



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

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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 purple ink, appearing to read 'CS', with a long horizontal flourish extending to the right.

Chris Seney, P.E.

cc: Brianna Bergen