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MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

Home of the Last Chance Mercantile

September 14, 2007

WILLIAM MERRY, P.E., DEE
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Mr. Doug Quetin
Executive Director
Monterey Bay Unified Air
Pollution Control District
Silver Cloud Court
Monterey, CA 93940

RE: Request MBUAPCD Board to Remove the NESHAP Exemption for Single Family Dwellings

Dear Mr. Quetin:

As you well know, the management and abatement of asbestos containing material (ACM) is a primary concern in this county. As a result, federal, state and local regulations have been adopted to closely control how it is managed. We certainly applaud the efforts by the Monterey Bay Unified Air Pollution Control District (MBUAPCD) in this regard.

However, local events over recent months have brought to light two additional measures which would provide better protection of human health and the environment when it comes to the management and abatement of ACM.

The first would be to remove the exemption from the MBUAPCD Rule 424 which exempts single family residence demolition from Federal Asbestos NESHAP regulations to require an environmental assessment to detect the presence of ACM, and to then require its removal under Federal Regulations (40CFR Part 61.145). As it stands now, no such inspection is required. Therefore, the ACM goes undetected and it is not abated from the dwelling. As such, when this hazardous material is present, it is very often placed (illegally) into a truck and transported (illegally) to a facility for processing or disposal (illegal disposal of hazardous material). As you know, it is very difficult to detect the presence of asbestos in a load of debris as it enters the landfill. Therefore, requiring an environmental assessment when the dwelling is standing is a much better protocol.

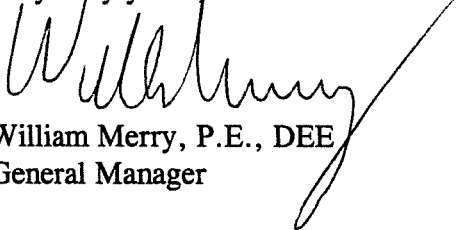
The second measure to substantially improve management of ACM would be to establish communications between the MBUAPCD, city/county building departments, and the waste management facility (landfill) in terms of the disposition of ACM. Doing so, would allow a chain of custody procedure in the management of the hazardous material, friable asbestos. We suggest such a meeting of all local stakeholders be held to begin to develop such procedures.

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The District believes these measures are necessary to provide further protection to construction and waste management employees, customers of the District, and the environment. We hope that you will agree.

Thank you for your courtesy and attention to this matter, Doug. We look forward to your consideration and response to this letter in the near future.

Very truly yours,



William Merry, P.E., DEE
General Manager

cc: MRWMD Board of Directors
Allan Stroh and John Ramirez; Monterey County Environmental Health Department
Lew Bauman, CAO Monterey County
Monterey Peninsula City Managers
Steve Johnson, General Manager, Salinas Valley Solid Waste Authority
Patrick Mathews, Solid Waste Manager, Santa Cruz County