

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

**ORDER NO. 00-182  
WASTE DISCHARGE REQUIREMENTS  
FOR  
MALIBU BAY COMPANY  
(Malibu Colony Plaza)  
(File No.00-065)**

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

1. Malibu Bay Company (hereinafter Discharger) owns the Malibu Colony Plaza, located at 23705-23841 West Malibu Road, Malibu, California. The Malibu Colony Plaza (Plaza) (Figure 1) is comprised of a mixture of retail and commercial businesses including a drugstore, a supermarket, a bank, several food service facilities, a dry cleaner, a gasoline/service center, a medical office, and a one-hour photo processing business. These businesses, with the exception of the one-hour photo facility, discharge wastewater to the Discharger's septic system<sup>1</sup>. According to the Discharger, the one-hour photo facility does not discharge any waste to the septic system and the facility does not have a restroom or sink.
2. The Plaza is in an unsewered area in the City of Malibu (City). The City does not provide any wastewater collection and treatment utilities; rather, it relies upon subsurface disposal systems for disposal of domestic, commercial, and industrial wastewater.
3. On December 12, 1999, Malibu Bay Company filed a report of waste discharge pursuant to a directive from this Regional Board. The Discharger discharges an average of 35,000 gallons per day (gpd) of primary treated septic system effluent to forty-nine seepage pits in Winter Canyon. The disposal area is owned by the Discharger as shown on Attachment A. The existing septic system and seepage pit disposal system is designed for a maximum daily flow of up to 45,000 gpd.
4. The Discharger installed the existing septic system and seepage pit disposal system in 1989 during the construction of the Malibu Colony Plaza as approved by the County of Los Angeles. The Malibu Colony Plaza disposes of all domestic and commercial wastewater through the septic tank/seepage pit disposal system. The discharge from this

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<sup>1</sup> The term septic system is used in this document to reflect that currently, the wastewater receives only primary treatment through a series of grease interceptors and septic tanks, prior to disposal into seepage pits. The Discharger shall install a treatment system that will produce a disinfected and secondary treated effluent.

November 20, 2000  
Revised: December 7, 2000

complex is representative of a commercial wastewater waste stream and the majority of constituents would differ from that of a residential septic tank. The commercial strength effluent is a result of elevated BOD and oil and grease loading from restaurants. Wastewater from three restaurants enters grease interceptors and receives pretreatment prior to entering the main gravity line leading to the septic tank. Pretreatment consists of oil/water separation and passive filtration through a commercially sized passive filter device. The primary components of the septic tank treatment system consist of a 45,000 gallon septic tank, a second 4,500 gallon septic tank, and three grease interceptors with effluent filters (located at each restaurant site). Wastewater from these septic tanks flow to a lift station where it is pumped to an additional five septic tanks, and one distribution box prior to discharge into the forty nine seepage pits.

5. On February 18, 2000, Regional Board staff sampled Malibu Bay Company's wastewater discharges from its distribution box prior to discharge into the seepage pits. Volatile organic compounds (VOCs) were detected in Malibu Bay Company's effluent. The following table shows the concentrations of the volatile organic compounds detected:

<u>Chemical</u>	<u>Concentrations</u>
Chloroform	< 1 $\mu\text{g/L}$
Bromodichloromethane	< 1 $\mu\text{g/L}$
Tetrachloroethene (PCE)	161 $\mu\text{g/L}$
Dibromochloromethane	< 1 $\mu\text{g/L}$
1,3, Dichlorobenzene	12 $\mu\text{g/L}$
Trichloroethene (TCE)	386 $\mu\text{g/L}$
Toluene	81 $\mu\text{g/L}$

6. On April 10, 2000, the Regional Board Executive Officer issued a Notice of Violation (NOV) to Malibu Bay Company for discharging domestic wastewater containing volatile organic compounds to the seepage pit disposal system in violation of Los Angeles Regional Water Quality Control Board Basin Plan groundwater quality objectives and in excess of State and federal Maximum Contaminant Levels (MCL). The NOV required the Discharger to cease discharging volatile organic compounds to its seepage pit disposal system. Malibu Bay Company notified Ogden Dry Cleaners which discharges into the Discharger's septic system, to immediately stop using dry cleaning solvents to comply with the Regional Board's requirement.
7. The wastewater receives only primary treatment in the septic system before being discharged to the seepage pits. The effluent quality from the septic system is not currently monitored on a regular basis, as a result the effluent quality from the septic tank is not known. On February 18, 2000, Regional Board staff did sample effluent from the septic

system, however. The existing septic system is not capable of disinfecting wastewater or removing nutrients that are discharged to the seepage pits.

8. Discharges from the existing septic tank system infiltrate groundwater through the seepage pit disposal system. The bottom of the seepage pits and the water table may not have a minimum required 10-foot vertical separation. In addition, the seepage pit disposal system discharges in close proximity (approximately 0.5 mile) to the Pacific Ocean. Groundwater monitoring is being required since groundwater at the disposal site may be in hydraulic connection with the Pacific Ocean. The Discharger must upgrade the septic system and install disinfection equipment to disinfect the effluent to levels of body contact recreation prior to discharge to the seepage pit disposal system.
9. The Regional Board encourages the Discharger to consider upgrades that would enable the treatment system to meet water reclamation standards and provide greater flexibility for disposal/reuse of the treated wastewater from the treatment system. The Discharger has indicated that they are evaluating cost effective ways to reuse treated effluent from the treatment system.
10. The facility, including the seepage pit disposal system, is located in Section 31, Township 1S, Range 17W (San Bernardino Base & Meridian), and is at a latitude 34° 02' 05" N and a longitude of 118° 41' 20" W. See Figure 1, for some of the developments and hydrologic features near the facility which include:
  - The Malibu Water Pollution Control Plant (MWPCP), located north of Civic Center Way;
  - Winter Canyon drainage, located east of the Malibu Bay Company's seepage pits;
  - The Pacific Ocean, located approximately 0.5 mile to the south of the seepage pits; and
  - Malibu Lagoon, located approximately 1.0 mile southeast from the seepage pits.
11. The Discharger does not currently monitor groundwater in order to evaluate any impacts from its discharge of water, however, the Regional Board is now requiring the Discharger to do so. Additionally, other nearby dischargers are monitoring groundwater.
12. The Winter Canyon area is also utilized for wastewater disposal by other dischargers. The Regional Board is concerned that groundwater in Winter Canyon may not be able to assimilate wastewater loading from the existing Malibu Water Pollution Control Plant, other nearby subsurface disposal systems, and from the Malibu Bay Company discharges. Furthermore, the City of Malibu is in the process of developing a Civic Center Specific Plan, which, pending approval of the City Council, may include a centralized wastewater collection and treatment program for the Civic Center area. However, the status of the

Civic Center Specific Plan is unclear. Each developer has initiated a groundwater monitoring program in the Winter Canyon area. By coordinating efforts, the Discharger, developers, and City could benefit from a more cost-effective assessments of the quality and quantity of groundwater in Winter Canyon.

13. The septic tanks and seepage pit disposal systems for the Malibu Colony Plaza are located in the Malibu Creek Hydrologic Subarea and overlie the Malibu Valley Groundwater Basin.
14. The Regional 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.
15. Discharges from the seepage pits infiltrate groundwater. Existing beneficial uses designated for groundwater include agricultural supply and potential municipal, domestic and industrial supply. With regard to the use of groundwater for municipal and domestic supply, the Discharger has stated there are no public water wells downgradient of the seepage pits. Potable water consumers in the area receive only imported water, and this is from the Los Angeles County Waterworks District No. 29. The Los Angeles County Waterworks District No. 29 receives water from the Metropolitan Water District of Southern California via the West Basin Municipal Water District, since 1961.
16. Groundwater underlying the seepage pits may be in hydraulic connection with nearby surface waters, such as the Pacific Ocean. Beneficial uses designated for these surface waters including Malibu Canyon Creek, Malibu Lagoon, and the Pacific Ocean include, among others: contact and non-contact water recreation; marine habitat; shellfish harvesting (potential); wildlife habitat; and spawning (potential). A Water Quality Assessment, adopted by this Regional Board on May 18, 1998, identified beaches along the Santa Monica Bay (including the Malibu area) as impaired by pathogens for contact water recreation.
17. The requirements in this Order are in conformance with the goals and objectives of the Water Quality Control Plan. The Discharger must upgrade the existing treatment system to add disinfection capabilities.
18. The Discharger is not able to quantify potential impacts, if any, that may result from the discharge to groundwater or to nearby surface waters since there is no current groundwater or surface water monitoring data conducted. Other potential impacts include the discharge of nutrients and bacteria to surface water, and the corresponding "water imbalance"

whereby the high volume of wastewater discharged to groundwater, can cause an increased discharge of groundwater to surface water. The Discharger shall upgrade the existing septic system to meet the proposed limits in this Order for total and fecal coliform and enterococcus. The Discharger shall upgrade the existing septic system to a wastewater treatment system that will produce a disinfected and secondary treated wastewater. The Discharger will be required to monitor for total coliform, fecal coliform and enterococcus bacteria in accordance with Monitoring and Reporting Program No. CI 8158. In addition, the Discharger shall monitor for nitrogen compounds (nitrate, nitrite, ammonia and organic nitrogen), phosphorus and surfactants in accordance with Monitoring and Reporting Program No. CI 8158. If monitoring indicates that nutrients are impacting the water quality, nutrient removal will be required.

19. A groundwater monitoring program and a surface water monitoring program are necessary to evaluate any impacts from the discharge of waste to groundwater quality, and to determine the migration potential of waste discharged to groundwater and nearby surface and ocean water. A groundwater and a surface water monitoring program shall be established, so that groundwater and surface water (if present in the Winter Canyon drainage), may be sampled and analyzed to determine if discharges from the septic system impact water quality.
20. 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 prescribe Waste Discharge Requirements for this discharge, and has provided them with an opportunity to submit their written views and recommendations for the requirements.

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

**IT IS HEREBY ORDERED** that The Malibu Bay Company (Discharger) shall comply with the following:

A. INFLUENT LIMITATIONS

1. Waste discharged shall be limited to domestic and kitchen wastewater only. No water softener regeneration brines or industrial waste waters shall be discharged to sewers that flow to the septic system.

2. The maximum daily flow of influent to the collection system shall not exceed the design capacity of 45,000 gpd. This flow limitation also applies to effluent discharged to the seepage pits.
3. No volatile organic compounds are to be discharged into the sewage disposal system.

**B. EFFLUENT LIMITATIONS**

1. The pH of wastes discharged shall at all times be between 6.5 to 8.5 pH units.
2. The wastewater discharged into the seepage pits shall not contain constituents in excess of the following limits:

<u>Monthly Constituent</u>	<u>Units</u>	<u>Average</u>	<u>Maximum</u>
BOD <sub>5</sub>	mg/L	30	45
Suspended solids	mg/L	30	45
Turbidity	NTU	10	15
Oil and grease	mg/L	--	15
TDS	mg/L	--	2,000
Sulfate	mg/L	--	500
Chloride	mg/L	--	500
Fecal coliform <sup>(a)</sup>	MPN/100mL	--	200
Enterococcus <sup>(b)</sup>	MPN/100mL	24	104

a) The limits for coliform shall apply, prior to discharge of the effluent into the seepage pits

b) The Enterococcus limit is based on geometric mean of at least 5 equally spaced samples in any 30- day period.

3. The wastewater discharged to the seepage pits shall not contain salts, heavy metals, or organic pollutants at levels that would impact groundwater, or groundwater that may be in hydraulic connection with surface waters designated for marine aquatic life or body contact recreation.
4. Any wastes that do not meet the foregoing requirements shall be held in impervious containers, and discharged at a legal point of disposal.

C. PROHIBITIONS

1. There shall be no sanitary sewer overflows or discharge of wastes to waters of the State (including storm drains) at any time.
2. No part of the septic system and the seepage pits shall be closer than 150 feet to any water well. No part of the septic system and disposal system shall be closer than 100 feet to any stream, channel or other watercourse.
3. No part of the septic system and the seepage pits shall extend to a depth where wastes may deleteriously affect an aquifer that is usable for domestic purposes. In no case may the septic system and the seepage pits extend to within 10 feet of the zone of historic or anticipated high ground water level. The Discharger must submit certification that the septic system and the seepage pits meet this requirement. However, upon installation of disinfection equipment and compliance with fecal coliform requirements in this Order, as well as compliance with all other requirements in this Order, the Discharger may not need to comply with this requirement for a minimum vertical separation between the septic system and the water table.
4. Wastes shall not be disposed of in geologically unstable areas or so as to cause earth movement.
5. Wastes discharged shall not impart tastes, odors, color, foaming or other objectionable characteristics to the receiving water.
6. Adequate facilities shall be provided to divert surface and storm water away from the septic tanks, seepage pits, and from areas where any potential pollutants are stored.
7. The septic tanks, sewer collection system and the seepage pit disposal system, shall be protected from damage by storm flows or runoff generated by a 100-year storm.
8. 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. For purposes of this Order, 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 sewage or sludge handling shall be in such a manner as to prevent its reaching surface waters or watercourses.

9. The septic system, including the sewers that are a part of the septic system and the 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.
10. Sewage odors shall not be detectable.
11. Wastes discharged shall at no time contain any substance in concentrations toxic to human, animal, plant, or aquatic life.
12. The discharge of waste shall not create a condition of pollution, contamination, or nuisance.
13. The direct or indirect discharge of any wastewater to surface waters or surface water drainage courses is prohibited.

D. PROVISIONS

1. The Discharger shall file with the Regional Board technical reports on self-monitoring work performed according with the specifications contained in Monitoring and Reporting Program No. 8158, 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. Monitoring and Reporting Program No. 8158 contains requirements, among others, specifying the following:
  - a) The Discharger shall ensure that the capacity of the disposal system is adequate for the discharge and that adequate steps are taken to accommodate system failures or to deal with loss of assimilative capacity of soils.
  - b) The Discharger shall establish baseline nutrient levels in the effluent from the septic system by monitoring nutrients in wastewater prior to discharge into the seepage pits and groundwater.
  - c) A monitoring program for groundwater shall be established so that the groundwater immediately downgradient and upgradient from the discharge area can be measured, sampled, and analyzed to determine if discharges from the seepage pit disposal system have impacted, or are impacting, water quality. In addition, the Discharger must complete a study to determine the degree of any hydraulic connection between surface water and the seepage pits. Submittal of a plan for monitoring groundwater,



which is subject to the approval of the Executive Officer, is due by March 30, 2001.

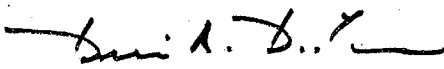
- d) A surface water monitoring program shall be established so that surface water, if present, in Winter Canyon can be measured, sampled, and analyzed to determine if discharges from the Plaza have impacted or are impacting water quality. Submittal of a plan for monitoring surface water, which is subject to the approval of the Executive Officer, is due by March 30, 2001
2. The Discharger shall provide a report regarding water conservation and water reuse by February 28, 2001.
3. The Discharger shall upgrade the septic system to include disinfection to meet the fecal coliform and enterococcus limit contained in B2 above, prior to discharge into the seepage pit disposal system, in accordance with Time Schedule Order No. 00-183.
4. The Discharger shall cause the treatment system to be inspected no less than twice during the life of the permit by an inspector to be retained and suggested by the Discharger but subject to the approval of the Executive Officer.
5. The Discharger shall comply with all applicable requirements with respect to Assembly Bill No. 885.
6. The Discharger shall notify this Regional Board within 24 hours of any adverse condition as a result from 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 notify the Regional Board within 24 hours, by telephone, of any bypassing or surfacing of wastes. Written confirmation shall follow within one week and shall include information relative to the location(s), estimated volume, date and time, duration, cause, and measures taken to effect cleanup and measures taken to prevent any recurrence.
8. 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.

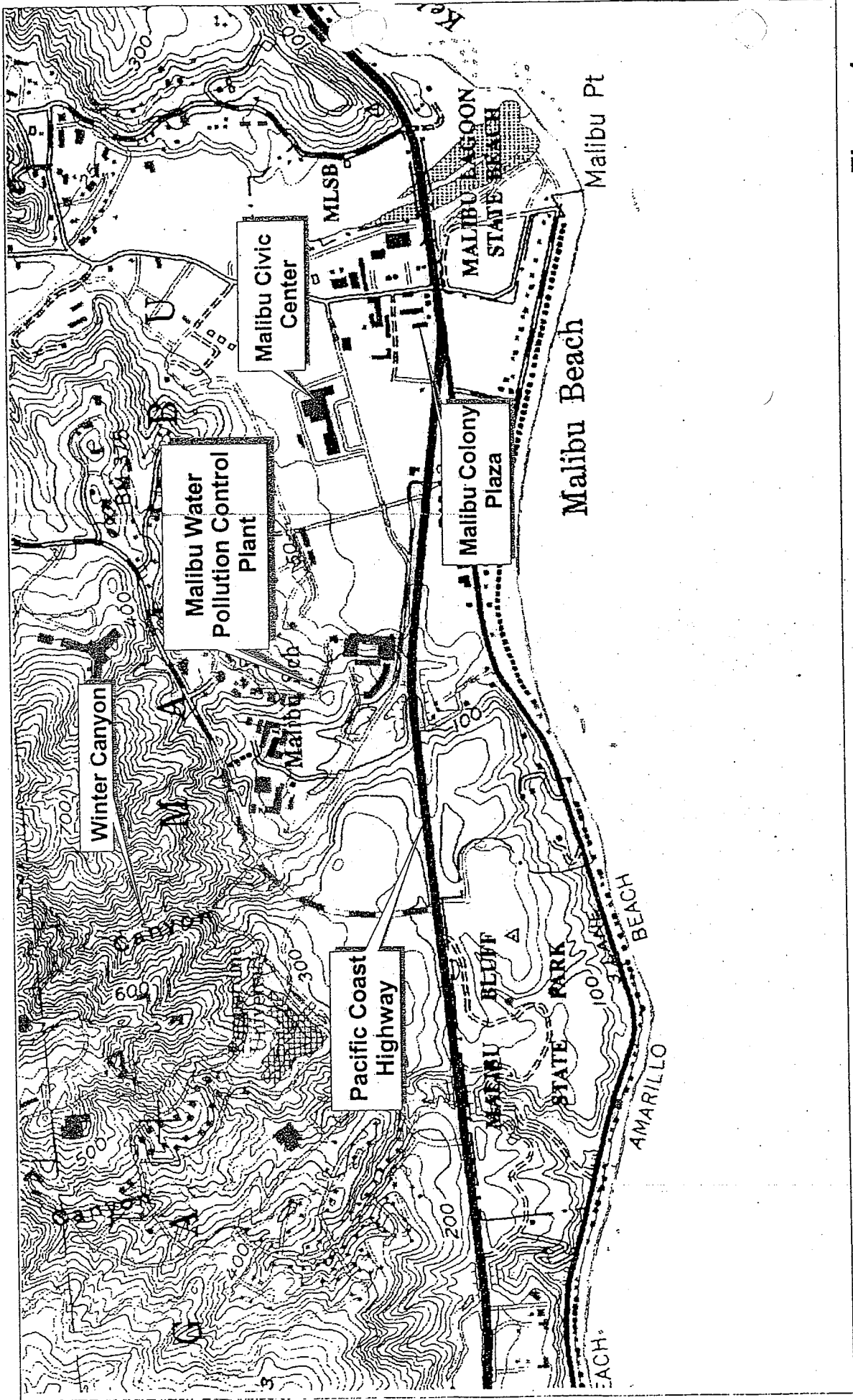
9. Any discharge of wastewater from the septic system (including the wastewater collection system) at any point other than specifically described in this Order is prohibited, and constitutes a violation of the Order.
10. After notice and opportunity for a hearing, this Order may be terminated or modified for causes 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; and
  - c) A change in any condition that requires either a temporary or permanent increase, reduction or elimination of the authorized discharge.
11. 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.
12. The Discharger shall file a written report with this Regional Board at such time as the daily waste flow has reached or exceeded 40,000 gpd. The report shall detail provisions to cope with excess flows, provided, however, that the foregoing shall not be construed to allow flow in excess of 45,000 gpd.
13. Should monitoring data indicate impacts to groundwater or nearby surface water, the Discharger shall submit, within 90 days after determination of the problem, plans for measures that will be taken, or have been taken, to mitigate any long-term effects that may result from the subsurface disposal of wastes. Any water quality impact to surface and ground water such as, but not limited to, risks to human health from pathogens, and accelerated eutrophication of surface waters from nutrients in waste waters shall be reported.
14. This Order includes "Standard Provisions Applicable to Waste Discharge Requirements (November 7, 1990)." If there is any conflict between provisions stated herein and the "Standard Provisions," those provisions stated herein will prevail.

15. The Discharger shall submit to the Regional Board, within 180 days of the adoption of this Order, procedures that will be, or have been, taken to ensure that no discharge or recycling of any untreated or partially treated sewage, will result from the treatment facility, in the event of equipment failure.
16. These waste discharge requirements contained in this Order will remain in effect for a period of five (5) years after issuance to a Discharger by the Regional Board Executive Officer. Should the Discharger wish to continue discharging the groundwater under the terms and conditions contained in this Order for a period of time in excess of five years, the Discharger must file an updated Report of Waste Discharge with this Regional Board, no later than 180 days in advance of the expiration date of the Order, for consideration of issuance of new or revised waste discharge requirements. Any discharge of waste five years after the date of issuance, without obtaining new Waste Discharge Requirements from the Regional Board is a violation of California Water Code Section 13264. The Regional Board is authorized to take appropriate enforcement action for any noncompliance with this provision including assessment of penalties.
17. In accordance with Water Code Section 13263(g), these requirements shall not create a vested right to continue to discharge. All discharges of waste into the waters of the State are privileges, not rights, and are subject to rescission or modification.

I, Dennis A. Dickerson, 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 December 7, 2000.

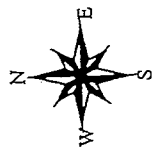


Dennis A. Dickerson  
Executive Officer



**Figure 1**  
**Malibu Water**  
**Pollution Control**  
**Plant**

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



0.5 Miles

0

0.5



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

MONITORING AND REPORTING PROGRAM NO. CI 8158  
FOR  
MALIBU BAY COMPANY  
(Malibu Colony Plaza)  
(File No. 00-065)

Malibu Bay Company (hereinafter Discharger) shall implement this monitoring program for the Malibu Colony Plaza no later than March 31, 2001. Monitoring reports shall be submitted 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

The first monitoring report under this program shall be submitted by April 15, 2001.

By January 30<sup>th</sup> of each year, beginning January 30, 2002, the Discharger shall submit an annual report to the Board. The report shall contain 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.

I. Water Quality Monitoring

A. Influent Monitoring

The Discharger shall measure the monthly average and maximum daily waste flow from the collection system to the septic tank system. The Discharger shall provide names of any new dischargers that discharge into the septic system together with the flow and characteristics of the waste stream.

B. Effluent Monitoring

Unless specified otherwise, a sampling station shall be established at a location where representative samples of septic system<sup>1</sup> effluent can be obtained prior to discharge to the seepage pit disposal system. This monitoring and reporting program shall also apply to the upgraded treatment system. The following shall constitute the effluent monitoring program:

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<sup>1</sup> The term septic system is used in this document to reflect that currently, the wastewater receives only primary treatment through a series of grease interceptors and septic tanks, prior to disposal into seepage pits. The Discharger shall install a treatment system that will produce a disinfected and secondary treated effluent.

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Minimum Frequency of Analysis</u>
Total flow	gal/day	recorder	continual
pH	pH units	grab	weekly <sup>2</sup>
Suspended solids	mg/L	grab	weekly
BOD <sub>5</sub> 20°C	mg/L	grab	weekly
Turbidity	NTU	grab	weekly
Total and fecal coliform	MPN/100mL	grab	weekly
Enterococcus	MPN/100mL	grab	weekly
Oil and grease	mg/L	grab	weekly
Total dissolved solids	mg/L	grab	monthly
Chloride	mg/L	grab	monthly
Chlorine**	mg/L	grab	monthly
Boron	mg/L	grab	monthly
Sulfate	mg/L	grab	monthly
Nitrate-N	mg/L	grab	monthly
Nitrite-N	mg/L	grab	monthly
Ammonia-N	mg/L	grab	monthly
Organic nitrogen	mg/L	grab	monthly
Phosphorus	mg/L	grab	monthly
MBAS	mg/L	grab	monthly
Volatile and semi-volatile organics*	ug/L	grab	monthly
Priority pollutant scan*	ug/L	grab	annual

\* see pages T-6 and T-7 for Priority Pollutants

\*\* If chlorination is used for disinfection

### C. Groundwater Monitoring

A groundwater monitoring program shall be designed to evaluate impacts of wastewater discharged through the seepage pit disposal system on groundwater quality. In addition, the Discharger must complete a study to determine the hydraulic connection between groundwater

<sup>2</sup> For all items required to be tested weekly, the Discharger shall test weekly for the first 12 weeks. This 12 week period will be considered the "startup period." Subsequent to the startup period, the Discharger may propose, to the Executive Officer for approval, a reduction in sampling frequency from weekly to monthly for each of the parameters. Any reduction in monitoring frequency must be supported by proper operation of the wastewater treatment system during the startup period.

under the disposal system and surface water. A groundwater monitoring workplan must be submitted to this Regional Board for review by March 30, 2001 and is subject to approval by the Executive Officer, prior to implementation. The workplan shall include, at a minimum, an evaluation of the adequacy of the proposed groundwater monitoring wells to achieve objectives of monitoring, recommendations for additional groundwater monitoring wells, if warranted and the construction and development of groundwater monitoring wells.

The report 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>Minimum Frequency of Analysis</u>
PH	pH units	Quarterly
Total and fecal coliform	MPN/100mL	Quarterly
Enterococcus	MPN/100mL	Quarterly
BOD <sub>5</sub> 20 <sup>0</sup> C	mg/L	Quarterly
Ammonia-N	mg/L	Quarterly
Nitrate-N	mg/L	Quarterly
Nitrite-N	mg/L	Quarterly
Organic nitrogen	mg/L	Quarterly
Phosphorus	mg/L	Quarterly
MBAS	mg/L	Quarterly
TDS(Total dissolved solids)	mg/L	Quarterly
Boron	mg/L	Quarterly
Chloride	mg/L	Quarterly
Chlorine**	mg/L	Quarterly
Sulfate	mg/L	Quarterly
Priority pollutant scan *	ug/L	Quarterly

\* See pages T-6 and T-7 for Priority Pollutants

\*\* If chlorination is used for disinfection



Basic information that must be included with all groundwater monitoring and reporting includes the following:

- a. Well identification, date and time of sampling;
- b. Sampler identification, laboratory identification; and chain of custody;
- c. Water temperature (in field);
- d. Quarterly observations of groundwater levels, recorded to .01 feet mean sea level; and
- e. Vertical separation of the water table from the bottom of the seepage pits.

D. Surface Water Monitoring

A surface water monitoring program must be implemented at Winter Canyon area to detect and evaluate impacts from wastewater discharges through the seepage pit disposal system. If surface water is present in the Winter Canyon drainage downgradient from the seepage pits, it shall be collected and analyzed. The following shall constitute the surface water monitoring program:

<u>Constituent</u>	<u>Units</u>	<u>Minimum Frequency of Analysis</u>
Total and fecal coliform	MPN/100mL	Monthly
Enterococcus	MPN/100mL	Monthly
Total Nitrogen	Mg/L	Monthly

Surface water monitoring reports must include the following information:

- a. Sample location, including dates and time sampled;
- b. Sampler identification, laboratory used and chain of custody;
- c. Water temperature;
- d. Water elevation (tide); and
- e. Direction of current.

II. General Provisions for Sampling and Analysis

All chemical, bacteriological, and toxicity analysis shall be conducted at a laboratory certified for such analysis by the State Department of Health Services Environmental Laboratory Accreditation Program, or approved by the Executive Officer. Laboratory analysis must follow methods approved by the United States Environmental Protection Agency (USEPA), and the laboratory must meet USEPA Quality Assurance/Quality Control criteria. Analytical data reported as "less than" or below the detection limit for the purpose of reporting compliance with

limitations, shall be reported as "less than" a numerical value or "below the detection limit" for that particular analytical method (also giving the numerical detection limit).

### III. General Provisions for Reporting

The Discharger shall identify all instances of non-compliance and shall submit a statement of the actions undertaken, or proposed, that will bring the discharge into full compliance with requirements at the earliest time and submit a timetable for correction. The quarterly reports shall contain the following information:

- a. A statement relative to compliance with discharge specifications during the reporting period; and
- b. Results of daily observations in the disposal area for any overflow or surfacing of wastes, and/or other visible effects of the waste discharge.

### 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. 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, at a minimum, the following:

- a. The name and address of the person or company responsible for the operation and maintenance of the facility;
- b. Type of maintenance (preventive or corrective action performed);
- c. Frequency of maintenance, if preventive; and
- d. Periodic pumping out of the septic tanks.

### 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, were prepared under my direction or supervision in accordance with a system

Malibu Bay Company  
Monitoring and Reporting Program No. CI 8158

Malibu Colony Plaza

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 \_\_\_\_\_, 20\_\_.


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: December 7, 2000

## PRIORITY POLLUTANTS

### Metals

Antimony  
Arsenic  
Beryllium  
Cadmium  
Chromium  
Copper  
Lead  
Mercury  
Nickel  
Selenium  
Silver  
Thallium  
Zinc

### Miscellaneous

Cyanide  
Asbestos (only if  
specifically  
required)

### Pesticides & PCBs

Aldrin  
Chlordane  
Dieldrin  
4,4'-DDT  
4,4'-DDE  
4,4'-DDD  
Alpha-endosulfan  
Beta-endosulfan  
Endosulfan sulfate  
Endrin  
Endrin aldehyde  
Heptachlor  
Heptachlor epoxide  
Alpha-BHC

### Base/Neutral Extractibles

Acenaphthene  
Benzidine  
1,2,4-Trichlorobenzene  
Hexachlorobenzene  
Hexachloroethane  
Bis(2-chloroethyl) ether  
2-Chloronaphthalene  
1,2-Dichlorobenzene  
1,3-Dichlorobenzene  
1,4-Dichlorobenzene  
3,3'-Dichlorobenzidine  
2,4-Dinitrotoluene  
2,6-Dinitrotoluene  
1,2-Diphenylhydrazine  
Fluoranthene  
4-Chlorophenyl phenyl ether  
4-Bromophenyl phenyl ether  
Bis(2-chloroisopropyl) ether  
Bis(2-chloroethoxy) methane  
Hexachlorobutadiene  
Hexachlorocyclopentadiene

Isophorone  
Naphthalene  
Nitrobenzene  
N-nitrosodimethylamine  
N-nitrosodi-n-propylamine  
N-nitrosodiphenylamine  
Bis (2-ethylhexyl) phthalate  
Butyl benzyl phthalate  
Di-n-butyl phthalate  
Di-n-octyl phthalate  
Diethyl phthalate  
Dimethyl phthalate  
Benzo(a) anthracene  
Benzo(a) pyrene  
Benzo(b) fluoranthene  
Benzo(k) fluoranthene

### Acid Extractibles

2,4,6-Trichlorophenol  
P-Chloro-m-cresol  
2-Chlorophenol  
2,4-Dichlorophenol  
2,4-Dimethylphenol  
2-Nitrophenol  
4-Nitrophenol  
2,4-Dinitrophenol  
4,6-Dinitro-o-cresol  
Pentachlorophenol  
Phenol

### Volatile Organics

Acrolein  
Acrylonitrile  
Benzene  
Carbon tetrachloride  
Chlorobenzene  
1,2-Dichloroethane  
1,1,1-Trichloroethane

1,1-Dichloroethane  
1,1,2-Trichloroethane  
1,1,2,2-Tetrachloroethane  
Chloroethane  
Chloroform  
1,1-Dichloroethylene  
1,2-Trans-dichloroethylene  
1,2-Dichloropropane  
1,2-Dichloropropylene  
Ethylbenzene  
Methylene chloride  
Methyl chloride  
Methyl bromide  
Bromoform  
Bromodichloromethane  
Dibromochloromethane

Malibu Bay Company  
Monitoring and Reporting Program No. CI 8158

Malibu Colony Plaza

Beta-BHC  
Gamma-BHC  
Delta-BHC  
Toxaphene  
PCB 1016  
PCB 1221  
PCB 1232  
PCB 1242  
PCB 1248  
PCB 1254  
PCB 1260

Chrysene  
Acenaphthylene  
Anthracene  
1,12-Benzoperylene  
Fluorene  
Phenanthrene  
1,2,5,6-Dibenzanthracene  
Indeno (1,2,3-cd) pyrene  
Pyrene  
TCDD

Tetrachloroethylene  
Toluene  
Trichloroethylene  
Vinyl chloride  
2-Chloroethyl vinyl ether

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

**ORDER NO. 00-183  
ISSUANCE OF A TIME SCHEDULE  
DIRECTING  
MALIBU BAY COMPANY  
TO COMPLY WITH THE REQUIREMENTS PRESCRIBED IN  
ORDER NO 00-182  
(File No. 00-065)**

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

1. Malibu Bay Company (hereinafter Discharger) owns the Malibu Colony Plaza, located at 23705-23841 West Malibu Road, Malibu, California. The Malibu Colony Plaza (Plaza) (Figure 1) is comprised of a mixture of retail and commercial businesses including a drugstore, a supermarket, a bank, several food service facilities, a dry cleaner, a gasoline/service center, a medical office, and a one-hour photo processing business. These businesses, with the exception of the one-hour photo facility, discharge wastewater to the Discharger's septic system<sup>1</sup>. According to the Discharger, the one hour photo facility does not discharge any waste to the septic system and the facility does not have a restroom or sink.
2. The Plaza is in an unsewered area in the City of Malibu (City). The City does not provide any wastewater collection and treatment utilities; rather, it relies upon subsurface disposal systems for disposal of domestic, commercial, and industrial wastewater.
3. On December 12, 1999, The Malibu Bay Company filed a Report of Waste Discharge pursuant to a directive from this Regional Board. The Malibu Colony Plaza discharges an average of 35,000 gallons per day (gpd) of primary treated septic system effluent to seepage pits in Winter Canyon. The existing septic system and seepage pit disposal system is designed for a maximum daily flow of up to 45,000 gpd.
4. The wastewater receives only primary treatment in the septic system before being discharged to the seepage pit disposal system. The effluent from the septic tank system is not monitored, as a result, the effluent quality from the septic tank is not known. The

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<sup>1</sup> The term septic system is used in this document to reflect that currently, the wastewater receives only primary treatment through a series of grease interceptors and septic tanks, prior to disposal into seepage pits. The Discharger shall install a treatment system that will produce a disinfected and secondary treated effluent.

November 20, 2000  
Revised: December 7, 2000

existing septic system is not capable of disinfecting wastewater discharged to the seepage pits.

5. Discharges from the existing septic tank system infiltrate groundwater through the seepage pit disposal system. The bottom of the seepage pit disposal system and the water table may not have a minimum required 10-foot vertical separation. In addition, the seepage pit disposal system discharges in close proximity (approximately 0.5 mile) to the Pacific Ocean. Groundwater monitoring is being required as groundwater underlying the seepage pit disposal system is in hydraulic connection with the Pacific Ocean. Therefore, the Discharger must upgrade the septic system and install disinfection equipment in disinfecting the effluent to levels of body contact recreation prior to discharge to the seepage pit disposal system.
6. Order No. 00-182 contains waste discharge requirements for Malibu Bay Company regulating discharge of waste from the septic tank effluent system. These requirements provide the following effluent limitations:

<u>Monthly Constituent</u>	<u>Units</u>	<u>Average</u>	<u>Maximum</u>
BOD <sub>5</sub>	mg/L	30	45
Suspended solids	mg/L	30	45
Turbidity	NTU	10	15
Oil and grease	mg/L	--	15
TDS	mg/L	--	2,000
Sulfate	mg/L	--	500
Chloride	mg/L	--	500
Fecal coliform <sup>(a)</sup>	MPN/100mL	--	200
Enterococcus <sup>(b)</sup>	MPN/100mL	24	104

- a) The limits for coliform shall apply, prior to discharge of the effluent into the seepage pits
- b) The Enterococcus limit is based on geometric mean of at least 5 equally spaced samples in any 30- day period.

7. Malibu Bay Company may not be able to achieve immediate compliance with the above-listed constituents (specifically fecal coliform and enterococcus). The Discharger has indicated that it can not immediately comply with the requirements contained in the Waste Discharge Requirements because the septic system needs to be upgraded. In order for the Discharger not to be in immediate violation of requirements in the Waste Discharge Requirements, the Regional Board has included this Time Schedule Order (TSO) that will

allow the Discharger to complete all needed upgrades within a timeframe specified in the TSO.

8. The California Water Code Section 13300 states:

“Whenever a regional board finds that a discharge of waste is taking place or threatening to take place that violates or will violate requirements prescribed by the Regional Board, or the State Board, or that the waste collection, treatment, or disposal facilities of a Discharger are approaching capacity, the Board may require the Discharger to submit for approval of the Board, with such modifications as it may deem necessary, a detailed time schedule of specific actions the Discharger shall take in order to correct or prevent a violation of requirements.”

9. This enforcement action is being taken for the protection of human health and the environment, and as such, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21100, 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 issue a Time Schedule Order for this discharge, and has provided them with an opportunity to submit their written views and recommendations for the tentative Time Schedule Order.

The Regional Board, in a public meeting, heard and considered all comments pertaining to the tentative Time Schedule Order. This Time Schedule Order provides the Malibu Bay Company to install upgrades needed to bring the existing septic system into compliance with the requirements contained in Order 00-182.

**IT IS HEREBY ORDERED** that Malibu Bay Company (Discharger) shall comply with the following:

1. The Discharger shall submit by February 28, 2001, a preliminary proposal detailing how the limitations contained in Order No. 00-182 will be met. The plan shall include an engineering analysis of effluent water quality data collected, along with an identification of the type of source reduction plan and an evaluation of treatment methods or other corrective actions to be taken in order to meet the requirements of Order No. 00-182.
2. The plan shall be completed according to schedule as follows:
  - A. Submit by March 30, 2001, for approval by the Regional Board Executive Officer, a workplan for a surface and groundwater monitoring program.

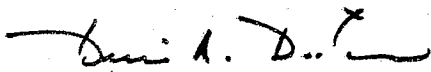


- B. Implement by June 30, 2001, the surface and groundwater monitoring program.
- C. Submit by July 31, 2001, for approval by the Regional Board Executive Officer, a proposal for upgrading the existing septic system to produce an effluent that will meet the required effluent limitations
- D. By July 31, 2002, complete construction, and testing to achieve full compliance with all requirements contained in Order No. 00-182.

In the event that California Environmental Quality Act (CEQA) requirements or project funding requirements delay construction start-up, the Executive Officer may, at his discretion, extend the time schedule, by a period not to exceed 9 months, to achieve full compliance with these requirements.

- 3. Compliance Reporting: The Discharger shall submit quarterly and annual progress reports for the project activities outlined in paragraphs 1 and 2 above in conjunction with self-monitoring required under Monitoring and Reporting Program No. CI 8158.
- 4. Should Malibu Bay Company fail to comply with any provision of this Order, the Executive Officer may issue an Administrative Civil Liability Complaint pursuant to the California Water Code Section 13323. The Regional Board may also refer the case to the Attorney General for injunction and civil monetary remedies, pursuant to appropriate California Water Code Sections 13331 and 13385.

I, Dennis A. Dickerson, 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 December 7, 2000.



Dennis A. Dickerson  
Executive Officer