

July 14, 2003

Kirby Canyon Landfill

P.O. Box 1870
Morgan Hill, CA 95038

Attention: Mr. Joe Morse, Site Manager

Application Number: 2619

Plant Number: A1812

Equipment Location: 910 Coyote Creek

San Jose, CA

ALAMEDA COUNTY

Roberta Cooper
Scott Haggerty
(Chairperson)
Nate Miley
Shelia Young

Drive

95198

**CONTRA COSTA
COUNTY**

Mark DeSaulnier
Mark Ross
Gayle Uilkema
(Secretary)

Dear Mr. Morse:

The requirement for public and EPA review of the proposed significant revision to your Major Facility Review Permit has been completed. No comments from EPA or the public were received. The District has decided to issue the permit.

MARIN COUNTY

Harold C. Brown, Jr.

Following is the District's response to your request for changes to the permit.

NAPA COUNTY

Brad Wagenknecht

Response to Comments:

A summary of each of your comments is listed below, followed by a discussion of the comment, the District's position, and any changes that will be made to the permit as a result of the comment.

**SAN FRANCISCO
COUNTY**

Willie Brown, Jr.
Chris Daly
Jake McGoldrick

Comment #1: The maximum daily waste acceptance rate for the Landfill S-1 given in Tables II A and VII-A should include the annotation "except for temporary situations approved by the LEA".

SAN MATEO COUNTY

Jerry Hill
Marland Townsend
(Vice-Chairperson)

• Discussion:

Waste Management requested that this clarification to the maximum daily waste acceptance rate be made in order to be consistent with Permit Condition #1437, part 1a.

SANTA CLARA COUNTY

Liz Kniss
Julia Miller
Dena Mossar
(Vacant)

• District's Position:

The District is not opposed to this request.

SOLANO COUNTY

John F. Silva

• Changes to the Permit:

The annotation "(except for temporary situations approved by the LEA)" has been added to Table II A for S-1 Landfill, following "Max. Acceptance Rate = 2600 tons/day" and to Table VII-A, following " \leq 2600 tons/day". A definition of "LEA (local enforcement agency)" has been added to the glossary.

SONOMA COUNTY

Tim Smith
Pamela Torliatt

William C. Norton
EXECUTIVE
OFFICER/APCO

Comment #2: The number of gas collection wells listed in Table II A for the Landfill S-1 and Permit Condition #1437, part 6 should be changed from 33 to 31.

- Discussion:

Following a thorough review of their gas collection wells, Waste Management discovered that there were actually 31 wells in operation instead of the 33 that had been previously reported.

- District's Position:

The District is not opposed to this request.

- Changes to the Permit:

The number of gas collection wells listed in Table II A (for S-1) and Permit Condition #1437, part 6 has been changed from 33 to 31.

Comment #3: Regulation 8, Rule 2 should be removed as an applicable requirement for the Landfill S-1 in Tables IV-A and VII-A.

- Discussion:

Waste Management has requested that Regulation 8-2-301 be removed from Table IV-A "Source-specific Applicable Requirements" and Table VII-A "Applicable Limits and Compliance Monitoring Requirements" because the Permit Shield in Section IX states that compliance with Regulation 8, Rule 40 for low VOC content soil (less than 50 ppm by weight) subsumes compliance with Regulation 8, Rule 2. Thus, compliance with Regulation 8, Rule 2 is no longer necessary.

- District's Position:

In accordance with Regulation 2-6-233.2, subsumed requirements apply only to monitoring, recordkeeping, and/or reporting, not to emissions standards. Table IX-A subsumes the monitoring requirement of Regulation 8-2-601 with 8-40-604, thereby allowing compliance with the emission standard of Regulation 8-2-301 to be demonstrated by using the monitoring procedure specified in 8-40-604 (i.e. compliance with the emission standard of 8-2-301 can be assumed if the organic concentration above the soil is found to be 50 ppmv or less). In summary, Regulation 8, Rule 2 still applies to the Landfill S-1, but the means of demonstrating compliance has changed.

- Changes to the Permit:

None.

Comment #4: Change the frequency of hydrogen sulfide monitoring from quarterly to annual.

- Discussion:

Waste Management has requested that the frequency of Draeger tube monitoring for hydrogen sulfide in the landfill gas be changed from quarterly to annual. Quarterly Draeger tube monitoring for sulfur compounds in landfill gas was approved by the US EPA as an alternate means of periodically demonstrating compliance with the 300 ppm general emission limitation for sulfur dioxide (SO₂) in Regulation 9-1-302.

- District's Position:

Based on your comment and other comments received regarding the monitoring of sulfur compounds in the landfill gas as a surrogate for SO₂ monitoring, the District has decided to change the monitoring requirement. The proposed new SO₂ monitoring requirement is for an annual SO₂ source test at a single combustion device. For the Kirby Canyon Landfill, this will mean adding an SO₂ testing requirement to the annual source test for the flare. Since the SO₂ emissions from the flare are a direct reflection of the amount of sulfur in the landfill gas, the results of the flare source test can also be used to demonstrate Regulation 9-1-302 compliance with the proposed IC Engine Generator Set S-2. If the flare SO₂ result corrected to zero % oxygen (a worst case condition) is equal to or less than 300 ppm (dry), compliance with Regulation 9-1-302 is demonstrated for all other landfill gas combustion sources.

- Changes to the Permit:

Section VI, Permit Condition #1437: Part 10 was deleted, an annual SO₂ source test requirement for the A-10 Flare was added to part 11d, a reference to part 10 (deleted) was removed from part 14j, and Regulation 9-1-302 was added as a basis for parts 11 and 14.

Table IV-A: Part 10 of Permit Condition #1437 was deleted from the table; Regulation 9-1-302 was added as a basis for parts 11 and 14.

Table VII-A (landfill and flare): Limits and monitoring for "Total Sulfur Content in Landfill Gas" were deleted from the table, monitoring for "SO₂" was changed from "Sulfur Analysis of landfill gas" to "Annual Source Test" and the monitoring citation was changed from Condition #1437, parts 10 and 14j, to Condition #1437, part 11.

Table VII-B (engine): Monitoring for "SO₂" was changed from "sulfur analysis of landfill gas" to "Annual Source Test of A-10 Flare, corrected to 0% excess oxygen" and the monitoring citation was changed from Condition #1437, parts 10 and 14j, to Condition #1437, part 11.

Table VIII: References and tests methods for Condition #1437, part 10, were deleted from the table.

Comment #5: Remove “and cover materials” from the annotation for “Amount of Waste Accepted”, “ $\leq 36,400,000 \text{ yd}^3$ (cumulative amount of all wastes and cover materials)” in Table VII-A.

- Discussion:

The District previously addressed landfill capacity issues in its 2/18/03 letter to Waste Management. In that letter it was agreed that 36.4 million cubic yards (the amount listed in the Solid Waste Facility Permit) reflects refuse only, not cover materials. This was corrected in Table II A and Permit Condition #1437, part 1c, but not in Table VII-A.

- District’s Position:

The District agrees that Table VII-A should be corrected to be in agreement with the rest of the permit.

- Changes to the Permit:

The annotation for the “Amount of Waste Accepted” limit of $\leq 36,400,000 \text{ yd}^3$ in Table VII-A has been changed to state “(cumulative amount of all wastes)”.

**Comment #6: Add the following statement to the Permit Shield, Section IX:
“Measurements conducted under Regulation 8-40-604 that show surface VOC concentrations less than 50 ppmv (expressed as methane, C1) are conclusive to demonstrate that Regulation 8-2-301 does not apply”.**

- Discussion:

Waste Management has requested that an affirmative statement be added to the Permit Shield section of the permit to state that compliance with Regulation 8-2-301 is assured if soil tested in accordance with Regulation 8-40-604 shows the VOC content to be less than 50 ppmv.

- District’s Position:

As previously discussed for Comment #3 (above), the Permit Shield in Section IX only subsumes the monitoring requirement for Regulation 8, Rule 2, not the standard. Therefore, the District will not add a statement that says Regulation 8-2-301 does not apply. However, the District is not opposed to adding a sentence stating that compliance with Regulation 8-2-301 is demonstrated if soil tested in accordance with Regulation 8-40-604 shows the VOC content to be less than 50 ppmv.

- Changes to the Permit:

The following statement has been added at the end of Section IX: “In summary, measurements conducted under Regulation 8-40-604 that show surface VOC concentrations less than 50 ppmv (expressed as methane, C1) are conclusive to demonstrate compliance with Regulation 8-2-301.”

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The District has also updated the amendment date for Regulation 2, Rule 6, in Standard Condition I.A.

Enclosed is a copy of the final permit. Please note that the first monitoring report for this permit will be due on November 30, 2003, and the first compliance certification will be due on May 31, 2004.

If you have any questions regarding this permit, please call Ted Hull, Air Quality Engineer, at (415) 749-4919.

Sincerely yours,

William C. Norton
Executive Officer / APCO

RTH:myl
Enclosure

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