



GAVIN NEWSOM  
GOVERNOR

JARED BLUMENFELD  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## Los Angeles Regional Water Quality Control Board

February 8, 2019

Glimcher Malibu, LLC  
c/o Glimcher Properties LP  
180 E. Broad Street, 21<sup>st</sup> Floor  
Columbus, OH 43215

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
CLAIM NO. 7018 1830 0001 5952 8057

### **PROPOSED TERMINATION OF WASTEWATER DISCHARGE REQUIREMENTS FOR MALIBU LUMBER AT LEGACY PARK, 3939 CROSS CREEK ROAD, MALIBU, CA 90265 (ORDER NO. R4-2008-0211, CI NO. 9481, FILE NO. 02-058, GLOBAL ID WDR100000538)**

Dear Madam/Sir:

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 within major portions of Los Angeles and Ventura Counties. This facility mentioned above is located within the Regional Board's jurisdiction.

On December 11, 2008, the Regional Board adopted Waste Discharge Requirements (WDRs) Order No. R4-2008-0211 for the discharge of wastewater to land from an on-site wastewater disposal system (OWDS) at Malibu Lumber at Legacy Park located at 3939 Cross Creek Road in the City of Malibu (City). The individual WDRs required the discharge to meet effluent limitations and groundwater quality objectives in order to protect the water quality of the Malibu Valley Groundwater Basin and public health.

On November 5, 2009 the Regional Board adopted Resolution No. R4-2009-007 approving an amendment to Chapter 4 of the Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan), to prohibit OWDSs in the Malibu Civic Center Area (Basin Plan Amendment). The Basin Plan Amendment requires that all commercial discharges to OWDSs in the Malibu Civic Center Area cease by November 5, 2015. In August 2011, the Regional Board, the State Water Resources Control Board (State Board), and the City entered into a Memorandum of Understanding (MOU), which was subsequently revised on December 4, 2014 and February 2, 2017, for the City to construct and startup the Malibu Civic Center Wastewater Treatment Facility (MCCWTF) and connect commercial properties within the Phase I boundaries, including Malibu Lumber at Legacy Park, by September 30, 2018. Our data indicate that the wastewater generated from this facility was diverted to the MCCWTF before the September 30, 2018 deadline.

Therefore, the individual WDRs identified above as Order No. R4-2008-0211 are no longer needed because there is no wastewater discharge to land from the OWDS at Malibu Lumber at Legacy Park. Consequently, the Regional Board intends to consider terminating the WDRs. A tentative Order to terminate the individual WDRs will be released for public comment in later this

IRMA MUÑOZ, CHAIR | DEBORAH SMITH, EXECUTIVE OFFICER

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month and will likely be considered by the Board at its April 11, 2019 Board meeting. If you have any comments or questions regarding the Regional Board's proposal to terminate your individual WDRs, please provide your response to the Regional Board no later than February 15, 2019.

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

Sincerely,

  
Deborah J. Smith

Executive Officer, Los Angeles Regional Water Quality Control Board

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