

Lahontan Regional Water Quality Control Board

June 22, 2012

Certified Mail: 70993220000734713340

Chris Seney
Nursery Products, LLC
PO Box 1439
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IN THE MATTER OF VIOLATION OF)	
BOARD ORDER R6V-2010-0010,)	
WASTE DISCHARGE REQUIREMENTS,)	NOTICE OF
NURSERY PRODUCTS, SAN)	VIOLATION
BERNARDINO COUNTY,)	
WDID NO. 6B360903006)	

The California Regional Water Quality Control Board, Lahontan Region (Water Board), issued Board Order No. R6V-2010-0010, Waste Discharge Requirements for Nursery Products Hawes Composting Facility (Board Order) on March 10, 2010. On June 11, 2012, Water Board staff conducted an inspection of the Hawes Composting Facility, owned and operated by Nursery Products, LLC (Nursery Products). During this inspection, Water Board staff observed that a windrow of green waste had been discharged to the composting pad in violation of the Board Order.

Sections II.A.15 and V.A of the Board Order requires that, prior to the discharge of waste, financial assurance documents in an amount adequate to cover the costs of closure and a reasonably foreseeable release from the Facility be submitted to and accepted by the Water Board **at least 60 days prior** to the discharge of waste; in addition, section V.B. of the Board Order requires that a Construction Quality Assurance Report be submitted to and accepted by the Water Board **at least 60 days prior** to any discharge of waste at this Facility. At the time of the inspection, neither the financial assurance documents nor the Construction Quality Assurance Report had been submitted to the Water Board nor had either been accepted by the Water Board. During the June 11, 2012 inspection, a copy of the Construction Quality Assurance Report was given to Water Board staff.

The discharge of waste to the Facility prior to Water Board acceptance of the financial assurance documents and the Construction Quality Assurance Report is a violation of the Board Order. It is imperative that Nursery Products **immediately** cease discharge of waste at this Facility until written acceptance of financial assurance documents and the Construction Quality Assurance Report is given. Failure to comply with the Board Order

may result in further enforcement action, including civil monetary penalties of up to \$5,000 for each violation per day.

Please contact Brianna Bergen at (760) 241-7305 (bbergen@waterboards.ca.gov) or Patrice Copeland at (760) 241-7404 (pcopeland@waterboards.ca.gov) if you have any questions regarding this matter.



Michael R. Plaziak, P.G.
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