



November 22, 2010

Via electronic message

Brianna Bergen, Engineering Geologist
California Regional Water Quality Control Board
14440 Civic Drive, Suite 200
Victorville, CA 92392

Subject: Design Plan - Redesign of Berm Additional Information
Nursery Products Hawes Composting Facility

Dear Ms Bergen:

This letter submits additional information regarding the Nursery Products Hawes compost facility (Facility) based upon comments received orally from Harold Singer. The background to those comments is as follows. On August 11, 2010, Nursery Products submitted the Design Plan Addendum in response to comments from the California Regional Water Quality Control Board, Lahontan Region (Water Board) received in July, 2010. On October 7, 2010 the Water Board submitted comments on the *Design Plan Addendum*, which requested additional information in regard to the overflow area at the Facility. On October 14, 2010 and October 26, 2010 Nursery Products submitted additional explanation of the Design Plan Addendum clarifying that all the structures and equipment that will be located in the 'overflow' area are mobile and that any vehicles, tanks, onsite equipment, compost and the temporary office could be relocated out of the overflow area readily and promptly. By electronic message dated October 26, 2010 the Water Board expressed concern that a 1000-year, 24-hour storm event could theoretically occur when employees are not on the Facility and thus challenged the efficacy of the plan to relocate any compost that might be located within the 'overflow' area. On November 1, 2010, Nursery Products submitted a letter indicating that the 'overflow' area elevation would be increased by 1.55 inches to account for any compost that could be located in the overflow area on those occasions when the facility is operating at full capacity. On November 10, 2010, the Water Board requested a map showing the changes to the berm elevation and also requested that the map be certified by a Professional Engineer.

As a result of the redesign, the volume of the 'overflow' areas will be expanded to include any compost that could be located in the overflow area on those occasions when the facility is operating at full capacity. The 'overflow' area will only contain compost when the Facility is operating at full capacity and then it can only contain a maximum of 17,000 cubic yards of compost windrows. These windrows would displace 2,843 cubic yards within the depth considered in the 'overflow' area. This volume is based upon the typical size and dimension of windows as described in our

submittal of October 14, 2010. The Nursery Products Design Plan submitted August 11, 2010 established a minimum elevation height of 2317.14 feet for the berm around the overflow area "A" (7 acres) which is located on the west side of the Facility and established a minimum elevation height of 2318.41 feet for overflow area "B" (6.7 acres) which was on the east side of the Facility. It's important to remember that notwithstanding the added berm height surrounding the 'overflow' area, the entire site will be surrounded with a one foot berm. In addition, and as shown on the maps provided including the attachment hereto, the site will be graded with the lower areas in the north (where the 'overflow' area is located). Please carefully consider the elevation relationship between the one foot berm and the raised berm that surrounds the 'overflow' area. The Water Board questions about the berm height seem to indicate a misunderstanding of the site grade, one foot berm and elevated berm for the 'overflow' area. Clearly, at a location very close to the southern end of the 'overflow' area, the one foot berm will surpass the added berm needed to contain the 1000 year, 24 hour flood. It is our belief that in its review the Water Board has consistently overlooked that transition point because the 'overflow' area as proposed by Nursery Products in the Design Plan Addendum already surpassed the added volume that may arise when any compost comes to be located in the 'overflow' area. Nonetheless, Nursery Products will raise the berm elevation by 1.55 inches for area "A" and 1.55 inches for area "B" which will change the minimum berm elevations to 2317.27 feet and 2318.54 feet respectively. The higher berm heights will add an additional volume of 2,854.9 cubic yards (13.7 acres X 1.55 inches) to the 'overflow' area behind the berms.

Please provide a letter confirming that the Design Plan is acceptable with this change.

If you have any questions please feel free to call me to discuss at 760-272-1224.

Sincerely,



Chris Seney, P.E.

cc: Jeff Meberg
Lynda Brothers

Enclosures: P.E. Certification Letter
Map

AEI-CASC CONSULTING

November 22, 2010

Mr. Chris Seney, P.E.
Nursery Products
12277 Apple Valley Road, Suite 131
Apple Valley, CA 92308

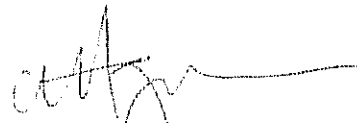
Subject: 1,000-year Berm Redesign to Account for Compost in 'Overflow' Area
Nursery Products Hawes Composting Facility

Dear Mr. Seney:

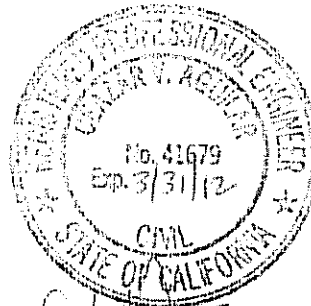
This letter certifies that AEI-CASC has reviewed and approved the redesign of the 1,000-year berm to account for compost that potentially could be in the 'overflow' area. My seal as a registered professional engineer licensed in the State of California is affixed below.

If you have any questions regarding this report, please call me at (909)709-4393.

Sincerely,

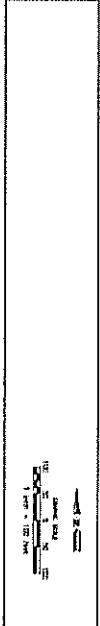

Ceazar Aguilar, P.E.
Principal Engineer
AEI-CASC Consulting

CVA/rc



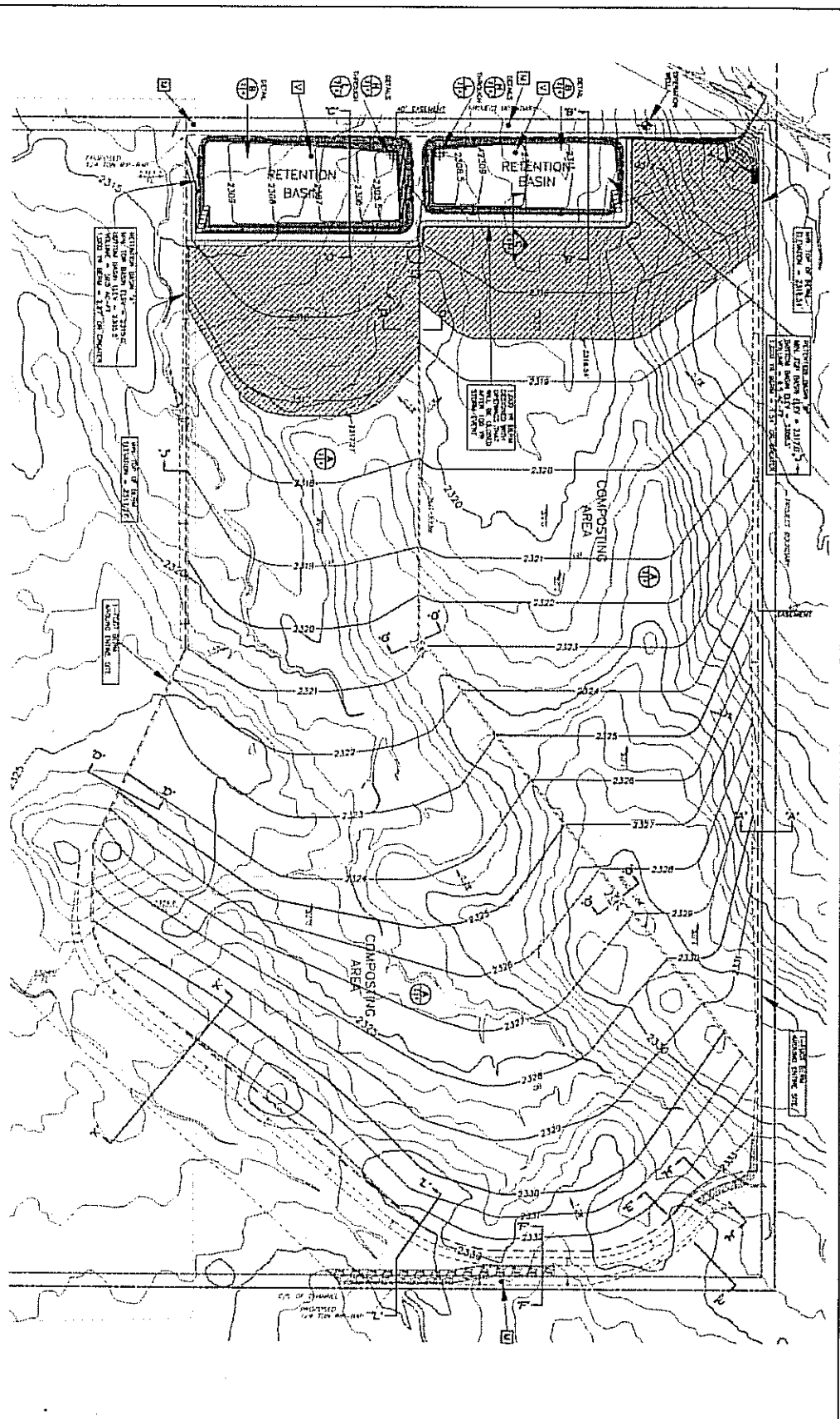


1	REVISIONS	DATE	BY
2	AS SHOWN	11-13-08	URS
3	FOR THE CONSTRUCTION	11-13-08	URS
4	FOR THE CONSTRUCTION	11-13-08	URS



URS
 414 Lakeside Drive, Suite 1000
 San Ramon, CA 94583
 TEL: 925-399-8900
 FAX: 925-399-8901
 WWW: URS.COM

PROJECT: WASTE COMPOSTING FACILITY
 LOCATION: SAN RAMON COUNTY, CA
 DRAWING NO.: 2
 OF
 8
 DATE: 11-13-08





November 1, 2010

Via electronic message

Mike Plaziak, PG
Supervising Engineering Geologist
California Regional Water Quality Control Board
14440 Civic Drive, Suite 200
Victorville, CA 92392

Subject: Design Plan - Redesign of Berm
Nursery Products Hawes Composting Facility

Dear Mr. Plaziak:

On August 11, 2010, Nursery Products submitted the Design Plan Addendum in response to comments from the California Regional Water Quality Control Board, Lahontan Region (Water Board) received in July, 2010. On October 7, 2010 the Water Board submitted comments on the *Design Plan Addendum*, which requested additional information in regard to the overflow area at the Nursery Products Hawes compost facility (Facility). On October 14, 2010 and October 26, 2010 Nursery Products submitted additional explanation of the Design Plan Addendum clarifying that all the structures and equipment that will be located in the 'overflow' area are mobile and that any vehicles, tanks, onsite equipment, compost and the temporary office could be relocated out of the overflow area readily and promptly. By electronic message dated October 26, 2010 you expressed concern that a 1000-year, 24-hour storm event could theoretically occur when employees are not on the Facility and thus challenged the efficacy of the plan to relocate any compost that might be located within the 'overflow' area.

Nursery Products continues to believe that our approach would suffice as in reality a 1000-year, 24 hour storm will not occur unexpectedly. Nonetheless in order to promptly obtain Water Board approval of the Design Plan, by this letter, Nursery Products commits to redesign the berms that define the 'overflow' area. As a result of the redesign, the volume of the 'overflow' areas will be expanded to include any compost that could be located in the overflow area on those occasions when the facility is operating at full capacity. At full capacity, the 'overflow' area could contain a maximum of 17,000 cubic yards of compost windrows. These windrows would displace 2,843 cubic yards within the depth considered in the 'overflow' area. This displaced volume was included in the calculations for the Design Plan Addendum, but since the Water Board does not accept that calculation and in an effort to finalize the Design Plan, Nursery Products will add the displaced 2,843 cubic yards to the original volume of the 'overflow' area. The Nursery Products Design Plan submitted August 11, 2010 established a minimum elevation height of 2317.14 feet for

Nursery Products
November 1, 2010
Page 2

overflow area "A" (7 acres) which is located on the west side of the Facility and established a minimum elevation height of 2318.41 feet for overflow area "B" (6.7 acres) which was on the east side of the Facility. Nursery Products will raise the berm elevation by 1.55 inches for area "A" and 1.55 inches for area "B". The higher berm heights will add an additional volume of 2,854.9 cubic yards (13.7 acres X 1.55 inches) to the enclosed area behind the berms.

Please provide a letter confirming that the Design Plan is acceptable with this change.

If you have any questions please feel free to call me to discuss at 760-272-1224.

Sincerely,

A handwritten signature in black ink, appearing to read 'CS', with a long horizontal flourish extending to the right.

Chris Seney, P.E.

cc: Brianna Bergen



October 25, 2010

Mike Plaziak, PG
Supervising Engineering Geologist
California Regional Water Quality Control Board
14440 Civic Drive, Suite 200
Victorville, CA 92392

Subject: Design Plan - Additional Explanation
Nursery Products Hawes Composting Facility

Dear Mr. Plaziak:

On August 13, 2010, Nursery Products submitted the Design Plan Addendum in response to comments from the California Regional Water Quality Control Board, Lahontan Region (Water Board) received in July, 2010. On October 7, 2010 the Water Board submitted comments on the *Design Plan Addendum*, which requested additional information in regard to the overflow area at the Nursery Products Hawes compost facility (Facility). On October 14, 2010 Nursery Products submitted additional explanation of the Design Plan Addendum clarifying that all the structures and equipment that will be located in the 'overflow' area are mobile and that any vehicles, tanks, onsite equipment, compost and the temporary office could be relocated out of the overflow area readily and promptly. On October 20, 2010 by telephone the Water Board requested additional information regarding any compost that might be located in the overflow area at the time of a 1000-year, 24-hour storm event.

The 'overflow' area is the last physical area of the Facility where compost will be located. Hence this area will only contain compost when the facility is operating at full capacity. At most the 'overflow' area could contain 17,000 cubic yards of compost, which is approximately four percent of the expected annual maximum throughput. In the unlikely event that a 100-year, 24 hour storm occurs when the Facility is operating at full capacity, the compost in the 'overflow' area can easily and readily be re-located to other portions of the Facility. Attached to this letter is the Hydrology Map of the Facility showing the 'overflow' area. Functionally, the 'overflow' area is divided into two areas. The attached Map identifies the green section. This area will never under any circumstances contain compost and will be the first area impacted by storm water as a storm exceeds the 100-year, 24-hour storm and may begin to escalate to a 1000-year, 24-hour storm. The red section on the attached Map is the only portion of the 'overflow' where compost could potentially be located when the Facility is at full capacity. It is highly unlikely that compost will be placed in the 'overflow' area. However, if the Facility reaches the maximum throughput compost may be located in the red section of the 'overflow' area. It has been calculated that a maximum of 17,000 cubic yards of compost could be located in the red section. This amount of

Nursery Products
October 25, 2010
Page 2

compost in windrows would displace 2,843 cubic yards in the red section of the 'overflow' area and this displaced amount was included in the calculations for the Design Plan Addendum.

In addition, any compost in the red section of the 'overflow' area could be removed to the remainder of the site in less than forty-five minutes. A conservative calculation of the time to remove the 17,000 cubic yards of compost from the red area of the 'overflow' area is forty minutes. This calculation is based on six front end loaders with 8 yard buckets each moving 9 loads per minute for a total of 40 minutes. The onsite equipment could move the compost more quickly dependent upon the distance that the compost is being moved. Forty minutes provides a large margin when one recalls that a storm event would need to first surpass the 100 year, 24-hour storm, then surpass the capacity of the green section of the 'overflow' area and only then impact the red section where the compost could be located if the Facility were operating at full capacity. Nursery Products will have ample opportunity to remove any compost in the red section of the overflow area should these storms events occur.

Nursery Products respectfully requests a response from the Water Board approving the Design Plan for the Hawes Composting Facility at your earliest convenience, but in any case not later than October 30, 2010. If this date cannot be met, please contact me immediately.

If you have any questions please feel free to call me to discuss at 760-272-1224.

Sincerely,



Chris Seney, P.E.

Enclosures: Map

cc: Brianna Bergen



October 12, 2010

Mike Plaziak, PG
Supervising Engineering Geologist
California Regional Water Quality Control Board
14440 Civic Drive, Suite 200
Victorville, CA 92392

Subject: Response to Water Board letter regarding Design Plan Addendum,
Nursery Products Hawes Composting Facility

Dear Mr. Plaziak:

On October 7, 2010, Nursery Products received a letter from the California Regional Water Quality Control Board, Lahontan Region (Water Board) requesting clarification in regard to the design plan for the Nursery Products Hawes Composting Facility. Specifically, the Water Board letter was entitled, *Design Plan Addendum*, and requested additional information in regard to the overflow area at the facility. The Water Board letter requested volume calculations for certain structures that the Water Board apparently believed were within the area that was calculated to contain the 1,000 year, 24-hour storm event. The Water Board requested calculations for the various non-permanent structures that will be located within that area including automobiles, facility building (a trailer), a possible above ground storage tank which will be elevated, and other on-site equipment and compost. Since all of these "structures" are mobile, Nursery Products will relocate any vehicles, tanks, onsite equipment, compost, and the temporary office out of the overflow area in the event that the 100-year, 24-hour storm event occurs. Thus if the 100-year storm is followed by or becomes a 1000-year, 24-hour storm the calculated area will be free of any structures. Nonetheless, the calculations which underlaid the Design Plan Addendum had added volumes for the structures in determining the area to be included within the higher berm. The temporary structures and equipment can be readily and promptly relocated when required.

To accommodate planned construction schedules, Nursery Products requests a Water Board letter of approval for the Design Plan for the Hawes Composting Facility by October 30, 2010. If this date cannot be met, please contact me immediately.

If you have any questions please feel free to call me at 760-272-1224.

Sincerely,

Chris Seney, P.E.

CC: Brianna Bergen