

Fact Sheet, July 2011



DEPARTMENT OF  
TOXIC SUBSTANCES  
CONTROL

*The mission of the  
Department of Toxic  
Substances Control  
is to provide the  
highest level of safety,  
and protect public  
health and the  
environment from  
toxic harm.*



State of California



Cal/EPA

## DRAFT PERMIT RENEWAL WIT SALES AND REFINING

**(para informacion en Espanol, llame a Jesus Cruz al (866) 495-5651**

The California Department of Toxic Substances Control (DTSC) invites public comments on the proposed Draft Standardized Hazardous Waste Facility Permit, Small Quantity C Permit (Permit) and the proposed Negative Declaration for WIT Sales and Refining (WIT) located at 538 Phelan Avenue in San Jose.



### Public Comment Period

The 45-day public comment period for the Draft Permit and proposed Negative Declaration begins on July 15, 2011 and ends on August 31, 2011. Copies of the Draft Permit, proposed Negative Declaration and supporting documents can be viewed at the information repositories listed on page 3 of this fact sheet.

Please send your written comments to:

Cherry Padilla, DTSC Project Manager

700 Heinz Avenue, Suite 300

Berkeley, California 94710-2721

[cpadilla@dtsc.ca.gov](mailto:cpadilla@dtsc.ca.gov)

All comments must be postmarked by August 31, 2011. A public hearing has not been scheduled at this time, but one will be considered if one is requested.

Please submit written requests for a public hearing including issues to be raised to Cherry Padilla, DTSC Project Manager, no later than August 31, 2011.

For Public Participation questions, call Jesus Cruz at (916) 255-3315, e mail JCruz@dtsc.ca.gov

For questions from the media, please contact DTSC Public Information Officer, Charlotte Fedipe at (916) 323-3395, or e mail [CFedipe@dtsc.ca.gov](mailto:CFedipe@dtsc.ca.gov).

Para Ayuda en Español, llame a Jesús Cruz sin cobro al 1 (866) 495-5651.

## Why a Permit is Necessary

DTSC regulates the generation, storage, treatment, and disposal of hazardous waste in California. A permit enables DTSC to effectively regulate the hazardous waste management activities at facilities. DTSC is authorized to impose special conditions in this Permit pursuant to Health and Safety Code section 25200(a) and the California Code of Regulations, title 22, division 4.5, governing tanks, containers, and other facility and operation standards. Permits are developed after DTSC's technical review, and are intended to ensure that the facility operates in a manner that protects human health and the environment.

## Facility Description and History

WIT is an existing facility that has been in operation at 538 Phelan Avenue in San Jose since 1981. WIT reclaims precious metals from scrap, such as; printed circuit (PC) boards, scrap electronic chips, scrap metals and spent cyanide plating solution from offsite generators. WIT was granted Interim Status in 1993. This allowed WIT to continue operation until DTSC made a final decision on their permit. That authorization allowed WIT to operate a hazardous waste storage and treatment facility to reclaim precious metals from offsite generators.

In 1997, DTSC issued WIT Sales and Refining (WIT) a Standardized Hazardous Waste Facility Permit, Small Quantity C (Permit). This Permit authorizes WIT to continue to operate the storage and treatment facility until 2007.

Under the 1997 Standardized Permit, WIT continues to operate the same treatment and storage units. With this renewal of the Permit, WIT proposes to process other off-site wastes containing precious metals; such as spent solution containing palladium, platinum and spent gold iodine etch solutions and to add an electrolytic metal recovery treatment unit.

Prior to its permit expiration in 2007, WIT submitted a new application for a permit renewal. The conditions and terms of the 2007 Permit will remain in effect until DTSC makes a final decision on the Permit renewal application.

## The Draft Permit Would Authorize the Following Activities

- Allow hazardous waste to be stored in containers
- Allow hazardous wastes to be consolidated and comingled in containers
- Allow the continued use of all existing treatment units
- Allow the use of one new treatment unit

If approved the permit would also allow the acceptance of the following offsite waste streams:

- spent cyanide solution,
- spent gold iodine etch solution,
- spent palladium solution,
- spent platinum solution, s
- solid hazardous waste containing small amount of precious metals.

## California Environmental Quality Act Compliance

The California Environmental Quality Act (CEQA) requires DTSC to complete an environmental document called an Initial Study for any facility applying for a permit. DTSC has conducted an environmental review of this project and examined 17 categories of environmental impacts that could potentially be affected by the storage and treatment activities. Some examples of these categories include air quality, water quality, geology and soils, noise and others. After examining each category, DTSC determined that hazardous waste treatment and storage at WIT will not have a potentially significant adverse effect on any of the resource areas. DTSC's evaluation is written in a document called the Proposed Negative Declaration. This document, along with the Draft Standardized Hazardous Waste

## Enforcement History

DTSC inspects WIT Sales and Refining to ensure compliance with California laws, regulations, and the Permit conditions. The results of those inspections during the past years are summarized below:

- January 30, 2007: DTSC conducted a compliance evaluation inspection and found violations which included accepting wastes not authorized in the Permit, conducting unauthorized treatment, transporting wastes for a limited time without a current transporter registration, deficient inspection schedule and log, deficient training plan, inadequate operation record keeping, failure to update closure cost estimate and failure to submit an appropriately worded liability document.
- February 22, 2007: DTSC conducted a compliance evaluation inspection and found violations which included conducting unauthorized treatment.
- June 30, 2010 and July 6, 2010: DTSC conducted a compliance evaluation inspection and found there was no written contact number for the Office of Emergency Services. The facility is now in compliance.
- August 13, 2010: DTSC conducted Financial Records Review and found no violations.

All violations have since been corrected and WIT is now in compliance

Inspection reports are available for review at DTSC, Berkeley Regional Office located at 700 Heinz Avenue, Berkeley, California 94710.

## You can review the project related documents at the two locations listed below:

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

DTSC File Room  
Berkeley Regional Office  
700 Heinz Avenue  
Berkeley, California 94710  
(510) 540-3800  
Call for an Appointment

The entire administrative record is also available at the DTSC Berkeley office.

To view electronic versions of these documents, please visit DTSC's EnviroStor website:

<http://www.envirostor.dtsc.ca.gov/public/>.  
Enter "San Jose" as the City. Click on the link "Report" WIT Sales and Refining for additional information.

### Who to contact for more information:

Ms. Cherry Padilla, Project Manager  
Phone:(510) 540-3957  
e-mail:[cpadilla@dtsc.ca.gov](mailto:cpadilla@dtsc.ca.gov)

For questions regarding Public Participation, please contact Mr. Jesus Cruz, Public Participation Specialist at (866) 495-5651 or E-mail:[JCruz@dtsc.ca.gov](mailto:JCruz@dtsc.ca.gov)

For questions from the media, please contact DTSC Public Information Officer, Charlotte Fedipe at (916) 323-3395, or e mail, [CFedipe@dtsc.ca.gov](mailto:CFedipe@dtsc.ca.gov).

## DTSC welcomes your comments

Please submit written comments by mail or e-mail to the address below. All written comments must be postmarked and e-mails must be sent no later than August 31, 2011.

Cherry Padilla  
DTSC Project Manager  
700 Heinz Avenue, Suite 300  
Berkeley, CA 94710  
E-mail: [cpadilla@dtsc.ca.gov](mailto:cpadilla@dtsc.ca.gov)

All comments will be considered before a final decision is made. All those who submit comments will be mailed a written response.

## Notice to hearing impaired individuals:

TDD users can obtain additional information about the site by using the California State Relay Service (1-888-877-5378) to reach the Public Participation Specialist Jesus Cruz at (866) 495-5651.

### *Mailing List Coupon*

If you have any comments concerning WIT Sales and Refining or if you would like to be put on the mailing list, please take a moment to fill out the information below and mail the completed coupon to Jesus Cruz, DTSC, 8800 Cal Center Drive, Sacramento, California 95826. DTSC mailing lists are solely for the purpose of keeping the community informed of DTSC activities. Mailing lists are not routinely released to outside parties. However, they are considered public records, and, if requested, may be subject to release.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

FAX Number: \_\_\_\_\_