



California Environmental Protection Agency Department of Toxic Substances Control

DRAFT STANDARDIZED HAZARDOUS WASTE FACILITY PERMIT, SMALL QUANTITY C

Facility Name: WIT Sales and Refining

Owner Name: Mantrex Inc. dba
WIT Sales and Refining
538 Phelan Avenue
San Jose, California 95112-2506

Operator Name: Mantrex Inc. dba
WIT Sales and Refining
538 Phelan Avenue
San Jose, California 95112-2506

EPA ID Number: CAD 980888598

Effective Date: XXXXXXXX

Expiration Date: XXXXXXXX

Pursuant to California Health and Safety Code sections 25200 and 25201.6, this Standardized Hazardous Waste Facility Permit is hereby issued to WIT Sales and Refining.

The Issuance of this Permit is subject to the terms and conditions set forth in Attachment A. This Permit consists of 24 pages, including this cover page and Attachment A.

Alfred Wong, P.E., Team Leader
Used Oil and Tanks Team

Date: _____

**WIT SALES AND REFINING
538 PHELAN AVENUE
SAN JOSE, CALIFORNIA 95112-2506
EPA ID No.: CAD 980888598**

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SMALL QUANTITY C**

ATTACHMENT "A"

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PART I. DEFINITIONS

All terms used in this Permit shall have the same meaning as those terms have in the California Health and Safety Code, division 20, chapter 6.5 and California Code of Regulations, title 22, division 4.5, unless expressly provided otherwise by this Permit.

1. **“DTSC”** as used in this Permit means the California Department of Toxic Substances Control.
2. **“Facility”** as used in this Permit means all contiguous land and structures, other appurtenances, and improvements on the land used for the treatment, transfer, storage, resource recovery, disposal or recycling of hazardous waste. A hazardous waste facility may consist of one or more treatment, transfer, storage, resource recovery, disposal or recycling operational units or combinations of these units.

For the purpose of implementing corrective action under California Code of Regulations, title 22, division 4.5, a hazardous waste facility includes all contiguous property under the control of the owner or operator required to implement corrective action.

3. **“Permittee”** as used in this Permit means the Owner and Operator of the facility.
4. **“RCRA”** as used in this Permit means the Resource Conservation and Recovery Act (42 U.S.C. §6901 et seq.).
5. **“RCRA hazardous waste”** as used in this Permit has the same definition as in Health and Safety Code section 25120.2.
6. **“Non-RCRA hazardous waste”** as used in this Permit has the same definition as in Health and Safety Code section 25117.9.

PART II. DESCRIPTION OF THE FACILITY AND OWNERSHIP

1. **Owner of Facility:**

Mantrex Inc. dba
WIT Sales and Refining
538 Phelan Avenue
San Jose, California 95112-2506

2. **Owner of Real Property:**

Ms. Vera Brand
XXXXXXXXXXXX
Saratoga, California 95070

3. **Operator of Facility:**

Mantrex Inc. dba
WIT Sales and Refining
538 Phelan Avenue
San Jose, California 95112-2506

4. **Location:**

The Permittee's facility (Facility) is located at 538 Phelan Avenue in San Jose, California, County of Santa Clara, approximately one mile south of Interstate Highway 280 and one mile east of State Highway 87 (see Figure 1). The Facility occupies approximately a one-acre parcel at latitude North 37° 17' 27" and longitude West 121° 51' 30". It is located in an area zoned for heavy manufacturing (M-4). The Assessor's Parcel Number is 477-49-008. The main entrance to the Facility is from Phelan Avenue.

5. **Description of Facility Operations:**

The Permittee reclaims precious metals from off-site wastes generated by printed circuit board manufacturers. The Permittee, as a registered hazardous waste transporter, collects hazardous wastes in Department of Transportation (DOT)-compliant containers and transports them to its facility in San Jose. The Permittee also collects scrap printed circuit (PC) boards, scrap electronic chips and scrap metals, and transport them to its facility in San Jose for treatment.

The Permittee recovers precious metals, primarily gold, platinum and palladium, through various processes such as precious metal stripping, precipitation, purification, and electrolytic recovery treatment. After the treatment process, the Permittee places recovered precious metal compounds in a DOT-compliant container and sends it to an authorized refiner. The wastes generated from

various activities at the Facility are sent to an authorized hazardous waste management facility.

6. Facility History

The Facility has been in operation at this location since 1981 reclaiming precious metals from scrap PC boards, scrap electronic chips, scrap metals, and spent cyanide plating solution from off-site generators. In 1993, DTSC granted Interim Status Authorization to the Permittee to continue to operate a storage and treatment facility until DTSC made a final decision on the Permittee's permit application. In 1997, DTSC issued a Standardized Hazardous Waste Facility Permit (Standardized Permit) with an effective date of September 12, 1997 and expiration date of September 12, 2007. On February 12, 2007, the Permittee submitted an application for renewal of the Standardized Permit which included processing additional waste streams such as spent gold iodine etch solution, spent platinum solution, spent palladium solution, and solid wastes containing trace amounts of precious metals (i.e., filters, wipes and metal sweeps). The 2007 application also added a new precious metal electrolytic recovery treatment unit in addition to the precious metal stripping units, precious metal precipitation units, and precious metal purification units. On March 29, 2011, a complete new application for Standardized Permit renewal was re-submitted.

7. Facility Size and Type for Fee Purposes:

The Permit is categorized as a Standardized Permit, Small Quantity C pursuant to Health and Safety Code section 25201.6 and for purposes of Health and Safety Code sections 25205.2 and 25205.19.

8. Closure Cost Estimate

The closure cost estimate, as approved by DTSC on March 29, 2011, is \$24,306.

PART III. GENERAL CONDITIONS

1. Permit Application Documents

The Standardized Permit Application, "Standardized Hazardous Waste Facility Permit, Small Quantity C", dated March 29, 2011 and submitted to DTSC by the Permittee is hereinafter referred to as the "Standardized Permit Application" and is hereby made a part of this Permit by reference.

2. Effect of Permit

- (a) The Permittee shall comply with the terms and conditions of this Permit and the provisions of the Health and Safety Code and California Code of Regulations (Cal. Code Regs.), title 22, division 4.5. The issuance of this Permit by DTSC does not release the Permittee from any liability or duty imposed by federal or state statutes or regulations or local ordinances, except the obligation to obtain this Permit. The Permittee shall obtain the permits required by other governmental agencies, including but not limited to, those required by the applicable land use planning, zoning, hazardous waste, air quality, water quality, and solid waste management laws for the construction and/or operation of the Facility.
- (b) The Permittee is permitted to treat and store hazardous wastes in accordance with the terms and conditions of this Permit. Any management of hazardous wastes not specifically authorized in this Permit is strictly prohibited.
- (c) Compliance with the terms and conditions of this Permit does not constitute a defense to any action brought under any other law governing protection of public health or the environment, including, but not limited to, one brought for any imminent and substantial endangerment to human health or the environment.
- (d) DTSC's issuance of this Permit does not prevent DTSC from adopting or amending regulations that impose additional or more stringent requirements than those in existence at the time this Permit is issued and does not prevent the enforcement of these requirements against the Permittee.
- (e) Failure to comply with any term or condition set forth in the Permit in the time or manner specified herein will subject the Permittee to possible enforcement action including but not limited to penalties pursuant to Health and Safety Code section 25187.
- (f) Failure to submit any information required in connection with the Permit, or falsification and/or misrepresentation of any submitted information, is grounds for revocation of this Permit (Cal. Code Regs., tit. 22, §66270.43).

- (g) In case of conflicts between the Operation Plan and the Permit, the Permit conditions take precedence.
- (h) This Permit includes and incorporates by reference any conditions of waste discharge requirements issued to the Facility by the State Water Resources Control Board or any of the California Regional Water Quality Control Boards and any conditions imposed pursuant to section 13227 of the Water Code.

3. Compliance with California Environmental Quality Act (CEQA)

A negative declaration has been prepared in accordance with the requirements of Public Resources Code section 21000 et seq. and the CEQA Guidelines, section 15070 et seq. of California Code of Regulations, title 14.

4. Access

- (a) DTSC, its contractors, employees, agents, and/or any United States Environmental Protection Agency representatives are authorized to enter and freely move about the Facility for the purposes of interviewing Facility personnel and contractors; inspecting records, operating logs, and contracts relating to the Facility; reviewing progress of the Permittee in carrying out the terms of Part VI of the Permit; conducting such testing, sampling, or monitoring as DTSC deems necessary; using a camera, sound recording, or other documentary-type equipment; verifying the reports and data submitted to DTSC by the Permittee; or confirming any other aspect of compliance with this Permit, Health and Safety Code, division 20, chapter 6.5, and California Code of Regulations, title 22, division 4.5. The Permittee shall provide DTSC and its representatives access at all reasonable times to the Facility and any other property to which access is required for implementation of any provision of this Permit, Health and Safety Code, division 20, chapter 6.5, and California Code of Regulations, title 22, division 4.5, and shall allow such persons to inspect and copy all records, files, photographs, documents, including all sampling and monitoring data, that pertain to work undertaken pursuant to the entire Permit or undertake any other activity necessary to determine compliance with applicable requirements.
- (b) Nothing in this Permit shall limit or otherwise affect DTSC's right to access and entry pursuant to any applicable State or federal laws and regulations.

PART IV. PERMITTED UNITS AND ACTIVITIES

This Permit authorizes operation only of the facility units and activities listed below. The Permittee shall not treat, store or otherwise manage hazardous waste in any unit other than those specified in this Part IV. Any modifications to a unit or activity authorized by this Permit require notification to DTSC in accordance with the permit modification procedures set forth in California Code of Regulations, title 22, division 4.5.

UNIT #1:

Container Storage Area 1

LOCATION:

This Unit is located in the secondary containment area outside the warehouse at the south side of the building (See Figure 2).

ACTIVITY TYPE:

Storage in Containers

ACTIVITY DESCRIPTION:

Spent cyanide solutions, spent gold iodine etch solutions, spent platinum solutions, spent palladium solutions and solid wastes contaminated with precious metals (i.e., filters, wipes and metal sweeps) are stored in this Unit prior to treatment in Precious Metal Precipitation Unit (Unit # 4) and the Precious Metal Purification Unit (Unit # 5). The fume scrubber and the supernatant caustic waste are also stored at this Unit prior to shipment to an authorized hazardous waste management facility.

PHYSICAL DESCRIPTION:

This Unit consists of a concrete floor and concrete berms around its perimeter for secondary containment. The concrete floor measures 11 feet by 10 feet. The concrete berms are 8 inches high. The concrete floor and berms have epoxy coating. The Unit is located outside the warehouse attached to the south side of the building (Figure 2). It is covered with tin roof and is enclosed by a chain-link fence and locked gate.

STORAGE CAPACITY:

440 gallons

WASTE TYPES:

See Table 1 for numbers: 1, 2, 3, 4, 6, 8, 12

CALIFORNIA HAZARDOUS WASTE CODES:

See Table 1

UNIT SPECIFIC SPECIAL CONDITION:

The Permittee shall store hazardous waste in DOT-compliant containers ranging from 5 to 55 gallons.

UNIT #2:

Container Storage Area 2

LOCATION:

This Unit is located in the Acid Room on the northeast side of the facility (See Figure 2).

ACTIVITY TYPE:

Storage in Containers

ACTIVITY DESCRIPTION:

Spent acid, sludge containing metals, corrosive liquid with metals such as cadmium, lead, silver, lead are stored in DOT-compliant containers in this Unit after treatment in the Purification Unit (Unit # 5). Solid waste contaminated with precious metals (i.e. filters, rags and shop debris) are also stored in this Unit in one 55-gallon container. Solid wastes generated at the facility are sent to an authorized hazardous waste management facility. Purified precious metals are sent to precious metal refiner.

PHYSICAL DESCRIPTION:

This Unit consists of a concrete floor and concrete berms around its perimeter for secondary containment. The concrete floor measures 10 feet by 4 feet. The concrete berms are 7 inches high. The concrete floor and berms have epoxy coating.

STORAGE CAPACITY:

The total maximum permitted storage capacity of this Unit is 275 gallons.

This Unit is permitted to store up to two hundred twenty (220) gallons of acid waste in DOT-compliant containers ranging from 5 to 55 gallons.

This Unit is permitted to store one 55-gallon container of solid hazardous waste.

WASTE TYPES:

See Table 1 for numbers: 7, 8, 9, 11, 12

CALIFORNIA HAZARDOUS WASTE CODES:

See Table 1

UNIT # 3:

Precious Metals Stripping Unit

LOCATION:

This Unit is located in the Stripping Area and includes Containment Areas 1 and 2. Sub-unit 1 is located in Containment Area 1. Sub-unit 2 is located in Containment Area 2. (See Figure 2).

ACTIVITY TYPE:

Treatment in Containers

ACTIVITY DESCRIPTION:

Stripping of precious metal in this Unit is conducted in batches. The stripping operation is conducted in one container, while rinsing is conducted in another container within each sub-unit. In Sub-unit 1, large pieces of scrap metals are loaded in a tumbler (cylindrical wire mesh drum), submerged and rotated in a 250-gallon stainless steel container holding a heated formulated stripping solution, then rinsed in a separate rinse container. In Sub-unit 2, scrap metals that are small in size are placed in a wire mesh basket and lowered into the 95-gallon polypropylene strip container holding a heated formulated stripping solution, then rinsed in a separate rinse container.

The operating capacity is determined by filling each container with liquid to a raised marker along the container's inner wall. The same stripping solution is used to strip several loads of scrap PC boards and scrap metals. When sufficient scrap materials are stripped, the precious metal-rich solution is batch-profile sampled to determine the precious metal contents and the pH. The precious metal-rich solution is pumped to an appropriate size container in the Precious Metals Precipitation Unit (Unit # 4) for the next step of the treatment process.

PHYSICAL DESCRIPTION:

There are two sets of precious metal stripping and rinsing containers (Sub-units 1 and 2) in this Unit. Sub-unit 1 consists of two 250-gallon stainless steel containers located in Containment Area 2. Sub-unit 2 consists of two 95-gallon polypropylene containers located in Containment Area 1. Sub-unit 1 is equipped with a tumbler (cylindrical wire mesh drum) that fits lengthwise in the stripper and rinse containers while Sub-unit 2 uses a wire mesh basket.

Containment Area 1 consists of a concrete floor and concrete berms around its perimeter for secondary containment. The concrete floor measures 19.5 feet by 5.66 feet. The concrete berms are 0.625 feet high. Containment Area 2 consists of a concrete floor and concrete berms around its perimeter for secondary containment. The

concrete floor measures 13.5 feet by 5.66 feet. The concrete berms are 0.625 feet high. The concrete floor and berms have epoxy coating.

TREATMENT CAPACITY:

15 cubic yards per month or 15,000 pounds per month of PC boards or scrap metals, whichever is less.

WASTE TYPES:

See Table 1 for number: 10

CALIFORNIA HAZARDOUS WASTE CODES:

See Table 1

UNIT SPECIFIC SPECIAL CONDITIONS:

1. The Permittee shall maintain the volume of liquid in the stripping and rinsing containers so it does not exceed the volume indicated by the raised marker line along its inner walls to avoid spills.
2. The Permittee shall keep the containers covered except when waste is being added, removed, or treated in order to prevent spills.

UNIT # 4:

Precious Metals Precipitation Unit

LOCATION:

This Unit is located in the Precipitation Area within Containment Area 3 (See Figure 2).

ACTIVITY TYPE:

Treatment in Containers

ACTIVITY DESCRIPTION:

Precious metal precipitation in this Unit is conducted in batches. The waste streams which go through the Precious Metals Precipitation Unit are also identified in Figure 2. Each batch requires three days to complete the precipitation process.

Waste solutions are sampled to determine their metal content and pH. The pH of the solution is adjusted by adding caustic soda to raise the pH to at least 12. The temperature is kept between approximately 150 °F to 180 °F. Then, an excess amount of precipitant, sodium hydrosulfite, is added and the solution is kept at 200 °F for approximately three (3) hours. The solution is allowed to cool and the bath contents are allowed to settle overnight at the bottom of the “drop-out” container. The supernatant caustic waste is pumped into a 55-gallon DOT-compliant drum, neutralized and stored in Container Storage Area 1 (Unit # 1) until shipped to an authorized hazardous waste management facility. The precipitate at the bottom of the precipitation container is manually scooped out into a 5-gallon polyethylene bucket and is taken to the Precious Metals Purification Unit (Unit # 5) for purification.

PHYSICAL DESCRIPTION:

This Unit consists of three polypropylene containers containing a heater and an electric mixer. The three sub-units are identified as:

	<u>Container ID</u>	<u>Operating Capacity</u>	<u>Dimensions</u>
1.	T-9	50-gallon	28” L x 22” W x 37 ½ “ H
2.	T-10	100-gallon	37 ½” L x 29” W x 37 ½ “H
3.	T-11	150-gallon	29” L x 52” W x 37 ½” H

The secondary containment for the Precious Metals Precipitation Unit consists of a concrete floor and concrete berms around its perimeter. The concrete floor measures 35.42 feet by 3.92 feet. The concrete berms are 7 inches high. The concrete floor and berms have epoxy coating.

TREATMENT CAPACITY:

The maximum treatment capacity per batch for T-9 shall be 50 gallons. The maximum treatment capacity per batch for T-10 shall be 100 gallons. The maximum treatment capacity per batch for T-11 shall be 150 gallons.

WASTE TYPES:

See Table 1 for numbers: 1, 2, 3, 4, 5, 11

CALIFORNIA HAZARDOUS WASTE CODES:

See Table 1

UNIT SPECIFIC SPECIAL CONDITIONS:

1. The Permittee shall maintain the volume in each container such that it shall not exceed the volume of liquid as indicated by the raised marker line along its inner walls to avoid spills.
2. The Permittee shall keep the containers covered except when waste is being added, removed, or treated in order to prevent spills.

UNIT # 5:

Precious Metals Purification Unit

LOCATION:

This Unit is located on or by the table in the Acid Room (See Figure 2).

ACTIVITY TYPE:

Treatment in Containers

ACTIVITY DESCRIPTION:

Precious metal purification in this Unit is conducted in batches. Precious metal precipitates (Waste # 11) are scooped into a 2-gallon vacuum vessel and is filtered to remove any liquid. The filter paper and the precipitate are then transferred to a 10-gallon acid liquefaction vessel. A mixture of nitric acid, hydrochloric acid (aqua regia) and hot water are added and the resulting liquid is transferred to a 20-gallon precipitation vessel. Sodium sulfite is added to precipitate the precious metals. The precipitate and filter paper are placed in drums, stored in Container Storage Area 2 (Unit # 2) and sent to refiner. The supernatant acid wastes (Waste # 9), are pumped into drums, stored in Container Storage Area 2 (Unit # 2) and managed as hazardous waste. Solid waste contaminated with precious metals (i.e. filters and wipes) from offsite generators (Waste # 8) are treated the same way as the onsite generated precious metal precipitate (Waste #11). A wet fume scrubber is installed in the Acid Room and is used for treating off-gases generated from the metals purification process. This unit is permitted by the Bay Area Air Quality Management District.

PHYSICAL DESCRIPTION:

The purification unit consists of three sub-units as follows: Container 1 (2 gallons) is made of ceramic material and is used as a filtration vessel operated under vacuum. Container 2 (20 gallons) is made of Pyrex and is used as a precipitation vessel. Container 3 (10 gallons) is made of Pyrex and used as a reaction vessel.

TREATMENT CAPACITY:

The total maximum permitted treatment capacity of this Unit is 110 gallons per month.

The maximum treatment capacity for Container 1 shall be 2 gallons. The maximum treatment capacity for Container 2 shall be 20 gallons. The maximum treatment capacity for Container 3 shall be 10 gallons.

WASTE TYPES:

See Table 1 for numbers: 8, 9, 11

CALIFORNIA HAZARDOUS WASTE CODES:

See Table 1

UNIT SPECIFIC SPECIAL CONDITIONS

1. The Permittee shall activate the wet fume scrubber before and during treatment in this Unit to ensure that the fumes generated are captured by the fume scrubber.
2. The Permittee shall comply with the requirements of the permit conditions set by the Bay Area Air Quality Management District's (BAAQMD) Permit.
3. The Permittee shall keep the containers covered except when waste is being added, removed, or treated in order to prevent spills.

UNIT # 6:

Precious Metals Electrolytic Recovery Unit

LOCATION:

This Unit is located within Containment Area 3, north of the Precipitation Unit (Unit # 4) (see Figure 2).

ACTIVITY TYPE:

Treatment in Container

ACTIVITY DESCRIPTION:

The recovery of precious metals in this Unit is conducted in batches. Precious metals are recovered by applying current through a series of anodes and cathodes. Through the process, precious metals deposit on the cathodes. The operation is conducted at 135 °F.

PHYSICAL DESCRIPTION:

This Unit has five cathodes which has a capacity to recover 150 pounds of precious metals. This Unit weighs approximately 170 pounds and has dimensions of 2 feet by 22 inches by 28 inches. Its total cathode surface area is approximately 100 square feet. The power requirement is 220 volts Alternate Current, 3-phase. Its maximum output voltage is 9 volts. This Unit can deliver 500 amperes of Direct Current.

The Electrolytic Recovery Unit shares the secondary containment with the Precipitation Unit (Unit # 4). The secondary containment consists of a concrete floor and concrete berms around its perimeter. The concrete floor measures 35.42 feet by 3.92 feet. The concrete berms are 7 inches high. The concrete floor and berms have epoxy coating.

TREATMENT CAPACITY:

500 gallons per month

WASTE TYPES:

See Table 1 for numbers: 1, 2, 3, 4, 5

CALIFORNIA HAZARDOUS WASTE CODES:

See Table 1

UNIT SPECIFIC SPECIAL CONDITIONS:

1. The Permittee shall notify DTSC in writing at least fourteen (14) calendar days before the Permittee commences any hazardous waste management activities to allow DTSC the opportunity to inspect the Facility. The Permittee may commence the permitted hazardous waste management activities at the end of the fourteen (14)-day period if DTSC declines to inspect or fails to respond to the Permittee's written notification.
2. This Unit shall remain covered when not in use.

Waste #	Waste Name	Waste Description	Federal Waste Code	California Waste Code	Special Condition
1	Spent Cyanide Solution	Gold Cyanide Solution from Printed Board Manufacturing Operations	D002, D003, D006, D007, D008, D011, F007, F008, F009	121, 131, 132, 181, 711, 792	None
2	Spent Gold Iodine Etch Solution	Gold Iodine Solution from Printed Board Manufacturing Operations	D002, F003	132, 792	None
3	Spent Platinum Solution	Spent Platinum Solution from Printed Board Manufacturing Operations	D002, F007, F008, F009	131, 792	None
4	Spent Palladium Solution	Spent Palladium Solution from Printed Board Manufacturing Operations	D002, F007, F008, F009	131, 792	None
5	Gold Cyanide Solution	Cyanide Stripping Solution From Onsite Stripping of Printed Circuit Boards and Scrap Metals	D002, D006, D007, D008, D011, F007, F008, F009	131, 132, 711, 792	Onsite Waste Only
6	Supernatant Caustic Waste	Supernatant Caustic Waste from Precipitation Unit	D002, D003, D006, D007, D008, D011, F003, F007, F008, F009	121, 131, 132, 181, 711, 792	Onsite Waste Only
7	Solid Hazardous Waste	Shop Debris, i.e. Filters, Absorbents, Rags, etc.	D002, D008	181	None
8	Solid Waste with Gold, or Platinum or Palladium	Filters, wipes and metal sweeps from Printed Board Manufacturing Operations	F007, F008	181, 792	Onsite Waste Only
9	Acid Waste	Acid Waste from the from Purification Unit	D002, D006, D007, D008, D011, F007, F008, F009	121, 131, 132, 171, 181, 711, 724, 792	Onsite Waste Only
10	Electronic Waste	Printed Circuit Boards, Electronic Chips and Scrap Metals	None	None	None
11	Precious Metal Precipitate	Precious Metal Precipitate from Onsite Precipitation Unit and Electrolytic Recovery Unit	D002, D006, D007, D008, D011, F007, F008, F009	121, 131, 132, 171, 181, 711, 724, 791, 792	Onsite Waste Only
12	Fume Scrubber Water	Recycled Water from the Fume Scrubber	D002, D006, D007, D008, D011, F007	135, 581, 711, 724, 792	Onsite Waste Only

PART V. SPECIAL CONDITIONS

1. The Permittee is prohibited from conducting any hazardous waste transfer, storage, treatment, or other management activity unless it is specifically described in this Permit or otherwise authorized by law.
2. The Permittee shall comply with California Code of Regulations, title 22, section 66268.50 regarding storage of hazardous waste that is restricted from land disposal.
3. In the event any cracks, gaps or tears are detected in any hazardous waste management units, repairs shall be initiated as soon as possible and completed within one week of discovery of the problem. The Permittee shall notify DTSC within 24 hours whenever a containment crack, gap or tear is found. Within seven days of discovery of the problem, the Permittee shall notify DTSC in writing of corrective measures that have been taken.
4. Any non-hazardous waste that is stored in a unit authorized by this Permit for management of hazardous waste shall be subject to the conditions of this Permit, including volume calculations, compatibility and inspections.
5. The Facility shall not be a designated Treatment, Storage, or Disposal Facility on the manifests for any exempt transfer activities conducted pursuant to California Code of Regulations, title 22, section 66263.18.
6. For the purpose of calculating the permitted maximum capacity limitations for storage and for secondary containment, all containers in the authorized units are assumed to be full, and all waste that is stored or located in an authorized unit shall be included in the calculation for that unit, including any hazardous waste that is covered by the transfer facility exemption under California Code of Regulations, title 22, section 66263.18.
7. The Permittee shall conduct sampling activities only within an authorized unit or within a secondary containment system or device of a loading and unloading area designated in the permit.
8. The Permittee shall not store any hazardous waste beyond one year unless the Permittee proves to DTSC that such storage is solely for the purpose of accumulating certain quantities as are necessary to facilitate proper recovery, treatment or disposal in accordance with California Code of Regulations, title 22, section 66268.50(c).

PART VI. CORRECTIVE ACTION

1. In the event the Permittee identifies an immediate or potential threat to human health and/or the environment, discovers new releases of hazardous waste and/or hazardous constituents, or discovers new Solid Waste Management Units (SWMUs) not previously identified, the Permittee shall notify DTSC orally within 24 hours of discovery and notify DTSC in writing within 10 days of such discovery summarizing the findings including the immediacy and magnitude of any potential threat to human health and/or the environment.
2. DTSC may require the Permitted to investigate, mitigate and/or take other applicable action to address any immediate or potential threats to human health and/or the environment and newly identified SWMUs or releases of hazardous waste and/or hazardous constituents. If and when corrective action is required at the Facility, the Permittee shall conduct corrective action under either a Corrective Action Consent Agreement or an Enforcement Order for Corrective Action issued by DTSC pursuant to Health and Safety Code sections 25187 and 25200.10.
3. To the extent that work being performed pursuant to Part VI of the Permit must be done on property not owned or controlled by the Permittee, the Permittee shall use its best efforts to obtain access agreements necessary to complete work required by this Part of the Permit from the present owner(s) of such property within 30 days of approval of any workplan for which access is required. "Best efforts" as used in this paragraph shall include, at a minimum, a certified letter from the Permittee to the present owner(s) of such property requesting access agreement(s) to allow the Permittee and DTSC and its authorized representatives access to such property and the payment of reasonable sums of money in consideration of granting access. The Permittee shall provide DTSC with a copy of any access agreement(s). In the event that agreements for the access are not obtained within 30 days of approval of any workplan for which access is required, or of the date that the need for access becomes known to the Permittee, the Permittee shall notify DTSC in writing within 14 days thereafter regarding both efforts undertaken to obtain access and its failure to obtain such agreements. In the event DTSC obtains access, the Permittee shall undertake approved work on such property. If there is any conflict between this permit condition on access and the access requirements in any agreement entered into between DTSC and the Permittee, this permit condition on access shall govern.
4. Nothing in Part VI of the Permit shall be construed to limit or otherwise affect the Permittee's liability and obligation to perform corrective action including corrective action beyond the facility boundary, notwithstanding the lack of access. DTSC may determine that additional on-site measures must be taken to address releases beyond the Facility boundary if access to off-site areas cannot be obtained.

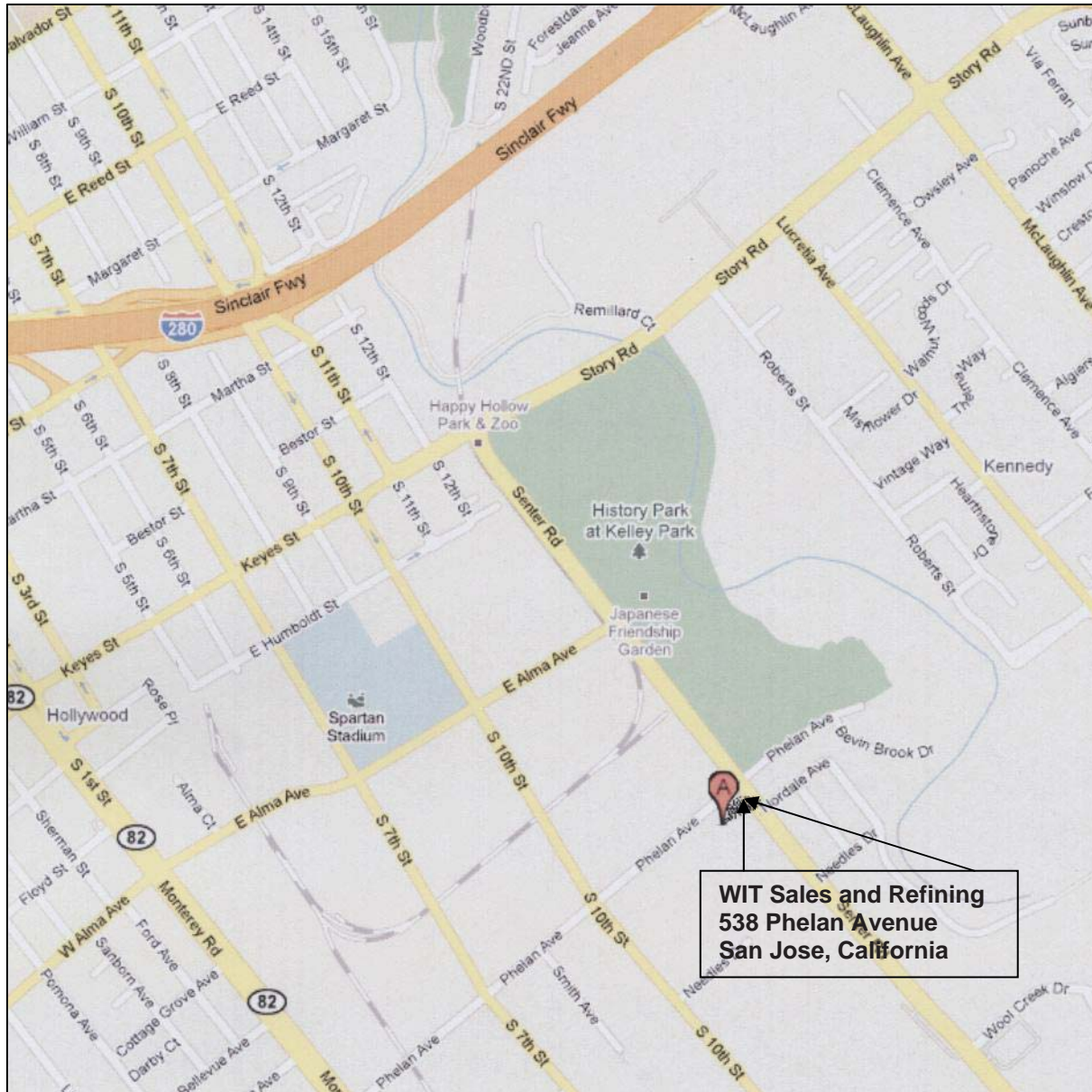


Figure 1. Location Map - WIT Sales and Refining, San Jose, California

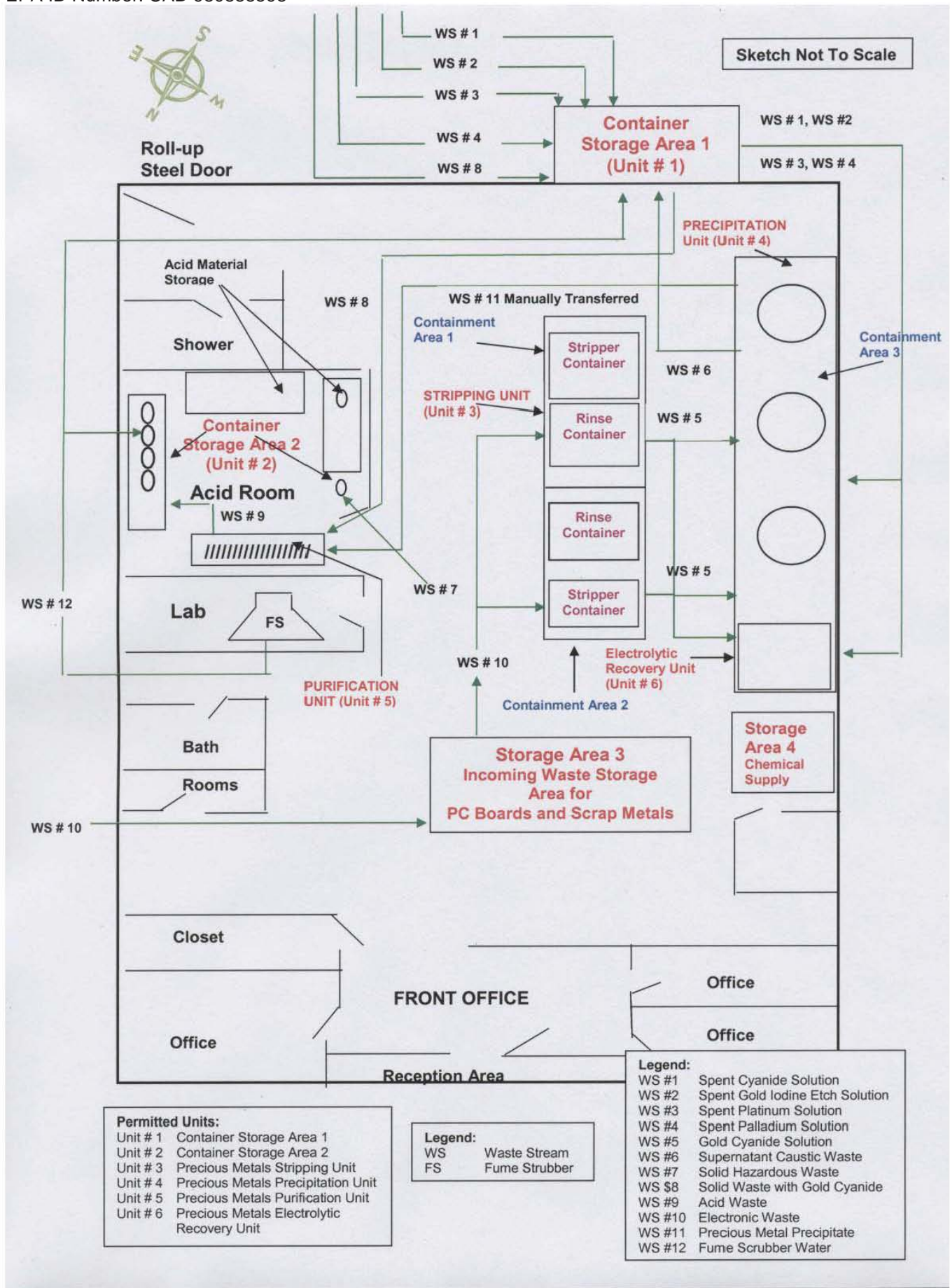


Figure 2. Location of Permitted Units at WIT Sales and Refining