

June 14, 2007

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

**RE: Draft Title V Major Facility Review Permit
Comment Letter
Tri-Cities Waste Management
7010 Auto Mall Parkway
Fremont, CA 94538
Facility Number A2246**

Dear Mr. Hull:

Shaw Environmental, Inc. (Shaw), on behalf of Tri-Cities Waste Management (TCWM), is pleased to submit additional comments on the draft Title V Major Facility Review Permit (Permit No. A2246) for the Tri-Cities Recycling and Disposal Facility (TCRDF) in Fremont, California. TCWM is requesting two modifications to the draft permit. One of the changes is a minor administrative issue. The second is a request to eliminate the limit on the acceptance of VOC laden soils. The requested changes are discussed below.

TCWM requests that the current number of vertical gas extraction wells stated in Title V Condition No. 8366, Part 2 be changed from 25 to 28. As of the expiration date of the previous Authority to Construct (Application No. 10998), the well field included 28 vertical wells.

TCWM has reviewed the modification made to Title V Condition No. 8366, Part 17 made in response to previous comments. The provision for using analytical data to demonstrate that soil is not contaminated is a valuable alternative compliance provision. However, TCWM believes that the 150 ton per day limit on VOC laden soils is not required to comply with BAAQMD 8-2-301 as you suggest in the engineering analysis that accompanies the draft Title V permit. BAAQMD Regulation 8-2-301 applies to only to materials with a VOC content of greater than 300 ppmw. According to your statement of basis, "compliance with the regulation is achieved by either emitting no more than 15 lb/day POR or emitting a concentration of POC that does not exceed 300 ppmv." TCWM agrees with this assessment and would prefer to demonstrate compliance with the 300 ppmv limit rather than the 15 pound per day limit. To accommodate this change, TCWM requests the following modification to Title V condition No. 8366, Part 17 b.


- b. ~~Limit the quantity of VOC laden soil used as cover material to 150 tons/day. To demonstrate compliance with this limit, the~~ **The** permit holder shall maintain daily records of the amount (tons) and VOC content (as determined using the testing

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procedures outlined in Regulation 8-40-602) of all VOC laden soils subject to this requirement **to demonstrate that the VOC laden soil is not considered contaminated.**

TCWM appreciates this opportunity to comment on the draft Title V Major Facility Review Permit and anticipates that the requested changes will be incorporated into the final permit. If you have any questions regarding our comments, please do not hesitate to contact me at (408) 382-5842.

Sincerely,
Shaw Environmental, Inc.

A handwritten signature in black ink, appearing to read "Richard Merrill", is written over a light blue rectangular background.

Richard Merrill
Senior Air Quality Engineer

cc:
Chris Kennedy, TCWM
Colleen Cassidy, TCWM