



**VIA FAX 415-928-8560**

June 29, 2006

Ted Hull  
Air Quality Engineer II  
Bay Area Air Quality Management District  
939 Ellis Street  
San Francisco, CA 94109

**RE: Draft Title V Comment Letter  
Tri-Cities Waste Management  
710 Auto Mall Parkway  
Fremont, CA 94538  
Facility Number A2246**

Dear Mr. Hull:

Shaw Environmental, Inc. (Shaw), on behalf of Waste Management of Alameda County, Inc. (WMAC), is pleased to submit comments on the Proposed Major Facility Review Permit (Permit Number A2246) for the Tri-Cities Waste Management Facility (Tri-Cities) in Fremont, California. Tri-Cities is requesting a modification to proposed language in Title V Condition No. 8366 Part 17 which requires screening for VOC in all cover soils accepted at the site.

The proposed modification to Condition No. 8366 Part 17 replaces the 15 pound daily carbon emission limit that had been imposed on the facility with a requirement to screen VOC-laden soil to ensure that it is not contaminated soil as defined in BAAQMD Regulation 8-40-205. The 15 pound per day limit was imposed pursuant to BAAQMD Regulation 8-2-301. However, that regulation applies only to material with total carbon concentrations exceeding 300 parts per million (ppm) and not to VOC laden soil with VOC concentrations less than 50 ppm. The revised condition appropriately eliminates the 15 pound per day carbon limit.

The proposed Condition No. 8366 Part 17 is a reasonable approach to ensure that contaminated soil is not used as cover material. However, the proposed condition requires testing of all soil to be used as cover rather than just potentially VOC laden soil and does not include any provision for using analytical results to demonstrate that soil is not contaminated. WMAC proposes the following modifications to the draft permit to allow for additional flexibility while ensuring that any contaminated soil is not used as daily cover.

- 17 Low VOC soil (soil that contains 50 ppmw or less of VOC) is not considered to be "contaminated soil" and may be used as daily, intermediate, or final cover

material for landfill waste operations if the organic concentration above the soil does not exceed 50 ppmv (expressed as methane, C1). To demonstrate compliance with this requirement, each lot of **VOC laden** soil to be used as cover material shall be subject to either Subpart A or B of this condition.

- A.** Each lot of **VOC laden** soil to be used as cover material shall be randomly screened for VOC surface emissions (in such a manner as to be representative of the entire lot) using the testing procedures outlined in Regulation 8-40-604. The Permit Holder shall keep the following records for each lot of soil subject to this requirement:
- a. The soil lot number as established in part 18m.i. (below).
  - b. The time and date of the soil screening.
  - c. The name and affiliation of the person performing the monitoring.
  - d. The results of the screening and an acknowledgement that the procedures outlined in Regulation 8-40-604 were used.

**B.** **In order to demonstrate compliance with this condition, the Permit Holder shall maintain daily records of the VOC content of all VOC laden soils handled at the landfill in a District approved log. These records shall be maintained on-site or shall be made readily available to District staff upon request for a minimum of 5 years from the date on which the record was made.**

Soil presumed to be low VOC soil that is found to have a surface VOC concentration greater than 50 ppmv or to contain a VOC concentration of 50 ppmw or greater as described determined by Subpart A or B above shall be considered contaminated soil and will be subject to the requirements of ~~part 2 Part 18~~ of these conditions this condition. (basis: Regulations 8-40-205, 8-40-604)

In addition to the changes listed above, the "Monitoring Type" column in Table VII-A should be modified to include "records" as approved monitoring associated with Condition No. 8366 Part 17.

WMAC looks forward to receiving the finalized Title V permit with the requested permit condition modifications. If you have any questions regarding our comments, please do not hesitate to contact me at 408-382-5842.

Sincerely,  
Shaw Environmental, Inc.



Rich Merrill  
Region Director, Air Quality Services

Cc:  
Alan Blake, Tri-Cities  
Chris Kennedy, WM