

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

ORDER NO. R4-2003-0047
WASTE DISCHARGE REQUIREMENTS
FOR
MALIBU BEACH INN, INC.
(Malibu Beach Inn)
(File No. 02-130, CI-8559)

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

REGULATION OF DISCHARGE

1. Malibu Beach Inn, Inc. (hereinafter Discharger) owns and operates the Malibu Beach Inn (MBI), a 47-room hotel located at 22878 Pacific Coast Highway, Malibu, California (Figure 1 - Site Location Map).
2. The MBI site is in an unsewered area in the City of Malibu (City). The City does not provide centralized wastewater collection and treatment utilities: rather, it relies upon subsurface disposal systems for domestic, commercial, and industrial wastewater.
3. On April 18, 2002, the Discharger submitted a report of waste discharge pursuant to a request from the Regional Board. The Discharger has never had Waste Discharge Requirements (WDRs) from the Regional Board for MBI.

DESCRIPTION OF FACILITY

4. MBI is located on the beachfront of the portion of Malibu Lagoon Beach that is referred to as Surfrider Beach, which is just east of Malibu Point and Lagoon and on Carbon Beach. MBI is buttressed with a rip-rap seawall on the beachfront side. Located to the west is Malibu Pier State Park, and to the east are two apartment buildings. Directly to the north, on the opposite side of Pacific Coast Highway, is the Malibu Plaza.
5. The Discharger does not currently have meters for MBI wastewater flow, only for total water consumption. However, the Discharger has estimated that MBI water usage averages approximately 6,000 gallons per day (gpd) peaking at approximately 10,000 gpd. The Discharger has indicated that the existing treatment/disposal system for MBI can handle peak flows to 12,000 gpd. The treatment/disposal system consists of a number of different

February 13, 2003
Revised February 27, 2003
Revised March 13, 2003

components which form an interconnected treatment/disposal system network. These components are located in the MBI court area (Figure 2, Facility Map) which is approximately 15 feet above Mean Sea Level (MSL) and include the following:

- a) Two leachfields sized 26 feet by 100 feet and 40 feet by 45 feet, for a total of 4,400 square feet.
 - b) One 6,000 gallon primary septic tank with an effluent filter installed on the exit T.
 - c) One 5,000 gallon treatment tank with two MicroFAST 3.0 (tradename) treatment system modules.
 - d) One 5,000 gallon dosing tank with effluent pumps.
 - e) One computer controlled remote telemetry control panel.
6. MBI opened in June 1989. The on-site system has been installed and modified since it originally opened in 1989. The agencies involved with permitting authority in the past for this location are the County of Los Angeles, and since 1992, the City.
7. In coastal areas immediately adjacent to the ocean, mean high tide elevation is used as the depth to groundwater. A mean high tide of + 1.9 feet was extrapolated from charts of mean high tide elevation from the last two years measured by the National Oceanic and Atmospheric Administration (NOAA) at Station # 9410840 in Santa Monica. Using +1.9 feet for mean high tide, the leachfield inverts are estimated to have a 7 to 10 foot separation from groundwater (mean high tide). At high tide, the leachfield is located approximately 50 feet from the Pacific Ocean.

DESCRIPTION OF WASTE DISCHARGE

8. All wastewater from MBI is disposed through the treatment/disposal system and consists of domestic wastewater which would be classified as a commercial wastewater. Discharger indicates that no industrial wastes or organic or inorganic industrial constituents are expected to be present therein, nor is there any restaurant or restaurant wastewater. The Discharger reports that the existing treatment system should be able to achieve on a consistent basis an effluent quality with biochemical oxygen demand (BOD) and total suspended solids (TSS) levels less than 30 milligrams per liter (mg/L).

WATERSHED CONCERNS AND TMDLs

9. The Discharger has indicated that the MBI treatment/disposal system is located approximately 50 feet from the Pacific Ocean at high tide. It is believed that groundwater flow is generally toward the Pacific Ocean with groundwater flow changing in response to tidal influences. Thus, wastewater system pollutants such as ammonia and pathogens could move with groundwater to the beach waters.
10. Pacific Ocean beaches along the City are designated as impaired under section 303(d) of the Clean Water Act (33 U.S.C. § 1313(d)) due to the presence of harmful bacteria that pose a health hazard to humans engaged in waterborne recreation.
11. Although Malibu Creek and Malibu Lagoon are located approximately ½ mile away, the Serra Retreat highlands form a drainage divide between the two areas. MBI is located on Carbon Beach in an area identified locally as Malibu Lagoon Beach or Surfrider Beach. Surfrider Beach is not in the Malibu Creek Watershed, but discharges from the Malibu Lagoon that are carried east by the long-shore current are thought to be primarily responsible for the pollution at Surfrider Beach.
12. The Water Quality Assessment adopted by the Regional Board on May 18, 1998 identified beaches along the Santa Monica Bay (including the Malibu area) as impaired by pathogens and nutrients. The Discharger is not able to quantify potential impacts, if any, resulting from the MBI discharge to groundwater and nearby surface waters, since there is no groundwater or surface water monitoring.
13. Although the ultimate receiving water is the ocean, ocean monitoring is not proposed. It is known that Surfrider Beach is impacted by polluted outflow from the Malibu Lagoon, and from discharges from the adjacent private residences which have standard septic disposal systems that are located on the beach between the mouth of Malibu Lagoon and the MBI beachfront area. An effluent monitoring program is necessary to evaluate the effectiveness of the treatment system and a groundwater monitoring program is necessary to evaluate the impacts from the discharge of treated wastewater to groundwater, which in this location is connected to the Pacific Ocean. Ocean Plan standards have been used for the limitations established herein.
14. The Regional Board has adopted a Total Maximum Daily Load (TMDL) to reduce bacteria at Santa Monica Bay beaches, including Surfrider Beach. The TMDL is pending approval from State Board, OAL and US EPA. For Surfrider beach, the TMDL allows a certain number of days to exceed the single sample bacteriological water quality

standards based on the bacteriological water quality of a local reference beach. Reductions in the number of days exceeding water quality standards will be required at Surfrider Beach among other beaches. The Discharger must not cause or contribute to exceedances of surface water bacteriological quality and must work cooperatively with responsible jurisdictions and agencies to comply with the TMDL requirements.

15. The projected location for MBI is Section 33, Township 1S, Range 17W (San Bernardino Base & Meridian). Its approximate latitude is $34^{\circ} 02' 17''$ and longitude is $118^{\circ} 40' 28''$.

SYSTEM EVALUATIONS AND NEEDED IMPROVEMENTS

16. MBI's treatment/leachfield disposal system is capable of significant removal of suspended solids and biodegradable organic compounds, with some removal of pathogens if the treatment system is properly designed, installed, operated and maintained. The treatment system includes biological treatment and whatever treatment is available from the leachfield "biomat" layer that typically exists at the wastewater-soil interface below the leachfield and the unsaturated soil zone below the biomat layer. However, wastewater constituents can pollute groundwater if treatment through the system is incomplete or if the system has not been properly designed, installed or maintained. In addition, groundwater and surface waters can be polluted by properly operating leachfield disposal systems if too many are discharging beyond the assimilative capacity of the groundwater basin or the surface water. The Discharger does not currently monitor groundwater in order to evaluate any impacts from its discharge of wastewater; however, the Regional Board is now requiring the Discharger to do so.
17. Discharges from the existing MBI treatment system infiltrate groundwater through the leachfield disposal system. The minimum standard for the vertical separation between the bottom of the septic system leachfields and the high groundwater table should be at least 10 feet. Information at this point suggests that the groundwater table is between 7 to 10 feet deep at MBI and that the leachfields may be 3 feet deep. Hence, it can be concluded that there may not be a consistent 10-foot vertical separation between leachfield inverts and the high groundwater table. Regional Board staff are concerned that the existing treatment system may need disinfection to protect groundwater and nearshore surface water quality. The Regional Board, in Order No. 01-031 "*General Waste Discharge Requirements for Small Commercial and Multifamily Residential Subsurface Sewage Disposal Systems*," adopted on February 22, 2002, noted in footnote c) in Section E.3. that "in areas of shallow groundwater and coastal regions where a minimum of ten feet of vertical separation cannot be maintained between the bottom of the disposal system and the historic high or anticipated high groundwater level ... effluent shall be disinfected to levels consistent with the beneficial uses of groundwater

and the nearest surface water body." Because the leachfields are so close to the beachfront area on Surfrider Beach where high levels of pathogens (coliforms and enterococcus) have been found, this Order requires the Discharger to include supplemental disinfection treatment for the MBI treatment system and establishes receiving water objectives as end of pipe treatment limitations. The existing secondary treatment system that is in place should enable a conventional disinfection module to operate successfully to meet the effluent limitations for coliform and enterococcus that are included herein.

18. The City has relied upon a wastewater management strategy that relies primarily on on-site septic tank disposal systems with the City issuing construction permits for commercial or multifamily septic tank disposal systems. On October 28, 2002, the City adopted Ordinance No. 242 that requires tertiary sewage effluent treatment for any new or repair permits for commercial buildings and multiple family dwellings. Ordinance No. 242 defines tertiary treatment as "The processing of sewage effluent by means of a treatment device which renders a sewage effluent of 30 mg/L biochemical oxygen demand or less, 30 mg/L total suspended solids or less, 15 mg/L oil and grease or less, 200 MPN/100 mL fecal coliform or less, and 104 MPN/100 mL enterococcus or less."
19. With regard to the use of groundwater for municipal and domestic supply, there are no known active public water supply wells downgradient or near the MBI treatment/disposal system. Groundwater in this area is also subject to saltwater intrusion. This area of Malibu is served by the Los Angeles County Waterworks District No. 29. Since 1961, the Los Angeles County Waterworks District No. 29 has received water from the Metropolitan Water District of Southern California via the West Basin Municipal Water District.
20. Secondary treatment processes have been successfully employed by dischargers with small package plants that utilize biological aeration treatment for commercial and domestic wastewater as generated in the Malibu area. These package plants can produce an effluent similar to that produced by secondary treatment processes as required by the USEPA for publicly owned treatment works (POTWs) treating municipal wastewater. Section 301(b)(1)(B) of the Clean Water Act (33 U.S.C. § 1311(b)(1)(B)) requires POTWs to meet effluent limitations based upon secondary treatment. The minimum effluent levels for treatment for POTWs as established in Part 133.102 of Title 40, Code of Federal Regulations (CFR) are as follows:

<u>Constituent</u>	<u>Units</u>	<u>30-Day Average</u>	<u>7-Day Average</u>
Biochemical oxygen demand(BOD ₅)	mg/L	30	45
Suspended solids	mg/L	30	45

Because such levels can be achieved by small package plants that can be utilized by dischargers in the Malibu area, and because such performance would substantially reduce total nitrogen levels, these standards have been established as “end of pipe” effluent limits herein for any secondary treatment technology and disinfection treatment that must be utilized. The term "end of pipe" implies the effluent location from the respective treatment works prior to discharge to the leachfield disposal system. These effluent limits are established in the regulation, 40 CFR 125.3, which also requires secondary treatment as a technology based standard for POTWs. Because package plants normally do not denitrify the nitrates in wastewater, special upgrades or modifications may be needed.

21. The Discharger is required herein to develop and implement an operations and maintenance program, including storage capabilities, and onsite and remote alarms for the treatment/disposal system to preclude surfacing of raw sewage or inadequate treatment, and to have an inspector conduct an inspection and assessment of the system. In addition the Discharger must propose and implement supplemental treatment capacity and disinfection measures needed. The Regional Board is also requiring, as part of these WDRs, that the Discharger design and implement groundwater monitoring to assess the effectiveness of the treatment/disposal system to treat and remove biodegradable organics, ammonia, and pathogens in the wastewater. In order for the Discharger not to be in immediate violation of requirements in the WDRs, the Regional Board is including a Time Schedule Order (TSO) that will allow the Discharger to complete all needed upgrades within a timeframe specified in the TSO.
22. Though phosphorous removal is not mandated by this Order at this time, Regional Board staff review and response to groundwater or effluent monitoring data results, other regulatory agency actions, and future TMDL or Basin Plan mandates may require in the future that the Discharger supplement the system with phosphorous removal.
23. The Discharger may not have sufficient land area reserved for possible future 100 percent replacement of the subsurface disposal area. The Discharger will be required to have a contingency plan to deal with disposal system failure or the loss of soil assimilative capacity.

APPLICABLE PLANS, POLICIES, AND REGULATIONS

24. On June 13, 1994, the Regional Board adopted a revised *Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan) which was amended on January 27, 1997 by Regional Board Resolution No. 97-02. The Basin Plan (i) designates beneficial uses for surface waters and groundwaters, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state antidegradation policy (*Statement of Policy with Respect to Maintaining High Quality Waters in California*, State Water Resources Control Board [State Board] Resolution No. 68-16, October 28, 1968), and (iii) describes implementation programs to protect all waters in the Region. In addition, the Basin Plan incorporates by reference applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations. This Order implements the plans, policies, and provisions of the Basin Plan. The Basin Plan designates beneficial uses and water quality objectives for the following waterbody as follows:

Coastal Features (Carbon Beach)

Existing: Navigation, water contact recreation, non-contact water recreation, commercial and sport fishing, marine habitat, wildlife habitat and shellfish harvesting.

Potential: Spawning, reproduction, and/or early development.

25. On November 16, 2000, the 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 USEPA approved the Ocean Plan on July 9, 2001 and December 3, 2001, respectively. The Ocean Plan contains water quality objectives for coastal waters of California. The beneficial uses of the ocean waters of the State that shall be protected include industrial water supply; water contact and non-contact recreation, including aesthetic enjoyment; navigation; commercial and sport fishing; mariculture; rare and endangered species; marine habitat; fish migration; fish spawning; and shellfish harvesting. This Order includes receiving water limitations, prohibitions, and provisions that implement the objectives of the Ocean Plan.
26. The Water Quality Assessment adopted by the Regional Board on May 18, 1998 identified beaches along the Santa Monica Bay (including the Malibu area) as impaired by pathogens and nutrients. Although the ultimate receiving water is the ocean, ocean monitoring is not proposed. Due to the close proximity of the site to the ocean, an effluent monitoring program is necessary to evaluate the effectiveness of the treatment system and any impacts

from the discharge of treated wastewater to groundwater, which in this location is connected to the Pacific Ocean.

27. Though additional pathogen removal occurs in the subsurface, Regional Board staff have determined that setting the Ocean Plan water contact recreation limitation (200 MPN/100 mL for fecal coliform) at the "end of pipe" is appropriate for the protection of water quality along the beachfront.
28. MBI is located within the Malibu Hydrologic Unit, and the Carbon Beach Hydrologic Sub-Area; but groundwater is present in limited amounts outside of the alluvium along the bottom of canyons and valleys, and in the fractured volcanic rocks. Basin Plan limitations for groundwater, all of which is assumed to have some potential for domestic or municipal use, do not apply to beach areas lacking significant aquifers. The potential beneficial use (municipal and domestic water supply) of any groundwater that maybe found at the MBI area is limited because the land adjacent to MBI is fill, a constructed artificial bluff adjacent to the beach. While the treated effluent will be discharged to land through the existing leachfields, the depth to groundwater is controlled by the tide, and at this location, the receiving surface water is assumed to be the Pacific Ocean.
29. Impacts to beachfront waters from developments along the shoreline are of concern because of the density of such systems and the relative close proximity of the shoreline to leachfields. Consequently, the Regional Board has previously adopted waste discharge requirements insuring compliance with Ocean Plan limitations by setting the compliance point for critical constituents at the "end of pipe". This "end of pipe" practice for critical constituents assures that the discharge to land and eventually groundwater will not degrade the surface receiving water, or be the cause of receiving water limitation exceedances.
30. The requirements contained in this Order are based on the Basin Plan, Ocean Plan, other state plan, policies, and guidelines, and best professional judgment.
31. The Regional Board is increasingly concerned about the aggregate effects of discharges from individual and community subsurface disposal systems on the Malibu watershed and groundwaters. At this time, these WDRs are being issued to regulate an individual disposal system. Future requirements, however, may require the discharge to be connected to a community collection system, or future requirements may require consistency with the WDRs established for a community collection system.

CEQA, NOTIFICATION, AND APPEALS

32. This project involves an existing facility and, as such, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.) in accordance with California Code of Regulations, title 14, section 15301.
33. The Regional Board has notified the Discharger and interested agencies and persons of its intent to issue WDRs for this discharge, and has provided them with an opportunity to submit their views and recommendations for the requirements.
34. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge and to the requirements.
35. Pursuant to California Water Code 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 of adoption of the Order.

IT IS HEREBY ORDERED that the Discharger, Malibu Beach Inn, Inc., shall comply with the following requirements in connection with the disposal operations at the MBI:

A. INFLUENT LIMITATIONS

1. Waste received by the MBI on-site treatment/disposal system shall be limited to commercial wastewater only.
2. The daily flow shall not exceed the design capacities of the on-site wastewater treatment/disposal system. This flow limitation also applies to treated effluent discharged to the leachfield disposal system. Treatment system design capacity for average flows is estimated by the Discharger to be 6,000 gpd with capacity for peaking flows at 12,000 gpd.

B. EFFLUENT LIMITATIONS

1. These Section B effluent limitations are applicable to wastewater discharged to the leachfield disposal system.
2. The pH of wastes discharged to the leachfield shall be within the range of 6 to 9.

3. Wastewater discharged to the leachfield system shall not contain additives or residual chlorine levels such that the biomat layer or the hydraulic capacity of the leachfield system is irreparably damaged.
4. Wastewater discharged from the secondary/tertiary wastewater treatment system with disinfection to the leachfield system shall not contain constituents in excess of the following limits:

<u>Constituent</u>	<u>Units</u> ¹	Monthly
		<u>Mean</u>
BOD ₅	mg/L	30
Total suspended solids	mg/L	30
Oil and Grease	mg/L	25
Fecal coliform ²	MPN/100 ml	200
<u>Enterococcus</u>	<u>MPN/100 ml</u>	<u>24</u>

¹ mg/L: milligrams per liter. MPN: most probable number ml: milliliter

² Wastewater discharged to the disposal system shall not contain fecal coliform concentrations above a log mean of 200/100 ml. If only one sample is taken in any monthly period, that value shall be considered as the log mean for the month.

C. RECEIVING WATER LIMITATIONS

1. The wastewater discharged to the leachfield disposal system shall not cause the receiving groundwater to contain constituents in excess of the following limits:

<u>Constituent**</u>	<u>Units</u> *	<u>Monthly</u>		<u>Daily</u>
		<u>Mean</u>	<u>Median</u>	<u>Maximum</u>
Total coliform ^(a)	MPN/100mL	--	70	--
Ammonia ^(a)	mg/L	2.4	--	--
<u>Residual chlorine</u>	<u>µg/L</u>	--	--	<u>8</u>

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

** For the above parameters, the Discharger may choose the compliance point for each parameter to be the wastewater treatment system end of pipe or the downgradient groundwater monitoring well.

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

2. The wastewater discharged to the leachfield disposal system shall not contain salts, heavy metals, or organic pollutants at levels that would adversely impact groundwater that may be in hydraulic connection with surface waters designated for marine aquatic life or body contact recreation uses.
3. Compliance with these receiving water requirements shall also be based upon consideration of the upgradient quality of groundwater moving under the site to determine the net effect upon groundwater caused by the Discharger.

D. PROHIBITIONS

1. There shall be no sanitary sewer overflows or discharge of wastes to waters of the State (including storm drains) at any time.
2. Wastes shall not be disposed of in geologically unstable areas or so as to cause earth movement.
3. Wastes discharged shall not impart tastes, odors, color, foaming or other objectionable characteristics to the receiving water.
4. Adequate facilities shall be provided to divert surface and storm water away from the treatment plant and leachfield disposal system and from areas where any potential pollutants are stored.
5. The septic tanks, 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.
6. There shall be no onsite 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 regional water quality control board, and which is in compliance therewith. Any sewage or sludge handling shall be conducted in such a manner as to prevent sewage or sludge from reaching surface waters or watercourses.
7. The treatment system, including the collection system and the leachfield disposal system, shall be maintained in such a manner that prevents sewage from surfacing or overflowing at any location.

8. Sewage odors shall not be detectable.
9. The discharge of waste shall not create a condition of pollution, contamination, or nuisance.
10. The direct or indirect discharge of any wastewater to surface waters or surface water drainage courses is prohibited
11. Under no circumstances shall the vertical separation distance of a leachfield from groundwater be less than 3 feet.
12. Additional service connections to the MBI treatment system shall not be made without approval of the Regional Board Executive Officer (Executive Officer).

E. PROVISIONS

1. 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 No. 8559 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. Monitoring and Reporting Program No. 8559 contains requirements, among others, specifying that a monitoring program for groundwater shall be established so that the groundwater immediately downgradient and upgradient from the discharge area can be measured, sampled, and analyzed to determine if discharges from the MBI leachfield disposal system are impacting water quality. Submittal of a plan for monitoring groundwater, which is subject to the approval of the Executive Officer, is due in accordance with Time Schedule Order No. R4-2003-0048.
2. The Discharger shall prepare a plan to upgrade the treatment system to include disinfection to meet the effluent limits contained in sections B and C above in accordance with Time Schedule Order No. R4-2003-0048 adopted concurrently herewith. Upon approval of the plan by the Executive Officer, the Discharger shall construct the system upgrade.
3. The Discharger shall prepare a plan to prevent operations and maintenance problems at the site in accordance with Time Schedule Order No. R4-2003-0048.

The plan shall include measures to address storage capacity needed at the site, remote paging and response capabilities with onsite and remote alarms, and backup or auxiliary facilities/measures needed to prevent spills in the event of power failures.

4. The Discharger shall prepare an updated spill response plan with phone numbers in accordance with Time Schedule Order No. R4-2003-0048.
5. The Discharger shall cause the treatment/disposal system to be inspected annually during the life of this Order by a professional inspector to be retained by the Discharger. National Sanitation Foundation standards should be applied where possible to the inspection. The inspector shall also specify the capacity and condition of the treatment system and of the leachfields and the corrections needed. The initial inspection shall be conducted pursuant to the schedule of Time Schedule Order No. R4-2003-0048. The Discharger shall, pursuant to the schedule, provide information regarding separation distance between groundwater and the leachfield, information regarding the capacity and adequacy of the treatment system and disposal area to handle the discharge, and establish the contingency plan measures needed to accommodate disposal system failures or to deal with loss of assimilative capacity of the soils.
6. The Discharger shall notify the Regional Board within 24 hours of any adverse condition resulting from the discharge of wastewater from MBI; written confirmation by the Discharger shall follow within one week. This information shall also be confirmed by the Discharger in the next monitoring report. 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.
7. The Discharger shall notify the Regional Board within 24 hours, by telephone, of any bypassing or surfacing of wastes. Written confirmation by the Discharger shall follow within one week and shall include information relative to the location(s), estimated volume, date and time, duration, cause, and remedial measures taken to effect cleanup and measures taken to prevent any recurrence.
8. This Order does not alleviate the responsibility of the Discharger 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.

9. Any discharge of wastewater from the treatment system (including wastewater collection system) at any point other than a site with approved waste discharge requirements or specifically described in this Order is prohibited, and constitutes a violation of the Order.
10. After notice and opportunity for a hearing, this Order may be terminated or modified for cause 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;
 - 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.
11. 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.
12. The Discharger shall file a written report within 10 days with the Regional Board at such time as the average daily waste flow per month has reached or exceeded 80 percent of the recognized design flow capacity (currently 12,000 gpd) or conditions suggest that the hydraulic or treatment capacity for the treatment/disposal system has been exceeded. The report shall detail proposed provisions to cope with excess flows.
13. The Discharger shall comply with all applicable requirements of chapter 4.5 (commencing with section 13290) of division 7 of the California Water Code.
14. Should monitoring data indicate contamination impacts to groundwater or discharge related violations of receiving water limitations, the Discharger shall submit, within 60 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 subsurface disposal of wastes.

15. This Order includes the attached "Standard Provisions Applicable to Waste Discharge Requirements" (Attachement W) which are incorporated herein by reference. If there is any conflict between provisions stated herein and the "Standard Provisions," those provisions stated herein will prevail.
16. The WDRs contained in this Order will remain in effect for a period of five years. Should the Discharger wish to continue discharging to groundwater for a period of time in excess of five years, the Discharger must file an updated Report of Waste Discharge with the Regional Board no later than 180 days in advance of the fifth-year anniversary date of the Order for consideration of issuance of new or revised waste discharge requirements. Any discharge of waste five 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 California Water Code section 13264. The Regional Board is authorized to take appropriate enforcement action for any noncompliance with this provision including assessment of penalties.
17. In accordance with the Governor's Executive Order requiring that any proposed activity be reviewed to determine whether such activity will cause additional energy usage, Regional Board staff have determined that implementation of these WDRs will result in increases in energy usage.
18. All discharges of waste into the waters of the State are privileges, not rights. In accordance with Water Code section 13263(g), these requirements shall not create a vested right to continue to discharge and are subject to rescission or modification.

F. REOPENER

This WDR Order may be reopened to delete outdated requirements, or to include additional or modified requirements to address pollutant loading problems verified by monitoring data, Discharger workplans or mitigation plans, TMDL schedules, or Ocean Plan or Basin Plan mandates.

I, Dennis A. Dickerson, 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 March 13, 2003.

Dennis A. Dickerson
Executive Officer

/GS