

IV B Industrial/Commercial Facilities Program Activities
City of Malibu
FY 2011-2012

1. *Critical Source Inventory Database*

Did you (individually or jointly) update the Database for Critical Sources Inventory?

The City maintains its own database of all targeted commercial facilities in a list in an Excel spreadsheet. The list has been updated and includes a breakdown of all industrial/commercial businesses that are identified under the countywide NPDES storm water permit for participation in the Industrial/Commercial Facilities Control Program. These businesses consist of retail gasoline outlets (RGOs), restaurants, and automotive service facilities. The City historically had one industrial facility covered under the State Industrial Activities Storm Water General Permit. However, that business closed and their State permit was terminated as of October 3, 2011. The site is now a retail hardware store, so the City had no businesses with coverage under the State's General Industrial Stormwater Permit during this reporting period.

The City uses this list to coordinate inspections of these facilities to ensure implementation of necessary BMPs and it is updated as needed. Restaurant, retail gasoline outlets, and automotive service facilities inspections are contracted out to a consultant. The City relies on information from the State and Regional Waterboards, County of Los Angeles, the Malibu Chamber of Commerce, and staff observations and inspections as resources for updating the list. Occasionally a new business is discovered through the Development Planning process, and staff is exploring ways to make tracking of new facilities through that process more efficient. However, because the City has very little commercial development, most of these new businesses replace an old business with an existing facility.

2. *Inspection Program*

Provide the reporting data as suggested in the following tables.

The City has Sixty (60) restaurants/food service related businesses, three (3) grocers, six (6) Retail Gasoline Outlets (RGO), three (3) Automotive Service on record. Note: 4 RGOs that formerly housed automotive bays no longer offer these services; 2 Automotive Service facilities are primarily RGO. The list of inspected businesses follows at the end of this document.

There is not an extensive base of commercial businesses operating in the City and industrial uses are very limited. Only one facility in the City had active coverage under the State Industrial Activities Storm Water General Permit. The Regional Water Board's records indicate that the facility filed a Notice of Intent with the State on August 23, 2005, and the permit was terminated October 3, 2011. From the publicly available records, it did not appear that the Regional Board inspected this facility prior to December 31, 2006, and the Regional Board's website for *Inspections by the Regional Board in the Los Angeles County MS4 area* has not updated records since then. City staff inspected the facility in 2009. After following up directly with Regional Board staff, City staff learned that the facility was inspected June 16, 2008. The business is under new ownership and recently underwent a renovation to a hardware store.

There are no landfills or Treatment Storage Disposal Facilities (TSDF) in the City.

Regarding the inspections table

All restaurants were inspected this past year. Automotive service and RGO were also inspected. Most restaurant inspections conducted early on in the permit cycle were done under a contract with the County of Los Angeles Public Health Department. The City based the numbers in past reports on the records from the County that were reported back to the City, current records of inspections, and information from past annual reports. Because the current permit that we are operating under expired in December 2006 and has been administratively extended, the City assumes a new inspection cycle began August 1, 2007 and it ended August 1, 2009.

However, it is unclear how to handle reporting of the inspection cycle beyond the initial term of the permit (which technically expired in December of 2006). The City has chosen to inspect facilities more frequently than the required two inspections per facility in a five year permit term. In the 07-08 report, the City requested guidance from the Regional Board for conducting inspections past December 2006. Since this guidance has not been provided, and a new permit has not yet been issued, the City submits inspection data tables in the Industrial Commercial Facilities Program section IV B of the report based *only on facility inspections conducted in the current reporting year*.

3. *BMPs Implementation*

Provide the reporting data as suggested in the following table.

Sixty (60) restaurants, six (6) RGOs, and three (3) automotive service facilities were inspected this reporting year. Two (2) of the automotive service businesses are primarily RGOs. See question 4 for further explanation of issues observed.

4. *Enforcement Activities*

Provide the reporting data as suggested in the following tables.

The issues observed during the restaurant inspections this past reporting year include violations of the City's bans on expanded polystyrene (EPS) food packaging and point-of-sale distribution of Plastic Bags, and evidence of surface or equipment washing outside. The City is very conservative on these matters and the contract inspector is directed to treat all issues as a violation, whether severe or minor. The City requires all issues to be corrected and staff provides educational materials to the business at the time of inspection. Four (4) businesses required some form of correction related to the City's environmental ordinances (such as EPS & Plastic Bag ban violations), a reduction since last reporting year. This past reporting year, less than 1% of operating restaurants/food service related businesses had some type of water quality violation or correction (e.g. posting proper Best Management Practices information, cleaning up trash area, replacing a grease container). Many businesses requiring corrections addressed the issues prior to re-inspection. Due to high employee turnover in the restaurant industry, management is not always aware of local rules and regulations, such as the plastic bag ban, thus requiring the City to conduct extra outreach. The City continued to partner with the Santa Monica Bay Restoration Commission and south bay cities to implement the Clean Bay Restaurant Program. See attachment 11-12 MBU IV A- Outreach for program criteria and inspection checklist.

The issue observed during RGOs inspections was poor BMPs related to motor oil barrel storage area. One (1) business was given a verbal warning which was counted as an NOV in this report. Educational materials were provided at facility inspections.

The Industrial/Commercial Facilities Inspection program is overseen by the City's Environmental Programs staff. However, the Code Enforcement Officer, Public Works Inspector, and the Building Inspectors have been trained to watch for stormwater BMP infractions and are authorized to issue Correction Notices in the field. Code Enforcement and the Environmental Programs staff work together to issue Cease and Desist letters if the violations have not been corrected. Repeat offenses are subject to increased enforcement procedures. Some of the violations may be subject to Malibu's administrative citation ordinance exposing the violator to civil penalties as well as traditional enforcement remedies. Additionally, the City implements the rescinding policy for the Clean Bay Restaurant Certificate program whereby a business that has been certified is subject to having its Clean Bay status rescinded for failing to maintain all of the criteria.

5. *Program Implementation Effectiveness Assessment*

Please give a brief assessment of the implementation of the program in removing pollutants from the storm water discharges. Please provide an explanation. Suggested improvements or adjustments based on the knowledge gained through this reporting period's activities must be reflected in a change in the SQMP, if warranted.

This program is **highly effective** in removing pollutants from storm water discharges and preventing pollutants from entering the MS4. It is extremely important to have regular contact with these types of businesses to ensure that compliance efforts are on-going and to reinforce/educate on the BMPs. Necessary inspections and response to illicit discharge reports are completed with proper enforcement and education. Food service related businesses requiring some type of correction has decreased by 50% since last reporting year. Annual inspections are suspected of having an influence on improved compliance rates. However, the City recognizes and would like to note that this may not always be feasible and depends annually on available resources and funding.

A challenge the City faces is from businesses with high employee turnover. These businesses require more vigilance and the City will continue to address this issue as long as resources remain available. The City's pro-active approach to providing annual inspections beyond what is required in the permit should ensure that all business owners and management, whether new or old, have regular contact with City staff and inspectors. This is more economically feasible in a small municipality like Malibu with limited commercial presence. The more contact with the business community, the more they learn about the proper BMPs and the impact their actions have on water quality. The Clean Bay Restaurant annual inspections will help with its increased contact at the businesses. City staff has also established relationships with property management companies for their assistance in keeping their tenants in compliance. These management companies have been helpful in distributing educational materials and increased policing of their properties to ensure outdoor areas are kept clean without contributing to illicit discharge of pollutants. The City is also working with the Chamber of Commerce to provide information about local regulations to businesses.

The City's water quality data does not quantitatively assess the effectiveness of the program. But increased public awareness of water quality issues, increased public/business education and the annual inspections are strong indicators that the City's program is effective and becoming more so each successive year.

6. *You must also submit a quarterly electronic submittal of your Industrial/Commercial Facilities Program activities*

The City's contract with the County Health Department for Industrial/Commercial inspections expired after the 2006-2007 reporting year. The City executed an agreement with a different consultant to conduct these inspections when the County contract expired. Rather than submitting quarterly electronic reports, the City attaches a list of restaurant facilities, RGOs and automotive facilities showing inspection dates.

**2011-2012
RGO Stormwater Inspections**

Company	Address	Street	Date Inspected	Reinspect Date						
Chevron	23670	Pacific Coast Hwy.	6/26/2012		*Also automotive service station					
Malibu Shell	23387	Pacific Coast Hwy.	6/26/2012							
Circle K	21216	Pacific Coast Hwy.	6/26/2012							
Trancas Chevron	30811	Pacific Coast Hwy	6/26/2012		*					
USA Gasoline	29145	Heathercliff Rd.	6/26/2012							
Unocal 76	26101	Pacific Coast Hwy.	6/26/2012							
Auto Repair Shop										
Malibu Auto Service	3728	Cross Creek Rd.	6/26/2012							
BMP Implementation										
Category	Number of facilities inspected by category in this reporting year	Number of facilities identified as adequately implementing BMPs as specified in this reporting year	% adequately implementing out of total in this reporting year	Number of facilities required to implement or upgrade in this reporting year	Number of facilities inspected by category in this reporting cycle	Number of facilities identified as adequately implementing BMPs as specified in this reporting cycle	% adequately implementing out of total in this reporting cycle	Number of facilities required to implement or upgrade in this reporting cycle	Total Number during this permit adequately implementing	Total Number during this permit required to implement or upgrade
RGO	6	6	100%	0	N/A	N/A	N/A	N/A	N/A	N/A
Automotive	3	2	66%	1	N/A	N/A	N/A	N/A	N/A	N/A
Enforcement										
Enforcement Actions by categories (e.g. Warning letter, NOV, referral to D.A., etc.)	Number of facilities issued enforcement actions in the current reporting year	Number of facilities issued enforcement actions in the current reporting cycle	Number of facilities (re)inspected due to enforcement actions in current reporting year	Number of facilities (re)inspected due to enforcement actions in current reporting cycle	Number of facilities brought into compliance in the current reporting year	Number of facilities brought into compliance in current reporting cycle	Total number of enforcement actions since permit adoption (by category)			
Gas Station/ Mini-Mart	1	1	0	N/A	1	N/A	N/A			

Clean Bay Restaurant (CBR) Certification Program
2012 Inspections

Malibu Restaurants	Address	Street	Unit No.	Phone No.	Inspection Date	Recommend Certificate	CBR Exp. Date
Café Habana	3939	Cross Creek Rd.		310-317-0300	5/31/2012	Yes	Jun-13
Charlie's	22821	Pacific Coast Hwy.		310-456-3132	6/13/2012	Yes	Jul-13
Chocolate Box	3939	Cross Creek Rd.	#C100	310-456-7977	5/31/2012	Yes	Jun-13
Coffee Bean & Tea Leaf	3835	Cross Creek Rd.	#12	310-456-5771	5/18/2012	Yes	Jun-13
Coogies Beach Café	23750	Pacific Coast Hwy.	Ste A	310-317-1444	5/21/2012	Yes	Jun-13
Coral Beach Cantina	29350	Pacific Coast Hwy.	#7	310-457-5503	5/17/2012	Yes	Jun-13
Country Kitchen	21239	Pacific Coast Hwy.		310-456-8708	6/16/2012	Yes	Jul-13
Crumbs Bake Shop	3939	Cross Creek		310-456-3700	5/31/2012	Yes	Jun-13
D'Amores Pizza	22601	Pacific Coast Hwy.		310 317-4500	6/6/2012	Yes	Jul-13
Duke's Malibu	21150	Pacific Coast Hwy.		310-317-0777	6/5/2012	Yes	Jul-13
Fish Grill	22935	Pacific Coast Hwy.		310-456-8585	5/31/2012	Yes	Jun-13
Geoffrey's	27400	Pacific Coast Hwy.		310-457-1519	6/13/2012	Yes	Jul-13
Giovanni's	22235	Pacific Coast Hwy.		310-317-6769	6/13/2012	Yes	Jul-13
Godmother of Malibu, The	23847	Stuart Ranch Rd.		310-456-3254	6/13/2012	Yes	Jul-13
Grom	3886	Cross Creek Rd.		310-456-9797	5/18/2012	Yes	Jun-13
Guido's Malibu	3874	Cross Creek Rd.		310-456-1979	5/18/2012	Yes	Jun-13
Howdy's Tacqueria	3835	Cross Creek Rd.	Ste 3	310-456-6299	5/18/2012	Yes	Jun-13
Jack in the Box	23017	Pacific Coast Hwy.		310-456-8943	5/31/2012	Yes	Jun-13
Jimmy's Boardwalk Café	23000	Pacific Coast Hwy.		310-456-9800	5/31/2012	Yes	Jun-13
Johnnie's New York Pizzeria	22333	Pacific Coast Hwy.		310-456-1717	6/13/2012	Yes	Jul-13
John's Garden Fresh Health	3835	Cross Creek Rd.	Ste 1	310-456-8377	5/18/2012	Yes	Jun-13
Kristy's Wine Bar	6506	Westward Beach Rd.		310-457-2602	5/20/2012	Yes	Jun-13
La Costa Mission	21337	Pacific Coast Hwy.		310-317-0110	6/6/2012	Yes	Jul-13
La Salsa	22800	Pacific Coast Hwy.		310-317-9466	6/5/2012	Yes	Jul-13
Lily's Café	29211	Heathercliff Rd.	Ste 60	310-457-3745	5/17/2012	Yes	Jun-13
Malibu Beach Inn	22878	Pacific Coast Hwy.		310-456-6444	6/5/2012	Yes	Jul-13
Malibu Inn Restaurant	22969	Pacific Coast Hwy.		310-456-1160	5/31/2012	Yes	Jun-13
Malibu Kitchen	3900	Cross Creek Rd.		310-317-6279	5/18/2012	Yes	Jun-13
Malibu Mutt	3835	Cross Creek Rd.		310-456-1211	5/18/2012	Yes	Jun-13
Malibu Ranch Market	29575	Pacific Coast Hwy.	#H	310-457-0171	5/17/2012	Yes	Jun-13
Malibu Seafood	25653	Pacific Coast Hwy.		310-456-3430	6/8/2012	Yes	Jul-13
Malibu Yogurt & Ice Cream	23755	W. Malibu Rd.		310-456-3522	5/26/2012	Yes	Jun-13

Clean Bay Restaurant (CBR) Certification Program
2012 Inspections

Malibu Restaurants	Address	Street	Unit No.	Phone No.	Inspection Date	Recommend Certificate	CBR Exp. Date
Marmalade Café	3894	Cross Creek Rd.		310-317-4242	5/18/2012	Yes	Jun-13
Mc Donalds	22725	Pacific Coast Hwy.		310-456-6996	6/6/2012	Yes	Jul-13
Moonshadows	20356	Pacific Coast Hwy.		310-456-3010	6/5/2012	Yes	Jul-13
Pacific Coast Greens	22601	Pacific Coast Hwy.		310-456-0353	6/6/2012	Yes	Jul-13
Paradise Cove Beach Café	28128	Pacific Coast Hwy.		310-457-9791	6/8/2012	Yes	Jul-13
Pavilions Store #2813	29211	Heathercliff Rd.	#10	310-457-2401	6/8/2012	Yes	Jul-13
Plate, The	22601	Pacific Coast Hwy.		310-317-6800	6/6/2012	Yes	Jul-13
Point Pizza	29169	Heathercliff Rd.	#104	310-457-2838	5/17/2012	Yes	Jun-13
Ralph's Grocery Market	23841	W. Malibu Rd.		310-456-2917	5/21/2012	Yes	Jun-13
Sage Room, The	28915	Pacific Coast Hwy.		310-457-0711	6/8/2012	Yes	Jul-13
Savory	29169	Heathercliff Rd.	#102	310-589-8997	5/17/2012	Yes	Jun-13
Spruzzo Pizzeria & Café	29755	Pacific Coast Hwy.		310-457-8282	5/17/2012	Yes	Jun-13
Starbucks Coffee	3900	Cross Creek Rd.		310-317-4515	5/18/2012	Yes	Jun-13
Starbucks Coffee	23755	W. Malibu Rd.		310-317-1436	5/21/2012	Yes	Jun-13
Starbucks Coffee/Pavilions	29211	Heathercliff Rd.		310-457-2401	5/17/2012	Yes	Jun-13
Starbucks Coffee/Trancas	30765	Pacific Coast Hwy.	Ste B	310-589-4908	5/17/2012	Yes	Jun-13
Subway	23705	W. Malibu Rd.	#200	310-456-0565	5/21/2012	Yes	Jun-13
Subway	29169	Heathercliff Rd.		310-457-8585	5/17/2012	Yes	Jun-13
Sunlife Organics	29169	Heathercliff Rd.	#110	310-457-6161	5/17/2012	Yes	Jun-13
Sunset Restaurant & Beach Bar	6800	Westward Beach Rd.		310-589-1007	6/8/2012	Yes	Jul-13
Taverna Tony	23410	Civic Center Way		310-317-9667	5/18/2012	Yes	Jun-13
Tra Di Noi Ristorante	3835	Cross Creek Rd.		310-456-0169	5/18/2012	Yes	Jun-13
Vitamin Barn	23823	W. Malibu Rd.	#600	310-317-4833	5/21/2012	Yes	Jun-13
Zooma Sushi	29350	Pacific Coast Hwy.	#8	310-457-4131	5/17/2012	Yes	Jun-13
Bui Sushi	23733	Malibu Rd.		310-456-1500	5/21/2012	No	
Kentucky Fried Chicken	22751	Pacific Coast Hwy.		310-456-2480	6/13/2012	No	
Nobu Malibu	3835	Cross Creek Rd.	Ste 18A	310-317-9140	6/13/2012	No	
Thai Dishes	22333	Pacific Coast Hwy.		310-456-6655	6/25/2012	No	