

Los Angeles Regional Water Quality Control Board

May 18, 2012

Mr. Michael Shabani
DKR Malibu Village LLC
101 South Robertson Blvd, #208
Los Angeles CA 90048

REVISED APPROVAL OF UPGRADE PLANS – MALIBU VILLAGE, 3822-3896 CROSS CREEK ROAD, MALIBU, CA (FILE NO. 00-066; ORDER NO. 01-010, CI-8226, WDR GLOBAL ID WDR100000461)

Dear Mr. Shabani:

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 with major portions of Los Angeles and Ventura Counties, including Malibu Village Plaza located at 3822-3896 Cross Creek Road, Malibu, CA, 90265 (Permittee). On January 11, 2001, Malibu Village Plaza was enrolled in Waste Discharge Requirements (WDR) Order No. 01-010, and Monitoring and Reporting Program (MRP) No. CI-8226, by the Regional Board.

We are rescinding our letter approving upgrade plans issued on February 21, 2012 to Ms. Cindy McAfee, as per an email from the Regional Board's Executive Officer on March 12, 2012. This is a revised upgrade approval letter replacing the original approval letter issued on February 21, 2012 for the subject site. The letter on February 21, 2012 to Ms. Cindy McAfee is rescinded due to the change of ownership and additional clarification on the date of completion for the treated system.

Based on records contained in the self-monitoring reports (SMR) submitted within year 2011 as part of the requirement of the MRP, the Permittee currently discharges an average of 24,000 gallons per day (gpd) of tertiary treated effluent, with a daily maximum of 42,000 gpd.

The discharger informed staff on April 26, 2009 that the plant required upgrades, later described in two workplans. The first plan was submitted on August 31, 2011 and included the following installations:

- a. Inlet vent at grade on each tank on mounded, reinforced concrete pads to prevent any runoff from entering the tanks,
- b. New outlet vent on existing combination drains/vent line,
- c. Piping to treatment area and connection to a new vent fan, and
- d. New carbon filters on vent exhaust.

On October 11, 2011, the Permittee also submitted a report titled "Disinfection System Upgrades and Alkalinity Feed System Design Basis". This design proposes to decommission

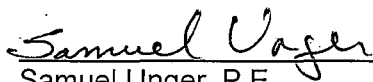
the existing ozone injector and ultraviolet (UV) units of the existing PTI system and replace them with two Trojan UV Fit systems.

The workplans mentioned above are approved with the following conditions:

1. The effluent quality shall meet all standards prescribed in the WDR Order No. 01-010.
2. The Permittee is required to initiate the implementation of approved workplans according to the schedule you requested, no later than **June 18, 2012** and the upgrade shall be completed and the system must be in full operation by **August 18, 2012**. The Permittee shall notify Regional Board staff upon initiation and completion of implementation. Failure to meet the deadlines and requirements specified above may lead staff to recommend the issuance of a Cease and Desist Order associated with a new permit requiring installation of a new system.
3. Upon commence of the proposed upgrades, the Permittee shall provide a reasonable assurance on the effectiveness of the new system. Should the new system fail to function and/or treat the discharge to meet WDRs, it is the Permittee's responsibility to mitigate the dysfunction of the system, and bring the discharge back to full compliance.
4. During the construction to upgrade the system, the existing permit, WDR Order No. 01-010, remains in effect, and the Permittee is NOT exempt from any requirements, effluent limits, and receiving water limits specified in the permit.
5. The Permittee 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 monitoring reports (pdf format) to the State Water Resources Control Board GeoTracker database under Global ID WDR100000461. An ESI training video is available at: <https://waterboards.webex.com/waterboards/ldr.php?AT=pb&SP=MC&rID=44145287&rKey=7dad4352c990334b>. Please see the Paperless Office Notice for GeoTracker Users, dated December 12, 2011 for further details at: <http://www.waterboards.ca.gov/losangeles/resources/Paperless/Paperless%20Office%20for%20GT%20Users.pdf>.

If you have any additional questions, please contact the Project Manager, Ms. Elizabeth Erickson at (213) 620-2264, or the Unit Chief, Dr. Eric Wu at (213) 576-6683.

Sincerely,



Samuel Unger, P.E.
Executive Officer

cc: Mr. Craig George, City of Malibu
Mr. Steven Braband, Biosolutions, Inc.
Mr. Pio Lombardo, Lombardo Association
Ms. Cindy McAfee, Malibu Creek Preservation Company, LLC