



California Regional Water Quality Control Board  
Lahontan Region



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Arnold Schwarzenegger  
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WDID No. 6B360903006

Chris Seney  
Nursery Products, LLC  
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**CORRECTIVE ACTION COST ESTIMATE, KNOWN OR REASONABLY  
FORESEEABLE RELEASES, NURSERY PRODUCTS HAWES COMPOSTING  
FACILITY, SAN BERNARDINO COUNTY**

California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received on May 5, 2010, the above referenced document, which was prepared by Nursery Products. The objective of this report is to propose a cost estimate to correct a reasonably foreseeable release from the Facility. This Corrective Action Cost Estimate, Known or Reasonably Foreseeable Release report was submitted to satisfy Board Order No. R6V-2010-0010. Water Board staff have reviewed the above referenced report and believes the report fails to meet the requirements stated in Board Order No. R6V-2010-0010.

As stated in Board Order No. R6V-2010-0010, Waste Discharge Requirements, Section V. C. 5., Known or Reasonably Foreseeable Release Plan and Financial Assurance Instrument, the known or reasonably foreseeable release plan must include a plan for addressing a known or reasonably foreseeable release "from the Waste Pile and Surface Impoundments in accordance with the requirements in CCR, title 27, sections 20380, subdivision (b) and 22222." Because the scenarios presented for a reasonably foreseeable release only address a release from the surface impoundments, and no scenario is presented for a release from the waste pile, the Known or Reasonably Foreseeable Release Plan fails to meet the requirements set forth in the Waste Discharge Requirements, Board Order No. R6V-2010-0010.

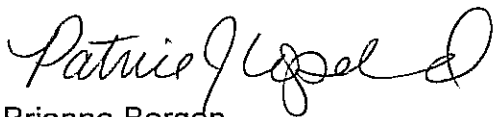
Sampling is to be conducted at select locations throughout the compost pad area to determine if there is evidence of a release from the Waste Pile. As discussed at meetings in the Victorville office and proposed in Section 6.3.3, Laboratory Analysis, of the Report of Waste Discharge, should the results of those sampling efforts indicate a release from the Waste Pile, alternatives would be evaluated, including replacing the pad. The Known or Reasonably Foreseeable Release Plan should discuss this scenario and provide appropriate corresponding cost estimates.

The scenarios presented for the Surface Impoundments indicate that the assumed incident frequency is one incident per lifespan of the retention basins. This should indicate that there could reasonably be one incident per lifespan *per* Surface Impoundment. This would affect the amount presented in the cost estimate calculations. Additionally, the report incorrectly identifies the Class II Surface Impoundments as defined in CCR, title 27, as stormwater retention basins. This mischaracterization serves to ignore the importance of the Surface Impoundments to retain both stormwater flows and nuisance water containing constituents from the Waste Pile that could pollute groundwater.

Please revise and resubmit the Known or Reasonably Foreseeable Release Plan in accordance with Board Order No. R6V-2010-0010 **at least 120 days prior** to operation of the Facility.

We look forward to working with you in a manner that protects water quality. If you have any questions, please contact me at (760) 241-7305 ([bbergen@waterboards.ca.gov](mailto:bbergen@waterboards.ca.gov)) or Patrice Copeland at (760) 241-7404 ([pcopeland@waterboards.ca.gov](mailto:pcopeland@waterboards.ca.gov)).

Sincerely,



for: Brianna Bergen  
Engineering Geologist

cc: Mailing List

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