



# California Regional Water Quality Control Board

## Los Angeles Region



Winston H. Hickox  
Secretary for  
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October 21, 2003

Mr. Gilbert Dembo  
Dembo & Associates  
9595 Wilshire Blvd., Suite 208  
Malibu, CA 90265

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
CLAIM NO. 7001 0360 0000 3649 6287

Dear Mr. Dembo:

**GENERAL WASTE DISCHARGE REQUIREMENTS FOR SMALL COMMERCIAL AND MULTIFAMILY RESIDENTIAL SUBSURFACE SEWAGE DISPOSAL SYSTEMS – DEEPWATER BUILDING AT 18820 PACIFIC COAST HIGHWAY, MALIBU, CALIFORNIA, (FILE NO. 03-073)**

We have completed our review of your application for Waste Discharge Requirements for wastewater generated from the Deepwater Building to an on site septic disposal system.

Gilbert & Barbara C. Dembo Family Trust owns the Deepwater Building, located at 18820 Pacific Coast Highway in the City of Malibu. The Property occupies a two-story retail commercial building with thirty-three parking spaces. The facility contains a total of four toilets and two sinks. The average daily volume of discharge is estimated at 300 gallons per day (gpd) of wastewater. The wastewater is composed of typical domestic wastewater, which is disposed of using a septic disposal system. Wastewater flows from a 3,000-gallon septic tank to a distribution box that allows flow to three seepage pits sized at 6' X 13' each. Groundwater level at the property is measured at 29 feet. It appears that the vertical separation estimated from the bottom of the seepage pits to groundwater is approximately 16 feet.

Regional Board staff have reviewed the information provided and have determined that the proposed discharge meets the conditions specified in Order No. 01-031, "General Waste Discharge Requirements for Small Commercial and Multifamily Residential Subsurface Sewage Disposal Systems," adopted by this Regional Board on February 22, 2001.

Enclosed are your Waste Discharge Requirements (WDRs), consisting of Order No. 01-031, Monitoring and Reporting Program No. CI-8628 and Standard Provisions Applicable to Waste Discharge Requirements. Please note that the discharge limits in Attachment A of Order No. 01-031 are applicable to your discharge. Should changes to the septic disposal 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 of such change.

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

**California Environmental Protection Agency**

\*\*\*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption\*\*\*  
\*\*\*For a list of simple ways to reduce demand and cut your energy costs, see the tips at: <http://www.swrcb.ca.gov/news/echallenge.html>\*\*\*



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Mr. Gilbert Dembo  
Deepwater Building

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community collection system, or future requirements may require consistency with the WDRs established for a community collection system.

The Monitoring and Reporting Program requires you to implement the monitoring program on the effective date of coverage under this permit. All monitoring reports should be sent to the Regional Board, ATTN: Information Technology Unit. Please note that the Executive Officer may require you to develop and implement a groundwater monitoring program based on the results of the technical information pertaining to your septic disposal system.

When submitting monitoring or technical reports to the Regional Board per these requirements, please include a reference to "Compliance File No. CI-8628", 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.

We are sending a copy of Order No. 01-031 only to the applicant. A copy of the Order will be furnished to anyone who requests it.

If you have any additional questions, please contact Dr. Kwangil Lee at (213) 620-2269 or Ms. Hoan Tang at (213) 620-6156.

Sincerely,



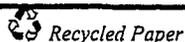
Dennis A. Dickerson  
Executive Officer

Enclosures

cc: 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. Victor Peterson, City of Malibu

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

MONITORING AND REPORTING PROGRAM NO. CI- 8628  
FOR  
GILBERT & BARBARA C. DEMBO FAMILY TRUST  
DEEPWATER BUILDING  
18820 PACIFIC COAST HIGHWAY

ENROLLMENT UNDER GENERAL PERMIT  
ORDER NO. 01-031 (SERIES NO. 038)  
(FILE NO. 03-073)

I. REPORTING REQUIREMENTS

- A. Gilbert & Barbara C. Dembo (hereinafter Discharger) shall implement this monitoring program on the effective date of this enrollment (October 21, 2003) under Regional Board Order No. 01-031. The first monitoring report under this program, for October-December 2003, shall be received at the Regional Board by January 15, 2004.

Monitoring reports shall be received by the dates in the following schedule:

<u>Reporting Period</u>	<u>Report Due</u>
January – March	April 15
April – June	July 15
July – September	October 15
October – December	January 15

- B. If there is no discharge during any reporting period, the report shall so state. Monitoring reports must be addressed to the Regional Board, Attention: Information Technology Unit.
- C. By January 30 of each year, the Discharger shall submit an annual summary report to the Regional Board. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous calendar year. In addition, the Discharger shall discuss 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.
- D. Laboratory analyses – all chemical, bacteriological, and toxicity analyses shall be conducted at a laboratory certified for such analyses by the California Department of Health Services Environmental Laboratory Accreditation Program (ELAP). The laboratory must meet the United States Environmental Protection Agency

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(USEPA) Quality Assurance/Quality Control (QA/QC) criteria. Pollutants shall be analyzed using the methods described in 40 CFR 136; 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 Discharger can demonstrate that a particular ML is not attainable and obtains approval for a higher ML from the Executive Officer. The Discharger 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. Each monitoring report must affirm in writing that "All analyses were conducted at a laboratory certified for such analyses by the California Department of Health Services, 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.
- G. Each monitoring report shall contain a separate section titled "Summary of Non-Compliance" which discusses the compliance record and the corrective actions taken or planned that may be needed to bring the discharge into full compliance with waste discharge requirements. This section shall be located at the front of the report and shall clearly list all non-compliance with discharge requirements, as well as all excursions of effluent limitations.
- H. The Discharger 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.
- I. In reporting the monitoring data, the Discharger 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.
- J. Any mitigation/remedial activity including any pre-discharge treatment conducted at the site must be reported in the quarterly monitoring report.

## II. SEPTIC TANK AND DISPOSAL SYSTEM MONITORING REQUIREMENTS

The quarterly reports shall contain the following information:

1. Average and maximum daily waste flow for each month of the quarter, in gallons per day. In the absence of a flow meter, a water bill can be used to estimate the flow discharge.
2. Estimated population served during each month of the reporting period.
3. Results of at least monthly observations in the disposal area for any over flow or surfacing of wastes.

In addition, the Discharger shall annually submit an operation and maintenance report on the septic systems. 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 facility;
2. Type of maintenance (preventive or corrective action performed);
3. Frequency of maintenance, if preventive;
4. Periodic pumping out of each septic tank; and
5. Maintenance records of each septic disposal system.

## III. GROUNDWATER MONITORING PROGRAM

A groundwater monitoring program will not be required at this time. In the future, the Executive Officer may determine that a groundwater monitoring program is needed to fully evaluate the impact from your wastewater discharge on groundwater. If this determination is made, the Discharger must submit a groundwater monitoring plan to this Regional Board within 45 days of the notification. The groundwater monitoring plan submitted shall be subject to the Executive Officer's approval prior to implementation. The groundwater monitoring wells must be installed in such a way so as to fully assess the background groundwater quality and the downgradient groundwater quality. The plan shall include the exact location of the proposed wells, depths, construction of wells, schedule for the installation and proposed sampling of the wells.

Upon obtaining the Executive Officer's approval of an adequate groundwater monitoring network plan, construction and development of the proposed wells shall be completed within 60 days in accordance with the standards in Bulletins 74-81 and 74-90 of the

California Department of Water Resources. Within 30 days after installation of monitoring wells, a well installation report including a scaled plot plan, soil boring logs, water quality data, well permits and as-built well construction diagrams shall be submitted to this Board. This groundwater monitoring schedule may be subject to revision after completion of the first year of baseline water quality monitoring.

The monitoring program must be prepared under the direction of a California Registered Geologist, or Certified Engineering Geologist, or a California Registered Civil Engineer with appropriate experience in hydrogeology.

The following shall constitute the groundwater monitoring program:

<u>Constituent</u>	<u>Units*</u>	<u>Type of Sample</u>	<u>Minimum Frequency of Analysis<sup>[1]</sup></u>
Total coliform	MPN/100mL	grab	quarterly
Fecal coliform	MPN/100mL	grab	quarterly
Enterococcus	MPN/100mL	grab	quarterly
Ammonia-N	mg/L	grab	quarterly
Nitrate-N	mg/L	grab	quarterly
Nitrite-N	mg/L	grab	quarterly
Organic nitrogen	mg/L	grab	quarterly
Total nitrogen	mg/L	grab	quarterly
Total dissolved solids	mg/L	grab	quarterly
Sulfate	mg/L	grab	quarterly
Chloride	mg/L	grab	quarterly

[1] If any constituent exceeds the baseline water quality data, then the frequency of analyses shall increase to monthly until at least three test results have been obtained. After which, if no constituents exceed the baseline, the frequency of analyses shall revert back to quarterly.

\* MPN/100mL: Most Probable Number per 100 milliliter; mg/L: milligrams per liter

All groundwater monitoring reports must include, at minimum, the following:

- a. Well identification, date and time of sampling;
- b. Sampler identification, and laboratory identification;
- c. Monthly measurement of groundwater levels, recorded to 0.01 feet mean sea level;
- d. Groundwater contour map depicting the hydraulic gradient and direction of groundwater flow across the subject tract; and
- e. Monthly calculation of vertical separation of groundwater levels to bottom of each septic disposal system (leach field and /or seepage pit).

#### IV. WASTE HAULING REPORTING

In the event that waste sludge, septage, or other wastes are hauled offsite, the name and address of the hauler shall be reported, along with types and quantities hauled during the reporting period and the location of final point of disposal. In the event that

no wastes are hauled during the reporting period, a statement to that effect shall be submitted.

V. 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 Order. Monitoring frequencies may be adjusted to a less frequent basis or parameters and locations dropped by the Executive Officer if the Discharger makes a request and the request is backed by statistical trends of monitoring data submitted.

VI. 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:



Dennis A. Dickerson  
Executive Officer

Date: October 21, 2003