

Item 18.2

**GWDR Enrollment to be Rescinded
and
Monitoring Report**



California Regional Water Quality Control Board

Los Angeles Region



Terry Tamminen
Secretary for
Environmental
Protection

Over 51 Years Serving Coastal Los Angeles and Ventura Counties
Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

Arnold Schwarzenegger
Governor

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.swrcb.ca.gov/rwqcb4>

TO: File No. 02-058

FROM: Hoan Tang

DATE: December 15, 2003

SUBJECT: **EVALUATION OF INFORMATION SUPPORTING GENERAL WASTE DISCHARGE REQUIREMENTS FOR ON-SITE SEPTIC DISPOSAL SYSTEM – MALIBU LUMBER AT 23419 W. PACIFIC COAST HIGHWAY, MALIBU, CALIFORNIA, (FILE NO. 02-058)**

Fisher/Malibu Lumber Co., a Weyerhaeuser Company, doing business as Malibu Lumber and Hardware Company occupies the facility located at 23419 W. Pacific Coast Highway in Malibu, California. Malibu Bay Company is the current owner of the land and lessor of the Property. Malibu Bay Company and Fisher/Malibu Lumber Co. collectively are identified as the Discharger for the Property.

The Property is a 1.5-acre parcel located on the north side of Pacific Coast Highway within the Santa Monica Mountains. It is occupied by a hardware retail sales building, two lumber supply warehouse buildings, a lumber storage yard, and asphalt paved parking lot for customers and employee usage. There are 53 spaces of parking provided. The discharge consist of domestic wastewater with an average flow of 340 gallons per day (gpd) and a peak flow of 500 gpd to an on-site wastewater septic disposal system.

The septic disposal system consists of a 1,250-gallon septic tank that provides primary treatment with gravity dosed into two leachfields. The two existing leachfields are each sized at 2 feet X 80 feet. The primary components of the system and leachfields are located underneath the parking areas. The facility is located in an environmentally sensitive area in which the groundwater separation is only five feet.

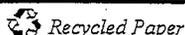
1. Evaluation

The waste discharge from the subject site satisfies the following criteria for enrollment under the General Permit of the State Water Resources Control Board (State Board), Water Quality Order No. 97-10-DWQ (General Waste Discharge Requirements for Discharges to Land by Small Domestic Wastewater Treatment Systems):

- **Discharge volume less than 20,000 gallons per day** – The average volume of discharge is estimated at 340 gallons per day (gpd), with a peak flow of 500 gpd. There is no meter on the septic system to calculate for the maximum flow rate. The wastewater shall be disposed of using the onsite septic disposal system.
- **Waste discharge from small domestic wastewater treatment systems-** The wastewater from the subject site is considered wastewater discharge to land by a

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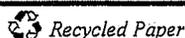
small domestic wastewater treatment system. Therefore, staff determined that enrollment for the facility under the general WDR is appropriate.

- **Distance from stream, channel, or other watercourse-** The septic disposal system for the Property is located approximately 0.7 mile east of Winter Canyon, approximately 0.15 mile west of Malibu Creek and 0.25 mile north of the Pacific Ocean.
- **CEQA requirements** – This general WDR is intended to cover both new and existing small domestic systems. The adoption of WDRs for existing small domestic systems is exempt from the California Environmental Quality Act (CEQA) under CCR, Title 14, Section 15261 or Section 15301 as ongoing or existing projects.
- **Storm water Requirements-** Board staff searched the Los Angeles Storm water database for existing Storm Water Permit for the facility and found none. Staff checked with the Standard Industrial Classification (SIC) Manual and conclude that the facilities are not subject to a storm water permit.
- **Groundwater monitoring requirements-** A groundwater-monitoring program is not recommended at this time because of the small discharge volume. In the future, the Executive Officer may determine that a groundwater-monitoring program is needed to fully evaluate the impact from the wastewater discharge of groundwater.
- **Inspection-** On June 18, 2002, staff arrived at the facilities. Staff witnessed no overflows of sewage to the surface and detected no odor on site.
- **Annual Fee Schedule-** An annual fee in the amount \$900.00 was received on April 1, 2003.
- **Why State Order 97-10-DWQ-** This facility is not eligible for enrollment under the Regional General Order No. 01-031 because they do not have a minimum of 10 feet of vertical separation between the bottom of the disposal system and the anticipated high ground water level. Therefore, enrollment under Order 97-10-DWQ is appropriate.

Staff recommends that the enrollment of the case under the State General WDR No. 97-10-DWQ is appropriate.

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

MONITORING AND REPORTING PROGRAM NO. CI-8695
FOR
MALIBU BAY COMPANY AND FISHER/MALIBU LUMBER COMPANY
MALIBU LUMBER AND HARDWARE COMPANY
23419 W. PACIFIC COAST HIGHWAY

ENROLLMENT UNDER STATE
ORDER NO. 97-10-DWQ (SERIES NO. 020)
(FILE NO. 02-058)

I. REPORTING REQUIREMENTS

- A. Malibu Bay Company and Fisher/Malibu Lumber Company (hereinafter Discharger) shall implement this monitoring program and the Attachment A (Septic Tank Monitoring) on the effective date of this enrollment (January 30, 2004) under State Water Resources Control Board Order No. 97-10 DWQ. The first monitoring report under this program, for January-March, shall be received at the Regional Board by April 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. By April 15th of each year, beginning April 15, 2004, 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 explain 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 (WDRs).
- C. 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.
- 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

January 30, 2004

laboratory must meet the United States Environmental Protection Agency (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 WDRs. This section shall be located at the front of the report and shall clearly list all non-compliance with WDRs, 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 Discharger shall implement the requirements for septic tank monitoring described in Attachment A.

III. GROUNDWATER MONITORING PROGRAM

In the future, a groundwater monitoring program designed to detect and evaluate impacts from wastewater discharges from the septic disposal systems may be required.

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: January 30, 2004



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January 15, 2004

Mr. Ron Cina
Malibu Lumber and Hardware Company
23419 W. Pacific Coast Highway
Malibu, CA 90265

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CLAIM NO. 7001 0360 0000 3649 6126

Dear Mr. Cina:

GENERAL WASTE DISCHARGE REQUIREMENTS FOR WASTE DISCHARGES TO LAND BY SMALL DOMESTIC WASTEWATER SYSTEMS – MALIBU LUMBER AND HARDWARE COMPANY AT 23419 W. PACIFIC COAST HIGHWAY, MALIBU, CALIFORNIA, (FILE NO. 02-058)

We have completed our review of your application for Waste Discharge Requirements for domestic wastewater generated from the above-mentioned facilities to an on-site septic disposal system.

Fisher/Malibu Lumber Co., a Weyerhaeuser Company, doing business as Malibu Lumber and Hardware Company occupies the property located at 23419 W. Pacific Coast Highway in Malibu, California. Malibu Bay Company is the current owner of the land and lessor of the property. Malibu Bay Company and Fisher/Malibu Lumber Co. collectively hereinafter are identified as the Discharger for the Property.

The property is a 1.5-acre parcel occupied by a hardware retail sales building, two lumber supply warehouse buildings, a lumber storage yard, and asphalt paved parking lot for customers and employee usage. There are 53 spaces of parking provided. The discharge consists of domestic wastewater with an average flow of 340 gallons per day (gpd) and a peak flow of 500 gpd to an on-site wastewater septic disposal system. The septic disposal system consists of a 1,250-gallon septic tank that provides primary treatment with gravity dosed into two leachfields. The two existing leachfields are each sized at 2 feet X 80 feet. The primary components of the system and leachfields are located underneath the parking areas. The facility is located in an environmentally sensitive area in which the groundwater separation is only five feet.

Regional Board staff have reviewed the information provided and have determined that the proposed discharge meets the conditions specified in the general permit of the State Water Resources Control Board (State Board) Water Quality Order No. 97-10-DWQ, "General Waste Discharge Requirements for Discharges to Land by Small Domestic Wastewater Treatment Systems," adopted by the State Board on November 18, 1997. We hereby withdraw the tentative orders dated June 11, 2003, which were sent to you on July 3, 2003.

Enclosed are your Waste Discharge Requirements (WDRs), consisting of Order No. 97-10-DWQ, Monitoring and Reporting Program No. 97-10-DWQ (Attachment A), Monitoring and Reporting Program No. CI-8693 and Standard Provisions and Reporting for Waste Discharge Requirements (Attachment B). Please note that your discharge must meet the groundwater quality objectives

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set in the Regional Board's *Water Quality Control Plan for Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan) which was adopted on June 13, 1994 and amended on January 27, 1997. The Basin Plan incorporates applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations.

In addition, the State Board adopted a revised *Water Quality Control Plan for the Ocean Waters of California* (Ocean Plan). The State of California Office of Administrative Law and the United States Environmental Protection Agency approved the revised plan on July 9, 2001 and December 3, 2001, respectively. The revised plan contains water quality objectives for coastal waters of California. Monitoring and Reporting Program CI No. 8695 includes receiving water limitations that implement the Ocean Plan.

Although your discharge is enrolled under the general permit (Order No. 97-10-DWQ), it will be reviewed periodically. Based on the technical information pertaining to your septic disposal system and/or groundwater, the Regional Board Executive Officer may determine that the discharge would be better regulated under another general WDR or a specific WDR. Once the decision is made, you will be notified within 30 days before any Regional Board action. If the discharge is regulated under another general WDR, or a specific WDR, which requires board action, the applicability of Order No. 97-10-DWQ is immediately terminated on the effective date of the issuance of a new WDR.

Once changes to your septic disposal system are in effect, revised engineering drawings showing the change must be filed with the Regional Board a minimum of thirty days prior to the change. The proposed plan will be either to relocate the leachfield area or modification of the existing system. The Discharger must submit a revised report for approval.

The Regional Board is increasingly concerned about the aggregate effects of discharges from individual and community subsurface disposal systems on the Malibu watershed and groundwaters. 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.

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. When submitting monitoring or technical reports to the Regional Board per these requirements, please include a reference to CI No. 8695, which will assure that the reports are directed to the appropriate file and staff. 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. 97-10-DWQ to the applicant only. A copy of the Order will be furnished to anyone who requests it.



If you have additional questions, please contact Dr. Kwangil Lee at (213) 620-2269.

Sincerely,

Dennis A. Dickerson,
Executive Officer

Enclosures

1. State Water Resources Control Board Water Quality Order No. 97-10-DWQ- *General Waste Discharge Requirements for Discharges to Land by Small Domestic Wastewater Treatment Systems*
 - a) Attachment A: State Water Resources Control Board Monitoring and Reporting Program
 - b) Attachment B: Standard Provisions and Reporting for Waste Discharge Requirements
2. Monitoring and Reporting Program CI No. 8695

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
Mr. David Reznick, Malibu Bay Company
Mr. Steve Braband, Biosolutions
Mr. John Yaroslaski, Ensitu Engineering Inc.



MONITORING AND REPORTING
for

MALIBU LUMBER & HARDWARE COMPANY

at

23419 W. PACIFIC COAST HIGHWAY

(File No. 02-058)

WDR Order No. 97-10-DWQ

MRP No. CI 8695

LOS ANGELES REGION
QUALITY CONTROL BOARD
JUN 13 1997

4th Quarter Report

for

Reporting Period: October 31, 2005 – December 31, 2005

Table of Contents

Findings & Analysis

Appendix A – Potable Water Usage

Appendix B – Septage Hauling Records

this report prepared by:
BioSolutions, Incorporated
Agoura Hills, CA

Quarter Report

This report provides information to fulfill the monitoring and reporting provisions of the discharger's Monitoring and Reporting Program (MRP) CI-8695, a part of the currently issued State Water Resources Control Board Water Quality Order No. 97-10-DWQ.

In February 2005, Malibu Lumber & Hardware closed the facility. Malibu Bay Company owns the property and they do not have plans to lease the facility to a new discharger at this time.

I. Reporting Requirements

At this time there are no requirements for testing. However, should testing become necessary, all water and wastewater samples will be taken in accordance with all pertinent state and federal laws, guidelines, and industry approved standards. All analyses will be conducted by Pat-Chem Laboratories of Moorpark, CA, a laboratory certified by the California Department of Health Services, in accordance with current USEPA guideline procedures or as specified in Monitoring & Reporting Program CI-8695.

II. Summary of Non-Compliance

There were no incidences of non-compliance actions or inconsistencies of system performance.

III. Septic Tank & Disposal Area Monitoring

A. The following table shows the estimated daily wasteflow. Appendix A contains the water bills for 09/06/05 through 11/04/05. The average daily potable water usage was 202 gallons per day for this time period.

| <i>Constituent</i> | <i>October</i> | <i>November</i> | <i>December</i> |
|-----------------------------------|----------------|-----------------|-----------------|
| Days per Month | 31 | 30 | 31 |
| Average Daily Usage (meter units) | .27 | .27 | .27 |
| Average Total Daily Usage (gpd) | 202 | 202 | 202 |

B. Monthly observations in the disposal area revealed neither overflows nor surfacing of wastes.

C. Malibu Lumber & Hardware Company currently did not contract for regular operation and maintenance of the treatment system.

IV. Groundwater Monitoring

In accordance with WDR 97-10-DWQ, a groundwater monitoring plan is not required at this time.

V. Waste Hauling

No Waste hauling pumping was done during this period.

VI. Certification Statement

"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 this 12 day of Jan, 2006 at Malibu, CA
David R. [Signature] (Signature)

(Title)

APPENDIX A

Potable Water Usage

RETAIN THIS BOTTOM PORTION FOR YOUR RECORDS

PLEASE TURN OVER SIDE FOR ADDITIONAL INFORMATION

PLEASE NOTIFY LOCAL BILLING OFFICE IF ANY INFORMATION IS INCORRECT

| | | | | | | | | |
|---|----------|----------------|------|--|--|--------------------------|-------------|----------------------------------|
| SERVICE INFORMATION MALIBU BAY COMPANY 23419 W PACIFIC CST HWY MALIBU, CA 90265 | | | | BILLING OFFICE TELEPHONE NO. (310) 456-6621 | | ACCOUNT NO: 29 308 02610 | | |
| | | | | METER NUMBER NEP 60063299 | | METER SIZE 2 | B.U. 5.0 | RATE SCHEDULE 2962 |
| SERVICE DATES | | METER READINGS | | UNITS USED | | UNITS INCLUDED | | |
| FROM | TO | FROM | TO | (100'S OF CUBIC FEET) | | IN SERVICE CHARGE | | QUANTITY UNITS |
| 09/06/05 | 11/04/05 | 1312 | 1328 | 16 | | 50.0 | | .0 |
| PAYMENTS AND ADJUSTMENTS PROCESSED AFTER THE BILL DATE WILL APPEAR ON YOUR NEXT BILL | | | | MD. DAY YR. | | \$ AMOUNT | | DESCRIPTION |
| | | | | 09/09/05 | | 184.20 | | PRIOR BILL |
| | | | | | | 184.20 | | PAYMENTS RECEIVED |
| | | | | | | .00 | | ADJUSTMENTS |
| BILL DATE -----> | | | | 11/04/05 | | .00 | | PRIOR BALANCE * |
| | | | | | | 171.70 | | EXPENDITURE WATER |
| | | | | | | .00 | | SERVICE CHARGE |
| | | | | | | 12.50 | | NORMAL USE CHARGE |
| | | | | | | | | OTHER CHARGES # 7087-0053 |
| | | | | | | | | FACILITIES CONSTRUCTION CHARGE |
| | | | | | | | | APPROXIMATE IMPROVEMENT CHARGE |
| SERVICE CHARGE USAGE 50.0 | | | | | | | | |
| NORMAL USE RATE \$ X NORMAL USAGE CONSERVATION USE RATE \$ X CONSERVATION USAGE EXCESSIVE USE RATE \$ X EXCESSIVE USAGE | | | | | | | | |
| BILL WILL BECOME DELINQUENT AND A \$10 LATE FEE MAY BE ASSESSED IF PAYMENT IS NOT RECEIVED BY THIS DATE -----> | | | | | | 184.20 | | SUBTOTAL |
| | | | | 11/29/05 | | 184.20 | | |
| | | | | | | | | PAY THIS AMOUNT |
| | | | | | | | | THIS BILL IS NOW DUE AND PAYABLE |
| | | | | | | | | MALIBU LUMBER |

* ACCOUNTS WITH A PRIOR BALANCE ARE SUBJECT TO SHUT-OFF AT ANY TIME

23533 Civic Center Way
 Malibu, CA 90265-4804
 (310) 456-6621

260 E. Ave. K-8
 Lancaster, CA 93535-4527
 (561) 942-1157

Monday - Thursday ONLY
 900 S. Fremont Av.
 Alhambra, CA 91803-1331
 (626) 300-3335



APPENDIX B

Septage Hauling Records

