



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
700 Heinz Avenue
Berkeley, California 94710-2721



Arnold Schwarzenegger
Governor

September 13, 2007

To Whom It May Concern:

NOTICE OF FINAL HAZARDOUS WASTE FACILITY PERMIT DECISION

In accordance with the requirements of California Code of Regulations (CCR), title 22, section 66271.14, the Department of Toxic Substances Control (DTSC) is issuing this Notice of Final Hazardous Waste Facility Permit Decision (Notice) for the following facility:

United Technology Corporation Pratt and Whitney Rocketdyne San Jose
600 Metcalf Road
San Jose, California 95138
Santa Clara County
EPA ID CAD 001 705 235

The United Technology Corporation (UTC) developed, manufactured, and tested solid socket motors for a variety of space exploration and defense purposes. Currently UTC's major activities include decommissioning of facilities and equipment, remediation of soil and groundwater, and facilities support operations. UTC generates and stores hazardous wastes associated with these activities. These hazardous wastes are stored in containers within two areas of UTC known as the Storage Facility (2233) and Storage Magazine (0312). The storage of hazardous waste requires a permit from DTSC.

On July 9, 2007, DTSC informed the public of a 45-day public comment on the draft permit and California Environmental Quality Act (CEQA) draft Notice of Exemption. The comment period started on July 9, 2007 and ended on August 22, 2007. A public meeting was held on July 26, 2007 at San Jose Community College. No community members attended the public meeting, nor were comments received at the meeting.

DTSC received comments from UTC via electronic mail on August 16, 2007. DTSC has prepared a Response to Comments document and has made minor changes to the Draft Permit. A copy of the Response to Comments document has been sent to the commenter. The Response to Comments document, the DTSC memorandum to file listing the revisions made to the Draft Permit, and a marked up version of the Final

September 13, 2007

Permit showing all changes have been made part of the administrative record and are available for public review at the repositories listed on page 3 of this Notice.

DTSC did not receive any public comments on the draft Notice of Exemption. DTSC placed the NOE in the information repository on our website during the public comment period. DTSC has finalized the Notice of Exemption that will be filed with the Governor's Office of Planning and Research.

The Final Hazardous Waste Facility Permit becomes effective on October 14, 2007 unless a review is requested pursuant to the CCR, title 22, section 66271.18. Any person who filed comments on the draft permit may petition DTSC to review any condition of the permit decision. Any person who did not comment or did not participate in the public meeting on the draft permit may petition for an administrative review only to the extent of the changes from the draft to the final permit decision. The petition shall include a statement of the reasons supporting that review, including a demonstration that any issues being raised were raised during the public comment period (including any public meeting) to the extent required by these regulations and when appropriate, a showing that the permit condition in question is based on:

1. A finding of fact or conclusion of law which is clearly erroneous, or
2. An exercise of discretion or an important policy consideration which the DTSC should, in its discretion, review.

A petition must be postmarked no later than October 14, 2007, and must be submitted to:

Watson Gin, Deputy Director
Hazardous Waste Management Program
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

A copy of the petition should also be sent to:

Raymond Leclerc, P.E., Team Leader
Permit Renewal Team
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento California 95826

September 13, 2007

A copy of the complete administrative record for this permit decision is available for review at:

Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, California 94710
Contact: Ms. Lule Varela at (510) 540-3800 for an appointment

Copies of the Final Permit, Response to Comments, DTSC memorandum to file listing the revisions made to the Draft Permit, Final Negative Declaration and CEQA Notice of Determination are also available for review at:

Seventrees Branch Library
3597 Cas Drive
San Jose, California 95111

These documents are also available at DTSC's website:

<http://www.dtsc.ca.gov/>

DTSC would like to thank everyone who participated in this permit decision process. Please bring this notice to the attention of all persons whom you know would be interested in this matter. If you any questions, please contact DTSC staff Alejandro Galdamez at (510) 540-3933 or agaldame@dtsc.ca.gov