

Notice
Submittal of Written Material for Regional Board Consideration

In order to ensure that the State of California Lahontan Regional Water Quality Control Board has the opportunity to fully study and consider written material, it is necessary to submit it at least ten (10) days before the Regional Board Meeting. Pursuant to Title 23 of the California Code of Regulations, Section 648.2, the Regional Board may refuse to admit written testimony into evidence unless the proponent can demonstrate why he or she was unable to submit the material on time or that compliance with the deadline would otherwise create a hardship. If any other party demonstrates prejudice resulting from admission of the written testimony, the Regional Board may refuse to admit it.

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COMPLETE FORM AND RETURN

To: CA Regional Water Quality Control Board, Lahontan Region
 14440 Civic Drive, Suite 200
 Victorville, CA 92392
 ATTN: Brianna Bergen

Comments TENTATIVE WASTE DISCHARGE REQUIREMENTS FOR NURSERY PRODUCTS HAWES COMPOSTING FACILITY, SAN BERNARDINO COUNTY

- We concur with proposed requirements
- We concur, comments attached
- We do not concur, comments attached

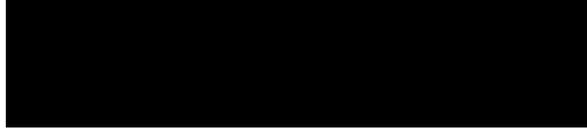
Mark Orr (Sign)

Mark Orr (Type or print name)

[Redacted] (Organization)
 [Redacted] (Address)
 [Redacted] (City and State)
 [Redacted] (Telephone)

JAN. 12, 2010

MARK ORR



ATTN: California Regional Water Quality Control Board,
Lahontan Region. To all members of the staff and Board.

RE: Nursery Products LLC sludge composting site at Hawes,
West of Hinkley and Barstow, California.

Concerning the California Regional Water Quality Control Board, Lahontan Region, Tentative Waste Discharge Requirements for Nursery Products Hawes Site Composting Facility, San Bernardino County, DEC. 22, 2009 (Originally OCT. 28, 2009.).

The requirements repeatedly throughout refer to monitoring and actions taken in event of leakage or surface and/or groundwater contamination being detected at or because of activities at the Hawes site. What I and other citizens ask is that no such risk of leakage or contamination of water be allowed to exist to begin with. Because of the massive size of the Hawes facility (80-160 acres), and its unenclosed mode of operation, I believe the only predictable outcome will be surface or groundwater contamination spreading via water, wind, person, vehicle or vector.

The Hawes site is located upon a region of interconnected groundwater basins and sub-basins whose waters communicate with each other and are internally draining with no outlet to a sea or ocean. Contaminants will accumulate with no path to flush or dilute them, which will allow contaminants to accumulate and

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impact all basins and sub-basins, including the Mojave River system. (Please consult my past letters sent to CRWQCB Lahontan on this subject.)

I and other citizens are also concerned of the threat of overdraft of water sources serving existing business and homes in the regions surrounding the Nursery Products LLC Hawes site, especially in respect to continuing drought conditions. This concerns both overdraft of Mojave River basin waters and waters derived from direction of Panamint and Sierra sources.

I do not believe that tentative requirements that still allow massive amounts of water use and evaporation will protect us from overdraft or promote water conservation.

I do not agree with the tentative requirements for Hawes as described on pages 3 and 4, Section 7, and repeated on Page 24. These state the surface impoundments must contain the Maximum volume of water anticipated to run-off from the facility for a 100 year 24 hour event, in addition to the volume anticipated for the surface impoundments areas in a 1000 year, 24 hour storm event, while retaining two feet of freeboard.

I believe it was originally the Mojave Water Agency on SEPT. 17, 2009 issued a requirement for containment run-off from an 80 acre facility over a period of 30 days storm. The 100 yr and 1000 yr 24 hour events might suffice for containment of some flashflood events, or even week long rain, but fail to anticipate on-off rain sequences that by my past experience (I have

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lived in Hinkley for over 36 years) would justify and require the 30 day rain or storm event. without acticipating longer rain events the Hawes tentative requirements fail to make proper allowance for complete saturation of the piles and windrows of sludge and composting materials, or the complete saturation of all roads, impoundments, and all other surface areas. After complete saturation the concern is that the piles or windrows themselves will come apart and flow in such a way as to completely fill the impoundment ponds and allow following rains to overflow water and contaminants from the impoundments. The windrows and piles could also come apart after complete saturation followed by continued rain, and move or flow in such a way as to create their own channels that will allow water and contaminants to flow within and outside the Hawes site, ignoring the original impoundment and/or drainage purpose design.

Because of the existence of faults in the Hawes region, and because of the interconnected water basins and sub-basins existing in the lands surrounding the Hawes site as an internally draining system subject to accumulative contamination risk, it would be logical to require monthly tests and inspections rather than the annual or quarterly tests and inspections mentioned throughout the tentative requirements for the Hawes site.

The Tentative ~~Hawes~~ site requirements still allow unenclosed impoundments and ponds that will still allow contamination of wildlife by exposing visiting migratory or indigenous birds and other animals. Insects exposed to contaminants and vector control pesticides will be consumed by animals visiting the site

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or when the insects travel off-site. Both insects and wildlife will serve to transport contaminants (bacteria or virus in some cases) to surface water in regions surrounding Hawes, or even out of County or State in respect to migratory birds.

Covering the piles or windrows might provide protection in light or medium rain events. During longer or flashflood rain events absorption of water and escape of contaminants may still occur at base of piles or windrows, which could absorb water at base like sponge until saturation occurs. Erosion of entire piles or windrows could occur at their base, especially during flashflood event, which could strip away any covering, and tend to move large amounts of material by sheer weight and inertia, possessing the ability to drive water and material up and over impoundment embankments and erode impounment embankments away. Absorption of water at base of piles or windrows could cause liquification that due to height of windrows or piles could cause entire windrow or pile to collapse by gravity, exposing materials to further water transportation. Covering of piles or windrows is also still subject to removal by 30-60plus mph winds common to site at Hawes, Contaminants then being removed by water or leaving site as fugitive dust to impact surface and groundwaters of surrounding region. Complete enclosure of facility will go a long way to prevent above mentioned problems. Not building or operating such a massive composting site at Hawes, in such an ill chosen location, would be even smarter in my opinion.

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On page 5 of the tentative Hawes site requirements, listed as finding number 8 DUST CONTROL, water from an on-site well or from the surface impoundments will be used for dust suppression, as necessary, to prevent the release of airborne particulates from the facility. This is why this Hawes facility should be enclosed or go away. Using what I perceive to be contaminated water from the surface impoundments for dust control will only increase the potential of spreading contaminants to soil and surface and groundwaters as water evaporates and allows fine particles once suspended in it to likewise become fugitive dust and become onsite and off site contaminant risk. Concern would be to contamination of soil or water due to further transport of these contaminants via wind, water, vehicle, person wildlife, or vector.

I thank the CRWQCB Lahontan Region for increasing the list of persons informed of the Hawes tentative requirements. I still demand better representation by my water board, especially given the present drought and past contamination issues such as the PG&E Chromium 6 in Hinkley, or Soapmine Rd, in Barstow. I still believe this entire process should be a very public interactive process. We still regard the Hawes site as an example of the larger cities shipping their problems into other peoples backyard, rather than solving problems at their source.

Mark Orr,
Hinkley,
Jan 12, 2010