



**Matthew Rodriguez**  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Barbara A. Lee, Director  
700 Heinz Avenue  
Berkeley, California 94710-2721



**Edmund G. Brown Jr.**  
Governor

March 24, 2016

To Whom It May Concern:

**NOTICE OF FINAL STANDARDIZED HAZARDOUS WASTE FACILITY PERMIT  
DECISION – WIT SALES AND REFINING, 538 PHELAN AVENUE, SAN JOSE,  
CALIFORNIA, EPA ID No.: CAD 980888598**

In accordance with the requirements of California Code of Regulations, 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:

WIT Sales and Refining  
538 Phelan Avenue  
San Jose, California 95112-2506  
EPA ID No.: CAD 980888598

This Final Standardized Hazardous Waste Facility Permit authorizes WIT Sales and Refining to continue operations of a hazardous waste treatment and storage facility at 538 Phelan Avenue, San Jose, Santa Clara County. WIT Sales and Refining stores and treats hazardous waste in accordance with the requirements of California Code of Regulations, Title 22.

No significant comments were received during the public comment period. Since no comments requested changes to the Draft Permit, the Final Permit becomes effective immediately in accordance with California Code of Regulations, title 22, section 66271.14(b)(3). A petition for review may be requested pursuant to the California Code of Regulations, title 22, section 66271.18. Any person who filed comments on the draft permit or participated in the public hearing may petition DTSC to review any conditions of the permit decision. Any person who failed to file comments on the draft permit may petition for administrative review only to the extent of the changes from the draft to the final permit. 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 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.

A petition must be received or postmarked no later than May 9, 2016 and must be submitted to:

Permit Appeals Officer  
Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, California 95826-3200  
Email: [appeals@dtsc.ca.gov](mailto:appeals@dtsc.ca.gov)

A copy of the petition should also be sent to:

Mr. Alfred Wong  
Office of Permitting  
Department of Toxic Substances Control  
700 Heinz Avenue  
Berkeley, California 94710  
Email: [Alfred.Wong@dtsc.ca.gov](mailto:Alfred.Wong@dtsc.ca.gov)

A copy of the complete administrative record for this permit decision is available for review at DTSC's Berkeley office at:

Department of Toxic Substances Control  
700 Heinz Avenue  
Berkeley, California 94710  
Contact: Fileroom at (510) 540-3800 for an appointment

Copies of this Notice, the Final Permit and the Final Negative Declaration are also available for review at:

Tully Community Branch Library  
Reference Department  
880 Tully Road  
San Jose, California 95111  
(408) 808-3030

These documents are also available at DTSC's EnviroStor website:

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

DTSC would like to thank everyone who participated in this permitting process. Please bring this notice to the attention of all persons whom you know would be interested in this matter. If you have any questions, please contact Mr. Alfred Wong at (510) 540-3946 or [Alfred.Wong@dtsc.ca.gov](mailto:Alfred.Wong@dtsc.ca.gov).