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7 Milan REI X, LLC

8 **SOLID WASTE LOCAL ENFORCEMENT AGENCY**  
9 **COUNTY OF ORANGE HEALTH CARE AGENCY**

10 IN THE MATTER OF:

11 Rio Santiago Facility  
12 6145 E. Santiago Canyon Road  
13 Orange, California 92869  
14 SWIS No. 30-AB-0472

14 Milan REI X LLC (Property Owner)  
15 Petitioner.

**JOINT STATUS UPDATE**

**[Public Resources Code §§ 44310 *et seq.*]**

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19 Petitioner Milan REI X, LLC (“Milan”) and Respondent the Orange County Solid Waste  
20 Local Enforcement Agency (“LEA”) (collectively referred to herein as the “Parties”), by and  
21 through their respective counsel, hereby provide the following joint status update pursuant to the  
22 Order of the Hearing Office entered on October 18, 2024 (the “Order”).

23 On October 8, 2024, Milan filed a Request for Hearing regarding matters arising under the  
24 Stipulated Notice and Order (“Stipulated N&O”) entered into by and between the LEA and  
25 Milan, dated June 16, 2022. As set forth in the Order, the Parties jointly requested that the  
26 hearing be stayed to allow the Parties to explore and potentially work out arrangements with the  
27 appropriate state agency with relevant expertise to consider matters at issue in the Request for  
28 Hearing.

1 On November 18, 2024, Milan submitted an application for a voluntary oversight  
2 agreement to the California Department of Toxic Substances Control (“DTSC”). Among other  
3 things, the application involves the submittal of numerous records to be reviewed by the agency.  
4 Prior to and subsequent to the application, Milan’s consultant, Leighton (*nka* Verdantas), has had  
5 several communications with DTSC staff regarding the application. On November 22, 2024,  
6 DTSC informed Milan that it received the application and was moving forward with the  
7 application process.<sup>1</sup> The next step is for DTSC to review the application and to confer with the  
8 Regional Water Quality Control Board to determine the appropriate lead regulatory agency.  
9 Thereafter, the designated lead agency will work with Milan to develop a scope of work, estimate  
10 agency costs, and draft an agreement. It is estimated that an agreement should be completed early  
11 2025.

12 Dated: December 2, 2024 MANATT, PHELPS & PHILLIPS, LLP

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15 By: /s/ Peter Duchesneau  
16 Peter Duchesneau  
17 *Attorneys for Petitioner*  
MILAN REI X, LLC

18 Dated: December 2, 2024 OFFICE OF COUNTY COUNSEL

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20 By: /s/ Massoud Shamel  
21 Massoud Shamel  
22 *Attorneys for Respondent*  
ORANGE COUNTY SOLID WASTE LOCAL  
23 ENFORCEMENT AGENCY

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28 <sup>1</sup> See <https://dtsc.ca.gov/brownfields/voluntary-agreements-quick-reference-guide/>.