



**PUBLIC HEALTH SERVICES
ENVIRONMENTAL HEALTH DIVISION**

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April 23, 2024

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: Addendum #2 to Final Revised Environmental Sampling Workplan for Stockpiled Material Testing (Sampling of Soil Mounds M and N) dated April 22, 2024, 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. Based on the review, the LEA had previously approved the scope of work included in the final revised workplan with conditions on December 28, 2023. In addition, Leighton submitted Addendum #1 to the approved workplan on January 19, 2024 to modify the sample drilling/collection method. Subsequently, the LEA approved Addendum #1 to the workplan on January 23, 2024. The subject Addendum #2 to the workplan has been submitted by Leighton to collect soil samples from two newly identified stockpiles (M and N) in Area K of the Site that was not included in the final revised workplan dated December 27, 2023. The subject Addendum #2 to the workplan proposes to collect representative samples (total of seven (7) from Stockpile M and eight (8) from Stockpile N) at random depths from borings across each stockpile.

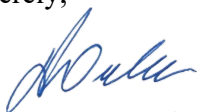
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Based on the review of the subject addendum to the stockpile sampling workplan dated April 22, 2024, the LEA accepts the proposed scope of work for Stockpiles M and N with the following conditions:

1. All field activities regarding the analytical investigation/testing for stockpiled material testing shall be conducted in accordance with the SNO dated June 16, 2022, the final revised workplan dated December 27, 2023, the Addendum #1 to the final revised workplan dated January 19, 2024, and the Addendum #2 to the final revised workplan dated April 22, 2024.
2. The subject workplan proposes to collect soil samples from the top of the stockpile at randomly determined depths ranging from approximately 1 foot to 7 feet below soil mound surface (bsms). The LEA recommends sample depths in these borings to be revised as follows: SPM01 at 5 feet bsms, SPM04 at 4 feet bsms, and SPM05 at 3 feet bsms.
3. Stockpiles M and N at the Site must be identified during sampling activities (similar to other stockpiles) with signs visible from approximately 25 feet.
4. Milan shall complete this analytical testing within 30 days from the approval date. The findings of the investigation sampling results from Stockpiles M and N must be included with the forthcoming report of the remaining stockpiled material submitted to the LEA within 45 calendar days of completing the field activities/testing.
5. The LEA should be notified in writing within 24 hours if there are any issues, deviations, or delay with the proposed sampling activities. Please note the LEA will require adequate time for review and approval of such changes depending on the scope.
6. The LEA staff must be notified a minimum of 72 hours prior to initiating the sampling activities.
7. 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.
8. 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.

If you have any questions, please contact Dan Weerasekera by phone at (714) 433-6255 or by email at dweerasekera@ochca.com and/or Shyamala Rajagopal by phone at (714) 433-6270 or by email at srajagopal@ochca.com.

Sincerely,



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



Shyamala Rajagopal
Supervising Hazardous Materials Specialist
Solid Waste Local Enforcement Agency
Environmental Health Division

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cc: Darwin Cheng, Interim Director, Orange County Environmental Health Division
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