



**PUBLIC HEALTH SERVICES
ENVIRONMENTAL HEALTH DIVISION**

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August 20, 2024

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

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

Subject: Environmental Stockpile Workplan for Characterization of Stockpile I – Addendum #4 to Final Revised Environmental Sampling Workplan for Stockpiled Material Testing dated June 21, 2024, Milan REI X, LLC for Rio Santiago Disposal Site located at 6145 E. Santiago Canyon Road, Orange, CA (SWIS No. 30-AB-0472)

Revision to Stockpile I Sidewall Sampling Methodology dated August 14, 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 referred to as "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. During the course of the stockpile soil characterization activities at the Site, the following workplan addendums were submitted to the LEA:

- Addendum #1 submitted on January 19, 2024, to modify the sample drilling/collection method. The LEA approved Addendum #1 to the workplan on January 23, 2024.
- Addendum # 2 submitted on April 22, 2024, 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 LEA approved Addendum #2 to the workplan on April 23, 2023.
- Addendum #3 submitted on June 21, 2024, proposing to collect four (4) sidewall samples from Stockpile F and ninety-eight (98) sidewall samples from Stockpile G. The LEA approved Addendum # 3 to the workplan on July 9, 2024.

The volume of Stockpile I is estimated to be 71,770 cubic yards (as identified in the Final Revised Workplan for Stockpiled Material Testing dated December 27, 2023) that is predominantly composed of miscellaneous concrete debris with very minor amounts of soil. The subject Addendum #4 to the workplan proposes to collect approximately 79 samples (not including field duplicates) to characterize the concrete debris in Stockpile I and to evaluate whether it is suitable for unrestricted use in a residential setting. Based on the review of the subject addendum to the stockpile sampling workplan dated June 21, 2024, the LEA accepts the overall proposed scope of work for Stockpile I with the following conditions:

1. The LEA will review the results of the samples collected from Stockpile I at the Site as related to their use in an Inert Debris Engineering Fill Operation (IDEFO) at the Site for recreational development purposes. If Milan plans to use the stockpile in an IDEFO at the Site for commercial and/or residential development purposes, or in an IDEFO at the area described in Attachment D of the Stipulated Notice and Order and/or the lot located across Santiago Canyon Road in the City of Orange (APN 379-451-24) for commercial and/or residential development purposes, the LEA must be informed as additional assessment/sampling may be required for such commercial and/or residential use of the Stockpile I materials at the Site.
2. All field activities regarding the analytical investigation/testing for stockpiled material testing shall be conducted in accordance with the SNO dated June 16, 2022, final revised workplan dated December 27, 2023, Addendum #1 to the final revised workplan dated January 19, 2024, Addendum #2 to the final revised workplan dated April 22, 2024, and Addendum #3 to the final revised workplan dated June 21, 2024.
3. The LEA received a memorandum from Leighton dated August 14, 2024 requesting to revise sidewall sampling collection procedures; recommending that sidewall soil samples be collected directly from the sonic drill cuttings recovered from angled borings if refusal is encountered and/or sampling is ineffective while attempting to advance a split-spoon sampler at an angle into borings at Stockpile I. The LEA is hereby agreeable to collecting sidewall stockpile samples directly from sonic drill cuttings if necessary and feasible.
4. Milan shall complete this analytical testing within 60 days from the approval date. The findings of the investigation sampling results from Stockpiles F and G must be included with the forthcoming report of the remaining stockpiled material submitted to the LEA within 45 calendar days of completing the

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field activities/testing. The report must be a stand-alone document for each respective stockpile with cumulative above grade soil sampling results.

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 or deviations.
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 necessary to commence sampling activities at the Site and for intended use of Stockpile I as appropriate.

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

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