



North Coast Regional Water Quality Control Board

February 19, 2020

Valentino Dimi
Blagovest Kalinov
Intrex Enterprises LLC
3400 Redwood Drive #1512
Redway, CA 95560
valentino101@msn.com

Dear Mr. Dimi and Mr. Kalinov:

Subject: Cleanup and Abatement Order No. R1-2019-0058: Approval of Work Identified in December 2019 Plan and Notice of Violation for Failure to Submit All Information required by Directive 1

File: Valentino Dimi/Intrex, Cannabis Waste Discharge Regulatory Program, CIWQS Place ID Number 842861, Humboldt APN 212-022-013

The purposes of this letter are (1) to approve the December 19, 2019, "Site Status Report and Interim Stabilization Plan" (December 2019 Plan), prepared by OurEvolution Engineering, Inc (OurEvolution) on behalf of Intrex Enterprises LLC, Valentino Dimi, and Blagovest Kalinov (collectively, Dischargers), as required by Cleanup and Abatement Order No. R1-2019-0058 (CAO), and (2) to advise you that the Dischargers have failed to fully comply with the CAO, as explained in full below.

Background

On November 27, 2019, the North Coast Regional Water Quality Control Board (Regional Water Board) issued the CAO in response to observed discharges and threatened discharges of waste to receiving waters associated with development and use of Humboldt County Assessor's Parcel Number (APN) 221-022-013 (Site) for cannabis cultivation. The CAO included a directive to submit plans pursuant to California Water Code (CWC) Section 13267 to, among other things, assess the effectiveness of the Dischargers' remediation and to demonstrate that appropriate methods will be used to cleanup waste discharged to soil and groundwater and to ensure that cleanup complies with Basin Plan requirements. The Regional Water Board

VALERIE L. QUINTO, CHAIR | MATTHIAS ST. JOHN, EXECUTIVE OFFICER

updated the CAO on December 16, 2019, to correct a typographical error. On December 20, 2019, on behalf of the Dischargers, OurEvolution submitted the December 2019 Plan to the Regional Water Board, as part of the Dischargers' efforts to comply with the CAO.

Directive 1 (in the section titled "Required Actions") of the CAO requires that the Dischargers submit an Interim Site Stabilization Plan (Interim Plan) within 20 days of issuance of the CAO (i.e. by December 17, 2019) that is prepared by an appropriately licensed professional. The Interim Plan must specify cleanup and stabilization measures necessary to clean up wastes and trash, and to prevent further erosion and discharge of sediment and other pollutants to Salmon Creek and its tributaries prior to implementation of the Cleanup, Restoration, and Monitoring Plan, which is required pursuant to Directive 4 of the CAO. The Interim Plan must, at a minimum, include the following:

- a. A detailed Site map accurately depicting topography, all graded/disturbed surfaces, roads, surface watercourses, surface water drainages, and water crossings;
- b. A Site assessment for contamination from petroleum products and threats to receiving waters;
- c. Identification of all locations where waste has discharged to waters of the state with estimates of volumes and/or quantities of waste discharged, the dates of the discharges and details of Site conditions and activities resulting in each discharge; and
- d. Using the above information, identify all areas of threatened discharge, along with proposed cleanup and stabilization measures to be implemented at each area of threatened discharge that are necessary to remove, contain, and cover any soil and waste piles, and stabilize any disturbed areas on the Site. Cleanup and stabilization measures shall include, but not be limited to:
 - i. Install an adequate number of water breaks designed to reduce road surface erosion by diverting storm water runoff from the road surface and directing it to a safe discharge area;
 - ii. Disconnect road drainage from Salmon Creek and its tributaries;
 - iii. Stabilize all disturbed areas with erosion control mulches, blankets, mats, tarps, berms or other erosion controls to protect the disturbed areas from the forces of rain drop impact and overland flow;
 - iv. Ensure the proper storage and containment of petroleum products, chemicals, pesticides, waste piles, soil amendments and fertilizers to avoid accidental release into surface waters. This includes proper disposal of waste materials, including empty or partially

used containers per manufacturer and waste disposal guidelines;
and

- v. Prevent leaks and releases from fuel storage tanks, water storage tanks, and bladders which could carry sediment and stagnant water to surface waters.

Notice of Violation

Regional Water Board staff has reviewed the December 2019 Plan and advised me that it was prepared by an appropriately licensed professional, submitted in a timely manner, and adequately satisfies the requirements of Directives 1.a., 1.b., and 1.d. of the CAO, but does not fully satisfy the requirements of Directive 1.c. Specifically, the December 2019 Plan adequately identifies locations, Site conditions, and activities resulting in discharge, but does not provide estimates of volumes and/or quantities of waste discharged, and the dates of the discharges. The failure to submit all the required information described in Directive 1 of the CAO is a violation of CWC Section 13267, which, according to Section 13268, subjects the Dischargers to administrative civil liability of up to \$1,000 per day for each day in which the violation occurs. Alternatively, liability could be imposed on the Dischargers pursuant to CWC Section 13308 for a threatened or continuing violation of the CAO. Such liability shall be an amount reasonably necessary to achieve the Dischargers' compliance the CAO, not to exceed \$10,000 per day of violation.

Within 10 days of the date of this letter, please contact my staff, Adona White, via email at Adona.White@waterboards.ca.gov or by phone at 707-576-2672, with a proposed schedule to provide the outstanding information required by Directive 1.c. of the CAO. Please note the days of violation will continue until submittal of the information required by the CAO.

Approval

This letter provides approval of the December 2019 Plan, in fulfillment of Directives 1.a., 1.b., and 1.d. of the CAO.

As a reminder, pursuant to CAO Directive 1, the Dischargers have 5 business days after this approval to begin implementation of such work, and pursuant to CAO Directive 2, have 30 days to complete the work specified in the December 2019 Plan.

If you have any questions about the requirements of the CAO, please contact Adona White via phone or email, as provided above.

Sincerely,

Matthias St. John
Executive Officer

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cc:

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North Coast Regional Water Quality Control Board

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