



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

---

**Los Angeles Regional Water Quality Control Board**

September 6, 2016

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

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

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

Dear Mr. Dahlberg and Dr. Kampalath:

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

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

September 6, 2016

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

Sincerely,



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

Enclosures: 1. Response to Comments Part 3  
2. Change Sheet

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

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

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

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

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

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

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

## Item 7 – Paradise Cove Wastewater Treatment Plant WDRs/WRRs and CDO Change Sheet

Page	Location	Action	Added or Deleted Text (additions are underlined, deletions are in strikeout)	Reason for Change												
7-008 and 7-064	Finding No. 6 and 10	Add/ Delete	The capacity after the Dischargers' upgrades to the systems will be sufficient to treat wastewater from the Beach Café, the Sandbox restrooms, and the proposed additional <u>12</u> <del>40</del> mobile home units.	Revision is made to address comment received.												
7-009 and 7-062	Finding No. 10 and 2	Add/ Delete	The Park encompasses approximately <u>68</u> <del>72</del> acres of land. There are approximately <u>256</u> <del>240</del> mobile home sites.	Revision is made to address comment received.												
7-010	Finding No. 16, fifth line	Add	An ultraviolet (UV) system provides tertiary treatment and then the <u>effluent</u> from the treatment system is distributed to a series of seepage pits for disposal.	Revision is made to correct response.												
7-012	Finding No. 31	Add/ Delete	Primary treated wastewater flows into two (2) 30,000-gallon fiberglass tanks, which provide sufficient volume for equalizing flow to the treatment pods and for recirculating the water <del>through</del> <u>through</u> the AdvanTex® treatment pod system.	Revision is made to correct a typo.												
7-017	Table 4, last row	Add/ Delete	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">Constituent</th> <th style="width: 10%;">Units<sup>[1]</sup></th> <th style="width: 15%;">MW-6<sup>[2]</sup> (Upgradient Well)</th> <th style="width: 10%;">MW-12<sup>[2]</sup> (Cross-gradient Well)</th> <th style="width: 15%;">MW-11<sup>[2]</sup> (Downgradient Well)</th> <th style="width: 15%;">Water Quality Objectives<sup>[3]</sup></th> </tr> </thead> <tbody> <tr> <td>Enterococcus</td> <td>MPN/100mL</td> <td>8.4 – 342.8</td> <td>2 – 2,419.2</td> <td>1 – 2,419.2</td> <td><u>104</u> <del>140</del></td> </tr> </tbody> </table>	Constituent	Units <sup>[1]</sup>	MW-6 <sup>[2]</sup> (Upgradient Well)	MW-12 <sup>[2]</sup> (Cross-gradient Well)	MW-11 <sup>[2]</sup> (Downgradient Well)	Water Quality Objectives <sup>[3]</sup>	Enterococcus	MPN/100mL	8.4 – 342.8	2 – 2,419.2	1 – 2,419.2	<u>104</u> <del>140</del>	Revision is made to correct a typo.
Constituent	Units <sup>[1]</sup>	MW-6 <sup>[2]</sup> (Upgradient Well)	MW-12 <sup>[2]</sup> (Cross-gradient Well)	MW-11 <sup>[2]</sup> (Downgradient Well)	Water Quality Objectives <sup>[3]</sup>											
Enterococcus	MPN/100mL	8.4 – 342.8	2 – 2,419.2	1 – 2,419.2	<u>104</u> <del>140</del>											
7-024	Finding No. 91	Add/ Delete	This project involves the renewal of WDRs/WRRs for two existing facilities, Paradise Cove Mobile Home Park and Paradise Cove Beach Café that involves the addition of <del>ten</del> <u>twelve</u> new mobile home units.	Revision is made to address comment received.												
7-024	Finding No. 92	Add/ Delete	The City of Malibu (City) is the lead agency for the proposed addition of <del>ten</del> <u>twelve</u> mobile home units at the Park.	Revision is made to address comment received.												
7-025	Table 5, note 4	Add/ Delete	<sup>4</sup> applicable to Beach Café effluent from <u>December 8</u> , <del>September 8</del> , 2016 to September 1, 2018	Allow a three-month deferral to complement enterococcus effluent limit for Beach Café.												