

NEGATIVE DECLARATION

Department of Toxic Substances Control (DTSC)
Alejandro Galdamez
Used Oil and Tanks Team
700 Heinz Avenue
Berkeley, CA 94710

Subject: DRAFT FINAL MITIGATED

Project Title: Issuance to Xstrata Recycling Inc. of a Series A Standardized Permit.

State Clearinghouse No.:

Project Location: 1695 Monterey Hwy, San Jose, CA 95112

County: Santa Clara

Project Description: The issuance of a Standardized Hazardous Waste Facility Permit (Permit) to Xstrata Recycling Inc. (Xstrata or Facility) by the Department of Toxic Substances Control (DTSC), as authorized by the California Health and Safety Code, Chapter 6.5. Xstrata currently operates under a previously issued Permit that is still in effect because Xstrata filed an application for the new Permit pursuant to California Code of Regulations, title 22, section 66270.51. If approved, the new Permit will authorize Xstrata to continue to treat, store, and ship liquid and solid hazardous waste off-site to an authorized Treatment, Storage, or Disposal Facility (TSDF).

The issuance of the new Permit will authorize Xstrata to store up to a maximum of 13,370 gallons of liquid hazardous waste and 253 tons of solid hazardous waste at any one time. In addition, the new Permit will authorize Xstrata to treat 75,816 gallons per month of liquid hazardous waste and 2,295 tons per month of solid hazardous waste. Storage capacity is the maximum volume of hazardous waste that may be stored in tanks and containers at any one time.

The new Permit will also allow for the installation and operation of the following additional treatment equipment:

- Hammer Mill, which will be use to decrease the size of solid hazardous waste;
- Screen, which will be used to separate oversize material that comes out of the Hammer Mill;
- Rotary Sampler, which will be used to extract homogeneous representative samples; and
- Dust Conditioning Unit, which will be used to control dust produced from the Hammer Mill process and thus will allow more hazardous waste to be captured and processed.

Finding Of Significant Effect On Environment: *(An Initial Study supporting this finding is attached.)*

DTSC has determined on the basis of an Initial Study, that this project will have no substantial significant impact on human health and the environment.

Mitigation Measures: None required.

Used Oil and Tanks Team Leader

Date

Alfred Wong

Senior Hazardous Substances Engineer

(510) 540 - 3946

Used Oil and Tanks Team Leader Name

Used Oil and Tanks Team Leader Title

Phone #