

**CALIFORNIA ENVIRONMENTAL QUALITY ACT**  
**NOTICE OF EXEMPTION**

To: Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044, 1400 Tenth Street, Room 212  
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control  
Permitting Division  
700 Heinz Avenue  
Berkeley, California 94710

**Project Title:** Safety Kleen of California, Newark, Approval of the Temporary Authorization for Use of Tanks TA-1245 and TA-1246

**Project Location:** 6880 Smith Avenue, Newark, California 94560

**County:** Alameda

**Project Applicant:** Safety Kleen of California, Inc.

**Approval Action Under Consideration by DTSC:** Approval for Reissuance of Temporary Authorization for Use of Tanks TA-1245 and TA-1246

**Statutory Authority:** California Health and Safety Code, Division 20, Chapter 6.5

**Project Description:** The Department of Toxic Substances Control (DTSC) approves reissuance of temporary authorization to operate Tanks TA-1245 and TA-1246 as a part of the existing Wastewater Treatment Plant (WWTP) for Safety-Kleen of California, Inc. located in Newark, California. Tanks TA-1245 and TA-1246 receive effluent from the facility's permitted dissolved air flotation system prior to directing the wastewater to the next step of the facility's wastewater treatment process.

The project is for temporary authorization to continue to use these tanks. The project will not include ground disturbing activities or require physical or operational changes to the WWTP.

**Background:** DTSC issued a Resource Conservation and Recovery Act (RCRA) Equivalent Hazardous Waste Facility Permit to Safety Kleen of California, Inc. Newark (Safety Kleen - Newark) in 2004 and renewed the permit on September 3, 2021. Permitted activities include storage, treatment, transfer, consolidation, and solidification of waste. RCRA Fuel Blending, and RCRA and Non-RCRA wastewater treatment is additionally performed. Safety Kleen – Newark is located at 6880 Smith Avenue in Newark, California 94560. Wastes including Used Oil, RCRA and Non-RCRA oily waste waters, Waste Antifreeze, RCRA Fuel and Contaminated Petroleum Products are handled onsite. The facility's function is to conduct used oil re-refining. Only hazardous waste operations are

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regulated by the DTSC permit. Used oil re-refining operations conducted onsite are not part of DTSC's regulatory oversight or permit.

The facility accepts hazardous waste in containers, bulk tanker trucks, and rail cars. The facility permitted storage capacity includes forty-one (41) tanks having a capacity of 849,079 gallons. The facility also includes four (4) railcar loading/unloading stations with a capacity of 30,000 gallons each. Only one (1) railcar loading/unloading station is currently constructed and being operated. The facility additionally includes two (2) roll-off bins with a total storage capacity of 40 cubic yards (20 cubic yards for each roll-off bin); and three (3) container storage pads with a maximum capacity of 960, 55-gallons containers (52,800 total gallons).

Wastewater is received from off-site generators and produced on-site from used oil re-refining operations. Wastewater is treated at the onsite WWTP. Treated wastewater from the WWTP is batch discharged to a publicly owned treatment works in accordance with their permit issued by the sewer system operator. Solids generated from the WWTP are consolidated into a roll-off bin and shipped offsite for disposal. The WWTP uses blending, pH adjustment, metal and oil removal, gravity separation, air stripping, chemical oxidation, and carbon absorption as treatment operations. Used oil filters are accepted and stored within a permitted container storage area. Empty containers and used oil filters are crushed in the permitted Drum Crusher unit. Used oil from used oil filters accumulates in a collection device. The oils are tested and transferred to onsite receiving tanks. Crushed filters and containers are transferred to a container or roll-off bin for off-site recycling.

**Project Activities:** Operation of the permitted WWTP includes dissolved air flotation performed in Tanks SE-2203 and SE-2205. Tanks TA-1245 and TA-1246 are connected to and receive effluent from the dissolved air flotation tanks before wastewaters are transferred to the next step in the treatment process. DTSC inspection of the Safety Kleen – Newark facility identified that Tanks TA-1245 and TA-1246 were connected to permitted tanks in the WWTP but were not authorized for use in the DTSC Permit. As a result, DTSC required the Safety Kleen – Newark facility to either stop using Tanks TA-1245 and TA-1246 or submit a permit modification request to include the tanks in the DTSC Permit. Consistent with applicable regulations, the Safety Kleen – Newark facility submitted a request for temporary authorization to allow for continued use of Tanks TA-1245 and TA-1246 on April 4, 2024. DTSC approved the temporary authorization request on April 17, 2024. Approval of this temporary authorization request allowed for use of the tanks for a 180-day period (April 17 to October 14, 2024). On October 14, 2024, the Safety Kleen – Newark facility submitted a request for re-issuance of temporary authorization to allow for use of Tanks TA-1245 and TA-1246 for an additional 180 days, concurrently submitting a permit modification request to incorporate Tanks TA-1245 and

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TA-1246 into the DTSC permit. Temporary authorization approval allows the Safety Kleen – Newark facility to use Tanks TA-1245 and TA-1246 for an additional 180 days while DTSC processes the permit modification request.

The project will not include ground disturbing activities or require physical or operational changes to the WWTP.

**Name of Public Agency Approving Project:** Department of Toxic Substances Control

**Name of Person or Agency Carrying Out Project:** Safety Kleen of California, Inc.

**Exempt Status:** Categorical Exemption: [14 CCR Section 15308]

**Reasons Why Project is Exempt:** DTSC has determined that none of the exceptions to the categorical exemptions apply to this project, as described in Public Resources Code Section 21084(c), (d), and (e), and 14 CCR Section 15300.2. The temporary authorization for use of Tanks TA-1245 and TA-1246 is consistent with the actions taken by a regulatory agency for protection of the environment [14 CCR Section 15308].

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

Department of Toxic Substances Control  
Permitting Division  
700 Heinz Avenue  
Berkeley, California 94710

Contact Person	Contact Title	Phone Number
Scott Ward	Hazardous Substances Engineer	(510) 540-3914

Approver's Signature:

Date:

*Taryn Stokell Buck*

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January 24, 2025

Approver's Name	Approver's Title	Approver's Phone Number
Taryn Stokell Buck	Supervising Hazardous Substances Engineer I	(510) 540-3951

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