
Los Angeles Regional Water Quality Control Board

September 6, 2016

Mr. Steve Dahlbery
The Kissel Company, Inc.
Paradise Cove and Land Company, LLC
28128 West Pacific Coast Highway
Malibu, CA 90265

Dr. Rita Kampalath
Heal the Bay
1444 9th Street
Santa Monica, CA 90401

REVISED TENTATIVE WASTE DISCHARGE REQUIREMENTS/WATER RECLAMATION REQUIREMENTS, MONITORING AND REPORTING PROGRAM, AND CEASE AND DESIST ORDER FOR THE KISSEL COMPANY, INC. AND PARADISE COVE LAND COMPANY, LLC – PARADISE COVE MOBILE HOME PARK AND PARADISE COVE BEACH CAFÉ, 28128 WEST PACIFIC COAST HIGHWAY, MALIBU, CALIFORNIA (FILE NO. 01-083, CI NO. 8342, GLOBAL ID WDR100026601)

Dear Mr. Dahlberg and Dr. Kampalath:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) received timely written comments from Advanced Onsite Water (representing The Kissel Company, Inc. and Paradise Cove Land Company, LLC) on August 31, 2016 for the revised tentative Waste Discharge Requirements/Water Reclamation Requirements (WDRs/WRRs), posted on August 26, 2016 for the above-referenced site. Regional Board staff has considered all comments timely submitted, made appropriate revisions to the tentative WDRs/WRRs, MRP, and CDO accordingly, and prepared responses to written comments (enclosed). These documents are available on the Regional Board's website at http://www.waterboards.ca.gov/losangeles/board_decisions/tentative_orders/

In accordance with administrative procedures, the Regional Board will consider the revised tentative WDRs/WRRs, MRP, and CDO, as well as written comments and oral testimony, at a public hearing. Please note the change to the date, time, and location of the Regional Board meeting in which the public hearing will be conducted. The Regional Board meeting will begin at 12:30 PM on **September 7, 2016** at the City of Agoura Hills Council Chambers, located at 30001 Ladyface Court, Agoura Hills, California.

September 6, 2016

If you have any questions, please contact me at (213) 576-6683 or via email at Eric.Wu@waterboards.ca.gov.

Sincerely,



Eric Wu, Ph.D., P.E.
Chief of Groundwater Permitting Unit

Enclosures: Response to Comments Part 3

cc (via email): Ms. Barbara Bradley, Advanced Onsite Water
Mr. Craig George, City of Malibu
Mr. Michelle Tsiebos, County of Los Angeles Environmental Health
Mr. Steve Braband, Biosolutions, Inc.

RESPONSE TO COMMENTS - PART 3
(Comment Period ending on September 1, 2016)

**Revised Tentative Waste Discharge Requirements/Water Reclamation Requirements and Cease and Desist Order for
The Kissel Company, Inc. and Paradise Cove Land Company, LLC for
Paradise Cove Mobile Home Park and Paradise Cove Beach Café**

Comment Letter	Commented by	Date
1	Advanced Onsite Water (Discharger's Consultant)	August 31, 2016

No.	Comment	Response to Comment
Advanced Onsite Water (Discharger's Consultant)		
1.1	<p>PCLC Needs Time to Determine Whether Operational Controls or Updates to the Treatment System are Needed to Meet the Proposed Effluent Limit for Enterococcus. We are writing to respectfully request a six-month deferral of the Enterococcus effluent limit to provide PCLC with time to meet this new requirement.</p> <p>Although the existing WDRs include monitoring requirements for Enterococcus at the Beach Cafe, there were no effluent limits required. The first mention of effluent limits for Enterococcus at the Beach Café was in the correspondence that PCLC received on August 26, 2016 from Rebecca Chou.</p> <p>From April 2014 when the new treatment system came on line to the present, the Beach Café would have chronically and sporadically exceeded the pending effluent limit had it been in effect. Also, at this point, PCLC does not know if "operational changes" alone will be sufficient to bring the</p>	<p>Comment noted. Based on the effluent data presented in the monitoring report, the current treatment and disinfection system at Beach Café have been capable of removing enterococcus until 2016. There were multiple and sporadic enterococcus counts greater than 104 MPN/100mL since the upgrade was completed in April 2014. Given that the effluent values for April 2015 to March 2016 showed less than 1, even during peak summer season, the data suggest that a change in operation of the treatment system at Beach Café may have contributed to the high enterococcus counts. However, Regional Board staff agree that there may be other causes including, but not limited to, malfunction of parts resulting in the failure of disinfection.</p> <p>The discharger is required to immediately identify problems when effluent quality is not consistent with the designed performance, and implement corrective actions to bring the system back to optimal operation. The enterococcus counts started to increase in March 2016. Discharger had opportunities to take action earlier to mitigate this problem.</p>

No.	Comment	Response to Comment
	<p>Beach Cafe in compliance with the proposed effluent limit for Enterococcus. Therefore, PCLC needs time to determine how to meet the proposed effluent limit for Enterococcus.</p>	<p>Staff recommend allowing three months for discharger to identify the problem at Beach Café AOWTS, and meet the enterococcus effluent limits no later than December 8, 2016.</p>
1.2	<p>PCLC May Need to Update Its System to Meet the Proposed Effluent Limit for Enterococcus. It will likely be impossible to meet the Enterococcus limit without some interim update to the existing wastewater treatment system. As you know, PCLC has proposed upgrading the existing wastewater treatment system for the Beach Café and the Paradise Cove Mobile Home Park to more efficiently and effectively treat the wastewater from these sources and enable PCLC to use recycled water for surface irrigation. However, these efforts require extensive engineering, permitting with the City of Malibu, and installation – all of which require time to complete. Therefore, PCLC will likely be required to update the existing wastewater treatment system at the Beach Cafe in the interim to meet the proposed Enterococcus effluent limit due to operational difficulties with the pre-aeration system.</p> <p>PCLC is committed to working with all regulatory agencies with jurisdiction over these changes, including obtaining approvals by the City of Malibu. It typically takes months for City agencies to review and approve project applications. PCLC has taken the steps necessary to expedite this process, including alerting its preferred contractor to the urgent need of its services once the approvals are granted. However, due to pending commitments at the time of agency approval, there may be a delay before the contractor can begin installation of the</p>	<p>See response to comment 1.1.</p> <p>The current Beach Café treatment system was functioning properly up to March 2016. The Discharger did not provide any evidence to Regional board for the need of new construction, which would require permits from the City of Malibu, to optimize the treatment system and to meet the enterococcus effluent limit.</p> <p>Should there be need of obtaining permits for replacement of parts, modification of system, and/or major construction for the improvement of Beach Café treatment system, Regional Board staff are committed of working with the Discharger and local permitting agency.</p>

No.	Comment	Response to Comment
	system upgrades. Therefore, PCLC respectfully requests a six-month deferral of the Enterococcus effluent limit to provide PCLC with time to implement these measures.	