



October 2, 2008

# California Regional Water Quality Control Board

Los Angeles Region

Tracy Egoscue, Executive Officer

## Executive Officer's Report

*The Executive Officer's Report is not intended to be an exhaustive list, but rather highlights of Regional Board staff activities from the previous month.*

### *Enforcement Unit*

#### **13267 Letters**

A 13267 Order to Submit Information Letter was issued to the County Sanitation Districts of Los Angeles County on August 21, 2008 for the August 12, 2008 unpermitted discharge of raw sewage; Manchester-Vermont Sewer Trunk, Section 2, County Sanitation Districts of Los Angeles County, 9200 South Grand Avenue, Los Angeles, CA. The Discharger has until September 22, 2008 to submit the required information and report to the Regional Board.

#### **Offer To Participate In Expedited Payment Program:**

SETTLEMENT OFFER NO. R4-2008-0057-M in the amount of \$87,000 was issued to AES Alamitos, LLC., on August 29, 2008 for violation of waste discharge requirements contained in Board Order No. 00-082. The Permittee has until September 29, 2008 to respond.

SETTLEMENT OFFER NO. R4-2008-0045-M M in the amount of \$84,000 was issued to Honeywell International Inc. on August 29, 2008 for violation of waste discharge requirements contained in Board Order Nos. 97-022 and R4-2004-0030. The Permittee has until September 29, 2008 to respond.

SETTLEMENT OFFER NO. R4-2008-0054-M in the amount of \$69,000 to Stellar Biotechnologies, INC. on August 29, 2008 for violation of waste discharge requirements contained in Regional Board Orders No. 01-075 and R4-2007-0004. The Permittee has until September 29, 2008 to respond.

#### **Mandatory Minimum Penalty issued to Six Flags Theme Park, Inc.**

Complaint No. R4-2008-0036 for Mandatory Minimum Penalty in the amount of \$945,000 was issued against Six Flags Theme Parks, INC. on September 5, 2008 for violation of waste discharge requirements contained in Regional Board Orders No. Nos. 98-005, R4-2005-0036, and R4-2005-0043. The Permittee has until October 6, 2008 to respond.

*Our mission is to preserve*

*and enhance the quality of*

*California's water resources*

*for the benefit of present and*

*future generations.*

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## Environmental Crimes Task Forces

Enforcement Staff continued to participate in the USEPA, LA County, Ventura County and the City of LA Environmental Crimes Task Force meetings.

### *Stormwater Compliance and Enforcement*

## Notices of Non-Compliance (NNCs), Denials of Notice of Termination, and Notices of Violation (NOVs): from August 12<sup>th</sup> to September 4<sup>th</sup>, 2008

Harumi Goya and Ejigu Solomon

Unit staff issued 2 Notices of Non-Compliance (NNCs) during this period:

| Date Issued | Facility/Construction Site  | Type       |
|-------------|-----------------------------|------------|
| 8/15/2008   | Mobile Delivery Services    | Industrial |
| 8/15/2008   | Alliance Dynamic Group, Inc | Industrial |

5 Notices of Termination (NOTs) were denied:

| Date Issued | WDID#      | Permittee                    | Type         |
|-------------|------------|------------------------------|--------------|
| 8/14/2008   | 419I013669 | Hagen Renaker Inc            | Industrial   |
| 8/28/2008   | 419C332778 | Commerce Construcion Company | Construction |
| 8/28/2008   | 419C338917 | Commerce Construcion Company | Construction |
| 8/28/2008   | 419C344408 | Commerce Construcion Company | Construction |
| 8/28/2008   | 419C344409 | Commerce Construcion Company | Construction |

9 Notices of Violation (NOVs) were issued:

| Date Issued | WDID#      | Permittee                      | Type       |
|-------------|------------|--------------------------------|------------|
| 8/20/2008   | 456I004733 | General Magnaplate California  | Industrial |
| 8/20/2008   | 419I013711 | Al-Mag Heat Treat              | Industrial |
| 8/20/2008   | 456I014978 | Viking Electronics Inc.        | Industrial |
| 8/20/2008   | 456I018107 | Computer Metal Products Corp.  | Industrial |
| 8/21/2008   | 419I013695 | Supreme Steel Treating         | Industrial |
| 8/21/2008   | 419I016747 | Santoshi Corporation           | Industrial |
| 8/22/2008   | 419I013540 | Precision Wire Products, Inc.  | Industrial |
| 8/27/2008   | 456I014967 | Aurora Casting and Engineering | Industrial |
| 8/27/2008   | 456I019736 | Telair International           | Industrial |

## Post-Fire Workshop

Alex Alimohammadi

On August 18 and 19, Regional Board staff Alex Alimohammadi attended a post-fire workshop hosted by Southern California Coastal Water Research Project (SCCWRP) at their headquarters in Costa Mesa. Those in attendance included some of the Southern California cities, counties, SWRCB, SCCWRP, USGS, CDFG, UCLA, UCSD, Desert Research Institute, Flow Science, and Geosyntec. The purpose of the workshop was to develop a post-fire regional monitoring program. The workshop participants were divided into three

groups. Three main topics were discussed with each group focusing on one of the topics. The topics were sample design framework, implementation and mobilization, and funding and communication. Each group drafted 2 to 3 pages of suggestions and recommendations. SCCWRP stated that they would consider all of these suggestions and recommendations and draft the regional program to be used by the smaller working group which then would develop the final monitoring program.

## *Watershed Management*

### Watershed Management Initiative Chapter

Each Regional Board has a "chapter" in a statewide document which describes the Region's watersheds and their priority water quality issues. The last update occurred in December 2007. The consolidated statewide document can serve as the basis for many funding decisions including allocating money for monitoring, TMDL development, and grant monies disbursement. Updates occur on an as-needed basis. The 2007 document can be downloaded at [http://www.waterboards.ca.gov/losangeles/water\\_issues/programs/regional\\_program/index.shtml#Watershed](http://www.waterboards.ca.gov/losangeles/water_issues/programs/regional_program/index.shtml#Watershed). In addition, there is a clickable map of the region's watersheds for information specific to each one.

### **Funding**

Information on a wide variety of funding sources is available on the California Watershed Funding Database website at <http://calwatershedfunds.org/>. Both Los Angeles and Ventura Counties have developed Integrated Regional Water Management Plans (IRWMPs) in order to qualify for funding under Propositions 50 and 84. The Los Angeles County IRWMP may be viewed at <http://www.lawaterplan.org/> which also includes information on meeting schedules and summaries. The Greater LA Region is composed of five subregions which conduct separate steering committee meetings. The Ventura County IRWMP is available at <http://www.watershedscoalition.org/> which also includes information on meeting schedules and summaries. The Watersheds Coalition of Ventura County meets as a combined group; separate watersheds committees/councils also conduct their own meetings. Neither the Greater Los Angeles County or Ventura County IRWMPs include the upper Santa Clara River. Stakeholders in that area have developed a separate IRWMP which is available at <http://www.scrwaterplan.org>.

## *Underground Storage Tanks*

### **Completion of Corrective Action at Leaking Underground Fuel Storage Tank Sites**

Yue Rong

Regional Board staff have reviewed corrective actions taken for soil and/or groundwater contamination problems from leaking underground storage tanks for the time of **July 14, 2008** through **September 9, 2008**, and determined that no further corrective actions are required for the following sites:

- Cormier Chevrolet, Carson (I-06073A)
- Former Shell Station No. 204-0576-0503, Bell (I-09497)
- PCBNA Branch Office, San Pedro (907310416)
- Rapid Gas #6, Wilmington (907440207)
- Former 76 Station No. 1065, Westwood (900240034)
- Former Shell Station, Canoga Park (913060398)
- City Yard, Santa Clarita (R-20076)

- Valley Crest Landscape, Sylmar (R-13928)

For the case closure sites above, a total of 945 tons of impacted soils were excavated, 101,043 pounds of hydrocarbons were removed by the soil vapor extraction system. In addition, a total of 943,121 gallons of groundwater were treated.

**Charnock Sub-basin MTBE Cleanup**

Weixing Tong/Jay Huang

MTBE cleanup in the Charnock Sub-basin has been ongoing. In 1996, the discovery of MTBE contamination of the City of Santa Monica’s Charnock wellfield resulted in shutdown of the wellfield and consequently a loss of over 6 million gallons per day of groundwater supply – an amount equal to approximately half of the City’s daily water demand. On November 21, 2003, the City of Santa Monica and three oil companies (Shell, Chevron, and ExxonMobil) reached a settlement that promises the construction of a treatment plant to restore the drinking water supply to the residents of Santa Monica from the Charnock Sub-Basin. In 2006, the city re-negotiated with the settling major oil companies (Shell, Chevron, and ExxonMobil). Under the new agreement, the city has undertaken full responsibility to build and operate the treatment plant and bring the Charnock wellfield back to productive service.

Since 1996, this Regional Board, working along with USEPA, has diligently investigated and overseen cleanup of the regional and site-specific contamination. As of June 2008, a total of 726 million gallons of groundwater in the Charnock Sub-Basin Investigation Area have been treated. To date, a total of 2,318 pounds of MTBE have been removed from groundwater and 4,260 pounds of MTBE from soil. In addition, 15,726 pounds of gasoline have been removed from groundwater and 246,242 pounds from soil.

To date, the site-specific cleanup is still ongoing. The construction of the treatment plant combining with source site cleanup will ensure the full restoration of groundwater production from the Charnock Sub-Basin.

In the meantime, staff have also been conducting low risk review for those Charnock sites where cleanup has been completed. From February 2004 to May 2008, staff issued “No Further Action” letter to fourteen sites (PRP sites #5, #12, #15, #16, #19, #20, #21, #24, #29, #30, #36, #37, #42, #44). Since November

| PRP # | Site Name                     | Soil Remediation |            |         | Groundwater Remediation |            |          |        |                   |
|-------|-------------------------------|------------------|------------|---------|-------------------------|------------|----------|--------|-------------------|
|       |                               | TPHg lb          | Benzene lb | MTBE lb | TPHg Lb                 | Benzene lb | MTBE lb  | TBA lb | Water million gal |
| 3     | Former Arco Station #1578     | 13,373           |            |         |                         |            |          |        |                   |
| 4     | Arco Station #1246            | 60,357           | 1,071      | 23      |                         |            |          |        |                   |
| 6     | Former Conoco Station         | 4,973            | 39.58      |         |                         |            |          |        |                   |
| 7     | Former Unocal Station #3016   | 31,455           | 87         | 90      | 0.8                     | 0.004      | 1        |        | 4.1               |
| 8     | Mobil Station # 18-FX5        | 14,886           | 85         | 305     | 1,129.3                 | 3.22       | 1.16     |        | 52.5              |
| 10    | Chevron Station #9-0561       | 5,390            | 24.5       | 34      |                         |            | 0.12     |        | 0.18              |
| 11    | Shell Station # 204-1944-0100 | 5,319            | 32         | 107     | 14,596                  | 628        | 2,315.7  | 792.4  | 669               |
| 12    | Winall #18                    | 14,665           | 99         | 1,937   |                         |            |          |        |                   |
| 15    | Former Powergas Station       | 20,081           | 68         | 948     |                         |            |          |        |                   |
| 18    | Former Shell Station          | 380              | 2.4        | 0.4     |                         |            |          |        |                   |
| 19    | Former ARCO Station #5117     | 11,079           | 11.9       | 14.7    |                         |            |          |        |                   |
| 23    | Former Thrifty #247           | 58,469           | 680        | 787     |                         |            |          |        |                   |
| 40    | Former Shell Service Station  | 5,815            | 80         | 14      |                         |            |          |        |                   |
|       | <b>Total</b>                  | 246,242          | 2,280.38   | 4,260.1 | 15,726.1                | 631.22     | 2,317.98 | 792.4  | 725.78            |

2005, vadose zone cleanup using vapor extraction system has been initiated at PRP#18, PRP#35 and PRP#40. Recently, soil remediation (SVE) has been completed at PRP #6 and PRP #10 sites.

For more information on the Charnock Sub-Basin cleanup, visit

[http://www.waterboards.ca.gov/losangeles/html/programs/ust/charnock\\_mtbe.html](http://www.waterboards.ca.gov/losangeles/html/programs/ust/charnock_mtbe.html)

Or [www.epa.gov/region09/charnock](http://www.epa.gov/region09/charnock).

### **Executive Officer issued general Waste Discharge Requirements (WDRs)**

Yue Rong

The Executive Officer, on behalf of the board, issued 4 general Waste Discharge Requirements (WDRs) to Paramount Studios, located in Hollywood (7/15/08), Kurkciyan Property, located in Simi Valley (7/24/08), Skyview Center, located in Los Angeles (8/14/08), and 76 Station #5523, located in Ventura (8/15/08). The WDRs issued for injection of ozone and oxygen release compounds to the impacted aquifer for in-situ groundwater cleanup, which is designed to save water resources by avoiding discharging the treated water to the ocean.

### *Site Cleanup IV Unit*

#### **Corbin Village Cleaners, Woodland Hills**

Paul Cho

The former Corbin Village Cleaners occupied a small suite in a 2.79-acre shopping center known as Corbin Village, located on the south side of Ventura Boulevard between Corbin and Oakdale Avenues, in Woodland Hills. This suite and the adjacent suites are currently vacant. Vons plans to redevelop the site into a grocery store. All dry cleaning equipment has been removed from the site.

Staff met with the property owner and representatives from Vons to discuss site characterization and cleanup. As the result of the meeting, the discharger submitted a technical report to further assess tetrachloroethene (PCE) contamination in soil and groundwater. Pending results of the assessment, staff will require submittal of a remedial action plan for review and approval.

#### **Kinder Morgan Carson Terminal, Carson**

Paul Cho

The Kinder Morgan Carson Terminal is operated by Kinder Morgan Energy Partners, L.P. (KMEP) on 100 acres in the City of Carson. Regional Board oversight of extensive cleanup activities at this site is through Cleanup and Abatement Orders issued in 1985 (No.85-017) and in 1990 (No. 90-152).

CAO No. 90-152 requires a source elimination program. KMEP revised their source elimination program in December 2007 per staff request. However, due to a recent release from a tank not in compliance with American Petroleum Institute (API) standards, staff required soil investigations around all remaining tanks not in compliance with API inspection standards. KMEP proposed to investigate eight such "out-of-compliance" tanks and construct five groundwater monitoring wells to augment the existing groundwater monitoring network. Monitoring results from these new wells are expected in September 2008.

KMEP also proposed to construct a groundwater barrier and treatment system in order to capture groundwater impacted with fuel oxygenates along the western boundary. Currently KMEP is waiting an AQMD permit for the groundwater treatment system.

### **Shell Wilmington Sales Terminal, Wilmington**

Paul Cho

Shell Wilmington Sales Terminal (WST), owned and operated by Shell Oil Products US (Shell), is a 5.5-acre fuel distribution facility for jet fuel, aviation gasoline, gasoline, and diesel fuel. Soil and groundwater investigations have been conducted since 1992 to assess the extent of hydrocarbon impacts to the subsurface. Shell is currently investigating the source(s) of methyl tertiary butyl ether (MTBE), discovered after an initial soil gas survey in January 2008, that has impacted groundwater at the WST. Shell will also conduct cone penetration tests (CPT) and collect hydropunch samples adjacent to each CPT boring north and west of the WST.

### **Former Western Fuel Oil Site, Port of Los Angeles**

Paul Cho

This former Western Fuel Oil site is a 55-acre parcel located in a highly industrialized area northwest of the Port of Los Angeles. The property has been developed as industrial use (warehouse and office space) and is owned by BlackRock, Inc. Per staff recommendation, BlackRock conducted a soil vapor survey beneath and around Building A which consists of a 760,000 square foot warehouse structure with office space. Based on that survey, BlackRock submitted a human health risk assessment report on June 4, 2008. BlackRock concluded that non-cancer health risks are negligible (Hazard Index of less than 0.01). The vapor intrusion model using the totality of the soil vapor data resulted in an estimated total cancer risk of 9.1E-07. The negligible risk threshold in California is less than 1E-06. The Office of Environmental Health Hazard Assessment (OEHHA) will review the report and inform staff of their findings by September 30, 2008.

### **Former Marina One-hour Dry Cleaners, Marina Del Rey**

Ann Lin

The Former Marina One-hour Dry Cleaners site is approximately 0.95 acre in a mixed commercial/residential area in Marina Del Rey. Regional Board staff conditionally approved operation of a soil vapor extraction system followed by a field inspection and confirmed the soil vapor extraction system (VES) re-start-up, operation and maintenance, and vapor sampling activities at the site. With an encroachment permit issued by the City of Los Angeles, the property owner will be able to continue VES operation for one month, and then evaluate the remedial progress for enhancing mass removal. During the field inspection, staff located two existing hand auger potholes inside the building which could be useful for possible in-situ chemical injection at the source area. The property owner indicated that he would consider these potholes when preparing a work plan for on-site dissolved phase groundwater remediation.

### **Former Master Sun Cleaners, Gardena**

Robert Ehe

The site operated as a dry cleaner in a former strip mall in Gardena between January 1966 and August 2004. Regional Board staff issued a letter approving a modification to a Remedial Action Plan and monitoring for compliance with General Waste Discharge Requirements. The modification includes proposed methods to create an enhanced biodegradation zone with EHC™ to be implemented in two phases. EHC™ is a slow, controlled-release carbon source and zero-valent iron (aluminum or zinc) for the anaerobic chemical reduction of chlorinated hydrocarbons and other suitable contaminants. The first placement of EHC socks will be in up-gradient wells to promote increased bio-degradation of remaining contaminants in groundwater. Provided results indicate success in this first phase, direct injection of EHC into affected groundwater in the area may be implemented following further review, and may require modification to the approved permit issued under the General Waste Discharge Requirements.

### **Paramount Refinery, Paramount**

Robert Ehe

Cleanup and Abatement Orders No. 85-17 and No. 97-130 were issued to Paramount Refinery to require complete delineation, monitoring, and cleanup of all contaminants of concern, emanating from the Paramount Refinery. The refinery occupies approximately 60-acres and is located adjacent to industrial, commercial and residential areas.

On August 7, 2008, Regional Board staff met with staff from Paramount to discuss a revised remedial action plan for cleanup of elevated levels of contaminants of concern in soil vapor and groundwater at the Paramount Refinery. Paramount submitted an Interim Remedial Action Plan - Area 5 Plume, that proposed two activities: 1.) The installation of a line of remediation wells along the southern property line of the facility to remove contaminants of concern and stop their migration. This is considered necessary to determine their effectiveness. If they prove effective they will be made part of a proposal in a revised Remedial Action Plan or supplemental to it. 2.) A proposed Accelerated Remedial Technology system for the remediation of the dissolved-phase petroleum hydrocarbons in the southern portion of Area 5 is a pilot test only to determine how technologies can best be combined to enlarge the remedial radius of influence. The Accelerated Remedial Technology system combines in-situ air stripping, air sparging, soil vapor extraction and enhanced bioremediation/oxidation.

Staff has since approved the Interim Remedial Action Plan - Area 5 Plume, as an interim action to stop the migration of contaminants of concern while still on the refinery site.

### *Groundwater Permitting Unit*

### **Malibu Country Mart I, II and III**

Toni Callaway

Malibu Country Mart Ltd. (Discharger) owns and operates three shopping centers, Malibu Country Mart I, II, and III, which are located in the Malibu Civic Center area adjacent to Cross Creek Road and Malibu Creek. On December 12, 2002, this Regional Board adopted waste discharge requirements (WDRs) and time schedule orders (TSOs) for all three of the Malibu Country Mart properties which required the Discharger to upgrade the existing septic tank leach field disposal systems, and achieve full compliance with the discharge limitations by December 1, 2004.

In 2003, the California Coastal Commission (CCC) delegated the Coastal Zone Management (CZM) review program to the City of Malibu (City), but initially the City disputed this delegation. Resolution of the CZM review program delegation required two years. In 2004, Measure S, which authorized a City owned and operated centralized wastewater treatment plant (WWTP) for the commercial Civic Center area, was approved by the citizens of the City. Prior to resolution of dispute between CCC, and the adoption of Measure S in November 2004, the City refused to accept applications to construct advanced onsite wastewater treatment systems (OWTS) from dischargers of commercial wastewater in the Civic Center area.

In response to the passage of Measure S, amended TSOs which granted extensions of the final compliance date for all the major Civic Center area Dischargers were adopted by the Board on January 27, 2005. If no agreement with the City for connection to a centralized WWTP could be made by January 27, 2006, the amended TSOs required construction of advanced OWTS and final compliance by January 27, 2007, with all discharge limitations at the three Malibu Country Mart commercial properties.

The extended final TSO compliance date was January 27, 2007. Because of the expired final compliance date, the Discharger was sent a Notice of Violation (NOV) for each of the three Malibu Country Mart shop-

ping centers.

Advanced OWTS have been installed and final compliance achieved at other major commercial properties in the Malibu area, including Malibu Colony Plaza and Malibu Creek Plaza. Disagreement between the Discharger and the City's CZM review staff about estimated percolation rates and the continued use of the existing leach fields, has delayed receipt of approval from the City to initiate construction of an advanced OWTS.

Conditional Malibu Local Coastal Plan approval was issued by the City on June 19, 2008, for construction of a single advanced OWTS located at Malibu Country Mart II (23419 Civic Center Way) to treat wastewater generated at all three shopping centers. During this delay, construction costs for an advanced OWST have risen to over \$5.0 million.

Because of older failing leach fields, an estimated 2,000 gallons per day (12%) of the total wastewater generated at the three Malibu Country Mart shopping plazas must be pumped for offsite disposal. Once final approval has been received from the City, the Discharger estimates six months will be needed to complete construction and achieve final compliance.

### **Hasley Canyon Mobile Home Park (MHP)**

Toni Callaway

The owners of Hasley Canyon Mobile Home Park (MHP) initially agreed to connect the MHP by December 31, 2006, to the Los Angeles County Department of Public Works owned sewer collection line located along Hasley Canyon Road. An inspection on November 28, 2007, found that the Hasley Canyon MHP connection to the County sewer line had not been done.

When the owner was subsequently queried, Board staff learned that Hasley Canyon MHP had not connected to the sewer because County staff required that the owners of the MHP make a Sewer Load Utilization Study, and required a public hearing concerning results of the study prior to approving connection to their sewer line. The public hearing was held by the County in October 2007.

County of Los Angeles Department of Public Works staff have verified that a public hearing was held in October 2007, and the owner of the MHP would be able to connect to the County owned sewer after connection fees are paid and other minor ministerial permits were obtained.

The owner required financing to pay for the connection fees and construction costs. After nearly six months delay, the owner of the MHP received funding on August 21, 2008. Regional Board staff has verified that the connection fee of \$191, 808.00 has been paid to the County. Construction started August 26, 2008.

### **Paradise Cove Park and Beach Cafe, Malibu**

Elizabeth Erickson

On September 3, 2008, the owner of Paradise Cove Mobile Home Park met a target date in his schedule submitted on August 15, 2008, for replacement of the disinfection system before November 24. Regional Board staff and the City of Malibu granted approvals for the installation of a new Ultraviolet Disinfection system with the engineering capability to add chlorine disinfection and a revised operation and maintenance plan. The equipment is expected to be delivered by October 10, 2008 with installation completed on October 17, 2008. Additional teleconferences on the progress of the upgrades are scheduled for October 21 and November 4, 2008.

Four odor complaints have been received since the last report, all from the west bluff point adjacent to seepage pits and a pump station. No additional construction or repairs to address odors have been documented since August 1, 2008.

The Owner of Paradise Cove Beach Café and the Executive Officer discussed the necessity for an ROWD for a new individual Waste Discharge Requirements (WDR) at the facility, which is in preparation.

The Discharger submitted a schedule for permitting as follows: (a) submit treatment plant permit applications to the City of Malibu and the Regional Board by October 22; (b) receive comments and make modifications by November 30; (c) receive initial regulatory approval by January 12, 2009, (d) submit detailed engineering drawings to the City and Regional Board and receive approval to construct by May 1, 2009, (e) begin construction on July 15, 2009, and (f) achieve compliance with permit requirements by February 15, 2010. The discharger proposed to modify the existing permit. Staff anticipates preparing a new WDR, but is reviewing this request which might require a reduction in the discharge volume.

### **Malibu Lumber and Legacy Park**

Elizabeth Erickson

Waste Discharge Requirements (WDRs) and Water Reclamation Requirements (WRRs) for Weintraub Financial-Malibu Lumber Plaza (Malibu Lumber) are planned to be fully integrated with the City of Malibu's Legacy Park (Legacy Park) stormwater management project, with waste disposal from Malibu Lumber through irrigation and a leach field in Legacy Park. Storm water will be used for additional irrigation. In extreme wet weather, storm flows will be stored at Legacy Park in a clay-lined basin for future treatment and irrigation or discharge to Malibu Creek. Given the hydraulic relationship between Malibu Lumber and Legacy Park, disposal requirements for the Malibu Lumber WDRs/WRRs must contain sufficient controls for both projects to ensure that existing adjacent leach fields are not flooded by a rise in groundwater elevation due to additional subsurface discharge in Malibu Valley. Revised CEQA documentation will be required for Legacy Park.

Weintraub Financial-Malibu Lumber Plaza and the City of Malibu (Dischargers) considered immediate enrollment of Malibu Lumber with limited flows of 1,931 gallons per day (gpd), under the Memorandum of Understanding (MOU) for small commercial septic disposal. However, Regional Board staff concluded that this use of the MOU was not appropriate because; (a) the calculation of non-restaurant discharge flows of less than 1,931 gpd is inadequately supported because it is based on average conservation flows when peak usage will determine maximum flows; (b) the engineering documentation of a 17,000 gpd disposal system does not contain a description of how the larger system will operate at the proposed low levels and still provide tertiary level treatment, and it has not received approval from the California Department of Public Health; and (c) the project discharges will affect the performance of a leach field in Malibu's Legacy Park. It requires a public process to ensure that regional flows from many users served by the Park will be adequately managed.

Further, during our assessment of the Malibu Lumber site, Regional Board staff determined that the Civic Center area of the Malibu Valley Groundwater Basin currently has more subsurface discharge than can be assimilated while maintaining 5-10 feet of separation between groundwater and the bottom of any new leach field under the most critical wet weather conditions when storm water will be present. New use and disposal in the Civic Center area, even with high levels of treatment, is predicted to cause the failure of the existing older septic systems and increased bacteria discharge from flooded leach fields. Of further concern, the City has recently abandoned plans for a wastewater treatment system to replace leach fields in the Civic Center area.

Regional Board staff feels that the addition of new or increased discharges, like that proposed for Malibu Lumber, should be allowed only when coupled with other measures to reduce bacteria and nutrient loading

to Malibu Creek and Lagoon, which are impaired for these constituents and subject to Total Maximum Daily Loads. Legacy Park or other storm water control mechanisms are projected to improve bacteria and nutrient conditions in the Civic Center and could offset the project's impact. However, Malibu Lumber discharges may affect the operations of Legacy Park and will not be monitored and protected by the Regional Board if it is permitted by the City, despite the potential for unsuccessful operation to result in impact to public health and safety.

The Dischargers submitted a Report of Waste Discharge (ROWD) and technical information in support of enrollment under General Waste Discharge Requirements for non-restaurant limited flows of 3,460 gallons per day (gpd) on August 27, 2008. Some information was absent from that application and has been requested of the Dischargers. Should the additional documents and comments received from neighbors within 500 feet, the Executive Officer may consider non-restaurant flows of up to 3,460 gpd to begin by the end of October. Individual WDRs for Malibu Lumber, with flows of up to 17,000 gpd integrated with Legacy Park, are scheduled to be heard by the Regional Board on December 11, 2008.

**Groundwater Permitting – Inspection Report(s) August 7, 2008 – September 5, 2008**

Rosie Villar and Rebecca Chou

Inspections conducted for groundwater permitting:

| <b>Date Issued</b> | <b>Permittee</b>             | <b>Project Manager</b> |
|--------------------|------------------------------|------------------------|
| 08/07/08           | Koss Real Estate Investments | Toni Callaway          |
| 08/11/08           | Acton Investments, Inc.      | Dionisia Rodriguez     |

**Groundwater Permitting – Notices of Violation (NOVs): August 14, 2008 – September 5, 2008**

Rosie Villar and Rebecca Chou

Notices of Violation (NOVs) issued:

| <b>Date Issued</b> | <b>Permittee</b>        | <b>Project Manager</b> |
|--------------------|-------------------------|------------------------|
| 8/26/08            | Malibu Country Mart III | Toni Callaway          |
| 9/04/08            | Malibu Country Mart II  | Toni Callaway          |
| 9/04/08            | Malibu Country Mart I   | Toni Callaway          |
| 9/04/08            | Limoneria Company       | Toni Callaway          |

**Summary of General Waste Discharge Requirements Enrolled**

Rosie Villar and Rebecca Chou

From August 14, 2008 to September 5, 2008, three dischargers enrolled under the general Waste Discharger Requirements (WDR). The table below contains a breakdown for each category of general WDR.

\* Underground Storage Tank Program

|           |  | Project Manager | Date of Coverage | Date of Revision | Termination |
|-----------|--|-----------------|------------------|------------------|-------------|
| <b>A.</b> | <b>General Waste Discharge requirements for discharges to land by small domestic wastewater treatment systems (Order No. 97-10)</b>  |                 |                  |                  |             |
| 1.        | Aera Energy LLC, Ventura (Series No. 43)   | D. Rodriguez    | 7/21/08          |                  |             |
| <b>B.</b> | <b>General WDR Discharge for Groundwater remediation at petroleum Hydrocarbon fuel and/or volatile organic compound impacted sites (Order No. R4-2007-0019)</b>                    |                 |                  |                  |             |
| 1.        | Invensys Climate Controls, Long Beach (Series No. 70)  | P. Guha-Niyogi  | 7/29/08          |                  |             |
| 2.        | Kurkcyan Property, Simi Valley (Series No. 72)   | G. Kwey         | 7/29/08          |                  |             |
| <b>C.</b> | <b>General Waste Discharge Requirements for discharge of non-hazardous contaminated soils and other wastes in Los Angeles River and Santa Clara River Basins (Order No. 91-93)</b> |                 |                  |                  |             |
| 1.        | Vintage Productions LLC, Ventura (File 88-57-005(8))   | D. Cross        | 07/31/08         |                  |             |
| <b>D.</b> | <b>General Waste Discharge requirements for general NPDES permit small commercial &amp; multi-family residential subsurface sewage disposal systems (Order No. 01-031)</b>         |                 |                  |                  |             |
| 1.        | Reliant Energy Mandalay, Inc., Oxnard (Series No. 105)   | O. Gonzalez     | 8/8/08           |                  |             |

### *Landfill Program*

#### **Baldwin Oil Field Land Treatment Units (Inglewood)**

Enrique Casas

Plains Exploration & Production Company (PXP) actively operates the approximately 1,000-acre Baldwin (Inglewood) Oil Field to produce oil and gas. Three bioremediation land treatment units (LTU) are located within the oil field and operated under Regional Board waste discharge requirements (Order No. 01-054, adopted in March 19, 2001). The three LTUs, Vickers (1.2 acre), LAI North (4.25 acre), and LAI South (1 acre), are utilized to continuously remediate contaminated soils generated at the oil field. The bioremediation cells are underlain by compacted clay liners and surrounded by two-to-three foot tall containment berms. Petroleum hydrocarbon contaminated soils from the abandonment of wells and routine oilfield operation are spread onto the LTUs. Irrigation water with dissolved nutrients (urea) is sprayed over the unit by a sprinkler system and the soils are disked several times per week to increase aeration and enhance degradation of the petroleum hydrocarbons. Approximately 17,000 cubic yards of non-hazardous oil-contaminated soils are treated each year and reused on-site.

On August 26, 2008, Regional Board staff inspected the facility to evaluate compliance with Regional Board Order No. 01-054 and to clarify facility details provided in the Baldwin Hills Community Standards District

Draft Environmental Impact Report (DEIR). Violations of Regional Board Order No. 01-054 were observed, including the potential for irrigation water and nutrients applied to the LTUs to be released to surface waters, ponding of irrigation water at one LTU, and poorly maintained concrete lined sumps to the LTUs that potentially prevented capture of surface runoff from LTUs so that it could be directed to an on-site treatment facility. Two additional findings of note were: 1.) that the one existing monitoring well (MW-1) is inadequate to assess historic contamination from the facility as described in Baldwin Hills Community Standards District DEIR, and 2.) an area of significant surface water run-on resulting from excess irrigation from the adjacent Ladera Ball Fields requires PXP coordination with the County of Los Angeles Park and Recreation Department to eliminate the over watering.

Regional Board staff is preparing a Notice of Violation, based on the inspection results, requiring a revised Report of Waste Discharge for the facility in order to update discharger information, require a revised groundwater monitoring program, require as-built design information for the LTUs including compacted clay liner construction, irrigation delivery systems, perimeter containment berms, and run-off collection systems, and to require an Operation and Maintenance Plan for the LTUs including irrigation requirements, nutrient loads, and routine inspections.