, and analyzed to determine if discharges from the disposal system are impacting water quality.
5. The Discharger shall monitor the background of the receiving groundwater quality as it relates to its effluent discharges. Should the constituent concentrations in any downgradient monitoring well exceed the receiving water quality objectives in the Ocean Plan and the increase in constituents is attributable to the Discharge's Malibu Bay Club WWTP effluent disposal practices, the Discharger must develop a source control plan including a detailed source identification and pollution minimization plan, together with the time schedule of implementation, and must be submitted within 120 days of recording the exceedance.
6. Should effluent monitoring data indicate possible contamination of groundwater attributable to Discharger's effluent, the Discharger shall submit, within 120 days after discovery 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 discharge(s).
7. The Discharger shall not discharge any treated wastewater from the Malibu Bay

T
E
N
T
A
T
I
V
E

Club WWTP to the effluent disposal areas that have not been addressed in this Order without approval by the Executive Officer.

8. Wastewater treatment and discharge at the wastewater treatment facility shall not cause pollution or nuisance as defined in CWC section 13050.
9. In accordance with CWC section 13260(c), the Discharger shall file a report of any material change or proposed change in the character, location, or volume of the discharge.
10. The Discharger shall operate and maintain its wastewater collection, treatment and disposal facilities in a manner to ensure that all facilities are adequately staffed, supervised, financed, operated, maintained, repaired, and upgraded as necessary, to provide adequate and reliable transport, treatment, and disposal of all wastewater from both existing and planned future wastewater sources under the Discharger's responsibilities. Anyone employed in the operation of the wastewater treatment plant must be certified pursuant to CWC sections 13625-13633.
11. The Discharger shall submit to the Regional Board an Operations and Maintenance Manual (O & M Manual) for the entire Malibu Bay Club WWTP and disposal facilities for the Malibu Bay Club WWTP facility 90 days after the adoption of the WDRs. The Discharger shall maintain the O & M Manual in useable condition, and available for reference and use by all applicable personnel. The Discharger shall regularly review, and revise or update as necessary, the O & M Manual(s) in order for the document(s) to remain useful and relevant to current equipment and operation practices. Reviews shall be conducted annually, and revisions or updates shall be completed as necessary and submitted to the Regional Board.
12. The Discharger shall take all reasonable steps to minimize or prevent any discharge that has a reasonable likelihood of adversely affecting human health or the environment.
13. For any violation of requirements in this Order, the Discharger shall notify the Regional Board within 24 hours of knowledge of the violation either by telephone or electronic mail. The notification shall be followed by a written report within one week. The Discharger in the next monitoring report shall also confirm this information. In addition, the report shall 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.
14. This Order does not relieve the Discharger from the responsibility 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.

T
E
N
T
A
T
I
V
E

15. After notice and opportunity for a hearing, this Order may be terminated or modified for causes 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; or
 - 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.
16. 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.
17. This Order includes the attached *Standard Provisions Applicable to Waste Discharge Requirements* which are incorporated herein by reference. If there is any conflict between provisions stated herein and the *Standard Provisions Applicable to Waste Discharge Requirements*, the provisions stated herein will prevail.
18. The Discharger shall allow the Regional Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:
 - a) Enter upon the Discharger premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
 - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
 - c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
 - d) Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order, or as otherwise authorized by the CWC, any substances or parameters at any locations.
19. The WDRs contained in this Order will remain in effect and will be reviewed after five (5) years. Should the Discharger wish to continue discharging to groundwater for a period of time in excess of 5 years, the Discharger must file an updated Report of Waste Discharge with the Regional Board no later than 120 days in advance of the fifth-year anniversary date of the Order for consideration

T
E
N
T
A
T
I
V
E

of issuance of new or revised waste discharge requirements. Any discharge of waste ten years after the date of adoption of this Order, without filing an updated Report of Waste Discharge with the Regional Board, is a violation of CWC section 13264. The Regional Board is authorized to take appropriate enforcement action for any noncompliance with this provision including assessment of penalties.

20. All discharges of waste into the waters of the State are privileges, not rights. 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.

G. REOPENER

1. The Regional Board may modify, or revoke and reissue this Order if present or future investigations demonstrate that the discharge(s) governed by this Order will cause, have the potential to cause, or will contribute to adverse impacts on water quality and/or beneficial uses of the receiving waters.
2. This Order may be reopened to include additional or modified requirements to address Discharger's expansion or mitigation plans, TMDL or Basin Plan mandates, or groundwater limitation compliance with Resolution No. 68-16.

H. TERMINATION

Except for enforcement purposes, WDRs Order No. 01-008, adopted by the Regional Board on January 11, 2001, is hereby terminated.

I, Samuel Unger, 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 April 5, 2012.

Samuel Unger, P. E.
Executive Officer

T
E
N
T
A
T
I
V
E

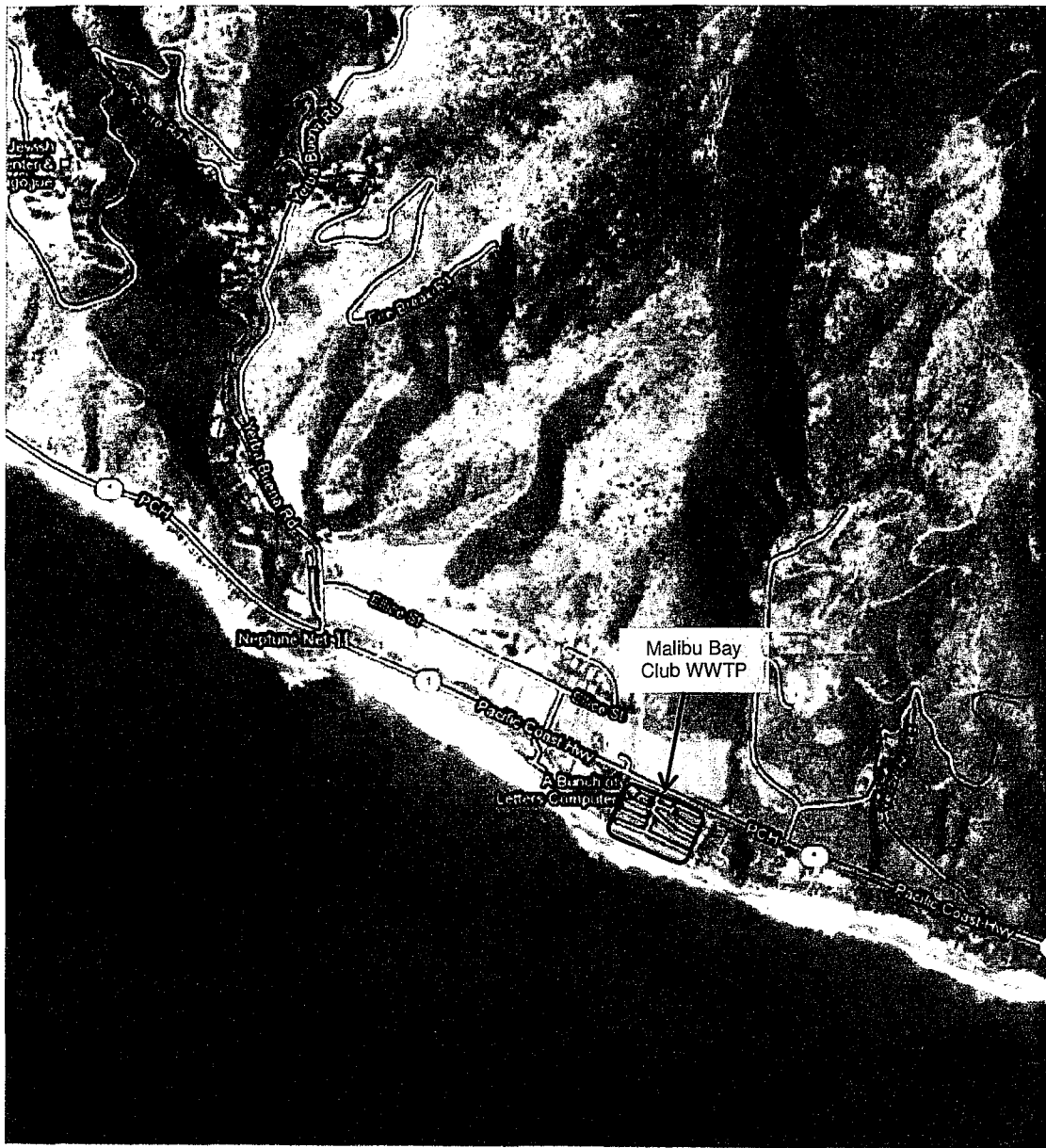


Figure 1. Location of Malibu Bay Club WWTP

Attachment A-1

Table 64431-A: Inorganic Chemicals	
Constituent	Maximum Contamination Levels (mg/L)
Aluminum	1
Antimony	0.006
Arsenic	0.05
Barium	1
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.2
Fluoride	2
Mercury	0.002
Nickel	0.1
Selenium	0.05
Thallium	0.002

California Code of Regulation (CCR) Title 22, Section 64431
Nitrate, Nitrate plus nitrite have been removed from this Table.

Attachment A-2

Table 4 – Radioactivity	
Constituent	Maximum Contamination Levels (pCi/L)
Combined Radium-226 and Radium-228	5
Gross Alpha Particle Activity (Including Radium-226 but Excluding Radon and Uranium)	15
Tritium	20000
Strontium-90	8
Gross Beta Particle Activity	50
Uranium	20

California Code of Regulation (CCR) Title 22, Section 64443

Attachment A-3

Table 64444-A – Organic/Regulated Chemicals	
Constituent	Maximum Contamination Levels (mg/L)
Volatile Organic Chemicals	
Benzene	0.001
Carbon Tetrachloride (CTC)	0.0005
1,2-Dichlorobenzene	0.6
1,4-Dichlorobenzene	0.005
1,1-Dichloroethane	0.005
1,2-Dichloroethane (1,2-DCA)	0.0005
1,1-Dichloroethene (1,1-DCE)	0.006
Cis-1,2-Dichloroethylene	0.006
Trans-1,2-Dichloroethylene	0.01
Dichloromethane	0.005
1,2-Dichloropropane	0.005
1,3-Dichloropropene	0.0005
Ethylbenzene	0.7
Methyl-tert-butyl-ether	0.013
Monochlorobenzene	0.07
Styrene	0.1
1,1,2,2-Tetrachloroethane	0.001
Tetrachloroethylene (PCE)	0.005
Toluene	0.15
1,2,4-Trichlorobenzene	0.07
1,1,1-Trichloroethane	0.2
1,1,2-Trichloroethane	0.005
Trichloroethylene (TCE)	0.005
Trichlorofluoromethane	0.15
1,1,2-Trichloro-1,2,2-Trifluoroethane	1.2
Vinyl Chloride	0.0005
Xylenes (m,p)	1.75
Non-Volatile synthetic Organic Chemicals	
Alachlor	0.002
Atrazine	0.003
Bentazon	0.018
Benzo(a)pyrene	0.0002
Carbofuran	0.018
Chloradane	0.0001
2,4-D	0.07
Dalapon	0.2
1,2-Dibromo-3-chloropropane	0.0002

(Continues to the Next Page)

(Continued from the Previous Page)

Table 64444-A – Organic/Regulated Chemicals	
Constituent	Maximum Contamination Levels (mg/L)
Non-Volatile synthetic Organic Chemicals	
Di(2-ethylhexyl)adipate	0.4
Di(2-ethylhexyl)phthalate	0.004
Dinoseb	0.007
Diquat	0.02
Endothall	0.1
Endrin	0.002
Ethylene Dibromide (EDB)	0.00005
Glyphosate	0.7
Heptachlor	0.00001
Heptachlor Epoxide	0.00001
Hexachlorobenzene	0.001
Hexachlorocyclopentadiene	0.05
Lindane	0.0002
Methoxychlor	0.04
Molinate	0.02
Oxamyl	0.2
Pentachlorophenol	0.001
Picloram	0.5
Polychlorinated Biphenyls	0.0005
Simazine	0.004
Thiobencarb	0.07
Toxaphene	0.003
2,3,7,8-TCDD (Dioxin)	3×10^{-8}
2,4,5-TP (Silvex)	0.05

California Code of Regulation (CCR) Title 22, Section 64444