



California Regional Water Quality Control Board

Los Angeles Region



Winston H. Hickox
Secretary for
Environmental
Protection

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December 20, 2002

Mr. Theodore Polos
Trustee of Theodore Polos &
Alma Jean Polos Trust
Mr. Chris Spiros
Trustee of the Chris Spiros Revocable
Intervivos Trust
Ms. Georgene Fettis
Georgene Fettis Trust
Mr. Paul Spooner
C/o Duke's Malibu Partnership, LP
Duke's Malibu
21150 Pacific Coast Highway
Malibu, CA 90265

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CLAIM NO. 7001 0360 0000 3649 5921

Dear Mr. Polos, Mr. Spiros, Ms. Fettis and Mr. Spooner:

WASTE DISCHARGE REQUIREMENTS (WDRs) AND TIME SCHEDULE ORDER (TSO) FOR DUKE'S, WDR ORDER NO. R4-2002-0200 AND TSO ORDER NO. R4-2002-0201, 21150 PACIFIC COAST HIGHWAY, MALIBU, CALIFORNIA (FILE NO. 02-010, CI-8514)

Our letter of November 22, 2002 transmitted the tentative Waste Discharge Requirements (WDRs), including the Monitoring and Reporting Program (MRP) and an accompanying Time Schedule Order (TSO) for the waste discharge at Duke's Malibu.

Pursuant to Division 7 of the California Water Code, this Regional Board at a public meeting held on December 12, 2002, reviewed the tentative WDRs and TSO, including the Change Sheets dated December 6, 2002 and December 11, 2002, considered all factors in the case, and adopted WDR Order No. R4-2002-0200 and TSO Order No. R4-2002-0201 relative to this discharge. The Change Sheets for the WDRs, MRP and TSO have been incorporated and Standard Provisions, which are a part of the WDRs, are also enclosed. The Board directed that the tentative WDR and TSO include the additional following revisions as noted below (deletions are in strikethrough and additions are **bold**):

- Item B.2 Effluent Limitations Table on Page 7 of the tentative WDR, has been changed as follows:

<u>Constituent</u>	<u>Units</u> *	<u>Mean</u>	<u>Median</u>	<u>Daily Maximum</u>
BOD ₅	mg/L	30	--	--
Total suspended solids	mg/L	30	--	--
Oil and grease	mg/L	15	--	--
Total coliform ^(a)	MPN/100mL	--	70	--

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Fecal coliform ^(b)	MPN/100mL	200	--	--
Enterococcus ^(c)	MPN/100mL	24	--	104

* MPN/100mL: Most Probable Number per 100 milliliter, mg/L: milligrams per liter.

- a) ~~If only one sample is taken in any monthly period, that value shall be considered as the median for the month.~~
- b) The fecal coliform concentration shall not exceed a log mean of 200/100 mL (based on a minimum of not less than four samples for any monthly period), nor shall more than 10 percent of total samples during any monthly period exceed 400/100 mL. If only one sample is taken in any monthly period, that value shall be considered as the log mean for the month
- c) The enterococcus concentration shall not exceed a geometric mean of 24 organisms per 100 mL for any monthly period. If only one sample is taken in any monthly period, that value shall be considered as the geometric mean for the month.

2. Item C.1 Receiving Water Limitations Table on Page 8 of the tentative WDR has been changed as follows:

<u>Constituent</u>	<u>Units *</u>	<u>Mean</u>	<u>Median</u>	<u>Daily Maximum</u>
Total coliform^(a)	MPN/100mL	--	70	--
Ammonia	mg/L	2.4	--	--
Residual chlorine	µg/L	--	--	<u>8.0</u>

* MPN/100mL: Most Probable Number per 100 milliliter, mg/L: milligrams per liter, µg/L: micrograms per liter

- a) If only one sample is taken in any monthly period, that value shall be considered as the median for the month.**

3. Item 9 on Page 3 of the tentative TSO, the Effluent Limitations table has been changed as follows:

Effluent Limitations

<u>Constituent</u>	<u>Units *</u>	<u>Mean</u>	<u>Median</u>	<u>Daily Maximum</u>
BOD ₅	mg/L	30	--	--
Total suspended solids	mg/L	30	--	--
Oil and grease	mg/L	15	--	--
Total coliform	mg/L	--	70	--
Fecal coliform	MPN/100mL	200	--	--
Enterococcus	MPN/100mL	24	--	104

* MPN/100mL: Most Probable Number per 100 milliliter, mg/L: milligrams per liter.



4. Item 9 on Page 3 of the tentative TSO, the Receiving Water Limitations table has been changed as follows:

Receiving Water Limitations

<u>Constituent</u>	<u>Units*</u>	<u>Mean</u>	<u>Median</u>	<u>Daily Maximum</u>	
Total coliform		MPN/100mL	--	70	--
Ammonia	mg/L	2.4	--	--	
Residual chlorine	µg/L	--	--	<u>8.0</u>	

* MPN/100mL: Most Probable Number per 100 milliliter, mg/L: milligrams per liter, µg/L: micrograms per liter

5. Item 1B. of the tentative TSO has been changed as follows:

- B. The Discharger shall by ~~November 1, 2004~~ **April 1, 2004**, complete septic system upgrade construction, start-up activities and testing to achieve full compliance with all requirements contained in Order No. R4-2002-0200.

You are required to implement the MRP No. CI-8514 on the effective date of Order No. R4-2002-0200. Your first monitoring report under these requirements is due April 15, 2003. Even if there is no discharge, you are required to report quarterly. All monitoring reports should be sent to the Regional Board, Attn: Information Technology Unit, and please reference all monitoring reports to our Compliance File No. CI-8514.

We are sending the orders to the discharger only. For recipients on the mailing list, an electronic or hard copy of this attachment will be furnished upon request. If you have any questions or need additional information, please call Dr. Kwangil Lee at (213) 620-2269 at Hoan Tang at (213) 620-6156.

Sincerely,

Paula Rasmussen, Section Chief
Enforcement and Groundwater Permitting

Enclosures:

1. Change Sheets dated December 6, 2002 and December 11, 2002.
2. Board WDR Order No. R4-2002-0200
3. MRP No. CI-8514
4. Board TSO Order No. R4-2002-0201
5. Standard Provisions applicable to WDR (addressee only)

cc: See mailing list.

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Mailing List

Mr. Gordon Innes, Division of Water Quality, State Water Resources Control Board
Mr. Michael Lauffer, Office of Chief Counsel, State Water Resources Control Board
Mr. Robert Sams, Office of Chief Counsel, State Water Resources Control Board
Mr. Carl W. Sjoberg, County of Los Angeles, Department of Public Works,
Environmental Programs Division
Mr. Victor Peterson, City of Malibu
Mr. Steve Braband, BioSolutions
Dr. Mark Gold, Heal the Bay
Mr. Steve Fleischli, Santa Monica BayKeeper

