

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

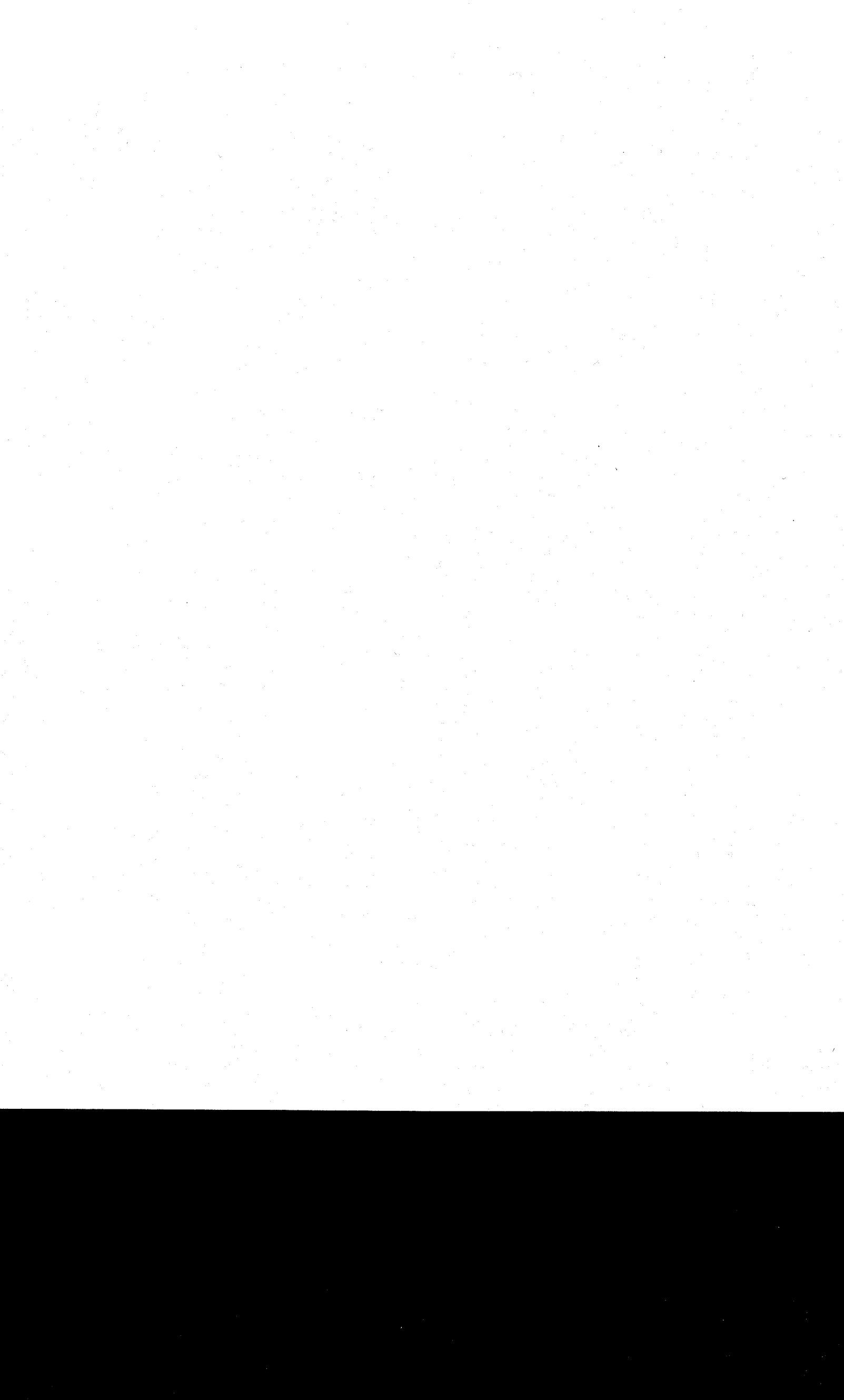


14-1

During the oral communication section of the agenda for Tuesday, April 23, 2013, Joe Arthur submitted documents and spoke regarding a complaint against the Riverside County Regional Medical Center.

**ATTACHMENTS FILED WITH
CLERK OF THE BOARD**

**AGENDA NO.
14-1**



Clerk's copy

4-23-13

Riverside County Board of Supervisors

Joe Arthur
Clearwater Solutions, Inc.
Vista, CA 92083
951-315-7777

Objective – Inform Board members of County acceptance of Fraudulent Devices.
Seeking direction to bring RC Hospital into local, State and Federal compliance.

Points of Contact Sergio Pena acting as Supervising Facilities Project Manager
Neal Kipnis acting as County Attorney

Summary chain of events

January 2012 ASR buys 4 devices I help with all installations 1st phase
March 2012 No further calls info or planning for 2nd phase.
April 2012 I go by the site and find initial infringing copy of CSI device.
May 2012 We continually contact County Attorney and Project Manager
June 2012 ASR is allowed to continue with fraudulent device installations
July 12, 2012 Letter finally comes out for ASR to supply proper devices, also directing staff to withhold \$100,000 for proper devices to be installed.
Aug 23, 2012 Letter again directing ASR to place proper devices as required by drawings. ASR does nothing but continue to install fraudulent devices through out project.
Sept 2012 CSI is continually told by staff not to worry all will work out in time and that staff will not be accepting the fraudulent devices.
Feb 2013 Maintenance Supervisor from Hospital calls my office wanting maintenance criteria and process as he has received documents that the devices have been signed off by County staff as acceptable and parking area opens.

Statement of Process

Clearwater Solutions, Inc., and Penco Engineering spent over 2 years getting the filter devices and specialized media for pathogen removal approved by the RC Flood Control group. This media is only available through CSI as we have 13 western states exclusive distribution of this media.

Joe Arthur
oral comm.



PROCESS for Compliance

CSI is ready willing and able to remove these fraudulent devices, place the Engineered products as required, and then provide the proper maintenance of the devices as originally intended for this project. *However, it should be noted that without the designed and Engineered devices, placed in conjunction with the proper media, this project is woefully out of compliance. Again, this is on all levels of non-compliance. Local Flood Control, State Regional Board and the Federal EPA.*

CSI has spent thousands of dollars combating with ASR regarding its patent infringement as they have produced 3 varying devices all of which infringe on our patent claims, none which have ever been tested, approved or certified for use by anyone on this PLANET. The current state of the devices that were approved *only* by whoever had the final authority from the County and apparently knew little or nothing about what should be in place and what is not acceptable even with a years with of discrepancies and complaints.

To all Board Members

THANK YOU FOR YOUR TIME AND I LOOK FORWARD TO HEARING FROM YOU.

Joe Arthur
Clearwater Solutions, Inc.
951-315-7777



1-5

From: Stewart McClure <stewartmcc@cox.net>
To: Mooose53 <Mooose53@aol.com>
Subject: Fw: Hospital Photos (clearwater)
Date: Mon, Apr 1, 2013 4:01 pm

Hi Joe,
 This guys never ceases to amaze me. He forgets that it can be more about who you get to than the process.
 That's why he's a public employee as he just doesn't get it.
 Stewart

----- Original Message -----
From: Stewart McClure
To: Kipnis, Neal
Sent: Monday, April 01, 2013 3:59 PM
Subject: Re: Hospital Photos (clearwater)

Thank you. I appreciate it.
 Stewart

----- Original Message -----
From: Kipnis, Neal
To: 'Stewart McClure'
Sent: Monday, April 01, 2013 3:51 PM
Subject: RE: Hospital Photos (clearwater)

With all due respect, you dont know how sureties really work. But Ill get you the info.

From: Stewart McClure [<mailto:stewartmcc@cox.net>]
Sent: Monday, April 01, 2013 2:45 PM
To: Kipnis, Neal
Subject: Re: Hospital Photos (clearwater)

Why would our issue not be a concern for the surety company at this moment? Since they are responsible for taking care of job items that were not done by ASR, wouldn't they need to know about this? This should be one of their concerns since they could be sued by the Hospital for fines that the Hospital could rack up for not being in stormwater compliance. Can you give me a contact and phone number at the surety company so that I can clarify this issue with them?

Thank you,
 Stewart

----- Original Message -----
From: Kipnis, Neal
To: 'Stewart McClure'
Sent: Monday, April 01, 2013 2:30 PM

Subject: Re: Hospital Photos (clearwater)

Hi Neal,

Just checking to see what progress is occurring at the Hospital? The stormwater filters that are in the ground (not including our 4) cannot be serviced because they do not have the correct media inserted and are not backed by any manufacturer. This means that the current hospital stormwater plan is out of compliance. Non-compliance turns into fines which is not a good thing. Let me know what is being done.

Thankyou,

Stewart McClure

----- Original Message -----

From: Kipnis, Neal

To: 'Stewart McClure'

Sent: Thursday, March 07, 2013 3:47 PM

Subject: RE: Hospital Photos (clearwater)

Hi Stewart. I certainly understand your perspective. As of now, I dont see why you should do any maintenance work out at the project The status is still generally the same as when we last discussed this with you. ASR has asked for a substitution for the filter units, and that is being processed by the County and its consultants. This process is still on-going, as much as everyone would like to get that done. In consultation with project management, we really cannot do anything until that process is finished. I expect it will be done shortly, but I do not know anything more specific. I cannot tell you what the County might do in light of he several different possible outcomes here, we need to first know the outcome of the substitution review.

I know this is frustrating for you, but I think all you can really do at this point is wait which I know is not your preference. I understand why you do not want to get your patent attorney involved now as that would be expensive, but that is an option for you that may help your position. Your attorney may be able to frame the issues in a better way than you can; maybe not.

I hope you have a good trip. Maybe there will be some advancement toward closure by the time you get back.

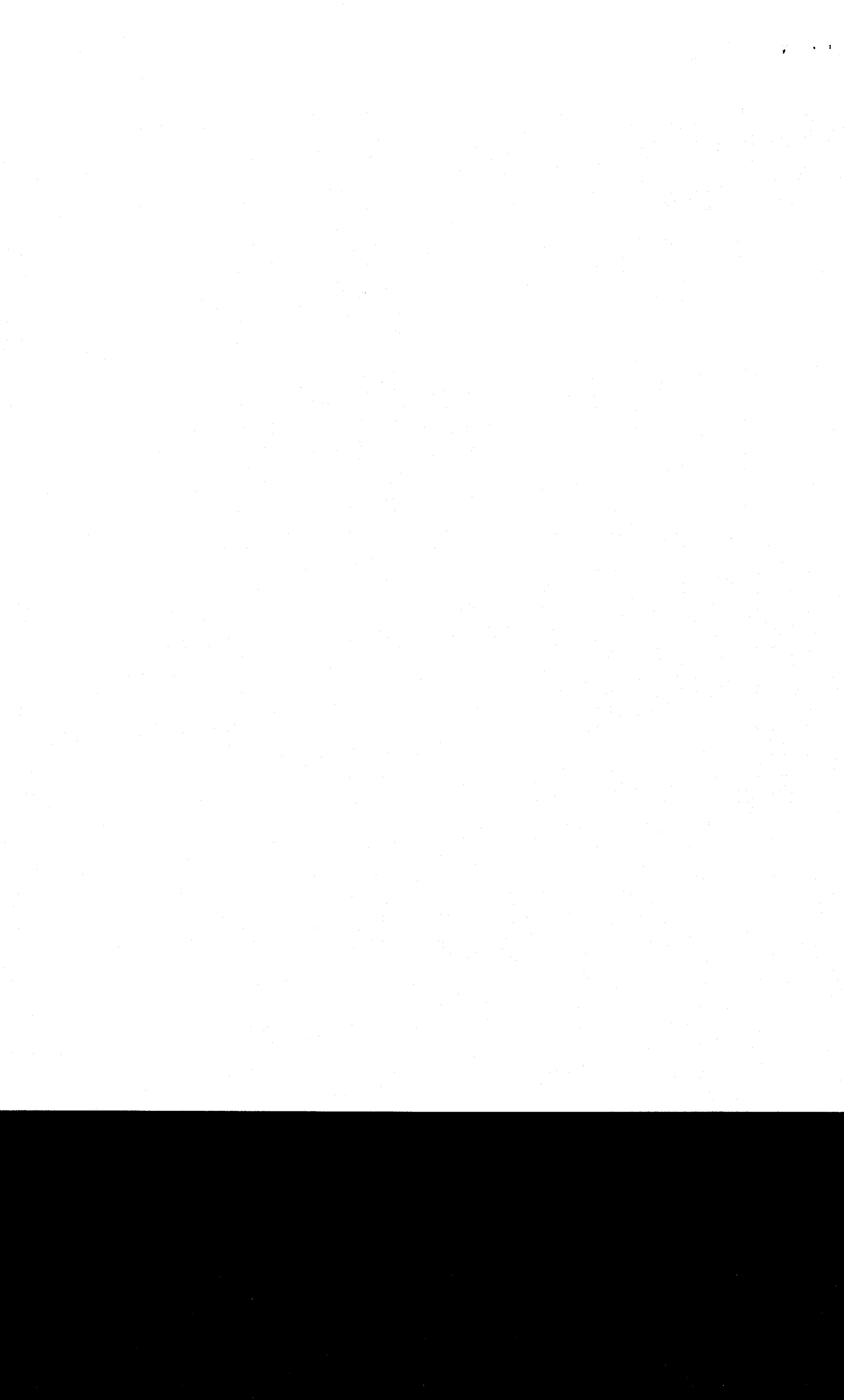
Neal

From: Stewart McClure [<mailto:stewartmcc@cox.net>]

Sent: Wednesday, March 06, 2013 9:53 AM

To: Kipnis, Neal

Subject: Fw: Hospital Photos



Hello Neal,

We were contacted yesterday by Bob Galbeck, head of maintenance at the Riverside County Regional Medical Center in Moreno Valley to have us come and maintain all of the stormwater filters that were installed by ASR (4 of them are ours). He said that they had been turned over to him to be maintained and wanted us to do it.

My partner, Joe Arthur, drove out there and took some photos of the units that ASR copied and as you can see there is no legitimate filter media in the filter cartridges and certainly no Pathshield to protect against single cell bacteria in a Hospital environment. Obviously we will not be maintaining ASR imposter filters as they are under no warrantee from us.

We recieved a call last week from Carlos at Penco Engineering (the engineer who specified our filters on the plans). He said that certainly in all of his research he can find no substitute for Pashshied media to kill single cell bacteria and that the county of Riverside will need make sure that our ClearWater BMP's are installed in the complete project. He said that there is no alternative to this on the plans.

Can you let me know where you are on the project and what is occuring with ASR. It is my understanding that they are in Bankruptcy Court? What is the county of Riverside's plan if this is the case?

Sincerely,

Stewart McClure

ClearWater Solutions

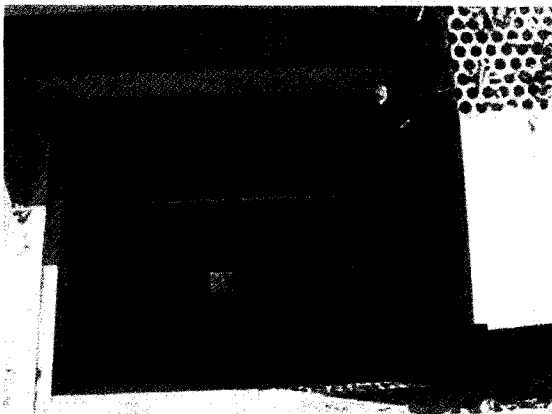
----- Original Message -----

From: moose53@aol.com

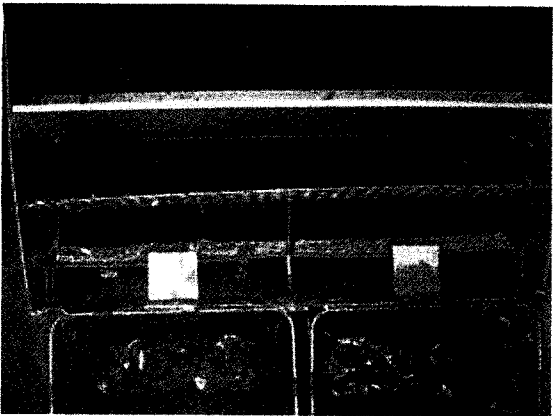
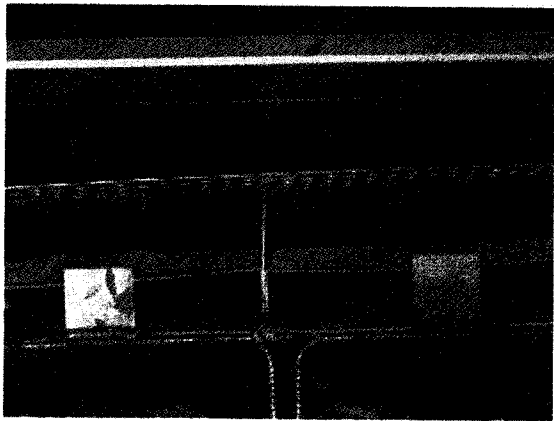
To: stewartmcc@cox.net

Sent: Wednesday, March 06, 2013 7:19 AM

Subject: Hospital Photos







Stewart - Here are a couple of yesterdays photos. Perforated material on cover, baffle wall and weir wall.

Media area is lacking and should not be very effective. Even the coarse filter is falling apart. WOW



Subject: RE: Hospital Photos (clearwater)

I dont think contacting the surety, represented by a large law firm in the area, will do anything for you. They will likely ignore you as your issue is not their responsibility at the moment. I know you dont want to incur legal fees, but you really need to be relying on your own lawyers legal advice. I believe you already know ASR has been asked to provide backup info to support the proposed filter material, and ASR has not provided anything back yet. The have a bunch of projects in default right now, which have been taken over by the surety, and their ability to respond is limited at the best of times. I dont expect a quick response from them under the circumstances. So, thats where we are, waiting. Thats all the County can do for now wait for their response on the filter material.

Neal

From: Stewart McClure [<mailto:stewartmcc@cox.net>]
Sent: Monday, April 01, 2013 11:56 AM
To: Kipnis, Neal
Subject: Re: Hospital Photos (clearwater)

Hi Neal,

I didn't know that. Do you want me to contact their surety or is that something you guys are doing? If you want me to do it, do you have their number? This is kind of urgent, as the hospital is out of storm water compliance and risks having to pay fines.

Thanks,

Stewart

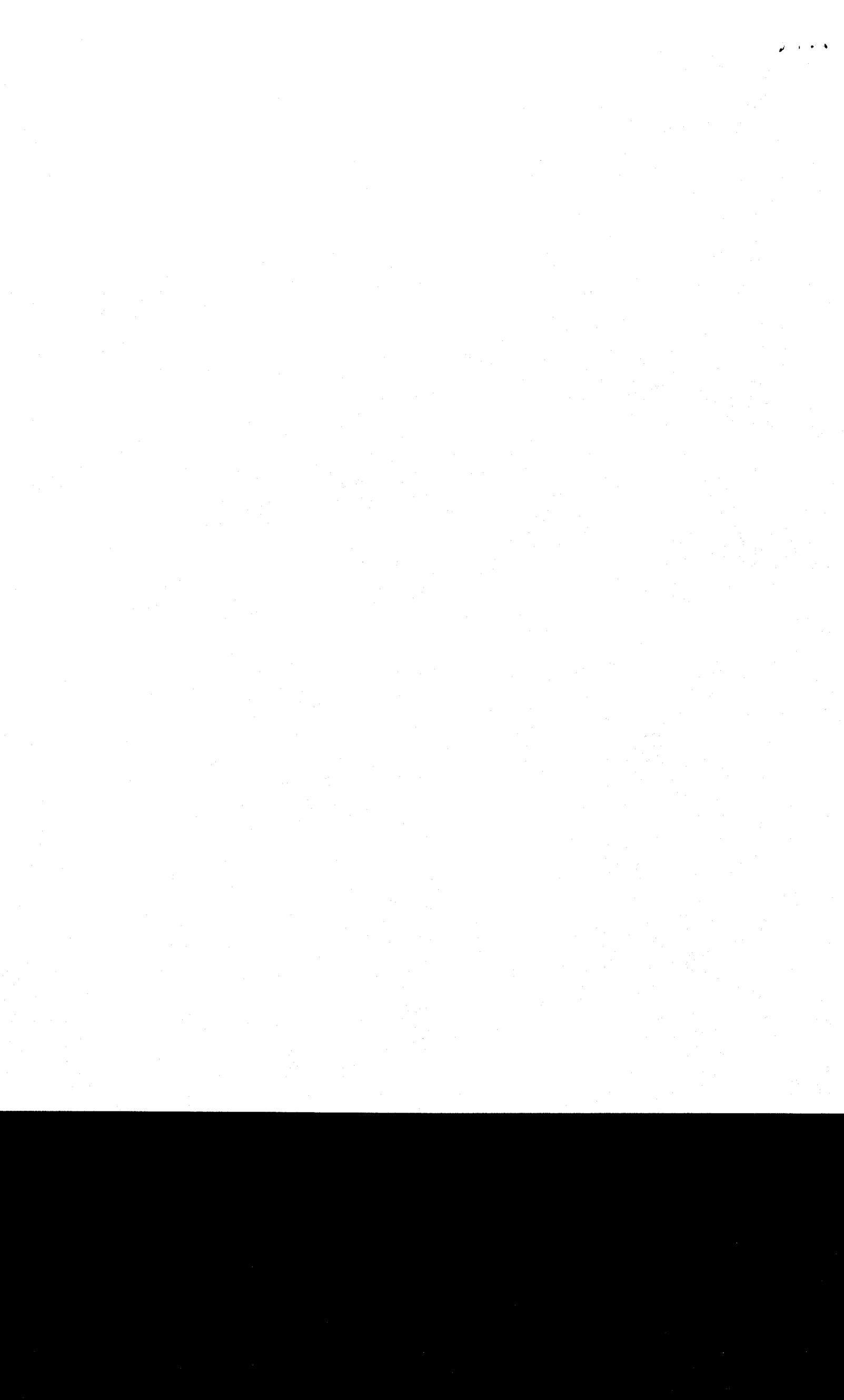
----- Original Message -----

From: [Kipnis, Neal](#)
To: '[Stewart McClure](#)'
Sent: Monday, April 01, 2013 11:15 AM
Subject: RE: Hospital Photos (clearwater)

Hi Stewart, hope all is well (other than this matter). Have you already heard that ASRs surety has taken over all of ASRs projects?

Neal

From: Stewart McClure [<mailto:stewartmcc@cox.net>]
Sent: Friday, March 29, 2013 2:09 PM
To: Kipnis, Neal



1-2

From: Stewart McClure <stewartmcc@cox.net>
To: Mooose53 <Mooose53@aol.com>
Subject: Fw: ClearWater BMP
Date: Tue, Apr 16, 2013 3:14 pm
Attachments: rrcmc_asr_letter_071012.pdf (992K)

----- Original Message -----

From: Kipnis, Neal
To: 'Stewart McClure'
Cc: rwirtz@wirtzlaw.com ; Mooose53@aol.com
Sent: Friday, July 13, 2012 3:20 PM
Subject: RE: ClearWater BMP

Stewart I just read the rest of your email below, I did not before I responded earlier. I have followed thru on everything I have told you I would do, so Im just going to pretend you never wrote that, forget I ever got that email, its not helpful for anything, and we will proceed cordially and cooperatively from there The attached letter was sent out to ASR yesterday (not on 7/10/12). I drafted it along with the EDA staff. I felt it had the appropriate level of detail for what we know at the moment I see you just sent me another email. And I have another one from you I have not yet opened. I can likely talk with you shortly, that would probably be best. I will not be working while I am gone for the coming week, so you will not really have anyone to speak with unless there is some new total crisis, which I do not anticipate. I will be best for you to wait till I get back and then we can continue to sort things out. No one else in my office knows anything about this, no one else is designated to handle this, and if EDA has to drag someone in next week that will just waste more time for everyone and I expect be counter-productive. So I strongly urge you to wait till I get back.
Thanks.
- Neal

From: Stewart McClure [<mailto:stewartmcc@cox.net>]
Sent: Friday, July 13, 2012 2:36 PM
To: Kipnis, Neal
Cc: rwirtz@wirtzlaw.com; Mooose53@aol.com
Subject: ClearWater BMP

Hello Neal,
I still haven't seen any letter out of your offices and you are going on vacation next week. It's been 15 weeks since our discovery of this problem and too date nothing has happened at the Riverside County level in regards to getting this issue resolved (Upholding the law of the land). It is almost as if everybody wants us to go away and by ignoring request after request (dozens) it shows that there is a great effort to shuffle this problem from one person to another. I guess if we don't see anything this weekend, we are forced to continue going higher and higher in the county roles to get something done. In fact maybe ClearWater should be talking to a City Council Member and the local newspaper and T.V. reporter to get something done?
As you can tell, we are very frustrated at this point and are willing to call lame county employees out on the



carpet to answer for this inability to do anything. Is everybody afraid of ASR Constructors? What gives?
Let me know what can be done.

Sincerely,
Stewart McClure
ClearWater Solutions.



1-4

Darrell Olson

Partner

Darrell.Olson@knobbe.com

949-760-0404 Main

Knobbe Martens

INTELLECTUAL PROPERTY LAW

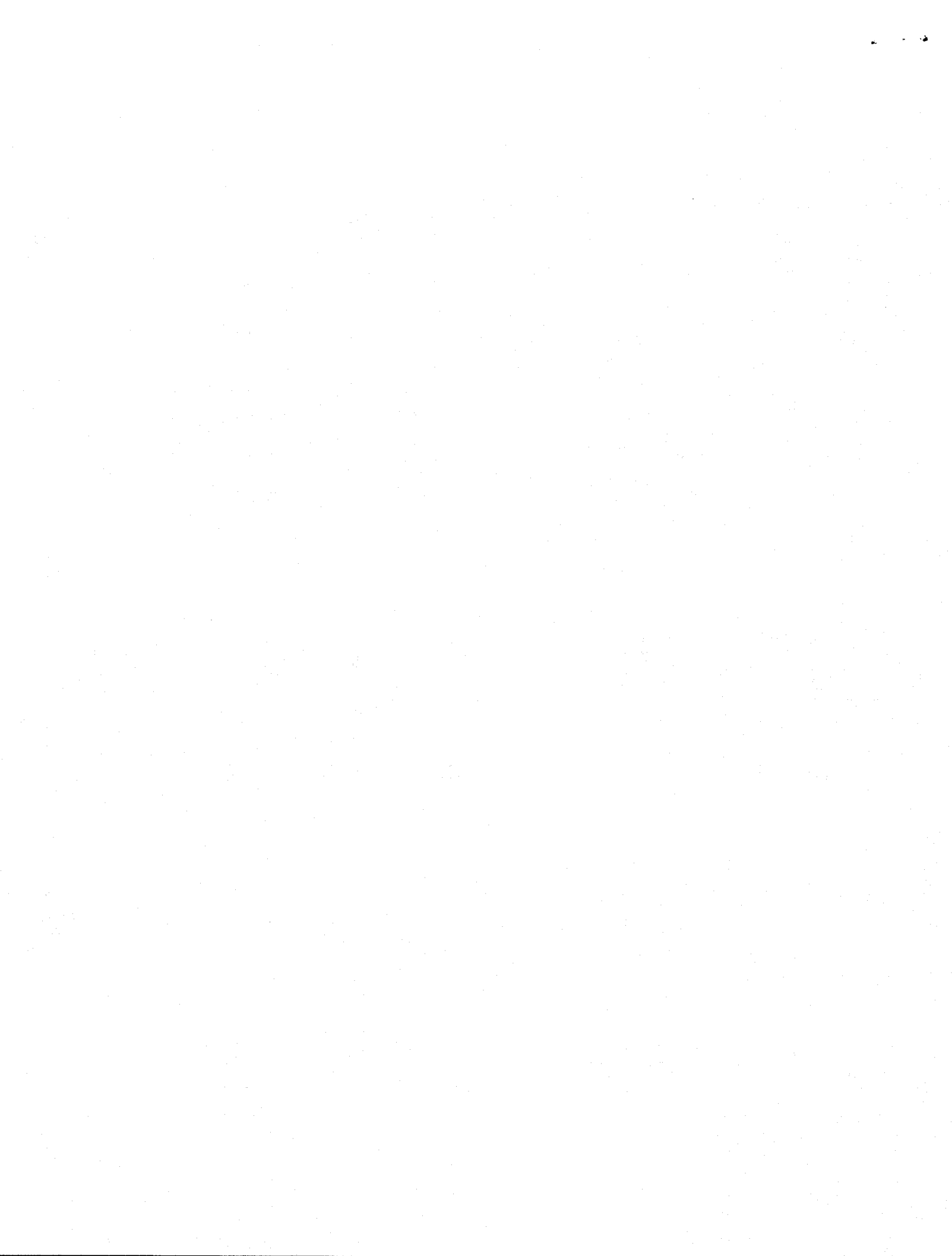
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Irvine, CA 92614

www.knobbe.com/darrell-olson

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From: Darrell.Olson [<mailto:Darrell.Olson@knobbe.com>]

Sent: Thursday, August 02, 2012 10:04 AM

To: rwirtz@wirtzlaw.com

Cc: Millie.Lein

Subject: FW: Clearwater matter

Richard, attached please find the response letter of ASR with photographs.

Regards,

Darrell



correct units, wouldn't it be better to be pro-active and require ASR Constructors to do what they were required on the plans to do??

The plans specifically call out for "CLEARWATER SOLUTIONS. BMP-01A MEDIA FILTER WITH PATHEX ANTIMICROBIAL MEDIA". We are the manufactures of the ClearWater BMP 01 and are the sole distributor of Pathex Antimicrobial Media west of the Mississippi. There is no other product like it that will work effectively to kill single cell bacteria in a 2.5" wide filter canister. Where will ASR get the Pathex Antimicrobial Media if we are the sole distributor? Your approved plans specifically call out for our filter units with all proper stamps and signatures. What would civil engineers think if their approved plans were allowed to use products that were not called out on the plans? Why even go through the process?

Please read the last paragraph of the letter from ASR's attorney. It says "Finally, we have reviewed the specifications and they do not require the installation of Clearwater units. Further, the customer has been informed that ASR units are being installed (along with the original four Clearwater Units) and the customer is without objection." Does this mean the County of Riverside is allowing this to be ok'd and is this truely your stance? Can you please let us know what your action will be so that we will know how to proceed?

Sincerely,

Stewart McClure - President

CLEARWATER SOLUTIONS

----- Original Message -----

From: Richard M. Wirtz

To: Michael Klicpera ; Joe Arthur ; Stewart McClure

Sent: Thursday, August 02, 2012 10:24 AM

Subject: FW: Clearwater matter

Gentlemen,

The response.

Best Regards,

Richard Wirtz

rwirtz@wirtzlaw.com



http://mail.aol.com/5/014-111/aol-0/cf-us/mail/F1111111message.aspx

From: Stewart McClure <stewart@clearwaterbmp.com>

To: Mooose53 <Mooose53@aol.com>

Subject: Fw: Clearwater matter

Date: Tue, Apr 16, 2013 3:17 pm

----- Original Message -----

From: Kipnis, Neal

To: 'Stewart McClure'

Cc: rwirtz@wirtzlaw.com ; Mooose53@aol.com

Sent: Wednesday, August 08, 2012 2:50 PM

Subject: RE: Clearwater matter

Hi Stewart, welcome back. I have previously received a copy of the 8/2/12 letter from ASRs attorney, as well as your attorneys letter. Please be assured I am aware of the issues you raise and I appreciate your emphasis on them and providing further specific details. I have a conference call with staff on this matter later this afternoon. I need to discuss this with them, to get the latest (and there have been some developments), and I will update you tomorrow. I am not aware in the least bit of the County agreeing to accept what ASR has installed or not objecting to what ASR has done or plans to do (whatever that might be). So, talk to you tomorrow.

Neal

From: Stewart McClure [<mailto:stewart@clearwaterbmp.com>]

Sent: Wednesday, August 08, 2012 1:53 PM

To: Kipnis, Neal

Cc: rwirtz@wirtzlaw.com; Mooose53@aol.com

Subject: Fw: Clearwater matter

Hello Neal,

Here is the latest from the ASR Constructors camp. They argue that making one small change in our patent by creating an opening in one wall and by slightly raising it gives them the right to copy our ClearWater BMP 01 unit and get away with it. First of all, there is a reason we don't use holes to allow the water to flow through the unit as it will cause a severe obstruction of water by debris coming through before the water is allowed to come in contact with our filter canisters. This will severely slow down the amount of water (200 GPM) max that can go through the unit. And it will cause the need for the filter units to be cleaned out much more often so that the obstruction they installed can be cleaned up.

We have a mechanical patent that is a very broad patent that allows us to severely defend our claims. Rather than dragging this out and requiring the county in the near future to take out the units and replace them with the



Stewart You have seen what we have sent them, they have been informed of the situation. You are dealing with ASR they are not like any other contractor I have ever seen, believe it. They do things other contractors would never do. You are just going to have to wait this out as far the County is concerned. As of now, you are still ASRs supplier, not the Countys, and this is still a waiting situation for now. In the meantime, you can deal with ASR as you seem fit. As for the County, we are continuing to work this through along with other project issues. Thats the best I can tell you at the moment.

- Neal

From: Stewart McClure [<mailto:stewartmcc@cox.net>]

Sent: Thursday, December 06, 2012 1:29 PM

To: Kipnis, Neal

Subject: Re: Pathex Order

Neal,

If somethings being done, then why would ASR try to go around our back to purchase our filter media. It's almost as if they have never been told about the situation. It just doesn't make sense to continue on this path.

Stewart

----- Original Message -----

From: Kipnis, Neal

To: 'Stewart McClure'

Sent: Wednesday, December 05, 2012 7:09 PM

Subject: RE: Pathex Order

Hi Stewart, I think I already told you Im just back from two weeks gone. Im massively busy, to be sure. Ill get an update on the situation. I know there has been work on your matter.

- Neal

From: Stewart McClure [<mailto:stewartmcc@cox.net>]

Sent: Friday, November 30, 2012 8:25 AM

To: Kipnis, Neal

Cc: rwirtz@wirtzlaw.com; Moose53@aol.com

Subject: Fw: Pathex Order

Hello Neal,

I just received this below e-mail from my Pathex supplier whom we have an exclusive west coast deal with to sell the pathogen killing product. I called Michael Tran from ASR and asked him how much material he needed. He didn't realize who I was. He said that Carlos from Penco Engineering is requesting a 5 gallon bucket of the material so that he can look at it before they order more(sound familiar?). They ordered our Clear Water BMP filter units and copied them! It sounds like they want some of our Pathex media so that they can copy it by matching the look with something else? Maybe its just conjecture but its good to be paranoid in this case.

We have already purchased the Pathex media for this job (about 2,000 pounds) and are ready to go when you say so. I think it is time that something be done about this problem so that we can all move on with our lives. This charade is getting old and we are waiting until January 1 before we file suit to give you some time to help get this rectified (It's now been 8 months since ASR copied our filter units and put them in your Riverside County job).

Sincerely,

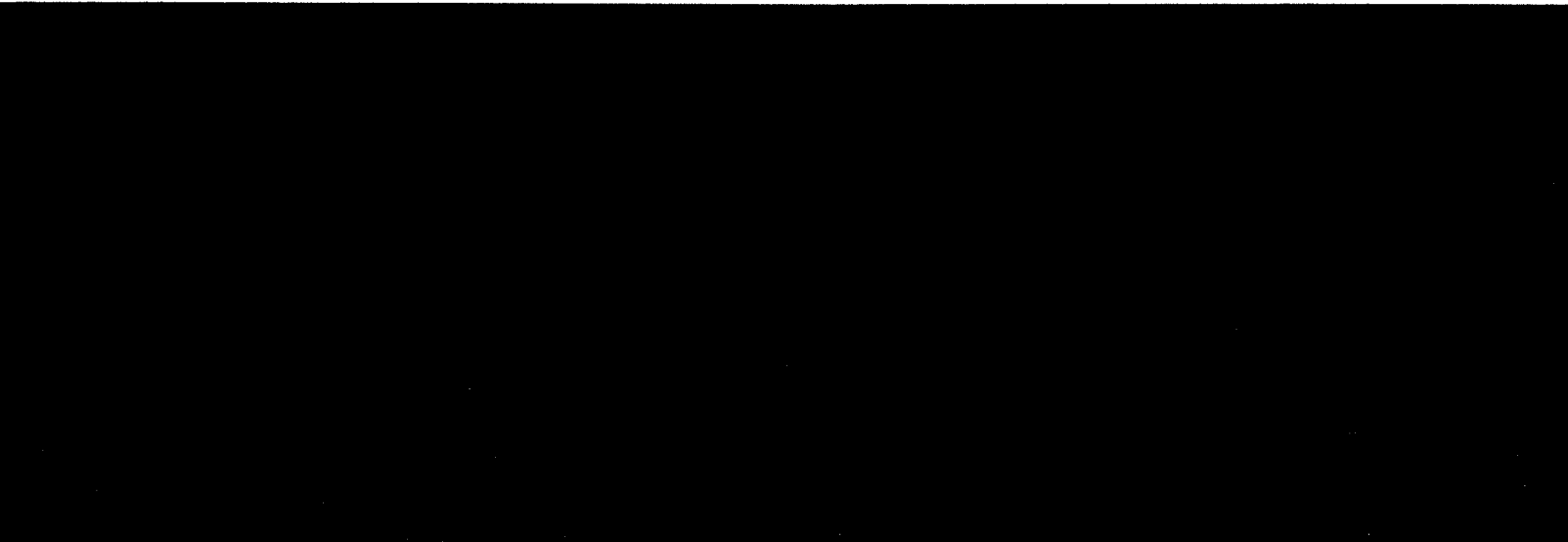
Stewart McClure

CLEARWATER SOLUTIONS

----- Original Message -----

From: Julie Danley

To: stewartmcc@cox.net



From: Stewart McClure <stewartmcc@cox.net>

To: Moose53 <Moose53@aol.com>

Subject: Fw: Pathex Order

Date: Tue, Apr 16, 2013 3:22 pm

----- Original Message -----

From: Kipnis, Neal

To: 'Stewart McClure'

Cc: rwirtz@wirtzlaw.com

Sent: Wednesday, December 12, 2012 12:08 PM

Subject: RE: Pathex Order

Stewart I did not respond to this email because I dont like to get emails from you that are unnecessarily harsh (especially toward me). I am the only one that can really keep you updated, and I assure you I have been. There is really no change from the last time we emailed. I very much understand your frustration with the situation. But your main frustration lies with ASR, an extremely difficult contractor to work with by any standard. This situation is still being worked on at the Countys end, what has been installed by ASR in the drains has not been approved, I assure you that is the case Have your attorney call me to discuss, I think that will be best for both of us. I dont want to run up your legal bills, not at all, but I think your attorney and I will likely be able to communicate more effectively about this somewhat unusual issue, then he can best update you. Thanks.

- Neal 951 955 6325

From: Stewart McClure [<mailto:stewartmcc@cox.net>]

Sent: Thursday, December 06, 2012 2:56 PM

To: Kipnis, Neal

Cc: rwirtz@wirtzlaw.com; Moose53@aol.com

Subject: Re: Pathex Order

Hello Neal,

We are on the plans, approved by the "County of Riverside". That means the county signed off "approved our product" for usage on this specific project. Riverside County rules state that construction plans are to be followed to the exact letter of the law unless other specifics are allowed (no other specifics were followed in this case). ASR purchased 4 of our Clear Water BMP filter units acknowledging this rule and stepped into making their own rules by copying our product and installing them on your County's job with the intent of snowballing the inspectors and everybody else from the county involved with this job. The county of Riverside needs to step up to the plate and follow through with this blatant infraction. This inaction certainly is cause to drag the county of Riverside into a suite over this matter. We have been more than patient in allowing the county to work through this problem and as of this date have received no relative information that causes us to see that this matter is going to be put to rest. Can you give us "Any" information that cuases us to believe that the County of Riverside is acting to resolve this issue in a timely manner?

Sincerely,

Stewart McClure

CLEARWATER SOLUTIONS

----- Original Message -----

From: Kipnis, Neal

To: 'Stewart McClure'

Sent: Thursday, December 06, 2012 1:50 PM

Subject: RE: Pathex Order



Sent: Friday, November 30, 2012 7:25 AM

Subject: Pathex Order

Good Morning Stewart,

Im Julie Danley with AquaShield. I received a call regarding a Pathex order and Stuart asked me to forward the contact information to you for follow up.

ASR

Riverside, CA

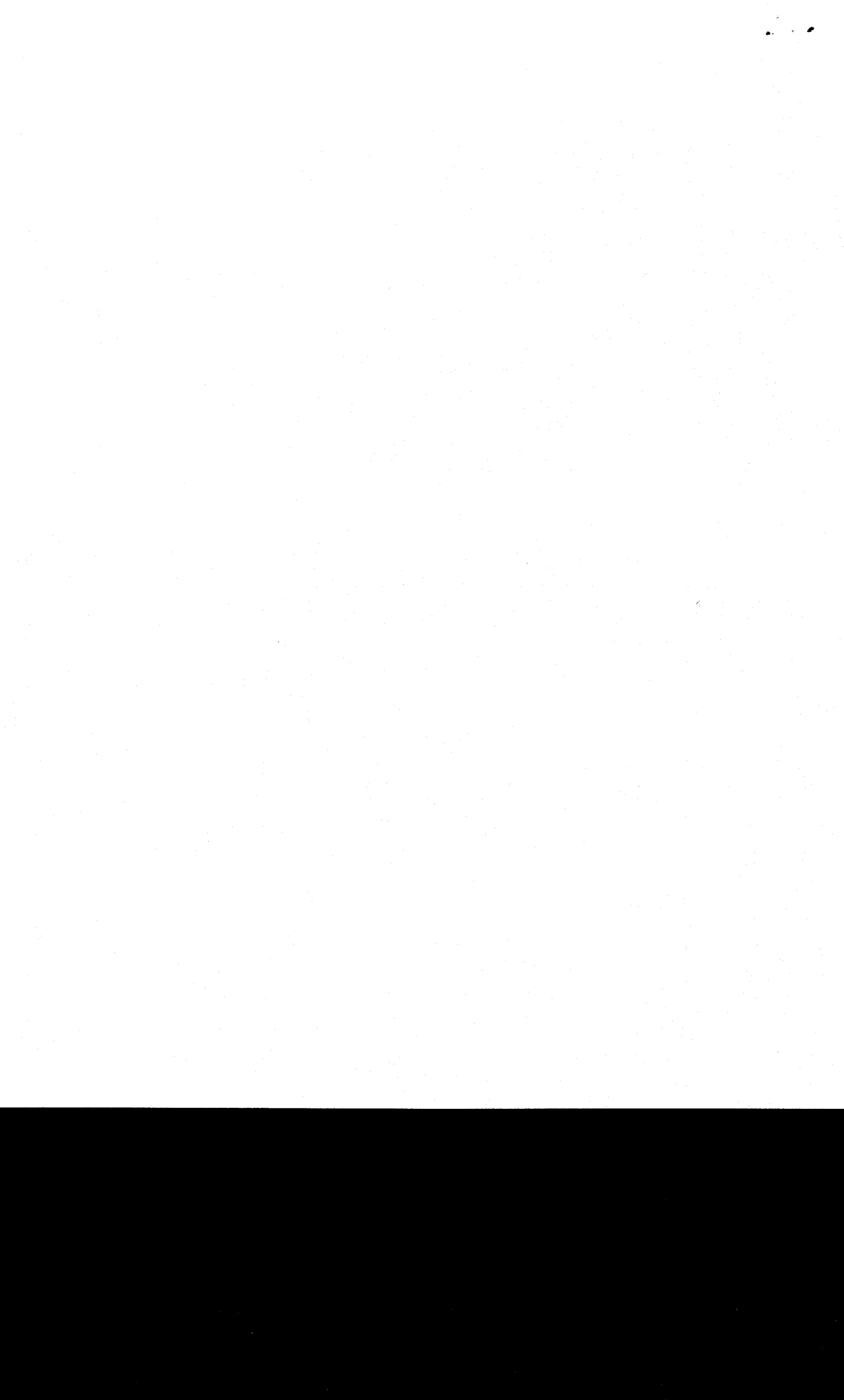
Contact: Michael Tran

951-779-6580

Thank you,

Julie Danley

423.468.1767





LETTER
1

7/10/2012

ASR Constructors
5230 Wilson Street
Riverside, CA 92509
LIC# 615395

RE: Site Development for Riverside County Regional Medical Center Trauma/ Custody/ Urgent Care/ Sexual Assault Response Team Expansion Phase 1, Phase 2, Phase 3

Mr. Marc Berry,

The following stop notices have been received by our office and funds shall be withheld from payments due ASR as required by applicable law:

05/10/12	STOP NOTICE - Walters Wholesale Electric	114,383.85
05/16/12	STOP NOTICE - Kennedy Hills Material	57,932.75
05/29/12	STOP NOTICE - Nekota Power Inc	37,689.73

It has been brought to our attention that the required Clearwater catch basin filters have apparently not been installed as required by the contract documents. Based upon current information, the serious claims made by Clearwater against ASR, and because most of this work has already been done by ASR, the County must immediately withhold \$100,000.00 in payments due to ASR for the purpose of ensuring ASR's compliance with the contract documents. ASR is responsible for any additional costs or damages incurred by the County related to this apparent lack of compliance.

Please immediately provide a written explanation of how this happened and what ASR plans to do to timely correct the situation, including how ASR plans to respond to Clearwater's claim that ASR intentionally violated federal patent law.

We anticipate that you are working diligently to resolve these issues so that appropriate resolution will be reached quickly.

Should there be any questions, comments, or need to discuss any of these items, please do not hesitate to contact me.

Sincerely,

Sergio Pena, Associate AIA
Supervising Facilities Project Manager

County of Riverside County
Economic Development Agency
Project Management Office

P.O. Box 1180 • Riverside, California • 92502 • T: 951.955.8914 • F: 951.955.4486 www.rivcoceda.org

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Parking
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Real Property
Redevelopment Agency
Workforce Development





LETTER
2

ASR Constructors
5230 Wilson Street
Riverside, CA 92509
LIC# 615395

**RE: Site Development for Riverside County Regional Medical Center Trauma/ Custody/
Urgent Care/ Sexual Assault Response Team Expansion Phase 1, Phase 2, Phase 3**

Mr. Marc Berry/ Alan Rigotti,


Thank you for your August 6, 2012 letter regarding the Clearwater product situation at the project. We appreciate your efforts to work cooperatively to complete this project on schedule.

I want to respond briefly to some statements in your letter and also the August 2, 2012 letter from your attorney:

ASR has never proposed a substitute for the Clearwater products required by the project contract documents. The County has not approved a substitute for the Clearwater products, either for what has already been installed or what remains to be installed. Please do not install products or accomplish work that does not comply with the requirements of the contract documents. The County does object to products installed or work accomplished not in compliance with the contract documents.

We urge you to continue to resolve matters with Clearwater as it appears to be one of the few products the County of Riverside Flood Control District will accept as independently tested and proven to function as designed.

Sincerely,

 8-23-12

Sergio Pena,
Supervising Facilities Project Manager

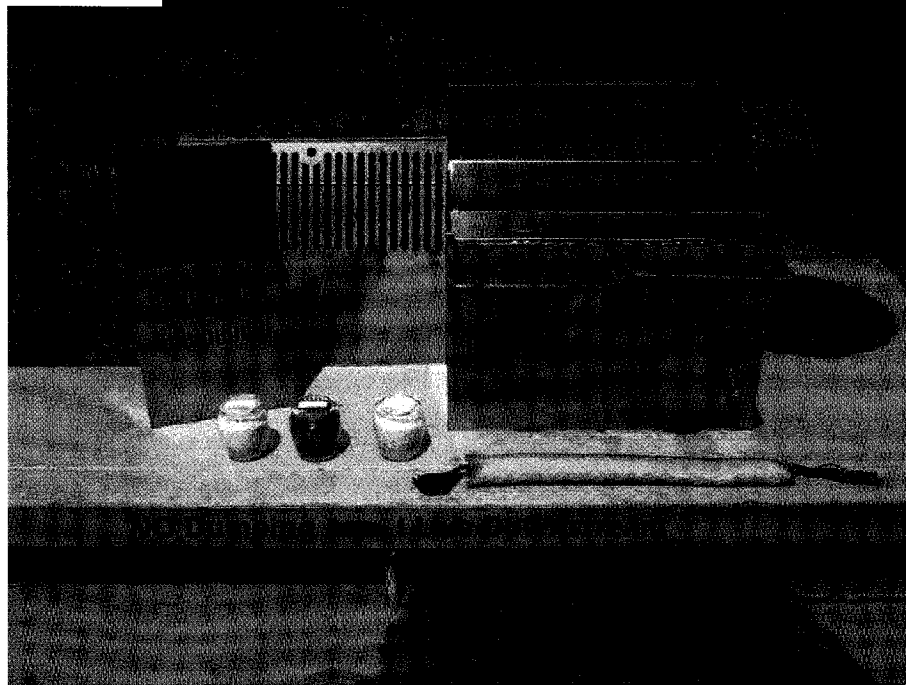
County of Riverside County
Economic Development Agency
Project Management Office

- | | | | |
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| Aviation | Edward-Dean Museum | Housing Authority | Purchasing Group |
| Business Intelligence | Environmental Planning | Information Technology | Real Property |
| Community Services | Fair & National Date Festival | Maintenance | Successor Agency |
| Custodial | Foreign Trade | Marketing | Space Management |
| County Library System | Graffiti Abatement | Parking | Workforce Development |



The ClearWater BMP Curb Inlet Filter

The ClearWater BMP is a powerful advancement in sidewalk curb inlet filtration technology. The patent-pending, filter train design allows stormwater flows to be screened, settled, and then filtered, all within the confines of an existing curb inlet drain box. This aggressive filtration design significantly reduces concentrations of trash, sediment, hydrocarbons, metals, and nutrients. Specifically designed for retrofitting within the existing curb and gutter infrastructure, it handles heavy storm flows with ease, dry-weather flows expertly, utilizes mosquito free technology and requires no excavation or concrete modification. The ClearWater BMP truly is your curb inlet pollution solution.



Patent Pending

Features

- Fits into existing curb inlets
- Non-scouring
- Large storage capacity
- Easy street level maintenance
- No clogging under heavy flows
- Durable stainless steel construction
- Affordable

Benefits

- Improves downstream water quality
- High removal rate of Total Suspended Solids – 97%
- Located close to pollutant sources
- Reduces concentrations of trash, sediment, hydrocarbons, metals and nutrients
- NPDES Compliant – now and in the future

ClearWater Solutions™

STORM DRAIN SPECIALISTS

2259 Lone Oak Lane • Vista, CA 92084

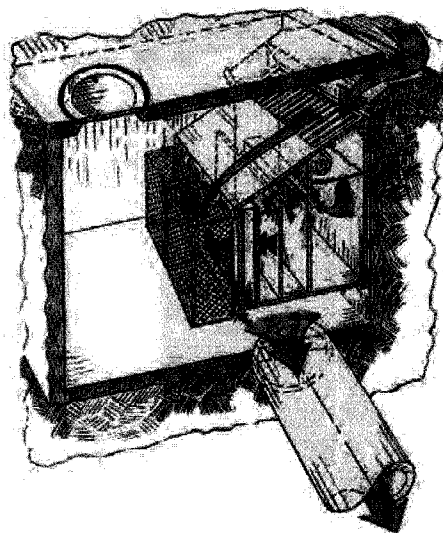
www.ClearWaterBMP.com

Toll Free: 800-758-8817 • F: 760-598-1371

System Operation

The ClearWater BMP is a powerful advancement in sidewalk curb inlet filtration technology. Specifically designed for retrofitting under the sidewalk within the curb and gutter system, it handles heavy storm flows with ease, utilizes mosquito free technology, and requires no excavation or concrete modification.

The revolutionary design of the ClearWater BMP allows storm water to be screened three times, settled three times, make constant surface contact with an oil and grease separator, pass through a synthetic mesh filter, and finally pass through a column of porous media comprised of natural zeolites, perlite, and activated carbon. Filter media can be tailored to site specific needs. These media and the unique engineering design of the filter support containing them, enhances removal of smaller particulates, thus improving the quality of life downstream.



Performance Testing

Using the "typical" storm water calculations of 0.2 inches (3,780 gallons) of rain per hour for an ordinary curb inlet, the ClearWater BMP performed very well. Proven testing from San Diego State University shows the ClearWater BMP has removal rates of 97% for total suspended solids (TSS), 86% for oil and grease (O & G), 81% for lead (Pb), and 83% for zinc (Zn). Satisfactory rates of removal were accomplished with heavy metals in solution, a claim that will not be found in most competitors literature since most only clean out larger settled constituents, while the finer materials flow downstream contaminating wildlife and beaches.

Removal with Mixed-Media Filter at 64 GPM

	"Typical" % Removal with ClearWater BMP
TSS: Total Suspended Solids	97
O&G: Oil & Grease	86
Pb: Lead	81
Zn: Zinc	83

What is your NPDES compliance criteria?

ClearWater BMP Treatment Capacity					
Rainfall Intensity, Inches/Hr.	0.20	0.25	0.50	0.75	1.0
R.O.W. Treatment Capacity, Acres	2.5	2.0	1.0	0.67	0.50

200 GPM (.46 CFS) before bypassing occurs.



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Removal of Waterborne Bacteria from Stormwater Runoff Using an Antimicrobial Filter Media

ASF Tech Report 10.1
January 2010

Objective

AS Filtration™ has developed an innovative patent pending technology designed to remove waterborne bacteria by use of an antimicrobial PathShield™ filter media under flow conditions associated with stormwater runoff. This report provides clear analysis of efficacy data obtained from comprehensive independent laboratory and field tests demonstrating the removal of bacteria from water.

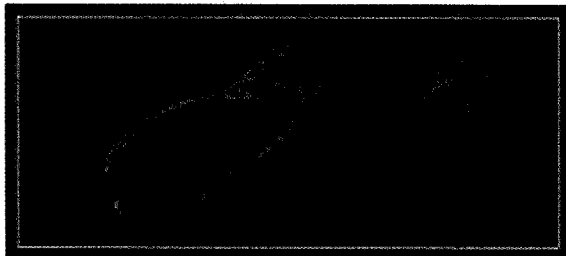


Figure 1. *Bacterium commonly found in water.*

Technology Description

PathShield™ utilizes a proprietary antimicrobial integrated system, which includes an EPA-registered antimicrobial agent proven to be effective against gram positive and negative bacteria. Microorganisms are destroyed on contact with the filter media. Treatment does not rely on physical trapping; thus, the dead microorganisms can pass through the PathShield™ filter media without clogging.

The antimicrobial agent is not consumed, does not dissipate, and does not produce toxic metabolites. PathShield™ is safe to handle and leaves no environmental residue and does not require an external power source. Microorganisms are destroyed on contact which does not allow for mutations to later develop on the media.

Laboratory Testing

A number of independent comprehensive laboratory tests were performed utilizing *E. coli* as the test microorganism. Testing was performed by a NELAP accredited laboratory certified to perform *E. coli* plate counts. Loading rates ranged from 9 to 30 gallons per minute per square foot (gpm/ft²) while water volumes ranged from 10 to 800 gallons.

A summary of the influent *E. coli* concentrations (colony forming units per 100 milliliters), loading rates (gpm/ft²), and efficacy from laboratory simulations is included in Table 1. Influent *E. coli* stock concentrations ranged from 150 to 36,000 col/100 ml. Removal efficiencies of >99% were achieved for these simulations.

Table 1. Summary of Laboratory Efficacy Results

Influent <i>E. coli</i> Concentration (col/100ml)	Loading Rate (gpm/ft ²)	Removal (%)
150	19	>99.9
1,180	30	>99.9
2,120	9	>99.9
2,150	22.5	>99.9
3,000	10	>99.9
3,500	10	>99.9
4,300	18	>99.9
36,000	10	>99.9

Field Testing

A series of independent field verification tests were performed by university researchers using PathShield™ filter media within a catch basin insert at an ultra urban location in Los Angeles, CA. Table 2 summarizes the influent and effluent *E. coli* and enterococci concentrations as well as the efficacy for the field tests using two filter cartridges each measuring 17 inches high, 14 inches wide and 2.75 inches thick (1,309 cubic inches, or 0.75 cubic feet).



PO Box 2078 • Vista, CA 92085-2078

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Removal of Waterborne Bacteria from Stormwater Runoff Using an Antimicrobial Filter Media

ASF Tech Report 10.1
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An independent NELAP accredited laboratory certified to perform *E. coli* and enterococci plate counts was used for the field tests. A loading rate of 19 gpm/ft² was measured for the tests. Influent *E. coli* concentrations ranged from 1,800 to 10,000 col/100ml; while influent enterococci concentrations ranged from 5,000 to 170,000 col/100 ml. Removal efficiency ranged from 92.3 to 99.8% for *E. coli*; and, 98.6 to 99% for enterococci.

organisms was recorded at the conclusion of the toxicity test periods. The effluent water has been determined to be non-toxic.

Conclusions

PathShield™ filter media has demonstrated superior performance for the elimination of waterborne bacteria in a variety of test conditions; and, provides effective treatment which can be achieved over an extended period of time. The use of a known EPA-registered antimicrobial agent within PathShield™ filter media can also be applied to safely remove a wide spectrum of microorganisms. It is clear that the A S Filtration™ PathShield™ technology can provide for the highly effective, long term, and safe control of waterborne bacteria in a wide variety of applications.

Table 2. Summary of Field Efficacy Results

Influent Concentration (col/100ml)	Effluent Concentration (col/100ml)	Removal (%)
<i>E. coli</i>		
1,800	<10	99.7
2,300	<10	99.8
7,000	120	98.3
10,000	770	92.3
Enterococci		
5,000	<10	99.9
16,000	230	98.6
77,000	50	99.9
170,000	170	99.9

Benefits

PathShield™ filter media offers a number of benefits including:

- EPA registered antimicrobial agent
- High level of antimicrobial performance
- Environmentally neutral with no residue
- Safe to handle
- Long term treatment
- Non-toxic effluent water
- Does not rely on physical trapping
- No external power source needed
- Independent laboratory and field testing programs confirm performance capability

Toxicity Testing

Multiple independent 48-hour acute toxicity laboratory testing was performed following EPA guidelines to support that the antimicrobial agent does not leach, and the effluent (treated) water is non-toxic. Test organisms were fathead minnows (*Pimephales promelas*) and water fleas (*Ceriodaphnia dubia*). Zero mortality of the test

"Path Shield™ filter media has demonstrated superior performance for the elimination of waterborne bacteria in a variety of test conditions."



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**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: JOE ARTHUR

Address: 4303 N WEBSTER AVE
(only if follow-up mail response requested)

City: PERRIS, CA **Zip:** 92571

Phone #: 951-315-7777

Date: 4-23-13 **Agenda #** oval comm.

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support **Oppose** **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support **Oppose** **Neutral**

I give my 3 minutes to: _____

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda:

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.