



California Regional Water Quality Control Board Lahontan Region



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COMMENTS ON CORRECTIVE ACTION COST ESTIMATE, KNOWN OR REASONABLY FORESEEABLE RELEASE, NURSERY PRODUCTS HAWES COMPOSTING FACILITY, SAN BERNARDINO COUNTY

On August 29, 2011, the California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received your revision to Corrective Action Cost Estimate, Known or Reasonably Foreseeable Release Plan (Cost Estimate and Plan), which was prepared by Geosyntec for the Nursery Products Hawes Composting Facility (Facility). The Cost Estimate and Plan was submitted to satisfy Board Order No. R6V-2010-0010, and was submitted in response to Water Board staff comments provided on April 7, 2011.

The purpose of this plan is to demonstrate a reasonable release scenario from each Waste Management Unit, and to provide cost estimates for a third party to perform corrective actions in the event Nursery Products is otherwise unable or unwilling to perform this work. Water Board staff acknowledge the general approach for the scenarios; however staff believes that some of the details are inadequate or inappropriate for the purposes of delineating the extent of a reasonable release and providing a plan for corrective action. This Plan should both provide justification for a reasonable release and act as a work plan whereby a release would be delineated and corrective action taken in response to remediating the proposed releases. To that end, Water Board staff has the following concerns.

Section 2.2.1.2, Scenario Impacts for the Waste Pile release scenario, proposes to composite the initial grid samples collected every 200 feet from the Waste Pile. The purposes of collecting these samples is to determine if any releases have occurred to the Waste Pile or the underlying vadose zone. Compositing these samples is inappropriate as compositing samples can either dilute a sample with elevated concentrations or give a false elevated concentration of a sample, thus making it difficult to delineate the extent of impacts. That same section also proposes subsequent grid spacing in iterations to delineate extent of the impacts detected in the initial grid sampling. However, the Plan does not propose spacing (lateral and vertical) for the subsequent iterations for delineating the reasonable release scenario nor any rationale

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(lateral and vertical) for the subsequent iterations for delineating the reasonable release scenario nor any rationale for the proposal. Without this information, Water Board staff cannot determine if the proposed number of delineation samples is acceptable.

Table 1, Corrective Action Cost Estimate for Known or Reasonably Foreseeable Releases, assumes that 2,670 cubic yards of impacted soil will be excavated and disposed of off-site yet it does not provide any cost estimates for the importation of material to backfill the excavation or any explanation of how the backfill will be accomplished. While the closure plan addresses importation of soil, regrading, and revegetation of the surface impoundments and other features associated with normal operation of the site, this Plan should account for the costs associated with the extra soil that would be needed to be imported to account for the impacted soil that would need to be excavated.

Additionally, the Plan indicates that the financial assurance for the Preliminary Closure and Post-Closure Maintenance Plan (PCPCMP) of the Facility was provided separately. While the PCPCMP was submitted in January 2011, and accepted by Water Board staff with comments in February 2011, the financial assurance document has **not** been received.

Please revise and resubmit the Cost Estimate and Plan prior to the beginning of operations at your Facility.

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

Sincerely,



HAROLD J. SINGER
EXECUTIVE OFFICER

cc: Mailing List