



Department of Toxic Substances Control



Winston H. Hickox
Agency Secretary
California Environmental
Protection Agency

Edwin F. Lowry, Director
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

Gray Davis
Governor

NOTICE OF FINAL DECISION
for
**CLASS 3 PERMIT MODIFICATION FOR STORAGE AND TREATMENT OF
HAZARDOUS WASTE**

**UNITED TECHNOLOGIES CORPORATION,
PRATT AND WHITNEY SPACE PROPULSION
600 METCALF ROAD, SAN JOSE, CA
EPA ID No. CAD 001 705 235**

**DECISION DATE: OCTOBER 21, 2003
EFFECTIVE DATE: NOVEMBER 26, 2003**

TO WHOM IT MAY CONCERN:

In accordance with the California Health and Safety Code, Division 20, Chapter 6.5, and the California Code of Regulations, title 22, section 66270.42, the Department of Toxic Substances Control (DTSC) has made a final decision on the Class 3 permit modification for storage and treatment of hazardous waste at United Technologies Corporation, Pratt and Whitney Space Propulsion, 600 Metcalf Rd., San, Jose, CA.

The modifications proposed by the facility and approved by DTSC consist of the following:

1. Unit #1: Storage Facility (Station 2233), had its maximum permitted liquid storage capacity increased from 22,000 to 23,820 gallons.
2. Unit #2: Storage Magazines (Station 0312), an existing storage unit previously used to store up to 90 days, was added to the permit to allow storage up to one year. The maximum permitted storage capacity is 3,960 gallons.
3. Unit #4: Shredder, was added to shred wastes prior to treatment in the Hydrolysis Treatment Unit #3 (Station 0503). The maximum permitted daily throughput capacity is a total of one thousand pounds of materials.
4. Unit #5: Size Reduction (Station 1986), was added and approved for reducing the size of large pieces of propellant waste. The maximum permitted daily throughput

capacity is 10,000 pounds of materials.

5. Unit #6, Desensitization, used to stabilize containers of shock-sensitive energetic wastes, was added and approved for treatment. The throughput capacity for this activity is limited to 1,600 pounds per day for energetic materials and 3,200 lbs per day for rags and debris contaminated with energetic materials.
6. Permitted Waste Streams, Table IV-3 of the Permit, was adjusted to reflect changes in waste stream codes and in quantities and components of wastes generated.

Other typographical changes were made to the Permit and the United Technologies Corporation Operation Plan. These changes are listed in Appendix 2 of the final modified Hazardous Waste Facility Permit.

An initial 60 day public notice period was opened by the facility from January 22, 2001 through March 23, 2001, to inform the public of the facility's planned modifications. A notice of the proposed permit modification was published in the San Jose Mercury News on January 22, 2001, and also mailed to the DTSC approved mailing list. A public meeting was held by the facility on February 6, 2001. No comments were received. DTSC held a public comment period on the draft modified permit from May 16, 2003 through July 3, 2003. A notice was published in the San Jose Mercury News on May 16, 2003 and a fact sheet was mailed to the DTSC approved mailing list. Thirty-five comments were received and written responses have been prepared by DTSC (see [Response to Comments](#) dated October 21, 2003).

This decision constitutes a final permit modification decision under California Code of Regulations, title 22, section 66270.42.

Changes from the draft to the final Permit:

All changes made subsequent to the public notice to the final Permit, the final Negative Declaration, or the Part B Application, are listed in a Memorandum to the file prepared by the Project Manager on October 21, 2003

Availability of Documents:

Final documents pertaining to this project including DTSC's Response to Comments, final modified Hazardous Waste Facility Permit, Mitigated Negative Declaration, and the Memorandum to the file listing changes made from draft to final documents are available for review by the public at the following locations:

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| 1) DTSC File Room
700 Heinz Ave.
Berkeley, CA 94710
(510) 540-3800 | 2) Morgan Hill Public Library
Reference Desk
17575 Peak Avenue
Morgan Hill, CA
(408) 779-3196 |
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In addition, these documents may be accessed on the Internet at
http://www.dtsc.ca.gov/HazardousWaste/RCRA_Facilities_Index.html
(under United Technologies Corporation)

or

http://www.dtsc.ca.gov/HazardousWaste/United_Technologies/index.html

Appeals:

This decision may be appealed in accordance with California Code of Regulations, title 22, section 66271.18. The modified permit will become effective on November 26, 2003 unless an appeal is filed. Any person who filed comments on the draft Permit may petition DTSC to review any condition of the permit decision. Persons who did not file comments on this document may petition for administrative review only on changes that were made from the draft to the final permit. The petition shall include a statement of the reasons supporting the review, including a demonstration that any issues being raised were raised during the public comment period (including any public hearing) to the extent required by the regulations and, when appropriate, a showing that the 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 DTSC should, in its discretion, review. Petitions must be received by November 25, 2003.

Petitions must be sent to:

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

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A copy of the petition should be sent to:

Mohinder S. Sandhu, P.E., Chief
Standardized Permitting and Corrective Action Branch
Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, CA 94710

Please bring this notice to the attention of all persons who might be interested in this matter. If you have any questions regarding this matter, please contact Andrew Berna-Hicks at (510) 540-3956.

Mohinder S. Sandhu, P.E., Chief
Standardized Permitting and Corrective Action Branch

Date