



**Los Angeles Regional Water Quality Control Board**

May 24, 2017

Mr. Robert Brager, Public Works Director  
City of Malibu  
23825 Stuart Ranch Road  
Malibu, CA 90265-4861

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
CLAIM NO. 7014 2120 0004 7561 7320

**GENERAL WASTE DISCHARGE REQUIREMENTS FOR STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES TO LAND WITH A LOW THREAT TO WATER QUALITY – MALIBU DEWATERING PROJECT ALONG CROSS CREEK ROAD, CIVIC CENTER WAY, AND WEBB WAY, MALIBU, CA (FILE NO. 17-040, ORDER NO. 2003-0003-DWQ, CI NO. 10315, SERIES NO. 030, GEOTRACKER GLOBAL ID-100039667)**

Dear Mr. Brager:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board), is the public agency with primary responsibility for the protection of ground and surface water quality for all beneficial uses of water within major portions of Los Angeles and Ventura Counties, including the City of Malibu (Discharger) dewatering project mentioned above.

We have completed our review of your application for Waste Discharge Requirements (WDRs) for wastewater to be discharged from the dewatering activities along Cross Creek Road, Civic Center Way, and Webb Way, Malibu, California (Site).

The dewatering activities are conducted by the Discharger. The groundwater seepage collected at four bore pits and open trench along Cross Creek Road will be discharged to five discharge points that provide an initial desilting treatment, then it will flow to Legacy Park Pond by gravity. Once the water reaches Legacy Park Pond, it will be further treated by City's existing Storm Water Treatment Plant. The existing Storm Water Treatment Plant provides activated carbon filtration and ozone disinfection. The Legacy Park includes approximately 12 planted acres and a 4-acre pond. The City proposes to use treated groundwater seepage up to 120,000 (GPD) to irrigate the Legacy Park.

Regional Board staff have reviewed the information provided and have determined that the proposed discharge meets the conditions specified in Order No. 2003-0003-DWQ, "*Statewide General Waste Discharge Requirements for Discharges to Land with a Low Threat to Water Quality*," adopted by the State Water Resources Control Board on April 30, 2003. The permitted discharge quantity is limited to 120,000 gallons per day.

Enclosed are your General WDRs, consisting of Order No. 2003-0003-DWQ, Monitoring and Reporting Program (MRP) CI No. 10315, and Standard Provisions Applicable to WDRs.

Should changes to the dewatering system be needed, revised 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 from the Regional Board prior to any changes made.

The MRP requires you to implement the monitoring program on the effective date of coverage under this permit. When submitting monitoring or technical reports to the Regional Board per these requirements, please include a reference to "Compliance File CI No. 10315", which will assure that the reports are directed to the appropriate file and staff. Also, please do not combine other reports with your monitoring reports. Submit each type of report as a separate document.

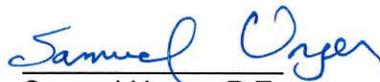
You shall comply with the Electronic Submittal of Information (ESI) requirements by submitting all reports required under the MRP, including monthly water usage, and pdf format monitoring reports to the State Water Resources Control Board GeoTracker database under Global ID WDR100015389. ESI training video is available at:  
<https://waterboards.webex.com/waterboards/ldr.php?AT=pb&SP=MC&rID=44145287&rKey=7dad4352c990334b>

Please see Paperless Office Notice for GeoTracker Users, dated December 21, 2011 for further details at:  
<http://www.waterboards.ca.gov/losangeles/resources/Paperless/Paperless%20Office%20for%20GT%20Users.pdf>

To avoid paying future annual fees, please submit a written request for termination of your enrollment under the general permit in a separate letter if your facility is no longer needed. Be aware that the annual fee covers the fiscal year billing period beginning July 1 and ending June 30, the following year. You will pay the full annual fee if your request for termination is made after the beginning of the new fiscal year beginning July 1.

If you have any questions, please contact the Project Manager, Dr. Don Tsai at (213) 620-2264 ([dtsai@waterboards.ca.gov](mailto:dtsai@waterboards.ca.gov)), or the Chief of Groundwater Permitting Unit, Dr. Eric Wu at (213) 576-6683 ([ewu@waterboards.ca.gov](mailto:ewu@waterboards.ca.gov)).

Sincerely,

  
Samuel Unger, P.E.  
Executive Officer

Enclosures: State Water Resources Control Board Order No. 2003-0003-DWQ  
Standard Provisions Applicable to Waste Discharge Requirements  
Monitoring and Reporting Program CI No. 10315

cc (via email): Mr. Craig George, City of Malibu

**STATE WATER RESOURCES CONTROL BOARD  
WATER QUALITY ORDER NO. 2003 – 0003 - DWQ**

**STATEWIDE GENERAL WASTE DISCHARGE  
REQUIREMENTS (WDRs) FOR DISCHARGES TO LAND WITH  
A LOW THREAT TO WATER QUALITY (GENERAL WDRs)**

The State Water Resources Control Board (SWRCB) finds that:

1. Section 13260(a) of the California Water Code (CWC) requires that any person discharging waste or proposing to discharge waste within any region, other than to a community sewer system, which could affect the quality of the waters of the State<sup>1</sup>, file a report of waste discharge (ROWD).
2. The discharges to land with a low threat to water quality listed in Table 1 are low volume discharges with minimal pollutant concentrations and are disposed of by similar means. These discharges are appropriately regulated under General WDRs.

**Table 1. Categories of Low Threat Discharges**

<b>CATEGORY</b>
<b>Wells/Boring Waste</b>
Well Development Discharge
Monitoring Well Purge Water Discharge
Boring Waste Discharge
<b>Clear Water Discharges</b>
Water Main/ Water Storage Tank/ Water Hydrant Flushing
Pipelines/Tank Hydrostatic Testing Discharge
Commercial and Public Swimming Pools
<b>Small Dewatering Projects</b>
Small /Temporary Dewatering Projects (such as excavations during construction)
<b>Miscellaneous</b>
Small Inert Solid Waste Disposal Operations
Cooling Discharge

See Attachment 1 to these General WDRs for discharge category definitions.

3. All WDRs must implement the Regional Water Quality Control Board (Regional Board) Water Quality Control Plan (Basin Plan) for the Region affected by the discharge. These General WDRs require Dischargers to comply with all applicable Basin Plan provisions, including any prohibitions and water quality objectives governing the discharge.

<sup>1</sup> "Waters of the State" as defined in CWC Section 13050(e)

4. These General WDRs establish minimum standards for the discharges listed in Table 1. The Discharger must comply with any more stringent standards in the applicable Basin Plan. In the event of a conflict between the provisions of these General WDRs and the applicable Basin Plan, the more stringent provision prevails.
5. The beneficial uses for the groundwaters of the State include, but are not limited to: municipal supply (MUN), industrial service supply (IND), industrial process supply (PROC), fresh water replenishment (FRESH), groundwater recharge (GWR), and agricultural supply (AGR).
6. The discharges listed in Table 1 have the lowest Threat to Water Quality (TTWQ) and Complexity, as defined in Section 2200, Title 23 of the California Code of Regulations (CCR). Discharges with the lowest TTWQ are those discharges of waste that could degrade water quality without violating water quality objectives or cause a minor impairment of designated beneficial uses. Low threat discharges that do not require any chemical, biological, or physical treatment have the lowest Complexity rating.
7. Dischargers seeking coverage under these General WDRs must file with the appropriate Regional Board: (a) a Notice of Intent (NOI) to comply with the terms and conditions of these General WDRs or a ROWD<sup>2</sup>, (b) the applicable first annual fee as required by Title 23, CCR, Section 2200, (c) a project map, (d) evidence of California Environmental Quality Act (CEQA) compliance, and (e) a discharger monitoring plan. Upon review by Regional Board staff, a determination will be made as to whether or not coverage under these General WDRs is appropriate. The Discharger will be notified by a letter from the Regional Board Executive Officer<sup>3</sup> when coverage under these General WDRs has begun.
8. Dischargers with low threat discharges listed in Table 1 currently covered by waivers or individual WDRs need not apply for coverage under these General WDRs unless requested to do so by the Regional Board.
9. Although a discharge may be eligible for coverage under these General WDRs, the Regional Board may elect to regulate the discharge under other WDRs or a conditional waiver. If the Regional Board has established WDRs or a conditional waiver, these General WDRs are not applicable.
10. The following discharge categories from Table 1 are exempt from SWRCB promulgated Title 27 requirements: Wells/Boring Waste Discharges, Clear Water Discharges, Small Dewatering Projects, and Cooling Discharges (Section 20090).

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<sup>2</sup> If a ROWD is submitted instead of an NOI, the discharger must complete Sections VII-XV and XVII of the NOI (Attachment 3) and submit them to the Regional Board.

<sup>3</sup> Regional Board Executive Officer or designee.

11. Title 27, Section 20230 of CCR exempts dischargers of inert solid wastes from the requirement to discharge at classified solid waste sites. Section 20230 also gives Regional Boards the option to assign individual or general WDRs for inert solid waste discharges.
12. Discharges to lands that have been listed as hazardous materials sites, pursuant to Government Code Section 65962.5, are not eligible for coverage under these General WDRs. Discharges that will significantly physically divide an established community, significantly conflict with any applicable land use plan/policy/regulation of an agency with jurisdiction over the project, or significantly conflict with any applicable habitat/community conservation plan are not eligible for coverage under these General WDRs.
13. Discharges that could have a significant impact on Biological Resources<sup>4</sup>, Cultural Resources<sup>5</sup>, Aesthetics<sup>6</sup>, Air Quality<sup>7</sup> or that could significantly alter the existing drainage pattern of the discharge site or surrounding area are not eligible for coverage under these General WDRs.
14. Small inert waste disposal operations and small temporary dewatering operations located on unstable geologic units/soils or expansive soils are not eligible for coverage under these General WDRs. Small inert waste disposal operations and small temporary dewatering operations that could significantly conflict with existing zoning for agriculture use or a Williamson Act contract are not eligible for coverage under these General WDRs.
15. Small inert waste disposal operations that are within the boundaries of a comprehensive airport land use plan or, if a comprehensive airport land use plan has not been adopted, within two nautical miles of a public airport or public use airport are not eligible for coverage under these General WDRs.
16. A Negative Declaration in compliance with CEQA has been adopted for these General WDRs. The environmental impacts from new discharges authorized by these General WDRs have been found to be less than significant.
17. Potential Dischargers and all other known interested parties have been notified of the intent to prescribe WDRs as described in these General WDRs.
18. All comments pertaining to the proposed discharges have been heard and considered in a public meeting.

IT IS HEREBY ORDERED, that the Discharger, in order to meet the provisions contained in Division 7 of CWC and regulations adopted thereunder, shall comply with the following:

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<sup>4</sup> As defined by the CEQA, Environmental Checklist Form, Title 14, California Code of Regulation, Appendix G, Section IV.

<sup>5</sup> As defined by the CEQA, Environmental Checklist Form, Title 14, California Code of Regulation, Appendix G, Section V.

<sup>6</sup> As defined by the CEQA, Environmental Checklist Form, Title 14, California Code of Regulation, Appendix G, Section I.

<sup>7</sup> As defined by the CEQA, Environmental Checklist Form, Title 14, California Code of Regulation, Appendix G, Section III

**A. PROHIBITIONS:**

1. The discharge of any waste to surface waters is prohibited.
2. The disposal of wastes shall not cause pollution, contamination, or nuisance as defined in CWC Section 13050.
3. Discharge of wastes to lands not owned or controlled by the discharger is prohibited, unless the discharger has a written lease or an agreement with the owner.
4. The discharge of waste classified as “hazardous” or “designated” as defined in Title 22 CCR, Section 66261 and CWC Section 13173, is prohibited.
5. The discharge of waste shall not cause, wholly or in combination with any other discharge(s), the applicable Regional Board’s Basin Plan objectives for ground or surface waters to be exceeded.
6. The discharge of waste causing the spread of groundwater contamination is prohibited.
7. The discharge of water main, water storage tank, water hydrant pipeline flushing, or hydrostatic testing water from tanks or pipelines that have been used to store or convey any medium other than potable water is prohibited, unless the Discharger has demonstrated to the Regional Board that all residual pollutant concentrations have been reduced to levels below Regional Board Basin Plan groundwater quality objectives.
8. The discharge of wastes at Small Inert Solid Waste Disposal Operations that are not listed in Attachment 2 to these General WDRs or approved by the Regional Board is prohibited.

**B. DISCHARGE SPECIFICATIONS:**

Table 1 discharges, except monitoring well purge water and boring waste dischargers, shall not contain concentrations of pollutants in excess of the Basin Plan ground water quality objectives. Dischargers of boring waste shall not threaten an exceedance of applicable Basin Plan ground water quality objectives.

**C. PROVISIONS:**

1. The following provisions apply to Small Inert Solid Waste Operations:
  - a. Inert solid waste facilities shall only accept inert solid wastes that are listed in Attachment 2 to these General WDRs or that are approved by the Regional Board.

- b. Access to the facility shall be limited to ensure that all types of inert solid wastes accepted at the site are in compliance with these General WDRs.
    - c. Inert solid waste facilities shall develop and implement a load checking program to ensure that all the types of waste accepted at the site are in compliance with these General WDRs.
  2. Discharges of boring waste, drilling mud, and cuttings from well-drilling operations shall be discharged to on-site sumps and shall not contain halogenated solvents. At the end of drilling operations, the Discharger shall either:
    - a. Remove all wastes from the sump; or
    - b. Remove all free liquid from the sump and cover residual solid and semi-solid wastes, provided that representative sampling of the sump contents after liquid removal shows residual solid wastes to be nonhazardous. Residual wastes shall be disposed at the proper Title 27, CCR classified waste disposal facility or onsite. Residual wastes discharged onsite shall meet the following requirements: (1) the discharge must be located greater than 5 feet above local groundwater level, (2) the discharge must be covered by a minimum of 1 foot of clean soil, and (3) the discharge must be located at least 100 feet from the nearest surface water. If the sump has appropriate containment features, it may be reused.
  3. Monitoring well purge water shall be discharged at the monitoring well facility<sup>8</sup> and shall not degrade underlying groundwater. Monitoring well purge water shall not be discharged in a manner causing ponding or threatening a discharge to surface waters.
  4. A minimum freeboard of two feet shall be maintained at all wastewater disposal ponds and wastewater storage ponds.
  5. All storage and disposal facilities shall be protected against erosion, overland runoff, and other impacts resulting from storm events.
  6. Dischargers applying for coverage under these General WDRs shall submit with their NOI a discharge monitoring plan (DMP). The DMP shall include the following information:
    - a. All pollutants believed to be present in the discharge
    - b. Approximate concentration of pollutants in the discharge
    - c. Monitoring locations
    - d. Monitoring frequencies

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<sup>8</sup> A facility where monitoring well(s) have been installed to monitor the migration or levels of a pollutant or the effects and/or migration of a particular discharge.

- e. Report schedule (dates that reports will be submitted to the Regional Board).

Material Safety Data Sheets (MSDS) and additional laboratory analysis may be required by the Regional Board to evaluate the discharge and approve the DMP.

The DMP will be subject to Regional Board Executive Officer<sup>9</sup> approval. The discharge may not be initiated until the Regional Board Executive Officer approves the DMP and sends notification of this approval by letter.

- 7. Dischargers of well development water, boring waste, and clear water discharges shall provide written notice to the Regional Board before initiating any discharge to a new site. Dischargers shall certify that the new discharge site is in compliance with these General WDRs and the requirements established by Sections VII-XVI of Attachment 3 (NOI). All other dischargers covered under these General WDRs are prohibited from discharging to sites not described in their NOI or ROWD.
- 8. Discharges of liquids derived from the purging, development, or sampling of groundwater from monitoring wells shall not contain nonaqueous phase liquids (i.e., concentrations of pollutants above the solubility limits).

#### **D. APPLICATION:**

- 1. Discharges described in the Findings are eligible for coverage under these General WDRs provided that the discharger submits to the appropriate Regional Board<sup>10</sup> the following:
  - a. An NOI to comply with these General WDRs (Attachment 3 to these General WDRs) or an ROWD<sup>11</sup>.
  - b. A project map.
  - c. Evidence of compliance with CEQA, if any other public agency has required the project to comply with CEQA.
  - d. A first annual fee as described in Finding No. 6.
  - e. A DMP, as described in Provision C.6.
  - f. Any other additional information requested by the Regional Board to evaluate the discharge.

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<sup>9</sup> Regional Board Executive Officer or designee.

<sup>10</sup> Appropriate Regional Board is the Regional Board that regulates discharges of pollutants to waters of the State for the area that the proposed discharge will occur.

<sup>11</sup> If an ROWD is submitted instead of an NOI, the discharger must complete Sections VII-XV and XVII of the NOI (Attachment 3) and submit them to the Regional Board.

#### **E. STANDARD PROVISIONS:**

1. A copy of these General WDRs shall be kept at the discharge facility for reference by operating personnel. Key operating and site management personnel shall be familiar with its contents.
2. The Discharger shall develop a discharge management plan incorporating contingency measures, should sampling results show violation of water quality standards. In no case shall the discharge continue to impair beneficial uses or violate water quality standards or cause a possible nuisance condition.
3. The Discharger shall take all reasonable steps to prevent any discharge in violation of these General WDRs.
4. The Discharger shall properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) at all times to assure compliance with these General WDRs. Proper operation and maintenance also include adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems when necessary to assure compliance with the conditions of these General WDRs.
5. Prior to any modifications in the Discharger's facility, that would result in a material change in the quality or quantity of waste discharged or any material change in the location of the discharge, the Discharger shall report in writing to the appropriate Regional Board all pertinent information and obtain confirmation from the Regional Board that such modifications do not disqualify the Discharger from coverage under these General WDRs. Confirmation or new WDRs shall be obtained before any modifications are implemented.
6. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the discharger, the discharger shall notify the succeeding owner or operator of the existence of these General WDRs by letter, a copy of which shall be immediately forwarded to the appropriate Regional Board office. The discharger shall also submit a Notice of Termination (Attachment No. 4 to these General WDRs) to the appropriate Regional Board.
7. These General WDRs do not convey any property rights or exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, do not protect the Discharger from liability under federal, State, or local laws, and do not create a vested right to continue to discharge wastes.
8. These General WDRs do not relieve the Discharger from the responsibility to obtain other necessary local, State, and federal permits to construct facilities necessary for compliance with these General WDRs, nor do these General WDRs prevent imposition of additional standards, requirements, or conditions by any other regulatory agency.

9. 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 do the following:
  - a. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of these General WDRs,
  - b. Access and copy, at reasonable times, any records that must be kept under the conditions of these General WDRs;
  - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under these General WDRs; and
  - d. Sample or monitor, at reasonable times, for the purposes of assuring compliance with these General WDRs or as otherwise authorized by the CWC any substances or parameters at any location.
10. After notice and opportunity for a hearing, coverage of an individual discharge under these General WDRs may be terminated or modified for cause, including but not limited to, the following:
  - a. Violation of any term or condition of these General WDRs;
  - b. In obtaining these General WDRs, misrepresentation or failure to disclose all relevant facts; and
  - c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
11. The filing of a request by the Discharger for an Order to modify, revoke and reissue, or terminate the filing of or a notice of planned changes or anticipated noncompliance does not stay any condition of these General WDRs.
12. The Discharger shall comply with Monitoring and Reporting Program for Water Quality Order No. 2003-0003-DWQ, the approved DMP, and any revisions as prescribed thereto by the Regional Board Executive Officer.
13. Where the Discharger becomes aware that it failed to submit any relevant facts in a ROWD/NOI or submitted incorrect information in an ROWD/NOI or in any report to the Regional Board, it shall promptly submit the required facts or information.
14. The Discharger shall furnish, within a reasonable time, any information the Regional Board or SWRCB may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the Discharger's coverage under these General WDRs. The Discharger shall also furnish to the Regional Board or SWRCB, upon request, copies of records required to be kept by these General WDRs.

15. The CWC provides that any person failing or refusing to furnish technical or monitoring program reports, as required under these General WDRs, or falsifying any information provided in the monitoring reports is subject to civil liability for each day of violation.
16. The Discharger shall take all necessary steps to minimize or correct any adverse impact on the environment resulting from noncompliance with these General WDRs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncompliance.
17. All reports, NOI, other documents required by these General WDRs, and other information requested by the Regional Board shall be signed by a person described below or by a duly authorized representative of that person.
  - a. For a corporation: by a responsible corporate officer such as (1) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function; (2) any other person who performs similar policy or decision-making functions for the corporation; or (3) the manager of one or more manufacturing, production, or operating facilities if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
  - b. For a partnership or sole proprietorship: by a general partner or the proprietor.
  - c. For a municipality, State, federal, or other public agency: by either a principal executive officer or ranking elected official.
18. Any person signing a document under Provision E.17 makes the following certification, whether written or implied:

"I certify under penalty of law that this document and all attachments were 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 there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
19. The Discharger shall immediately report any noncompliance potentially endangering public health or the environment. Any information shall be provided orally to the Regional Board within 24 hours of the time the Discharger becomes aware of the occurrence. A written report shall also be submitted to the Regional Board Executive Officer within five (5) calendar days of the time the Discharger becomes aware of the occurrence. The written report shall contain (a) a description of the noncompliance and its cause; (b) the period of the noncompliance event, including dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and (c) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

20. The Discharger shall report all instances of noncompliance not reported under Provision No. E.19 at the time monitoring reports are submitted. The reports shall contain any applicable information listed in Provision No. E.19.
21. The Discharger shall give notice to the Regional Board as soon as possible of any planned alterations to the permitted facility that may change the nature or concentration of pollutants in the discharge.
22. The Discharger shall comply with all of the conditions of these General WDRs. Any noncompliance with these General WDRs constitutes a violation of the CWC and is grounds for an enforcement action.

#### CERTIFICATION

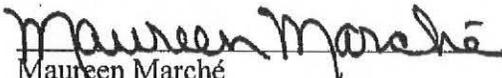
The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 30, 2003.

AYE: Arthur G. Baggett, Jr.  
Peter S. Silva  
Richard Katz  
Gary M. Carlton

NO: None

ABSENT: None

ABSTAIN: None

  
Maureen Marché  
Clerk to the Board

STANDARD PROVISIONS  
APPLICABLE TO WASTE DISCHARGE REQUIREMENTS

1. DUTY TO COMPLY

The discharger must comply with all conditions of these waste discharge requirements. A responsible party has been designated in the Order for this project, and is legally bound to maintain the monitoring program and permit. Violations may result in enforcement actions, including Regional Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board. [CWC Section 13261, 13263, 13265, 13268, 13300, 13301, 13304, 13340, 13350]

2. GENERAL PROHIBITION

Neither the treatment nor the discharge of waste shall create a pollution, contamination or nuisance, as defined by Section 13050 of the California Water Code (CWC). [H&SC Section 5411, CWC Section 13263]

3. AVAILABILITY

A copy of these waste discharge requirements shall be maintained at the discharge facility and be available at all times to operating personnel. [CWC Section 13263]

4. CHANGE IN OWNERSHIP

The discharger must notify the Executive Officer, in writing at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgement that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable from the transfer date on. [CWC Sections 13267 and 13263]

5. CHANGE IN DISCHARGE

In the event of a material change in the character, location, or volume of a discharge, the discharger shall file with this Regional Board a new Report of Waste Discharge. [CWC Section 13260(c)]. A material change includes, but is not limited to, the following:

- (a) Addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the Waste.

November 7, 1990  
WDR

Standard Provisions Applicable to  
Waste Discharge Requirements

- (b) Significant change in disposal method, e.g., change from a land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.
- (c) Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.
- (d) Increase in flow beyond that specified in the waste discharge requirements.
- (e) Increase in the area or depth to be used for solid waste disposal beyond that specified in the waste discharge requirements. [CCR Title 23 Section 2210]

6. REVISION

These waste discharge requirements are subject to review and revision by the Regional Board. [CCR Section 13263]

7. TERMINATION

Where the discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or information. [CWC Sections 13260 and 13267]

8. VESTED RIGHTS

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, do not protect the discharger from his liability under Federal, State or local laws, nor do they create a vested right for the discharger to continue the waste discharge. [CWC Section 13263(g)]

9. SEVERABILITY

Provisions of these waste discharge requirements are severable. If any provision of these requirements are found invalid, the remainder of the requirements shall not be affected. [CWC Section 921]

Standard Provisions Applicable to  
Waste Discharge Requirements

10. OPERATION AND MAINTENANCE

The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order. [CWC Section 13263(f)]

11. HAZARDOUS RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with Section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Board or the appropriate Regional Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of Section 13271 of the Water Code unless the discharger is in violation of a prohibition in the applicable Water Quality Control plan. [CWC Section 1327(a)]

12. PETROLEUM RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Article 3.5 (commencing with Section 8574.1) of Chapter 7 of Division 1 of Title 2 of the Government Code. This provision does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Section 311 of the Clean Water Act or the discharge is in violation of a prohibition in the applicable Water Quality Control Plan. [CWC Section 13272]

Standard Provisions Applicable to  
Waste Discharge Requirements

13. ENTRY AND INSPECTION

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's 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 California Water Code, any substances or parameters at any location. [CWC Section 13267]

14. MONITORING PROGRAM AND DEVICES

The discharger shall furnish, under penalty of perjury, technical monitoring program reports; such reports shall be submitted in accordance with specifications prepared by the Executive Officer, which specifications are subject to periodic revisions as may be warranted. [CWC Section 13267]

All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year, or more frequently, to ensure continued accuracy of the devices. Annually, the discharger shall submit to the Executive Office a written statement, signed by a registered professional engineer, certifying that all flow measurement devices have been calibrated and will reliably achieve the accuracy required.

Unless otherwise permitted by the Regional Board Executive officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. The Regional Board Executive Officer may allow use of an uncertified laboratory under exceptional circumstances, such as when the closest laboratory to the monitoring location is outside the State boundaries and therefore not subject to certification. All analyses shall be required to be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants" [40CFR Part 136] promulgated by the U.S. Environmental Protection Agency. [CCR Title 23, Section 2230]

Standard Provisions Applicable to  
Waste Discharge Requirements

15. TREATMENT FAILURE

In an enforcement action, it shall not be a defense for the discharger that it would have been necessary to halt or to reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the treatment facility, the discharger shall, to the extent necessary to maintain compliance with this Order, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided. This provision applies, for example, when the primary source of power of the treatment facility fails, is reduced, or is lost. [CWC Section 13263(f)]

16. DISCHARGE TO NAVIGABLE WATERS

Any person discharging or proposing to discharge to navigable waters from a point source (except for discharge of dredged or fill material subject to Section 404 of the Clean Water Act and discharge subject to a general NPDES permit) must file an NPDES permit application with the Regional Board. [CCR Title 2 Section 22357]

17. ENDANGERMENT TO HEALTH AND ENVIRONMENT

The discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Executive officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following occurrence(s) must be reported to the Executive Office within 24 hours:

- (a) Any bypass from any portion of the treatment facility.
- (b) Any discharge of treated or untreated wastewater resulting from sewer line breaks, obstruction, surcharge or any other circumstances.
- (c) Any treatment plan upset which causes the effluent limitation of this Order to be exceeded. [CWC Sections 13263 and 13267]

18. MAINTENANCE OF RECORDS

The discharger shall retain records of all monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and record of all data used

Standard Provisions Applicable to  
Waste Discharge Requirements

to complete the application for this Order. Records shall be maintained for a minimum of three years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer.

Records of monitoring information shall include:

- (a) The date, exact place, and time of sampling or measurement;
  - (b) The individual(s) who performed the sampling or measurement;
  - (c) The date(s) analyses were performed;
  - (d) The individual(s) who performed the analyses;
  - (e) The analytical techniques or method used; and
  - (f) The results of such analyses.
19. (a) All application reports or information to be submitted to the Executive Office shall be signed and certified as follows:
- (1) For a corporation – by a principal executive officer or at least the level of vice president.
  - (2) For a partnership or sole proprietorship – by a general partner or the proprietor, respectively.
  - (3) For a municipality, state, federal, or other public agency – by either a principal executive officer or ranking elected official.
- (b) A duly authorized representative of a person designated in paragraph (a) of this provision may sign documents if:
- (1) The authorization is made in writing by a person described in paragraph (a) of this provision.
  - (2) The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity; and
  - (3) The written authorization is submitted to the Executive Officer.

Any person signing a document under this Section shall make the following certification:

Standard Provisions Applicable to  
Waste Discharge Requirements

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. [CWC Sections 13263, 13267, and 13268]"

20. OPERATOR CERTIFICATION

Supervisors and operators of municipal wastewater treatment plants and privately owned facilities regulated by the PUC, used in the treatment or reclamation of sewage and industrial waste shall possess a certificate of appropriate grade in accordance with Title 23, California Code of Regulations Section 3680. State Boards may accept experience in lieu of qualification training. In lieu of a properly certified wastewater treatment plant operator, the State Board may approve use of a water treatment plant operator of appropriate grade certified by the State Department of Health Services where reclamation is involved.

Each plan shall be operated and maintained in accordance with the operation and maintenance manual prepared by the municipality through the Clean Water Grant Program [CWC Title 23, Section 2233(d)]

ADDITIONAL PROVISIONS APPLICABLE TO  
PUBLICLY OWNED TREATMENT WORKS' ADEQUATE CAPACITY

21. Whenever a publicly owned wastewater treatment plant will reach capacity within four years the discharger shall notify the Regional Board. A copy of such notification shall be sent to appropriate local elected officials, local permitting agencies and the press. The discharger must demonstrate that adequate steps are being taken to address the capacity problem. The discharger shall submit a technical report to the Regional Board showing flow volumes will be prevented from exceeding capacity, or how capacity will be increased, within 120 days after providing notification to the Regional Board, or within 120 days after receipt of notification from the Regional Board, of a finding that the treatment plant will reach capacity within four years. The time for filing the required technical report may be extended by the Regional Board. An extension of 30 days may be granted by the Executive Officer, and longer extensions may be granted by the Regional Board itself. [CCR Title 23, Section 2232]

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

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**MONITORING AND REPORTING PROGRAM NO. CI-10315  
FOR  
CITY OF MALIBU DEWATERING PROJECT  
INSTALLATION OF PIPELINES ALONG CROSS CREEK ROAD, CIVIC CENTER WAY, AND  
WEBB WAY**

**ENROLLMENT UNDER GENERAL WASTE DISCHARGE REQUIREMENTS  
FOR  
DISCHARGERS TO LAND WITH A LOW THREAT TO WATER QUALITY  
ORDER NO. 2003-0003-DWQ (SERIES NO. 030)  
(FILE NO. 17-040)**

**I. REPORTING REQUIREMENTS**

- A. The effective date of this Monitoring and Reporting Program (MRP) No. CI-10021 is May 24, 2017. The City of Malibu (hereafter Discharger) shall implement this MRP immediately for the onsite groundwater dewatering discharge. The first monitoring report is due July 30, 2017.

Monitoring reports shall to be received by the dates, specified in Table 1:

**Table 1 Reporting Period and Due**

<b>Reporting Period</b>	<b>Report Due</b>
January ~ March	April 30
April ~ June	July 30
July ~ September	October 30
October ~ December	January 30

- B. If there is no discharge, during any reporting period, the report shall so state.
- C. By January 15<sup>th</sup> of each year, beginning January 30, 2018, the Dischargers shall submit an annual summary report to the Regional Water Quality Control Board (Regional Board). The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous calendar year. In addition, the Dischargers 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 Waste Discharge Requirements (WDRs).
- D. Laboratory analyses – all chemical and bacteriological analyses shall be conducted at a laboratory certified for such analyses by the California Department of Public Health 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 analyzed using the methods described in 40 CFR 136.3, 136.4, and 136.5; 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 Dischargers 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 Dischargers 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. All QA/QC samples must be run on the same dates when samples were actually analyzed. The Dischargers shall make available for inspection and/or submit the QA/QC documentation upon request by Regional board staff.

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

- 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 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.
- H. 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 WDRs at the earliest possible time, including a timetable for implementation of those actions.
- I. The Dischargers shall maintain all sampling and analytical results, including strip charts; 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.
- J. In reporting the monitoring data, the Dischargers 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.
- K. Any mitigation/remedial activity including any pre-discharge treatment conducted at the site must be reported in the quarterly monitoring report.
- L. Each monitoring report shall contain a separate section titled "Summary of Non-Compliance" which discusses any items where the discharge limitations were not met. The Dischargers shall include a statement about the cause(s) of non-compliance 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 items non-compliant with the WDR, as well as any excursion of effluent and receiving water limitations.

## II. DEWATERING SYSTEM MONITORING REQUIREMENTS

- A. Maintenance reporting: The Discharger shall submit quarterly reports. Each quarterly report includes a monthly operation and maintenance report of the disposal system of the groundwater seepage. The information to be contained in the report shall include, at a minimum, the following:
1. The name and address of the person or company responsible for the operation and maintenance of the groundwater dewatering facility;
  2. Type of maintenance (preventive or corrective action performed);
  3. Frequency of maintenance, if preventive;
  4. Description of any change in the dewatering approach, if changed; and,
  5. Maintenance records for the groundwater dewatering facility.
- B. A sampling station shall be located where representative samples of that effluent can be obtained prior to being discharged into subsurface. The following shall constitute the effluent monitoring program:

**Table 2 Effluent Monitoring**

Constituent	Units	Type of Sample	Frequency
Total Groundwater Seepage	gallon/day	Recorder	Daily
Nitrate + Nitrite as nitrogen	mg/L	Grab	Quarterly
Nitrate as nitrogen	mg/L	Grab	Quarterly
Nitrite as nitrogen	mg/L	Grab	Quarterly
Ammonia as nitrogen	mg/L	Grab	Quarterly
Priority Pollutants <sup>[2]</sup>	varies	Grab	Quarterly

**Table Note:**

[1]. Attachment A.

- C. All water monitoring reports must include, at minimum, the following:
1. Sampling location, date and time of sampling; and,
  2. Sampler identification and laboratory identification.

**III. 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 MRP. Monitoring frequencies may be adjusted to a less frequent basis or parameters and locations dropped by the Executive Officer if the dischargers make a request and the request is backed by statistical trends of monitoring data submitted.

**IV. ELECTRONIC SUBMITTAL OF INFORMATION**

The Dischargers shall comply with the Electronic submittal of Information (ESI) requirements by submitting all reports required under the MRP, discharge location data, and pdf monitoring reports to the State Water Resources Control Board GeoTracker database under Global ID WDR100039667.

**V. 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: Samuel Unger  
Samuel Unger, P.E.  
Executive Officer

Date: May 24, 2017

## Attachment A

## Monitoring for Priority Pollutants

<b>Metals</b>	1,2,4-trichlorobenzene	TCDD
Antimony	Hexachlorobenzene	<b>Acid Extractibles</b>
Arsenic	Hexachloroethane	2,4,6-trichlorophenol
Beryllium	Bis(2-chloroethyl)ether	P-chloro-m-cresol
Cadmium	2-chloronaphthalene	2-chlorophenol
Chromium	1,2-Dichlorobenzene	2,4-dichlorophenol
Copper	1,3-dichlorobenzene	2,4-dimethylphenol
Lead	1,4 Dichlorobenzene	2-nitrophenol
Mercury	3,3'-dichlorobenzidine	4-nitrophenol
Nickel	2,4-dinitrotoluene	2,4-dinitrophenol
Selenium	2,6-dinitrotoluene	4,6-dinitro-o-cresol
Silver	1,2-diphenylhydrazine	Pentachlorophenol
Thallium	Fluoranthene	Phenol
Zinc	4-chlorophenyl phenyl ether	<b>Volatile Organics</b>
Cyanide	4-bromophenyl phenyl ether	Acrolein
<b>Pesticides</b>	Bis(2-chloroisopropyl)ether	Acrylonitrile
Aldrin	Bis(2-chloroethoxyl)methane	Benzene
Chlordane	Hexachlorobutadiene	Carbon tetrachloride
Dieldrin	Hexachlorocyclopentadiene	Chlorobenzene
4,4'-DDT	Isophorone	1,2-dichloroethane
4,4'-DDE	Naphthalene	1,1,1-trichloroethane
4,4'-DDD	Nitrobenzene	1,1-dichloroethane
Alpha-endosulfan	N-nitrosodimethylamine	1,1,2-trichloroethane
Beta-endosulfan	N-nitrosodi-n-propylamine	1,1,2,2-tetrachloroethane
Endosulfan sulfate	N-nitrosodiphenylamine	Chloroethane
Endrin	Bis(2-ethylhexyl)phthalate	Chloroform
Endrin aldehyde	Butyl benzyl phthalate	1,1-dichloroethylene
Heptachlor	Di-n-butyl phthalate	1,2-trans-dichloroethylene
Heptachlor epoxide	Di-n-octyl phthalate	1,2-dichloropropane
Alpha-BHC	Diethyl phthalate	1,3-dichloropropylene
Beta-BHC	Dimethyl phthalate	Ethylbenzene
Gamma-BHC	Benzo(a)anthracene	Methylene chloride
Delta-BHC	Benzo(a)pyrene	Methyl chloride
Toxaphene	Benzo(b)fluoranthene	Methyl bromide
PCB 1016	Benzo(k)fluoranthene	Bromoform
PCB 1221	Chrysene	Dichlorobromomethane
PCB 1232	Acenaphthylene	Chlorodibromomethane
PCB 1242	Anthracene	Tetrachloroethylene
PCB 1248	1,12-benzoperylene	Toluene
PCB 1254	Fluorene	Trichloroethylene
PCB 1260	Phenanthrene	Vinyl chloride
<b>Base/Neutral Extractibles</b>	1,2,5,6-dibenzanthracene	2-chloroethyl vinyl ether
Acenaphthene	Indeno(1,2,3-cd)pyrene	Xylene
Benzidine	Pyrene	--