



California Regional Water Quality Control Board
Lahontan Region



Linda S. Adams
Secretary for
Environmental Protection

Victorville Office
14440 Civic Drive, Suite 200, Victorville, California 92392
(760) 241-6583 • Fax (760) 241-7308
<http://www.waterboards.ca.gov/lahontan>

Arnold Schwarzenegger
Governor

July 7, 2010

WDID: 6B360903006

Chris Seney
Nursery Products, LLC
12277 Apple Valley Road, Suite 131
Apple Valley, CA 92308

DESIGN PLAN, CONSTRUCTION QUALITY ASSURANCE PLAN & TECHNICAL SPECIFICATIONS, AND PRELIMINARY CLOSURE AND POST-CLOSURE MAINTENANCE PLAN, NURSERY PRODUCTS HAWES COMPOSTING FACILITY, SAN BERNARDINO COUNTY

This letter is to clarify comments made by Water Board staff on the above referenced reports in letters dated July 2, 2010.

Design Plan, Construction Quality Assurance Plan & Technical Specifications

Water Board staff indicated in the letter commenting on the Design Plan, Construction Quality Assurance Plan & Technical Specifications that, per Section II.B.1. of Board Order No. R6V-2010-0010 (Board Order), overflow structures must maintain two feet of freeboard. To clarify, Section II.B.1. of the Board Order states that the *Surface Impoundments* must maintain two feet of freeboard, not the overflow structures. However, please provide us with a narrative description and plans for how you will design and construct the waste pile to limit, to the greatest extent possible, ponding, infiltration, inundation erosion, slope failure, washout, and overtopping under the precipitation conditions of the 1,000-yr storm event, per the California Code of Regulations, title 27, section 20365, requirements.

Preliminary Closure and Post-Closure Maintenance Plan

The closure cost estimate accounts for 600 tons of demolition waste to be disposed upon closure. However, the closure cost estimates must also include the cost to dispose of any in-process compost stored on site at time of closure, as well as any remaining finished compost product. As was stated in the Report of Waste Discharge, up to 400,000 wet tons of material will be received at the Facility annually. As discussed with you during the permitting process, please include the maximum volume of in-process compost and finished compost material that may be located at the Facility in the closure estimates.

In accordance with the California Code of Regulations, title 27, section 21769, the preliminary closure and post-closure maintenance plan for a Unit shall provide a reasonable estimate of the maximum expected cost that would be incurred at any time during the Unit's projected life for a **third party** both to close the Unit and to carry out post-closure maintenance.

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 me at (760) 241-7404 (pcopeland@waterboards.ca.gov).

Sincerely,



Patrice J. Copeland, PG
Senior Chief Engineering Geologist
South Lahontan Land Disposal Unit

cc: Mailing List

Robert Berkman

Mark and Jessie Orr

Tom Budlong

Jeff Meberg
Nursery Products, LLC

Lynda L. Brothers
L. Brothers Law

Joan Bird

Patricia A. Adair

Joan Rohrer

Beverly June Kramer

Charles A. Moore Sr.

Holly and Phyllis Bowser

Cecil Basenberg

Betty Hulen

Henry T. James

Ron and Edna Later

Melody Payne

Alvaro Sandoval

Gene and Mary Lou Simmons

Jackie Smith

Fred Stearn

Marsha Weasma

Glenn Meyer

Susan Johnson

Fred and Josephine Massimini

Zelma Williams
Nancy McClure

Evelyn Warrington, et al
Bonita McConnell

Packer Trust

Arturo & Rosalinda Garcia, et al

Anthony Wilson

Ethel Bond Trust