

## CALIFORNIA ENVIRONMENTAL QUALITY ACT

### NOTICE OF DETERMINATION

To: Office of Planning and Research  
State Clearinghouse  
1400 Tenth Street  
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control  
Permitting Division  
8800 Cal Center Drive  
Sacramento, CA 95826

**Subject:** Filing of Notice of Determination in Compliance with Section 21108 of the Public Resources Code

**Project Title:** Acme Fill Corporation Class 2 Permit Modification

**State Clearinghouse Number:** 1988050303

**Project Location:** 950 Waterbird Ave, Martinez, CA USA 94553

**County:** Contra Costa County

**Project Applicant:** Acme Fill Corporation

**Project Description:** The California Department of Toxic Substances Control (DTSC), pursuant to California Health and Safety Code, Chapter 6.5, and the Resource Conservation and Recovery Act (RCRA), issued a Class 2 Permit Modification for Acme Fill Corporation (AFC). The AFC Class 2 Permit Modification authorizes the construction of a one-acre solar farm within the horizontal, but not vertical, limits of the closed landfill, above the impermeable cap placed to contain hazardous waste. The capping material containing hazardous waste is below the vertical limits of the proposed solar farm. The solar farm is expected to generate approximately 372.64 kilowatts per hour.

The AFC North Parcel Facility is a closed landfill. The north parcel, upon which the solar farm is proposed, is capped to contain hazardous waste from stormwater infiltration. The facility also operates a leachate collection and treatment system, consisting of numerous pumps, which captures the contaminated groundwater and conveys it to an on-site wastewater treatment system, prior to its leaching outside of the facility, as part of its containment activities under the existing post closure permit. The Facility has been under this RCRA Post-Closure status since June 1999. The post closure permit was updated, for administrative purposes and for added monitoring wells, in 2015. It continues to be managed under an existing DTSC Post-Closure permit.

As Lead Agency under the California Environmental Quality Act (CEQA), DTSC approved the above-described project on February 28, 2022 and has made the following determinations:

1. The project will not have a significant effect on the environment.
2. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were not made a condition of project approval.
4. A Statement of Overriding Considerations was not adopted for this project.
5. Findings were not made pursuant to the provisions of CEQA.

The administrative record for this project is available to the public by appointment at the following location:

Department of Toxic Substances Control  
Permitting Division  
8800 Cal Center Drive,  
Sacramento, CA 95826

Contact Person	Contact Title	Phone Number
Xuong Ton	Hazardous Substances Engineer	(279) 895-5133

Approver's Signature:

Date:

*Mohammed Omer*

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February 28, 2022

Approver's Name	Approver's Title	Approver's Phone Number
Mohammed Omer	Unit Chief	(916) 255-3883

TO BE COMPLETED BY OPR ONLY

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Date Received for Filing and Posting at OPR: