STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of the Petition by the Malibu Township Council, et al, to Review the California Regional Water Quality Control Board, Los Angeles Region, Order No. 72-18 and State Board Review, on its own motion, of Order No. 72-18	Order No. 72-26

On May 18, 1972 the Malibu Township Council, et al, filed a petition requesting review by the State Water Resources Control Board (hereinafter State Board) of Order No. 72-18 adopted by the California Regional Water Quality Control Board, Los Angeles Region, (hereinafter Regional Board) on April 19, 1972. On September 7, 1972, the State Board, on its own motion, ordered review of the Regional Board requirements contained in Order No. 72-18. Order No. 72-18 prescribed waste discharge requirements for the County of Los Angeles' proposed Corral Canyon Treatment Plant, Malibu.

Petitioners request the State Board to reverse Order No. 72-18, order the Regional Board to deny all applications by Los Angeles County for waste discharge requirements in the Malibu area until after Los Angeles County has demonstrated it has considered alternatives to the proposed Corral Canyon facility, including reclamation, and has prepared a regional sewerage plan for the Malibu area which will be eligible for the maximum federal and state funding.

The State Board has reviewed the record of the Regional Board relating to Order No. 72-18 and for the reasons stated below believes that the requirements provided in the order should be revised.

Description of Proposed Discharge

Los Angeles County proposes to collect, treat and dispose of an estimated 1.4 mgd of domestic waste from a 5.8-mile-long area in Malibu. Proposed waste treatment is to consist of sedimentation, aeration, clarification, digestion, filtration and chlorination. A portion of the effluent is to be used for irrigation of a greenbelt and for fire protection purposes. Excess will be discharged to Corral Creek next to the plant, about 1,200 feet above the creek's mouth at the Pacific Ocean.

Description of Receiving Waters

Corral Creek is an intermittent stream which drains rainfall runoff from the Santa Monica Mountains to the Pacific Ocean. Just prior to reaching the ocean, Corral Creek crosses a heavily used public recreational beach. The Los Angeles County Department of Beaches maintains a lifeguard facility at the beach to serve crowds which on peak days are estimated to number as high as 15,000 persons. During summer periods of heavy beach use, the creek is normally dry. Discharge of treated wastewater would, during such periods, result in undiluted wastewater flowing across the beach.

Beneficial Uses of the Receiving Waters

The Interim Water Quality Control Plan for the Los Angeles River Basin adopted by the Regional Board in June of 1971 identifies and defines the beneficial use of surface waters in the Malibu area. These uses are:

Water-contact recreation
Nonwater-contact recreation
Freshwater habitat

Beneficial uses of the Pacific Ocean near shore waters identified in the Water Quality Control Plan are:

Industrial supply
Water-contact recreation
Nonwater-contact recreation
Commerical fishing
Navigation
Scientific study
Marine habitat
Clamming and shellfish harvesting

Waste Discharge Requirements

On April 19, 1972, the California Regional Water Quality Control Board, Los Angeles Region, adopted waste discharge requirements (Order No. 72-18) for the Corral Canyon treatment facility. Order No. 72-18 contains various numerical effluent requirements and descriptive requirements for the discharge (see Table 1).

Resolution 72-18 Should Be Revised

The proposed method of disposal has disadvantages with respect to protection of downstream beneficial uses both in its potential effect on the public health and its effect upon the

aesthetic values of the beach area. These problems arise from the expected contact of recreationists with undiluted effluent on the beach during substantial periods of the year when no natural streamflow occurs.

The potential hazard to public health inherent in public contact with reclaimed wastewater is dealt with in Title 17 of the California Administrative Code. This title sets forth standards which are designed to avoid undue health hazards in the use of reclaimed wastewater. Even when these standards are met, an element of risk remains. This element of risk can be reduced to an acceptable level if Order No. 72-18 is amended to require the discharger to provide the following:

1. Facilities capable of retaining 100 percent of the waste flow for 30 days without discharge to the creek or beach. This holding capacity is in addition to the presently planned ten-day holding pond which is part of the proposed treatment system.
2. Alarm system to immediately notify plant operator of failure of chlorination equipment.
3. Continuous monitoring of chlorine residual in the waste discharge.
4. Backup chlorination facilities.
5. Daily monitoring of coliform levels during peak load on the treatment system.

During most of the year, the discharge will, in effect, be a direct discharge to the Pacific Ocean. All such discharges must be in conformance with the Water Quality Control Plan for Ocean Waters of California. Therefore, Order No. 72-18 must be amended to include numerical limits on the following parameters consistent with the Ocean Plan: arsenic, copper, mercury, nickel, total chromium, zinc, total identifiable chlorinated hydrocarbons, and phenolic compounds.

Contentions of Petitioners

The petitioners request in essence that the Regional Board review alternatives to the proposed discharge. With the added safeguards and revision of waste discharge requirements outlined above, there would be no reason based on the protection of water quality to require such review.

Neither the State Board nor the Regional Board has the power, by adoption of waste discharge requirements, to affirmatively require consolidation of one waste treatment facility with another. However, appropriate consolidation may be required as a condition of a clean water grant.

The remainder of the petitioners' contentions have no merit.

Conclusions

The State Board concludes as follows: The Regional Board should revise Order No. 72-18 to require the discharger to provide:

1. Facilities capable of retaining 100 percent of the waste flow for 30 days without discharge to the creek or beach. This holding capacity is in addition to the presently planned ten-day holding pond which is part of the proposed treatment system.
2. Alarm system to immediately notify plant operator of failure of chlorination equipment.
3. Continuous monitoring of chlorine residual in the waste discharge.
4. Back-up chlorination facilities.
5. Daily monitoring of coliform levels during peak load on the treatment system.

Order No. 72-18 must be amended to include numerical limits on the following parameters consistent with the Water Quality Control Plan for Ocean Waters of California: arsenic, copper, mercury, nickel, total chromium, zinc, total identifiable chlorinated hydrocarbons, and phenolic compounds.

IT IS HEREBY ORDERED that the California Regional Water Quality Control Board, Los Angeles Region, revise Order No. 72-18 consistent with the conclusions of this order.

Adopted as the order of the State Water Resources Control Board at a meeting duly called and held in Los Angeles, California.

Dated: December 7, 1972

W. W. ADAMS
W. W. Adams, Chairman

RONALD B. ROBIE*
Ronald B. Robie, Vice Chairman

E. F. DIBBLE
E. F. Dibble, Member

ROY E. DODSON
Roy E. Dodson, Member

MRS. CARL H. AUER*
Mrs. Carl H. (Jean) Auer, Member

*Subject to the additional comments on pages 9 and 10.

Table 1. Numerical Requirements of Los Angeles Regional Board Order No. 72-18.

Parameter	Unit	Minimum	Mean	Median	80 Percentile	Maximum
Biochemical Oxygen Demand (BOD) 5-day 20°C	mg/l		20			30
Chlorine Residual	mg/l					0.05
Coliform Organisms	MPN / 100 mls			2.2	20	
Grease and Oil (Hexane Extractables)	mg/l		10			15
pH	Units	6.5				8.5
Settleable Solids	ml/l					0.1
Suspended Solids	mg/l		15			40
Toxicity Bioassay	(percent survival)	90				
Turbidity	JTU					10
Arsenic	mg/l					0.05
Barium	mg/l					1.0
Cadmium	mg/l					0.01
Chromium (Hexavalent)	mg/l					0.05
Flouride	mg/l					1.6-3.4
Lead	mg/l					0.05
Selenium	mg/l					0.01
Silver	mg/l					0.05

Additional Comments

We concur with the conclusions of this order in that revision of requirements (as provided on page 6) will protect water quality.

However, the petitioners request that the Board review alternatives to the proposed discharge. The Board's response that there "would be no reason based on the protection of water quality to require such review", is an unduly restrictive interpretation of this Board's authority and responsibility.

Although the Porter-Cologne Act, it is true, is generally limited to water quality considerations of a proposed discharge, this statute is by no means the sole directive to this Board in the instant case.

The policy directives of the Legislature, as set forth in the California Environmental Quality Act of 1970, enables this Board (as well as all state agencies) to consider a broader range of environmental concerns and requires that "long-term protection of the environment" be the "guiding criterion" in our decision making [Public Resources Code Section 21001(d)]

Thus, to act upon a waste discharge requirement from the limited consideration of the water quality aspects of the discharge is to overlook factors relating to the larger environment which the law compels us to consider.

Alternatives to a proposed waste discharge (and a proposed treatment and collection facility) should be considered by this Board. For example, water reclamation is to be

encouraged by this Board (Water Code Section 13512). Alternatives to a proposed discharge involving reuse of highly treated effluent should be considered by the Board. The Board should base its decisions on broader environmental factors in order to meet the objectives of the State's Water Reclamation Law and the Environmental Quality Act.

Therefore, the limited scope of the Board's order has not permitted exploration of all of the petitioners' allegations. Thus, while the Board's order, we are confident, will protect water quality in the receiving waters, it is not a full response to petitioners' contentions.

RONALD B. ROBIE
Ronald B. Robie, Vice Chairman

MRS. CARL H. AUER
Mrs. Carl H. (Jean) Auer, Member