

Proposed Prohibition
On-Site Wastewater Disposal Systems
(Septics)
Malibu Civic Center Area

CA Regional Water Quality Control Board – Los Angeles Region
Community Meeting – October 1, 2009 (Pepperdine)

Agenda

- CA RWQCB

- Introductory Remarks, Who We Are
- Reasons for the Prohibition
- Structure of the Proposed Prohibition

Who is Subject?

How Were Boundaries Drawn?

- City of Malibu – share comments
- Public – provide comments



State and Regional Water Quality Control Boards

Regulating Discharges of Waste (Solid and Liquid)

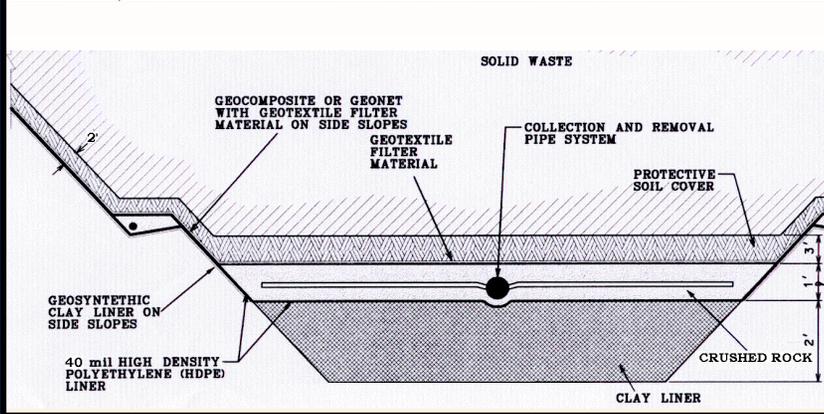


Photo: Enrique Casas

Mission – to Protect Water Quality for Present and Future Generations

- Prevent pollution: by regulating wastewater discharges – waste discharge requirements (WDRs)
 - Surface waters (aka NPDES* permits)
 - Ground waters (including landfills)
- Oversee clean-ups
- Rule-making:
 - Set water quality objectives (*Basin Plan*)
 - Specify waste loads for impaired waters (TMDLs**)
 - Issue prohibitions

*National Pollutant Discharge Elimination System **Total Maximum Daily Load



Area Subject to Prohibition (“Malibu Civic Center Area”)

Reasons for the Prohibition

- Polluted groundwater (Tech Memo #2)
- Polluted beaches (Tech Memo #3)
- Polluted lagoon (Tech Memo #4)
- Compliance records of permitted dischargers (Tech Memo #1)
- Reliance on hauling raw sewage (Tech Memo #5)



Surfrider Beach May 10, 1998



Compliance Record (Tech Memo #1)

- 20 permitted dischargers have poor records of compliance with Regional Board Orders.
- The compliance status for small commercial and residential dischargers under City's oversight has not been analyzed.

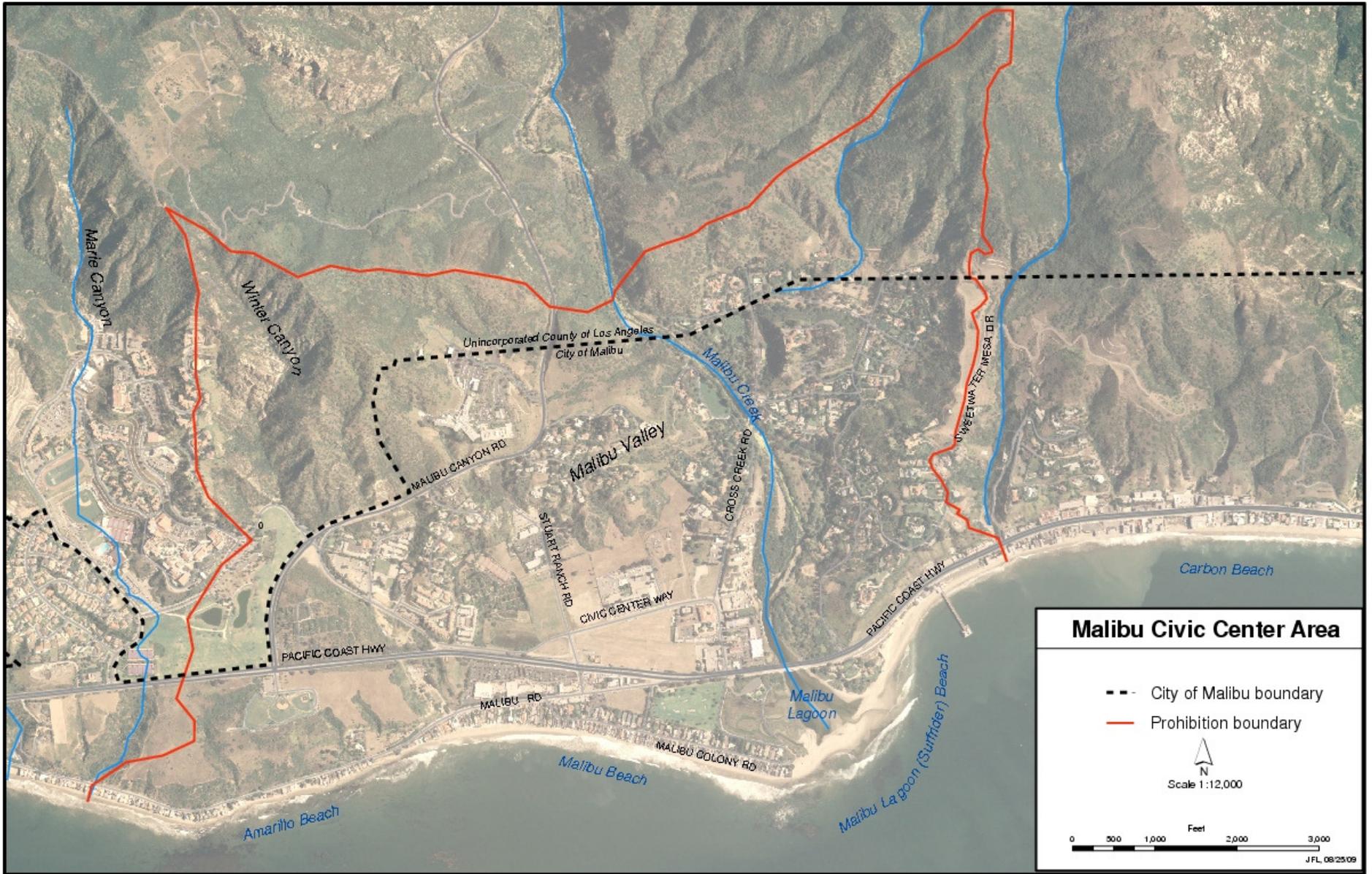
Hauling Practices (Tech Memo #5)

- Land uses generate more wastewater than can be transmitted into the subsurface.
- Increasing reliance on hauling raw sewage off-site (e.g. Carson)
 - 7% of raw sewage is hauled off-site from a subset of dischargers.
 - >20% increase in raw sewage (2004-2008)
 - >29% increase in hauling (2004-2008)





Area Subject to Prohibition (“Malibu Civic Center Area”)





Who Would Be Affected?

- Applies to all discharges in the Malibu Civic Center area:
 - Commercial and industrial facilities
 - Public facilities
 - Residential properties
- Applies to ALL discharge systems (passive convention septics to advance plants)

When Would You Be Affected?

See handout for details

- New discharges: immediately (Nov 5, 2009)
 - No new projects*
- Existing discharges: November 5, 2014
 - Repairs and upgrades allowed, provided they comply with the deadline to cease discharge by 2014
 - No expansions (projects that will increase wastewater flows allowed)
- *Discharges in 'Pipeline'
 - Residential applicants
 - Nov 5, 2009 if permitting has not been completed
 - Nov 5, 2014 if permitting has been completed
 - Commercial applicants
 - Nov 5, 2009 if CA RWQCB has not deemed your RoWD (Report of Waste Discharge) adequate and complete
 - Nov 5, 2014 if CA RWQCB has deemed your RoWD adequate and complete

Next Steps

- Oct 8th at 2 pm – deadline for receipt (at CA RWQCB – LA) of written comments:
 - Dr. Rebecca Chou, CA RWQCB-LA
 - 320 W 4th St, LA, CA 90013
- Oct 27th – Target for staff to respond to comments (check Web page)
http://www.waterboards.ca.gov/losangeles/press_room/announcements/Public-Hearing-Malibu/index.shtml
- Nov 5th – Regional Board hearing and proposed adoption
 - Metropolitan Water District of Southern California
 - 700 North Alameda Street
 - Los Angeles, California

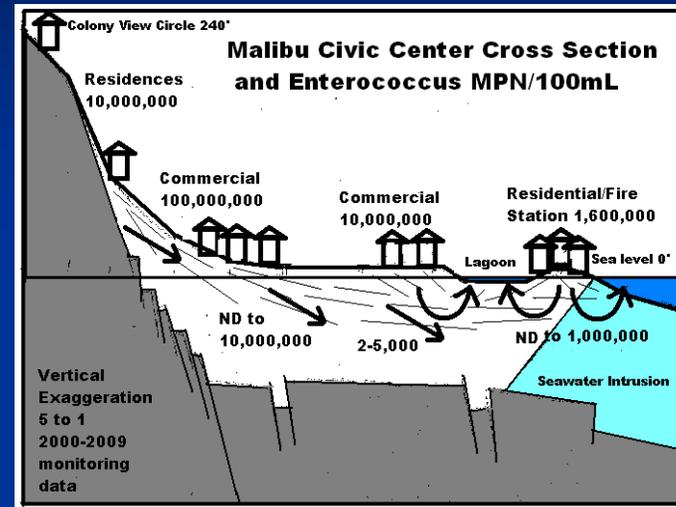
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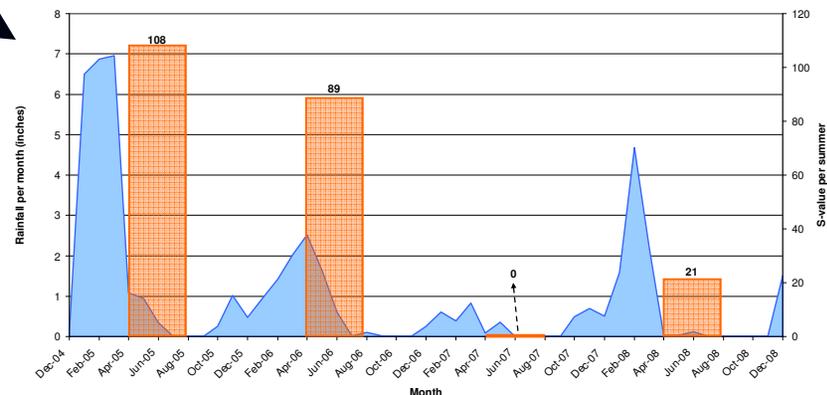
For future updates and revisions on our Malibu Prohibition Web page:, go to http://www.waterboards.ca.gov/losangeles/press_room/announcements/Public-Hearing-Malibu/index.shtml . To subscribe to our list for these announcements, go to: http://www.waterboards.ca.gov/resources/email_subscriptions/reg4_subscribe.shtml and check Prohibition-Malibu Civic Center Septics.

Is there a path for Septic Bacteria Transport to the Beach?

- Yes. Bacteria have been identified at all points of the groundwater pathway from septic systems to the beaches at the Civic Center. 76% of the groundwater wells have bacteria pollution and Malibu studies say 92% of this water (78,000 to 126,000 cubic feet per day) enters the ocean.
- The incomplete studies are contradictory. The USGS study shows variability in groundwater discharge rates and contradicts constant discharge shown in the mounding study. Neither refute staff's analysis relating bacteria to groundwater discharge of the previous years winter rain.



Santa Monica Bay: Los Angeles International Airport Monthly Rainfall and Dimensionless Measure of Significance for the Contrast between Summer-Month Septic and Sewered Beach Enterococcus-Interval-Frequency-Distributions vs. Months

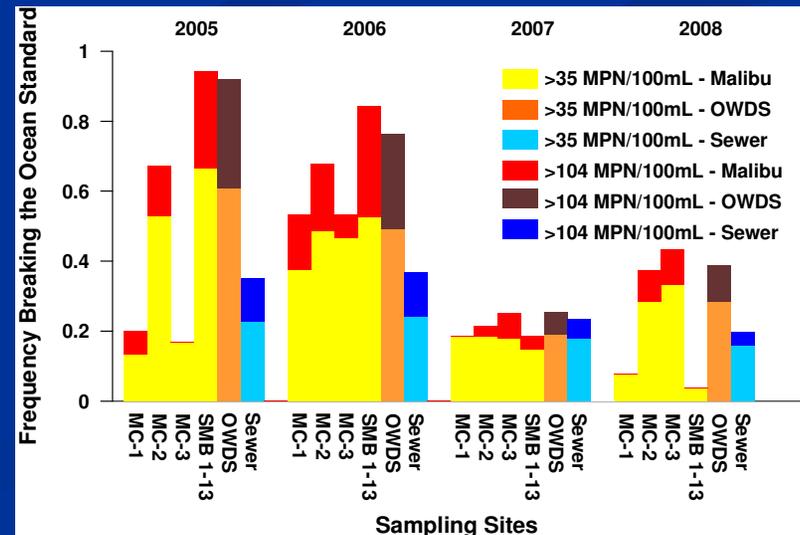


Do beach bacteria come from birds and non-human sources?

- Not all. Eighteen historical studies relate bacteria to septic systems. The human illnesses measured in 1995 are related to human pathogens.
- The five incomplete studies do not explain the bacteria problem at Malibu beaches. Non-human sources are also present at other beaches, yet Staff's analysis shows seweraged beaches have less of enterococcus bacteria than Malibu beaches.

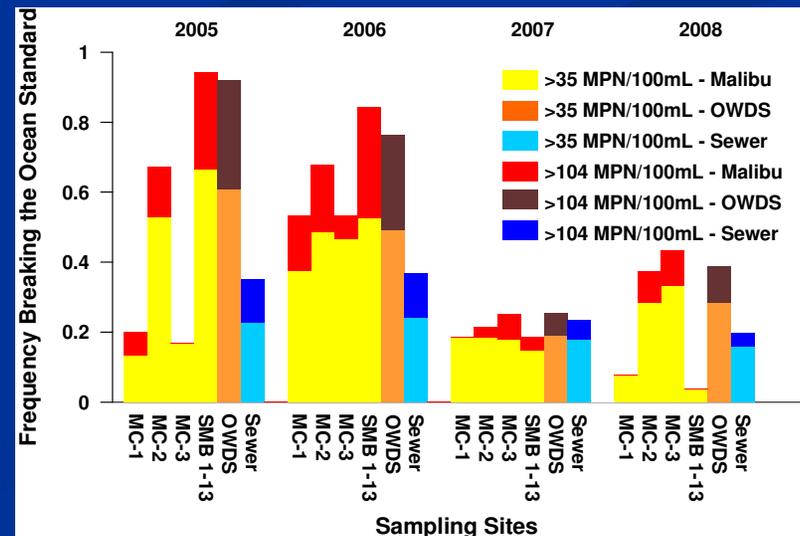
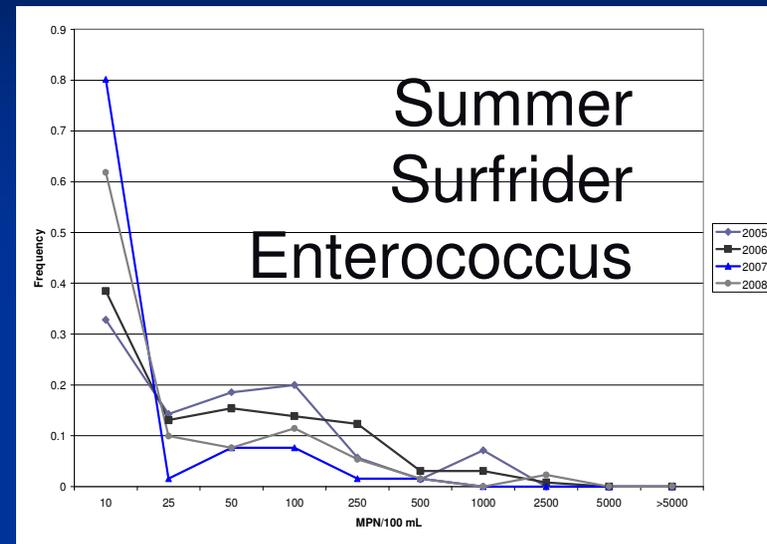
1995 Illnesses on Surfrider Beach (SMBRP Epidemiology Study)

Highly Credible Gastrointestinal Illness (vomiting, diarrhea and fever)	Significant respiratory Disease (runny nose, coughing and fever)	One of: vomiting, diarrhea and fever or stomach pain and fever.
14 per 1,000 swimmers	45 per 1,000 swimmers	39 per 1,000 swimmers



Are the homeless responsible for the beach bacteria?

- No. The bacteria at the Civic Center beaches correlate between the summers of 2005-2008. Homeless use would create more variation in bacteria.
- Homeless exist on all beaches, yet staff's analysis showed sewerred beaches have less bacteria than Malibu beaches.



Draft - October 1, 2009

Who?		Subject to Prohibition?	Deadline to cease discharge?	Comment/Condition(s)
New Discharger:	Residential	Yes	Immediate	No new discharges after Nov 5, 2009.
	Commercial	Yes	Immediate	No new discharges after Nov 5, 2009.
Existing Discharger:	Residential	Yes	2014	Single-family homes must currently be in compliance with City's Ordinance 321 (re required Operating Permits).
	Commercial	Yes	2014	Commercial facilities without a WDR must immediately submit a Report of Waste Discharge (RoWD).
Existing Discharger with a repair or upgrade project:	Residential	Yes	2014	Repair or upgrade (at existing flow level) subject to approval by City. All upgrades must comply with City's Local Coastal Program (LCP) and provide a minimum of secondary treatment and disinfection.
	Commercial	Yes	2014	Repair or upgrade (at existing flow level) subject to approval by City and CA RWQCB.
Existing Discharger with an expansion project:	Residential	Not relevant, as a project that would increase wastewater flow is not allowed.		Projects that will increase wastewater flows not allowed after Nov 5, 2009. <i>(The City is expected to propose a revision, to allow for increased residential flows to 2014, under limited conditions – this has not been approved by the CA RWQCB.)</i>
	Commercial	Not relevant, as a project that would increase wastewater flow is not allowed.		No expansion to be allowed.
"In pipeline" Discharger, who is already in City's land development permitting process on or before Nov 5, 2009:	Residential	Yes	2009	<i>(The City is expected to propose an exemption, to allow interim discharge to 2014 for those applicants who paid all application fees and substantially fulfilled permit requirements by Nov 5, 2009 – this has not been approved by the CA RWQCB.)</i>
	Commercial	Yes	2009	If Discharger has completed an RoWD that has been deemed adequate by CA RWQCB staff by Nov 5, 2009, the CA RWQCB will proceed to process a WDR for interim discharge to 2014.

