

Memo-Hot File

To: Honorable Mayor and City Council

From: Christopher Cash, Public Works Director

Through: Jarad Hildenbrand, City Manager

Date: January 9, 2026

Re: Agenda Item 9.1-Dirt hauling permit for the development of Tract 18163, currently owned by Milan REI X. LLC.



Attached is correspondence received after the agenda publication date referencing the concurrence of the LEA (OC Health Care Agency) with the Regional Water Quality Control Board's approval of a workplan to relocate Stockpile "H" at the Rio Santiago site (Sully Miller). The relocation of Stockpile "H" is needed to execute Scenario 1 under the haul permit request. This letter supersedes a prior concurrence acknowledgement that was received via email.



**PUBLIC HEALTH SERVICES
ENVIRONMENTAL HEALTH DIVISION**



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January 9, 2026

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

Sent via email: chris@milancap.com

**Subject: Requested Alteration of Stockpile H to Accommodate Truck Hauling Route for Proposed
Mabury Residential Development dated December 10, 2025 for Rio Santiago Disposal Site
located at 6145 E. Santiago Canyon Road, Orange, CA (SWIS No. 30-AB-0472)**

Dear Mr. Nichelson:

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.

On June 16, 2022, Milan and the LEA signed a Stipulated Notice & Order (SNO) that required Milan to close the site as a solid waste facility and implement a post-closure maintenance plan and land use plan in accordance with 27 CCR. To that effect, the SNO required Milan to conduct soil analytical and geotechnical investigation/testing of the site within specified timelines. In addition, the SNO required Milan to conduct analytical investigation/testing of the site's stockpiles and to remove (in accordance with an approved plan) all stockpiles that the LEA determines are contaminated based on the results of the stockpiles' analytical investigation/testing. The SNO was subsequently amended on July 1, 2024 (Amendment No. 1), and again on October 31, 2025 (Amendment No. 2). On February 19, 2025, Milan executed a cleanup agreement for regulatory oversight with the Santa Ana Regional Water Quality Control Board (SARWQCB) for reviewing the investigation data conducted to date under LEA's oversight and for the remaining investigatory work.

On December 12, 2025, Verdantas Inc. (on behalf of Milan) submitted a proposal with supplemental information on December 22, 2025 to the LEA and SARWQCB requesting alteration of Stockpile H to accommodate a truck hauling route for the proposed Mabury Residential Development located to the north of the subject site. The proposal requests relocation of approximately 12,765 cubic yards (CY) of

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Stockpile H soil, to be moved north center of the site to create a truck route for transporting clean imported fill to the Mabury Residential Development site. Milan also proposes using about 1,275 CY of the removed soil from Stockpile H to provide the fill needed in specific areas to , further widen the truck-haul route.

On December 23, 2025, the SARWQCB approved the subject proposal with conditions to address fugitive dust emissions per South Coast Air Quality Management District (SCAQMD) Rule 1466, implement erosion control measures, avoid disturbing the remaining on-site stockpiles, and provide the source of clean imported fill material. The LEA concurs with the SARWQCB approval in accordance with Amendment No. 2 of the SNO (enclosed).

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

Sincerely,

Dan Weerasekera Digitally signed by Dan
Weerasekera
Date: 2026.01.09 09:07:35 -08'00'

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

cc: Lauren Robinson, Orange County Environmental Health Division
Shyamala Rajagopal, Orange County Solid Waste LEA
Soheil Afshari, Orange County Solid Waste LEA
Tamara Escobedo, Orange County Environmental Health Division
Stephanie Young, CalRecycle
Casey Yearout, CalRecycle
Garrett Kakishita, South Coast Air Quality Management District
Cindy Li, Santa Ana Regional Water Quality Control Board
Pamela Ybarra, Santa Ana Regional Water Quality Control Board
Alan Kuoch, Santa Ana Regional Water Quality Control Board
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Russel Bnim, City of Orange
Chris Cash, City of Orange
Joscelynn Gadzinski, Deputy County Counsel, Office of County Counsel
CalRecycle/LEA SWIS Portal