

State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES

ORDER NO. 95-060
WASTE DISCHARGE REQUIREMENTS
FOR

MALIBU COLONY WEST HOMEOWNERS ASSOCIATION
(Septic Tank/Seepage Pit System)
(File No. 79-023)

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

1. The Malibu Colony West Homeowners Association (hereinafter Discharger) discharges domestic wastes under Waste Discharge Requirements contained in Order No. 79-143, adopted by this Regional Board on August 27, 1979.
2. The California Water Code Section 13263(e) provides that all requirements shall be reviewed periodically and, upon such review, may be revised by the Regional Board. A review of the current requirements, followed by site inspection, was conducted by Regional Board staff; no violations were observed.

These Waste Discharge Requirements have been revised to include additional findings, updated standard provisions, and a monitoring and reporting program.

3. The Discharger operates a 14-unit condominium complex located at 31242 Bailard Road, Malibu, California (Figure No. 1). Domestic wastewater is discharged to 7 septic tanks and 21 seepage pits for the subsurface treatment and disposal of up to 9,900 gallons per day (gpd) of domestic wastes. A monthly average dry weather flow of up to 8,607 gpd of domestic waste is discharged to septic tanks onsite.
4. The facility is located in Section 34, Township 1S, Range 19W, San Bernardino Base & Meridian. (The facility's approximate latitude is 34°2'18"; its longitude 118°49').
5. The Los Angeles County Water District No. 29 supplies domestic water to this facility.
6. Tibold Asset Management, Inc., under contract, will operate and maintain the septic tanks and seepage pit disposal system for the Discharger.

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7. The septic tanks and seepage pit disposal system are located within the Trancas Canyon Hydrologic Subarea of the Point Dume Hydrologic Area and overlie the Malibu Valley Groundwater Basin of the Los Angeles River Basin.
8. The beneficial use of groundwater in the Malibu Valley Groundwater Basin are municipal supply, agricultural supply and potentially industrial supply. However, groundwater in this area is not beneficially used for agriculture, municipal, or industrial purposes.
9. The Board adopted a revised Water Quality Control Plan for the Los Angeles Region on June 13, 1994. The Water Quality Control Plan contains beneficial uses and water quality objectives for groundwater within the Malibu Valley Groundwater Basin. The requirements contained in this Order, as they are met, will be in conformance with the goals and objectives of the Water Quality Control Plan.
10. This project involves an existing facility, and, as such, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 2100 et seq.) in accordance with California Code of Regulations, Title 14, Chapter 3, Section 15301.

The Regional Board has notified the Discharger and interested agencies and persons of its intent to revise Waste Discharge Requirements for this subsurface sewage disposal system, and has provided them with an opportunity to submit their written views and recommendations.

The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge and the tentative requirements.

IT IS HEREBY ORDERED that Malibu Colony West Homeowners Association shall comply with the following:

A. EFFLUENT LIMITATIONS

1. Wastes discharged shall be limited to treated domestic wastes only. No water softener regeneration brines or industrial or commercial wastewaters shall be discharged at this location.
2. The effluent discharged shall not contain heavy metals, arsenic, or cyanide in concentrations exceeding the limits contained in the current California Drinking Water Standards.

3. Radioactivity of the wastes discharged shall not exceed the limits specified in Title 22, California Code of Regulations, Chapter 15, Article 5, Sections 64441 and 64443, or subsequent revisions.
4. The pH of wastes discharged shall be within the range of 6.5 to 8.5 pH units.
5. Any wastes that do not meet the foregoing requirements shall be held in impervious containers, and transferred elsewhere, the final discharge shall be at a legal point of disposal.
6. There shall be no discharge of wastes to surface water or watercourses at any time.

B. GENERAL REQUIREMENTS

1. In no case shall the septic tanks or seepage pit disposal system extend to within 10 feet of the zone of historic or anticipated high groundwater level. The Discharger must submit certification that the septic tanks and seepage pit disposal system meet this requirement, within 30 days from the adoption of this Order.
2. No part of the septic tanks or seepage pit disposal system shall be closer than 150 feet to any water well, or closer than 100 feet to any stream, channel or other watercourse.
3. Any sewage or sludge handling shall be in such a manner as to prevent its reaching surface water or watercourses.
4. Adequate facilities shall be provided to divert storm waters away from the septic tanks and seepage pit disposal system, and from areas where any potential pollutants are stored.
5. Wastes discharged shall at no time contain any substance in concentrations toxic to human, animal, plant, or aquatic life.
6. The septic tanks and seepage pit disposal system shall be maintained in such a manner that at no time will sewage be permitted to surface or overflow at any location.
7. Odors of sewage origin shall not be perceivable beyond the limits of the property owned or controlled by the Discharger.

8. Neither the treatment nor the discharge of waste shall create a condition of pollution, contamination, nuisance, or problems due to breeding of mosquitos, gnats, midges, flies or other pests.
9. Wastes shall not be disposed of in geologically unstable areas or so as to cause earth movement.
10. 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, and in accordance with provisions of Division 7.5 of the California Water Code. For the purpose of these requirements, a legal point of disposal is defined as one for which Waste Discharge Requirements have been established by a California Regional Water Quality Control Board, and which is in full compliance therewith.
11. Wastes discharged shall not impart tastes, odors, color, foaming or other objectionable characteristics on receiving groundwater.

C. PROVISIONS

1. A copy of these Waste Discharge Requirements shall be maintained at the office of the Discharger and at the facility so as to be available at all times to operating personnel and local residents.
2. This facility shall be compatible with regional sewage collection and treatment plans.
3. Within six months after a community wastewater collection (sewer) system becomes available, the Discharger shall submit a plan to connect this facility to the community sewer system.
4. Standby or emergency power facilities and/or storage capacity or other means shall be provided so that in the event of plant upset or outage due to power failure or other cause, discharge of raw or inadequately treated sewage does not occur.

5. The Discharger shall file with the Regional Board technical reports on self-monitoring work performed according to the detailed specifications contained in the Monitoring and Reporting Program, 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.
6. The Discharger shall notify this Board within 24 hours of any adverse conditions as a result of the discharge of wastewater from this facility; written confirmation shall follow within one week. This information shall be confirmed in the next monitoring report. In addition, the report shall also 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 provide a new copy of the homeowners operation agreement to this Regional Board within 30 days after the adoption of this Order. A current copy of the homeowners operation agreement shall be provided to the Regional Board on a yearly basis, to be included with the annual report.
8. Each homeowner shall be required, as a condition of purchase, to join the Homeowners Association which shall have continuing responsibility for compliance with these requirements and which is empowered to undertake and shall undertake all measures necessary to ensure continuing compliance.
9. The Discharger shall submit complete as-built construction and operation details of the existing sanitary sewer collection system, septic tanks, and seepage pit disposal system, to the Board within 30 days after the adoption of this Order. Any addition and/or modifications made to the existing sewage collection, septic tanks, or seepage pit disposal system shall be provided to this Regional Board within 90 days of the system upgrade or modification.
10. The Discharger shall comply with all rules and regulations of the Los Angeles County Department of Health Services for operation, extension and abandonment of subsurface domestic sewage disposal systems.

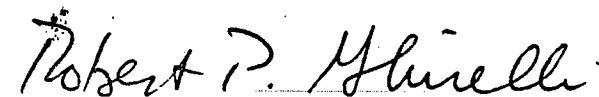
11. This Order does not alleviate the responsibility of the Discharger to obtain other necessary local, state, and federal permits to construct facilities necessary for compliance with this Order; nor does this Order prevent imposition of additional standards, requirements, or conditions by any other regulatory agency.
12. Prior to any necessary repair to the septic tanks and/or seepage pit disposal system, an engineer's analysis is required as to the completeness and determination of the effectiveness of the proposed repair work.
13. For any modifications of the septic tanks and/or seepage pit disposal system, the Discharger shall submit a report detailing the extension or expansion for the approval of the Executive Officer. Following construction, as-built drawings shall be submitted to the Executive Officer for approval prior to disposal of treated domestic wastewater.
14. The Discharger shall file a written report with this Board within 90 days after the average dry-weather wastewater flow for any month equals or exceeds 90 percent of the design capacity of the septic tanks and seepage pit disposal system. The report shall detail provisions to cope with the flows in excess of that figure.
15. Any discharge of wastewater at any point(s) other than specifically described in this Order is prohibited, and constitutes a violation of the Order.
16. 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 that requires either a temporary or permanent reduction or elimination of the authorized discharge.

17. 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.
18. The Discharger shall take all reasonable steps to minimize or prevent any discharge that has a reasonable likelihood of adversely affecting human health or the environment.
19. This Order includes "Standard Provisions Applicable to Waste Discharge Requirements". If there is any conflict between provisions stated herein and the "Standard Provisions", those provisions stated herein will prevail.

D. Rescission

Order No. 79-143, adopted by this Board on August 27, 1979, is hereby rescinded.

I, Robert P. Ghirelli, 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 May 15, 1995.



ROBERT P. GHIRELLI, D.Env.
Executive Officer

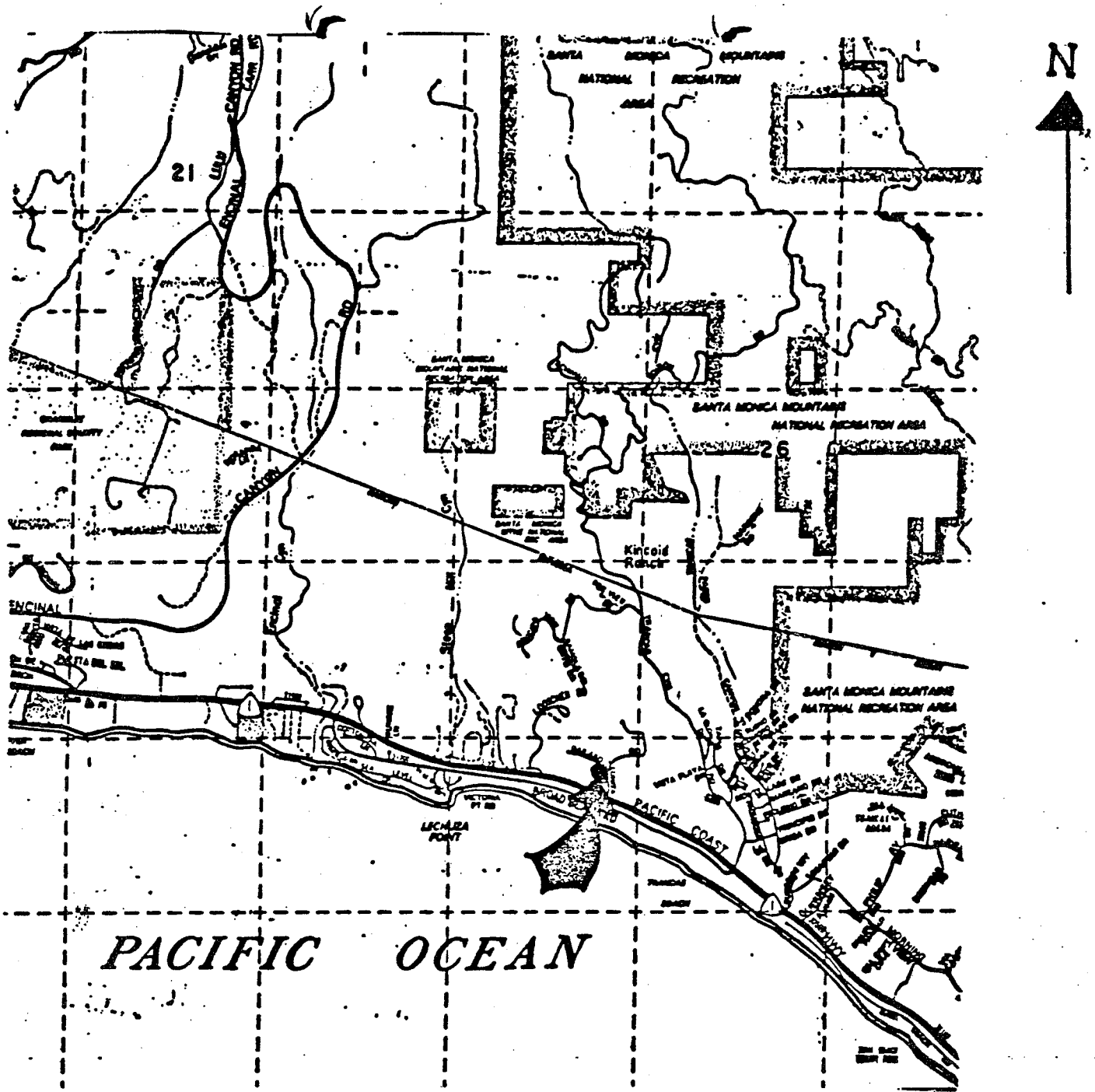


Figure No. 1
 Malibu Colony West Homeowners Association
 (Septic tank/seepage pit disposal system)

STANDARD PROVISIONS
APPLICABLE TO WASTE DISCHARGE REQUIREMENTS

1. DUTY TO COMPLY

The discharger must comply with all conditions of these waste discharge requirements. A responsible party has been designated in the Order for this project, and is legally bound to maintain the monitoring program and permit. Violations may result in enforcement actions, including Regional Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board.

[CWC Section 13261, 13263, 13265, 13268, 13300, 13301, 13304, 13340, 13350].

2. GENERAL PROHIBITION

Neither the treatment nor the discharge of waste shall create a pollution, contamination or nuisance, as defined by Section 13050 of the California Water Code (CWC).

[H & SC Section 5411, CWC Section 13263]

3. AVAILABILITY

A copy of these waste discharge requirements shall be maintained at the discharge facility and be available at all times to operating personnel. [CWC Section 13263]

4. CHANGE IN OWNERSHIP

The discharger must notify the Executive Officer, in writing at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new discharger. The notice must include a written agreement between the existing and new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgement that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable from the transfer date on. [CWC Sections 13267 and 13263]

5. CHANGE IN DISCHARGE

In the event of a material change in the character, location, or volume of a discharge, the discharger shall file with this Regional Board a new Report of Waste Discharge. [CWC Section 13260(c)]. A material change includes, but is not limited to, the following:

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Standard Provisions Applicable to
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- (a) Addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the Waste.
- (b) Significant change in disposal method,—e.g., change from a land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.
- (c) Significant change in the disposal area,—e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.
- (d) Increase in flow beyond that specified in the waste discharge requirements.
- (e) Increase in area or depth to be used for solid waste disposal beyond that specified in the waste discharge requirements [CCR Title 23 Section 2210]

6. REVISION

These waste discharge requirements are subject to review and revision by the Regional Board.—[CCR Section 13263]

7. TERMINATION

Where the discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or information. [CWC Sections 13260 and 13267]

8. VESTED RIGHTS

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, do not protect the discharger from his liability under Federal, State or local laws, nor do they create a vested right for the discharger to continue the waste discharge. [CWC Section 13263 (g)]

Standard Provisions Applicable to
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9. SEVERABILITY

Provisions of these waste discharge requirements are severable. If any provision of these requirements are found invalid, the remainder of these requirements shall not be affected. [CWC 921]

10. OPERATION AND MAINTENANCE

The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order. [CWC Section 13263(f)]

11. HAZARDOUS RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with Section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Board or the appropriate Regional Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of Section 13271 of the Water Code unless the discharger is in violation of a prohibition in the applicable Water Quality Control plan. [CWC Section 13271(a)]

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12. PETROLEUM RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Article 3.5 (commencing with Section 8574.1) of Chapter 7 of Division 1 of Title 2 of the Government Code. This provision does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Section 311 of the Clean Water Act or the discharge is in violation of a prohibition in the applicable Water Quality Control Plan. [CWC Section 13272]

13. ENTRY AND INSPECTION

The discharger shall allow the Regional Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:

- (a) Enter upon the discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- (d) Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order, or as otherwise authorized by the California Water Code, any substances or parameters at any location. [CWC Section 13267]

Standard Provisions Applicable to
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14. MONITORING PROGRAM AND DEVICES

The discharger shall furnish, under penalty of perjury, technical monitoring program reports; such reports shall be submitted in accordance with specifications prepared by the Executive Officer, which specifications are subject to periodic revisions as may be warranted. [CWC Section 13267]

All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year, or more frequently, to ensure continued accuracy of the devices. Annually, the discharger shall submit to the Executive Officer a written statement, signed by a registered professional engineer, certifying that all flow measurement devices have been calibrated and will reliably achieve the accuracy required.

Unless otherwise permitted by the Regional Board Executive officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services.—The Regional Board Executive Officer may allow use of an uncertified laboratory under exceptional circumstances, such as when the closest laboratory to the monitoring location is outside the State boundaries and therefore not subject to certification. All analyses shall be required to be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants" [40 CFR Part 136] promulgated by the U.S. Environmental Protection Agency. [CCR Title 23, Section 2230]

15. TREATMENT FAILURE

In an enforcement action, it shall not be a defense for the discharger that it would have been necessary to halt or to reduce the permitted activity in order to maintain compliance with this Order.—Upon reduction, loss, or failure of the treatment facility, the discharger shall, to the extent necessary to maintain compliance with this Order, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided. This provision applies, for example, when the primary source of power of the treatment facility fails, is reduced, or is lost. [CWC Section 13263(f)]

Standard Provisions Applicable to
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16. DISCHARGES TO NAVIGABLE WATERS

Any person discharging or proposing to discharge to navigable waters from a point source (except for discharge of dredged or fill material subject to Section 404 of the Clean Water Act and discharge subject to a general NPDES permit) must file an NPDES permit application with the Regional Board. [CCR Title 2 Section 22357]

17. ENDANGERMENT TO HEALTH AND ENVIRONMENT

The discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause;—the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Executive officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following occurrence(s) must be reported to the Executive Officer within 24 hours:

- (a) Any bypass from any portion of the treatment facility.
- (b) Any discharge of treated or untreated wastewater resulting from sewer line breaks, obstruction, surcharge or any other circumstances.
- (c) Any treatment plant upset which causes the effluent limitation of this Order to be exceeded. [CWC Sections 13263 and 13267]

18. MAINTENANCE OF RECORDS

The discharger shall retain records of all monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of three years from the date of the sample, measurement, report, or application. This period may be extended during the course

Standard Provisions Applicable to
Waste Discharge Requirements

of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer.

Records of monitoring information shall include:

- (a) The date, exact place, and time of sampling or measurements;
 - (b) The individual(s) who performed the sampling or measurements;
 - (c) The date(s) analyses were performed;
 - (d) The individual(s) who performed the analyses;
 - (e) The analytical techniques or method used; and
 - (f) The results of such analyses.
19. (a) All application reports or information to be submitted to the Executive Officer shall be signed and certified as follows:
- (1) For a corporation -- by a principal executive officer or at least the level of vice president.
 - (2) For a partnership or sole proprietorship -- by a general partner or the proprietor, respectively.
 - (3) For a municipality, state, federal, or other public agency -- by either a principal executive officer or ranking elected official.
- (b) A duly authorized representative of a person designated in paragraph (a) of this provision may sign documents if:
- (1) The authorization is made in writing by a person described in paragraph (a) of this provision.

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Waste Discharge Requirements

- (2) The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity; and
- (3) The written authorization is submitted to the Executive Officer.

Any person signing a document under this Section shall make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. [CWC Sections 13263, 13267, and 13268]

20. OPERATOR CERTIFICATION

Supervisors and operators of municipal wastewater treatment plants and privately owned facilities regulated by the PUC, used in the treatment or reclamation of sewage and industrial waste shall possess a certificate of appropriate grade in accordance with Title 23, California Code of Regulations Section 3680. State Boards may accept experience in lieu of qualification training. In lieu of a properly certified wastewater treatment plant operator, the State Board may approve use of a water treatment plant operator of appropriate grade certified by the State Department of Health Services where reclamation is involved.

Each plant shall be operated and maintained in accordance with the operation and maintenance manual prepared by the municipality through the Clean Water Grant Program. [CWC Title 23, Section 2233(d).]

Standard Provisions Applicable to
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ADDITIONAL PROVISIONS APPLICABLE TO
PUBLICLY OWNED TREATMENT WORKS' ADEQUATE CAPACITY

21. Whenever a publicly owned wastewater treatment plant will reach capacity within four years the discharger shall notify the Regional Board. A copy of such notification shall be sent to appropriate local elected officials, local permitting agencies and the press. The discharger must demonstrate that adequate steps are being taken to address the capacity problem. The discharger shall submit a technical report to the Regional Board showing flow volumes will be prevented from exceeding capacity, or how capacity will be increased, within 120 days after providing notification to the Regional Board, or within 120 days after receipt of notification from the Regional Board, of a finding that the treatment plant will reach capacity within four years. The time for filing the required technical report may be extended by the Regional Board. An extension of 30 days may be granted by the Executive Officer, and longer extensions may be granted by the Regional Board itself. [CCR Title 23, Section 2232]

State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES REGION

MONITORING AND REPORTING PROGRAM NO. 6477
FOR
MALIBU COLONY WEST HOMEOWNERS ASSOCIATION
(Septic Tank/Seepage Pit System)
(Order No. 95-060)
(File No. 79-023)

The Malibu Colony West Homeowners Association (hereinafter Discharger) shall implement this monitoring program on the effective date of this Order.

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

<u>Reporting Period</u>	<u>Report due</u>
January - March	April 30
April - June	July 30
July - September	October 30
October - December	January 30

The first monitoring report under this program shall be submitted by July 30, 1995.

By January 30th of each year, beginning January 30, 1996, the Discharger shall submit an annual report to the Board. The report shall contain summaries of the monitoring data obtained during the previous 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.

General Provisions for Reporting

For every item where the requirements are not met, the Discharger shall submit a statement of the actions undertaken, or proposed, which will bring the discharge into full compliance with requirements at the earliest time and submit a timetable for correction.

If no wastes were discharged during the quarter, the report shall so state.

The quarterly reports shall contain the following information:

- a. Average and maximum daily waste flow for each month of the quarter.
- b. Estimated population served during each month of the reporting period.

- c. A statement relative to compliance with discharge specifications during the reporting period.
- d. Results of at least weekly observations in the disposal area for any overflow or surfacing of wastes, other visible effects of the waste discharge, and odor effects. Observations shall be made on different days of the week, including at least one Saturday and one Sunday in each month. The day and date (i.e., Sunday, September 10) of the observations shall be reported along with any abnormalities observed.

Monitoring reports shall be signed by:

- a. In the case of a corporation, by a principal Executive Officer at least of the level of vice-president, or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates.
- b. In the case of a partnership, by a general partner;
- c. In the case of a sole partnership, by the proprietor;
- d. In the case of a municipal, State or other public facility, by either a principal Executive Officer, ranking elected official, or other duly authorized employee.

Each report shall contain the following declaration:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment [California Water Code Sections 13263, 13267, and 13268]. Executed on the _____ day of _____ at _____

Signature

Title"

Wastes Hauling Reporting

In the event that septage is hauled to a legal disposal site, the name and address of the hauler of the septage shall be reported, along with types and quantities hauled during the reporting period and the location of final point of disposal. If no wastes are hauled during the reporting period, a statement to that effect shall be submitted and shall include a statement relative to disposal of septage during the reporting period.

Operation and Maintenance Report

The Discharger shall file a technical report with this Board, not later than 30 days after receipt of these Waste Discharge Requirements, relative to the operation and maintenance program for this facility. The information to be contained in the report shall include, as a minimum, the following:

- a. The name and address of the person or company responsible for operation and maintenance of the facility.
- b. Type of maintenance (preventive or corrective).
- c. Frequency of maintenance, if preventive.

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.

Robert P. Ghirelli

ROBERT P. GHIRELLI, D. Env.
Executive Officer

Date: May 15, 1995

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

CENTRE PLAZA DRIVE

SANTERREY PARK, CA 91754-2156

(213) 266-7500

FAX: (213) 266-7600



May 23, 1995


Mr. Bill Bartee
Tibold Asset Management, Inc.
1515 Palisades Drive, Suite B
Pacific Palisades, CA 90272

WASTE DISCHARGE REQUIREMENTS FOR MALIBU COLONY WEST HOMEOWNERS ASSOCIATION, 31242 BAILLARD ROAD, MALIBU, CALIFORNIA (File No. 79-023, CI 6477)

Our letter, dated May 17, 1995, transmitted a copy of adopted Waste Discharge Requirements for the discharge of domestic wastes from the above project. Due to an administrative error, Order No. 95-043 was assigned to your discharge by mistake. The correct Order number for your Waste Discharge Requirements is Order No. 95-060. Enclosed for your use and records is a corrected copy of your Waste Discharge Requirements. No other changes were made.

In order to save printing and postage costs, we request that persons and agencies on the mailing list change the Order number to reflect this correction. However, these are on file in our office, and a corrected copy will be sent upon request.

If you have any questions or need additional information, please call me at (213) 266-7546.


DAVID A. BACHAROWSKI
Environmental Specialist IV
Subsurface Regulation Unit

Enclosures

cc: See attached list

Mr. Bill Bartee

May 23, 1995

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cc: Archie Matthews, Division of Water Quality, State Water
Resources Control Board,
Jorge Leon, Office of Chief Counsel, State Water Resources
Control Board
Department of Water Resources
Gary Yamamoto, Public Supply Branch, Department of Health
Services
Michael Kiado, Environmental Management Branch, Department of
Health Services
South Coast Air Quality Management District
Waste Management Division, Los Angeles County, Department of
Public Works
Jack Petralia, Environmental Health, Los Angeles County,
Department of Health Services
Los Angeles County, Department of Regional Planning

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
ANGELES REGION**

100 CENTRE PLAZA DRIVE
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May 17, 1995

Mr. Bill Bartee
Tibold Asset Management, Inc.
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**WASTE DISCHARGE REQUIREMENTS FOR MALIBU COLONY WEST HOMEOWNERS
ASSOCIATION, 31242 BAILARD ROAD, MALIBU, CALIFORNIA (File No. 79-
023, CI 6477)**

Our letter dated March 23, 1995, transmitted tentative Waste Discharge Requirements for your discharge of domestic wastewater.

Pursuant to Division 7 of the California Water Code, this Regional Board at a public meeting held on May 15, 1995, reviewed the tentative requirements, considered all factors in the case, and adopted Order No. 95-043 (copy attached) relative to this waste discharge.

<u>Project</u>	<u>File No.</u>	<u>Order No.</u>	<u>Monitoring & Reporting Program No.</u>
Malibu Colony West Homeowners Association	79-023	95-043	6477

The "Monitoring and Reporting Program" requires you to implement the monitoring program on the first day of the second month following the adoption of this Order. Your first monitoring report under this Program is due by July 30, 1995. All monitoring reports should be sent to the Regional Board, ATTN: Technical Support Unit.

Please reference all technical and monitoring reports to our Compliance File No. CI-6477. We would appreciate if you would not combine other reports, such as progress or technical reports, with your monitoring reports but would submit each type of report as a separate document.

Standard Provisions (revised November 7, 1990), which are part of these requirements, are enclosed for the addressee only. However, these are on file in our office, and a copy will be sent to you upon request.

Mr. Bill Bartee
May 17, 1995
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If you have any questions, please call Mr. Magdy Baiady at (213) 266-7586.



DAVID A. BACHAROWSKI
Environmental Specialist IV
Subsurface Regulation Unit

Enclosures

cc: Archie Matthews, Division of Water Quality, State Water Resources Control Board,
Jorge Leon, Office of Chief Counsel, State Water Resources Control Board
Department of Water Resources
Gary Yamamoto, Public Supply Branch, Department of Health Services
Michael Kiado, Environmental Management Branch, Department of Health Services
South Coast Air Quality Management District
Waste Management Division, Los Angeles County, Department of Public Works
Jack Petralia, Environmental Health, Los Angeles County, Department of Health Services
Los Angeles County, Department of Regional Planning

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ORDER NO. 79-143

WASTE DISCHARGE REQUIREMENTS
FOR

DAVID LEANSE
(Lunita Project 14-Unit Condominium)
(File 79-23)

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

1. David Leanse, a private citizen, has filed a report of waste discharge with this Regional Board.
2. David Leanse, owner of the project site, proposes to construct 14 units (seven duplex condominiums) at 31242 Bailard Road, Malibu, California (Fig. 1), and to discharge up to 6,600 gallons per day of domestic sewage from these residences by means of a private sewage disposal system consisting of seven septic tanks and twenty-one seepage pits. Additional 100-percent-reserve area is available for future construction of seepage pits, if necessary. The project is expected to begin early in 1980.
3. The proposed project is located at north of Pacific Coast Highway and west of Lunita Road, about 2,400 feet west of Trancas Canyon Road. The adjacent areas, except for the south side of Pacific Coast Highway, are existing residential areas or are undergoing residential developments. There is an existing residence and private disposal system at the site which will be demolished and replaced by one of the proposed duplexes.
4. The seepage pits will be located within the project site, in Section 34, T4S, R19W, S.B.B. & M., within Trancas Canyon Hydrologic Subarea.
5. The top of the proposed seepage pits will be sealed to prevent resurfacing of sewage at downslope areas along the face of the southerly cut slope, above the northerly shoulder of Pacific Coast Highway. There are no watercourses at this project site. No groundwater has been encountered in the test holes as deep as 75 feet below the ground surface. There is no data on water quality or any known beneficial uses of groundwaters in this vicinity. There are no known water wells in use at the project site.
6. The waste disposal systems will be operated and maintained by the property owner, David Leanse. The domestic water for these residences will be supplied by Los Angeles County Waterworks District No. 29.

7. The Board adopted a revised Water Quality Control Plan for Los Angeles River Basin on November 27, 1978. The Plan contains water quality objectives for groundwaters of Point Dume Hydrologic Subunit, which includes Trancas Canyon Hydrologic Subarea. The requirements contained in this Order as they are met will be in conformance with the goals of the Water Quality Control Plan.
8. The beneficial uses of the groundwaters in Point Dume Hydrologic Subunit are municipal and domestic supply and agricultural supply.
9. The County of Los Angeles, Department of Regional Planning, has prepared a negative declaration in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) and the State Guidelines.
10. The Regional Board has reviewed and considered the information contained in the negative declaration and that negative declaration does not identify any substantial effects on water quality.

The Board has notified the discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for this discharge and has provided them with an opportunity to submit their written views and recommendations.

The Board in a public meeting heard and considered all comments pertaining to the discharge and to the tentative requirements.

IT IS HEREBY ORDERED, that David Leanse shall comply with the following:

A. Waste Discharge Requirements:

1. Wastes shall be disposed of underground in accordance with local ordinances controlling the construction and operation of private sewage disposal systems, and in accordance with all rules and regulations of the Los Angeles County Department of Health Services.
2. The discharge of raw or inadequately treated sewage at any time is prohibited.
3. Wastes discharged shall consist of domestic sewage only; no industrial wastes and/or water softener brines shall be discharged at this location.
4. Wastes discharged shall at no time contain any substances in concentrations toxic to human, animal, plant, or aquatic life.
5. The sewage treatment and disposal system shall be maintained in such a manner that at no time will sewage be permitted to surface or overflow.

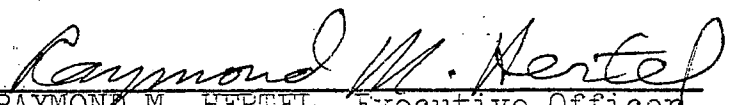
6. No part of a waste leaching system shall be closer than 100 feet to any water well, stream channel or watercourse.
7. No part of any seepage pit or leachfield shall extend to a depth where wastes may deteriorously affect an underground water stratum that is usable for domestic purposes and in no case within 5 feet of the zone of fluctuating groundwater.
8. Any offsite disposal of sewage sludge shall be only to a legal point of disposal. For purposes of these requirements a legal disposal site is one for which requirements have been established by a California Regional Water Quality Control Board and which is in full compliance therewith. Any sludge handling shall be in such a manner as to prevent its reaching surface waters or watercourses.
9. Neither the treatment nor discharge of wastes shall cause pollution or nuisance.
10. The waste disposal system shall be protected from damage by storm flows and runoff.
11. Odors of sewage origin shall not cause a nuisance.

B. Provisions

1. This facility shall be compatible with regional sewerage plans and this waste discharge shall be connected into a community sewer system when such a system is available to the site.
2. A copy of this Order shall be maintained where it will be available at all times to operating personnel.
3. In accordance with Section 13260(b) of the Water Code, the discharger shall file a report of any material change or proposed change in the character, location or volume of the discharge.
4. In the event of any change in name, ownership, or control of these waste disposal facilities, the discharger shall notify this Board of such change and shall notify the succeeding owner or operator of the existence of this order by letter, copy of which shall be forwarded to the Board.
5. The discharger shall notify this Board immediately by telephone of any adverse condition resulting from these discharges or from operations producing these waste discharges, such notifications to be affirmed in writing, within one week.

6. The discharger shall notify this Board in writing of the date of startup of this disposal facility 30 days in advance of that date.
7. In accordance with Section 13267 of the Water Code the discharger shall furnish, under penalty of perjury, technical monitoring program reports; such reports shall be submitted in accordance with specifications prepared by the Executive Officer, which specifications are subject to periodic revisions as may be warranted.

I, Raymond M. Hertel, 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 August 27, 1979.


RAYMOND M. HERTEL, Executive Officer

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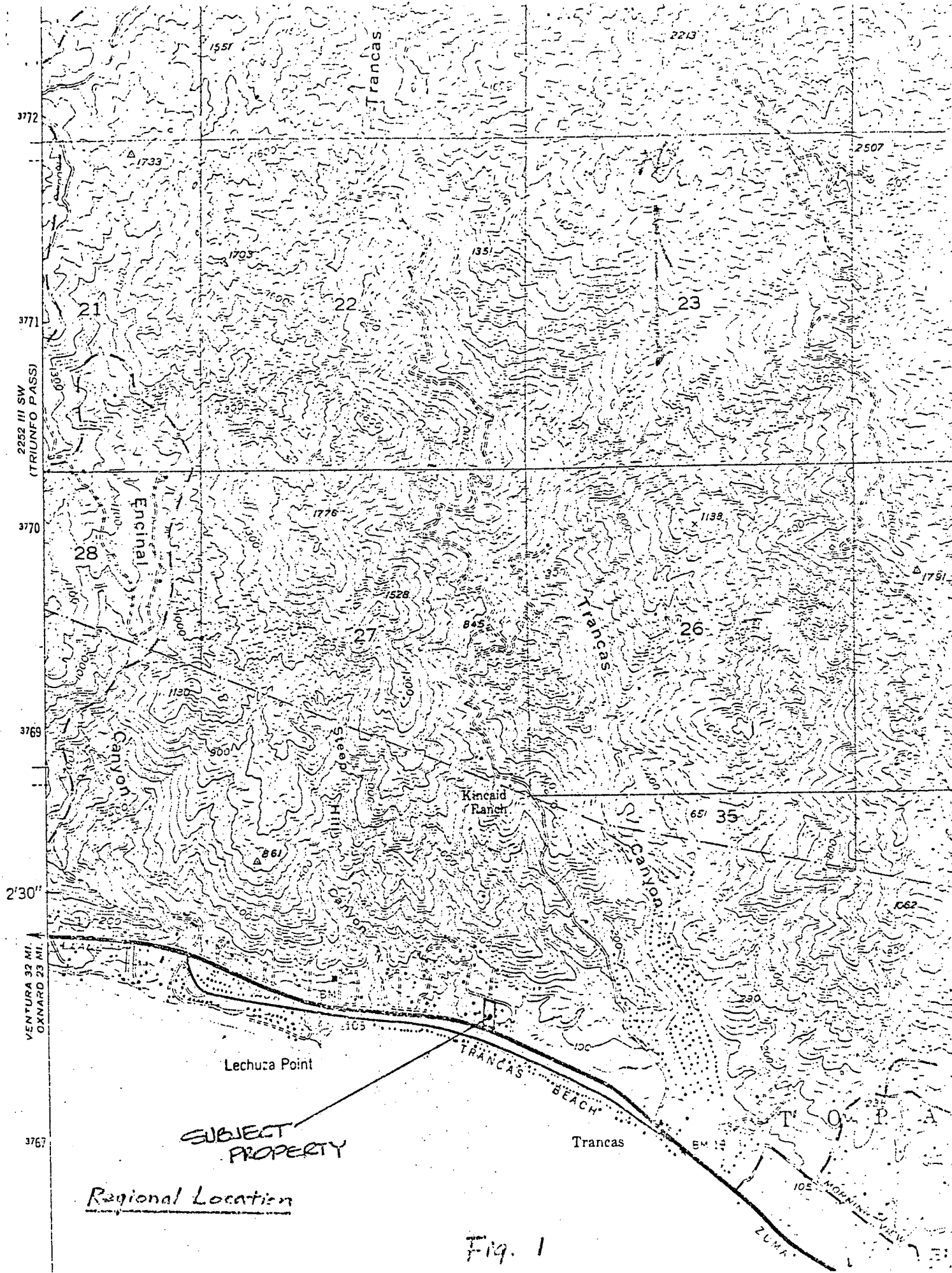


Fig. 1

For

DAVID LEANSE

(Lunita Project 14-Unit Condominium)

(File 79-23)

REPORTING

David Leanse shall file a report with this Board for each calendar quarter, beginning with the first calendar quarter in which discharge commences. Each report is due by the fifteenth day following the termination of the report period. The reports shall contain the following information:

- ✓ a. Estimated $\frac{1}{2}$ average daily waste flow for each month of the quarter for each separate system.
- ✓ b. Estimated population served during the quarter for each system.
- ✓ c. A statement relative to compliance with discharge specifications during the period of report.
- ✓ d. In the event sludge or other wastes from wastewater treatment covered by the Order are hauled to a different disposal site during the quarter, the name and address of the hauler of the waste shall be reported, along with the types and quantities hauled and the location of the final point of disposal. If no wastes are hauled during the reporting period a statement to that effect shall be submitted.

✓ Site Observation

The sewage disposal areas shall be inspected quarterly, and observations made for sewage resurfacing or overflows. The results of the observations shall be reported to the Board with each quarterly report.

General Provisions

All sampling, sample preservation, and analyses shall be performed in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the United States Environmental Protection Agency.

All chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services.

The discharger shall calibrate and perform maintenance procedures on all monitoring instruments and equipment to insure accuracy of measurements, or shall insure that both activities will be conducted.

- 1/ The methods used to estimate flow shall be given in the first report. Data shall be collected using these methods each quarter for the first 15 months (first five consecutive quarters) to further refine the estimating procedure. Thereafter, collecting data to further refine the estimating procedure shall be done every fifth quarter (15 month intervals).

A grab sample is defined as an individual sample collected in fewer than 15 minutes.

GENERAL PROVISIONS FOR REPORTING

For every item where the requirements are not met, the discharger shall submit a statement of the actions undertaken or proposed which will bring the discharge into full compliance with requirements at the earliest time and submit a timetable for correction.

By January 30 of each year, beginning in 1983, the discharger shall submit an annual report to the Board. The report shall contain tabular summaries of the monitoring data obtained during the previous 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.

Each report shall contain the following completed declaration:

"I declare under penalty of perjury that the foregoing is true and correct. Executed on the _____ day of _____ at _____

(Signature)

(Title)."

These records and reports are public documents and shall be made available for inspection during business hours at the office of the California Regional Water Quality Control Board, Los Angeles Region.

✓ Operation and Maintenance Report

The discharger shall file a technical report with this Board at least 30 days prior to startup of the facility, relative to the operation and maintenance program for this waste disposal facility. The information to be contained in that report shall include, as a minimum, the following:

- a. The name and address of the person or company responsible for operation and maintenance of the facility.
- b. Type of maintenance (preventive or corrective).
- c. Frequency of maintenance, if preventive.

Ordered by Raymond M. Hertel
Executive Officer

MAY 19 1981

Date