



California Regional Water Quality Control Board

Los Angeles Region



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November 21, 2003

Mr. John Jo Lewis
Winco Maliview Partners, LLC
22619 Pacific Coast Highway
Malibu, CA 90265

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CLAIM NO. 7001 0360 0000 3649 6058

Dear Mr. Lewis:

GENERAL WASTE DISCHARGE REQUIREMENTS FOR SMALL COMMERCIAL AND MULTIFAMILY RESIDENTIAL SUBSURFACE SEWAGE DISPOSAL SYSTEMS – THE ENCLAVE AT 22619 PACIFIC COAST HIGHWAY, MALIBU, CALIFORNIA, (FILE NO. 03-074)

We have completed our review of your application for Waste Discharge Requirements for wastewater generated from The Enclave to an on site septic disposal system.

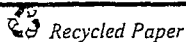
The property contains a two-story building consisting of a total of 18,500- square footage of office spaces and seventy-five (75)-parking spaces for vehicles. The office spaces are leased to five different tenants. Three fourths of the office spaces are leased to a toy company called Jakks Pacific and the other one-fourth is leased to four other tenants. Each unit is approximately 1,500 square feet. There are a total of nine toilets and four urinals in the building. The yearly average volume of discharge is approximately 2,000 gallons per day (gpd) of wastewater. The wastewater is composed of typical residential waste, which is disposed of using a septic disposal system. Wastewater flows from a 5,000-gallon septic tank to a distribution box that allows flow to three seepage pits each sized at 5' X 14', having a 20' capping depth.

Regional Board staff have reviewed the information provided and have determined that the proposed discharge meets the conditions specified in Order No. 01-031, "General Waste Discharge Requirements for Small Commercial and Multifamily Residential Subsurface Sewage Disposal Systems," adopted by this Regional Board on February 22, 2001.

Enclosed are your Waste Discharge Requirements, consisting of Order No. 01-031, Monitoring and Reporting Program No. CI-8629 and Standard Provisions Applicable to Waste Discharge Requirements. Please note that the discharge limits in Attachment A of Order No. 01-031 are applicable to your discharge. Should changes to the septic disposal system be needed, revised engineering drawings showing the change must be filed with the Regional Board a minimum of thirty days prior to the change. The Discharger must receive approval of such change.

The Regional Board is increasingly concerned about the aggregate effects of discharges from individual and community subsurface disposal systems on the Malibu watershed and groundwater. At this time, these WDRs are being issued to regulate an individual disposal system. Future requirements, however, may require the discharge to be connected to a community collection system, or future requirements may require consistency with the WDRs established for a community collection system.

California Environmental Protection Agency



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Mr. John Jo Lewis
The Enclave

- 2 -

November 21, 2003

The Monitoring and Reporting Program requires you to implement the monitoring program on the effective date of coverage under this permit. All monitoring reports should be sent to the Regional Board, ATTN: Information Technology Unit. Please note that the Executive Officer may require you to develop and implement a groundwater-monitoring program based on the results of the technical information pertaining to your septic disposal system.

When submitting monitoring or technical reports to the Regional Board per these requirements, please include a reference to Compliance File No. CI-8629, which will assure that the reports are directed to the appropriate file and staff. Also, do not combine other reports with your monitoring reports. Submit each type of report as a separate document.

We are sending a copy of Order No. 01-031 only to the applicant. A copy of the Order will be furnished to anyone who requests it.

If you have any questions, please contact Dr. Kwangil Lee at (213) 620-2269 or Ms. Hoan Tang at (213) 620-6156.

Sincerely,



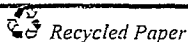
Dennis A. Dickerson
Executive Officer

Enclosures

1. Order No. 01-031
2. Standard Provisions
3. Monitoring and Reporting Program CI-8629

cc: Mr. Michael Lauffer, Office of Chief Counsel, State Water Resources Control Board
Mr. Robert Sams, Office of Chief Counsel, State Water Resources Control Board
Mr. Victor Peterson, City of Malibu

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

MONITORING AND REPORTING PROGRAM NO. CI-8629
FOR
WINCO MALIVIEW PARTNERS, LLC
THE ENCLAVE
22619 PACIFIC COAST HIGHWAY

ENROLLMENT UNDER GENERAL PERMIT
ORDER NO. 01-031 (SERIES NO. 039)
(FILE NO. 03-074)

I. REPORTING REQUIREMENTS

- A. Winco Maliview Partners, LLC (hereinafter Discharger) shall implement this monitoring program on the effective date of this enrollment (November 21, 2003) under Regional Board Order No. 01-031. The first monitoring report under this program, for October-December 2003, shall be received at the Regional Board by January 15, 2004.

Monitoring reports shall be received 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

- B. If there is no discharge during any reporting period, the report shall so state. Monitoring reports must be addressed to the Regional Board, Attention: Information Technology Unit.
- C. By January 30 of each year, the Discharger shall submit an annual summary report to the Regional Board. The report shall contain both tabular and graphical 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.
- D. Laboratory analyses – all chemical, bacteriological, and toxicity analyses shall be conducted at a laboratory certified for such analyses by the California Department of Health Services Environmental Laboratory Accreditation Program (ELAP). The laboratory must meet the United States Environmental Protection Agency

November 21, 2003

(USEPA) Quality Assurance/Quality Control (QA/QC) criteria. Pollutants shall be analyzed using the methods described in 40 CFR Part 136; or where no methods are specified for a given pollutant, methods approved by the Regional Board shall be utilized.

- E. The method limits (MLs) employed for effluent analyses shall be lower than the permit limits established for a given parameter, unless the Discharger can demonstrate that a particular ML is not attainable and obtains approval for a higher ML from the Regional Board Executive Officer (Executive Officer). The Discharger shall submit a list of the analytical methods employed for each test and the associated laboratory QA/QC procedures upon the request of the Regional Board.
- F. Each monitoring report must affirm in writing that "All analyses were conducted at a laboratory certified for such analyses by the California Department of Health Services, and in accordance with current USEPA guideline procedures or as specified in this Monitoring Program." Proper chain of custody procedures must be followed and a copy of the chain of custody shall be submitted with the report.
- G. Each monitoring report shall contain a separate section titled "Summary of Non-Compliance" which discusses the compliance record and the corrective actions taken or planned that may be needed to bring the discharge into full compliance with waste discharge requirements. This section shall be located at the front of the report and shall clearly list all non-compliance with discharge requirements, as well as all excursions of effluent limitations.
- H. The Discharger shall maintain all sampling and analytical results, including strip charts; date; exact place, and time of sampling; dates analyses were performed; analyst's name; analytical techniques used; and results of all analyses. Such records shall be retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.
- I. In reporting the monitoring data, the Discharger shall arrange the data in tabular form so that the date, the constituents, and the concentrations are readily discernible. The data shall be summarized to demonstrate compliance with the requirements and, where applicable, shall include results of receiving water observations.
- J. Any mitigation/remedial activity including any pre-discharge treatment conducted at the site must be reported in the quarterly monitoring report.

II. SEPTIC TANK AND DISPOSAL SYSTEM MONITORING REQUIREMENTS

The quarterly reports shall contain the following information:

1. Average and maximum daily waste flow for each month of the quarter, in gallons per day. In the absence of a flow meter, a water bill can be used to estimate the flow discharge.
2. Estimated population served during each month of the reporting period.
3. Results of at least monthly observations in the disposal area for any over flow or surfacing of wastes.

In addition, the Discharger shall annually submit an operation and maintenance report on the septic systems. The information to be contained in the report shall include, at a minimum, the following:

1. The name and address of the person or company responsible for the operation and maintenance of the facility;
2. Type of maintenance (preventive or corrective action performed);
3. Frequency of maintenance, if preventive;
4. Periodic pumping out of each septic tank; and
5. Maintenance records of each septic disposal system.

III. GROUNDWATER MONITORING PROGRAM

A groundwater monitoring program will not be required at this time. In the future, the Executive Officer may determine that a groundwater monitoring program is needed to fully evaluate the impact from your wastewater discharge in groundwater.

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. MONITORING FREQUENCIES

Specifications in this monitoring program are subject to periodic revisions. Monitoring requirements may be modified or revised by the Executive Officer based on review of monitoring data submitted pursuant to this Order. Monitoring frequencies may be adjusted to a less frequent basis or parameters and locations dropped by the Executive Officer if the Discharger makes a request and the request is backed by statistical trends of monitoring data submitted.

VI. CERTIFICATION STATEMENT

Each report shall contain the following completed declaration:

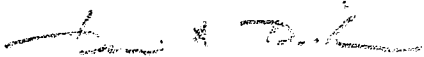
"I certify under penalty of law that this document, including all attachments and supplemental information, was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry 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 _____ 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: November 21, 2003