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December 28, 2023

Chris Nichelson
Bret B. Bernard
MILAN REI X, LLC
701 South Parker St., Suite 5200
Orange, CA 92868

Sent via email: chris@milancap.com
bret@milancap.com

Subject: Final Revised Environmental Sampling Workplan for Stockpiled Material Testing dated December 27, 2023, Milan REI X, LLC for Rio Santiago Disposal Site located at 6145 E. Santiago Canyon Road, Orange, CA (SWIS No. 30-AB-0472)

Dear Mr. Nichelson and Mr. Bernard:

The Orange County Health Care Agency, Environmental Health Division is the certified local enforcement agency (LEA) for Orange County, and authorized and obligated to enforce solid waste laws and regulations pursuant to California Public Resource Code (PRC) Sections 43209 and 45000 et seq., and Title 14 of the California Code of Regulations (14 CCR) § 18080 et seq. Pursuant to PRC Section 43200.5(b), in enforcing Part 4, 5 and 6 of Division 30 of the PRC and regulations that implement them, the LEA carries out a state function and thus its actions are independent from, and not subject to the authority of, the Orange County Board of Supervisors.

In accordance with Section 5 of the Stipulated Notice and Order (SNO) dated June 16, 2022, between the Orange County LEA and Milan REI X, LLC (Milan), Leighton and Associates, Inc. (Leighton) submitted to the LEA a final revised workplan for stockpiled material sampling for the property referenced in the above subject line (hereinafter "Site") on December 27, 2023 on behalf of Milan. The workplan proposes a tiered approach to collecting in-situ stockpile samples for the profiling of the imported material and native material stockpiles. Due to the nature of the material in some of the existing stockpiles, borings may likely encounter refusal during few sampling activities, necessitating this tiered approach. Based on the review of the subject final revised sampling workplan, the LEA approves the proposed scope of work for stockpiled material sampling and testing with the following conditions:

1. All field activities regarding the analytical investigation/testing shall be conducted in accordance with the approved final revised workplan dated December 27, 2023 and SNO dated June 16, 2022.
2. A project schedule of proposed field activities must be submitted to the LEA at least seven (7) days prior to mobilizing field work at the Site, and the LEA staff must be notified a minimum of 72 hours prior to initiating sampling activities.

3. Each stockpile at the Site must be identified at the access road leading to the stockpile with signs visible from approximately 25 feet.
4. If concrete debris in stockpiles are moved to facilitate sampling activities, the debris must be kept as a separate stockpile, and identified by the original stockpile number along with a unique sub number (example, G-1)
5. The LEA may modify and/or add sampling locations/depth/analysis based on the field observations on-site and/or analytical results from the forthcoming stockpiled material sampling and testing regardless of the future land use.
6. Milan may not conduct any activities at the Site that involve processing of the stockpiled material at this time, as defined in §17381, Title 14 of the California Code of Regulation unless required for sampling as part of this testing.
7. This approval does not relieve Milan of the responsibility to obtain approvals/permits from other agencies as appropriate and necessary to commence sampling activities at the Site.
8. Milan shall complete the analytical investigation/testing no later than 90 days from the workplan approval date. A report with summary and findings of the investigation along with the statistical analysis of the sampling results must be submitted to the LEA within 45 calendar days of completing the field activities/testing.
9. The LEA should be notified within 24 hours if there are any issues that may cause delay with respect to the deadlines set forth in this letter. The LEA must also be notified in writing of any deviations that may arise during the stockpile assessment activities identified in the subject report, prior to the implementation of fieldwork. Please note the LEA will require adequate time for review and approval of such changes depending on the scope.
10. Milan should schedule and provide bi-weekly status update reports/meetings regarding on-going field work at the Site to the LEA along with an updated project schedule if any changes occur to ensure consistency with the LEA's approval of the workplan.

If you have any questions, please contact Mr. Dan Weerasekera by phone at (714) 433-6255 or by email at dweerasekera@ochca.com and/or Mr. Soheil Afshari by phone at (714) 433-6271 or by email at safshari@ochca.com.

Sincerely,

Dan Weerasekera
Hazardous Materials Specialist
Solid Waste Local Enforcement Agency
Environmental Health Division

Soheil Afshari
Senior Civil Engineer
Solid Waste Local Enforcement Agency
Environmental Health Division

Chris Nichelson
Bret B. Bernard
December 28, 2023
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