

CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION**2019058343**

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
Office of Permitting
700 Heinz Avenue, Suite 200
Berkeley, CA 94710

Project Title: United Technologies Corporation - Pratt & Whitney Rocketdyne (UTC) Class 3 Modification to the RCRA Post-Closure Permit

Project Applicant: Michael Kozlik, Director and Compliance Counsel, Pratt & Whitney, United Technologies Corporation

Project Location: 600 Metcalf Road, San Jose, California (APNs 627-11-013, 627-11-014, 627-11-015, 627-13-001, 627-13-002, 627-13-003, 627-13-004, 627-13-005, and 627-13-006)

County: Santa Clara County

Project Description:

The Department of Toxic Substances Control (DTSC), is considering approval of a Resource Conservation and Recovery Act (RCRA) Hazardous Waste Facility Class 3 Post Closure Permit Modification for United Technologies Corporation-Pratt & Whitney (UTC) to redefine the legal property boundary of the Post-Closure facility at 600 Metcalf Road in San Jose (Facility) to facilitate transfer of the 1,521-acre Coyote Ridge Parcel to the Santa Clara Valley Habitat Agency for use as a natural preserve area. The Class 3 Permit Modification will be conducted pursuant to the authority granted under the Health and Safety Code, Chapter 6.5 of Division 20, Sections 25100 et. seq. and California Code of Regulations, Title 22, Chapter 20, Sections 662701 et. seq. If approved, the modification will allow UTC to remove 1,521 acres, known as the Coyote Ridge Parcel, from the current legal boundary of the Facility (see Figure 1) and redefine it with a new legal boundary line (See Figure 2).

Project Activities:

The project will authorize UTC to remove Assessor Parcel Numbers 627-11-013, 627-11-014, and 627-11-015, and portions of Assessor Parcel Numbers 627-13-001, 627-13-002, 627-13-003, 627-13-004, 627-13-005, and 627-13-006 from the legal description of the Facility (Area demarcated in red in Figure 1). These parcels of land constitute the Coyote Ridge Parcel, which was undeveloped land surrounding the western side of the formerly active Pratt & Whitney Facility. The Coyote Ridge Parcel is between the Western Parcel, which was previously transferred to the Santa Clara County Open Space Authority in 2015, and the formerly active portions of the Facility. The Class 3 modification will redefine the legal boundaries of the Facility to be as shown in Figure 2. After the redefinition of the Facility boundary and subdivision of the above-mentioned parcels, the land will be transferred to the Santa Clara Valley Habitat Agency to be used as a natural preserve.

Background:

The former United Technologies Corporation, Pratt & Whitney facility is located at 600 Metcalf Road in San Jose in Santa Clara County. The Facility currently occupies approximately 3,289 acres of land. The Coyote Ridge Parcel is comprised of several steep canyons with north and south facing aspects. The Coyote Ridge Parcel was undeveloped land surrounding the western side of the formerly active Pratt & Whitney facility.

The Eastern Portion of the Facility was used by Pratt & Whitney Rocketdyne, which later became UTC-PWR. UTC-PWR developed, manufactured, and tested solid rocket motors for a variety of space exploration and defense purposes. The Post-Closure permit at the Facility is primarily intended to manage Perchlorate, associated with the previous operations at the Facility. Based on a records search and review of historical data, the Coyote Ridge Parcel was never used for any permitted manufacturing, burning, or hazardous waste treatment and storage operations during the time UTC-PWR was operating. Furthermore, the Coyote Ridge Parcel was not used during post-closure permitted activities. All historical operations for the permitted units, as well as units that are undergoing post-closure care are located in the Eastern part of the Facility. The activities that formerly generated hazardous waste at UTC-PWR have ceased, and the Facility is implementing post-closure activities under a post-closure permit for those units that were not classified as clean closed under state Hazardous Waste Control Laws because residual contamination remained in some former operational areas.

Former operational areas within the Coyote Ridge Parcel include the Research and Advanced Technology Area (R&AT), the Motor Test Area (MTA), Station 0450-0451 (Middle Shingle Valley), and Stations 1450, 1451, and 1453 (Lower Shingle Valley). The majority of above-grade buildings and structures in these areas have been demolished. In 2004, ENSR Corporation completed a site-wide investigation for perchlorate in surface soil. During the investigation, soil samples were collected around station buildings as well as non-operational areas of the Facility, including the Coyote Ridge Parcel. The investigation also collected surface soil samples around and beneath the former station building slabs after their removal. Samples were analyzed for constituents of concern based on historical site use: perchlorate, total petroleum hydrocarbons (TPH), oil & grease, volatile organic compounds (VOCs), semi volatile organic compounds (SVOCs), metals, and explosives. Detected concentrations of perchlorate were well below the human health and ecological risk-based screening level, and below the level for protection of surface water. All other constituents of concern were below risk-based cleanup goals with the exception of arsenic which was detected at concentrations consistent with background concentrations. The detailed methods and results of the investigation were presented in the Perchlorate Characterization Report for Surface Soil, dated January 2005. Based on the investigation results, no cleanup actions were required for the Coyote Ridge Parcel.

No groundwater samples have been collected on the Coyote Ridge Parcel; however, the boundary of the Coyote Ridge Parcel was configured to exclude areas underlain by groundwater with detected concentrations of constituents of concerns and groundwater use deed restrictions. The Coyote Ridge Parcel does not have any associated land use restrictions.

Groundwater contamination is present in the former active portions of the Facility, all of which are outside the Coyote Ridge Parcel. Active groundwater remediation and monitoring is being conducted in these areas, and results are summarized in the Annual Environmental Monitoring Reports, which are submitted annually in July to both the Regional Water Quality Control Board and DTSC. Groundwater monitoring wells are not present in the Coyote Ridge Parcel therefore, transfer of the Coyote Ridge Parcel will not affect the current post-closure groundwater monitoring program.

Preservation and maintenance of the serpentine soils and grasslands on the Coyote Ridge Parcel will provide important habitat for the bay checkerspot butterfly (*Euphydryas editha bayensis*), California red-legged frog (*Rana draytonii*), and California tiger salamander (*Ambystoma californiense*), which are federally threatened species that are present in this area. In addition, three special status plant species have been found within the serpentine habitat in the Coyote Ridge Parcel, which include: Santa Clara Valley dudleya (*Dudleya abramsii* ssp. *setchellii*), most beautiful jewel-flower (*Steptanthus albidus* spp. *peramoenus*), and smooth lessingia (*Lessingia micradenia*). The transfer of this property to a natural preserve area would provide habitat for these and other species.

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

Name of Person or Agency Carrying Out Project: Michael Kozlik, Director and Compliance Counsel, Pratt & Whitney, United Technologies Corporation

Exemption Status: (check one)

- Ministerial [PRC, Sec. 21080(b)(1); CCR, Sec. 15268]
 Declared Emergency [PRC, Sec. 21080(b)(3); CCR, Sec.15269(a)]
 Emergency Project [PRC, Sec. 21080(b)(4); CCR, Sec.15269(b)(c)]
 Categorical Exemption: [Class 25, CCR, Sec.15325]
 Statutory Exemptions: [State code section number]
 General Rule [CCR, Sec. 15061(b)(3)]

Exemption Title: Transfers of Ownership in Land to Preserve Existing Natural Conditions and Historical Resources.

Reasons Why Project is Exempt:

The boundary modification of the facility will facilitate transfer of ownership of the undeveloped 1,521-acre Coyote Ridge Parcel to the Santa Clara Valley Habitat Agency to preserve the existing natural conditions, including plants and animals in support of the Santa Clara Valley Habitat Plan, a Habitat Conservation Plan and Natural Community Conservation Plan developed as part of a regional federal Endangered Species Act and California Endangered Species Act compliance program.

DTSC has determined that the project approval would not result in a "substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance." As a result, DTSC finds that the project is exempt from further environmental review under CEQA.

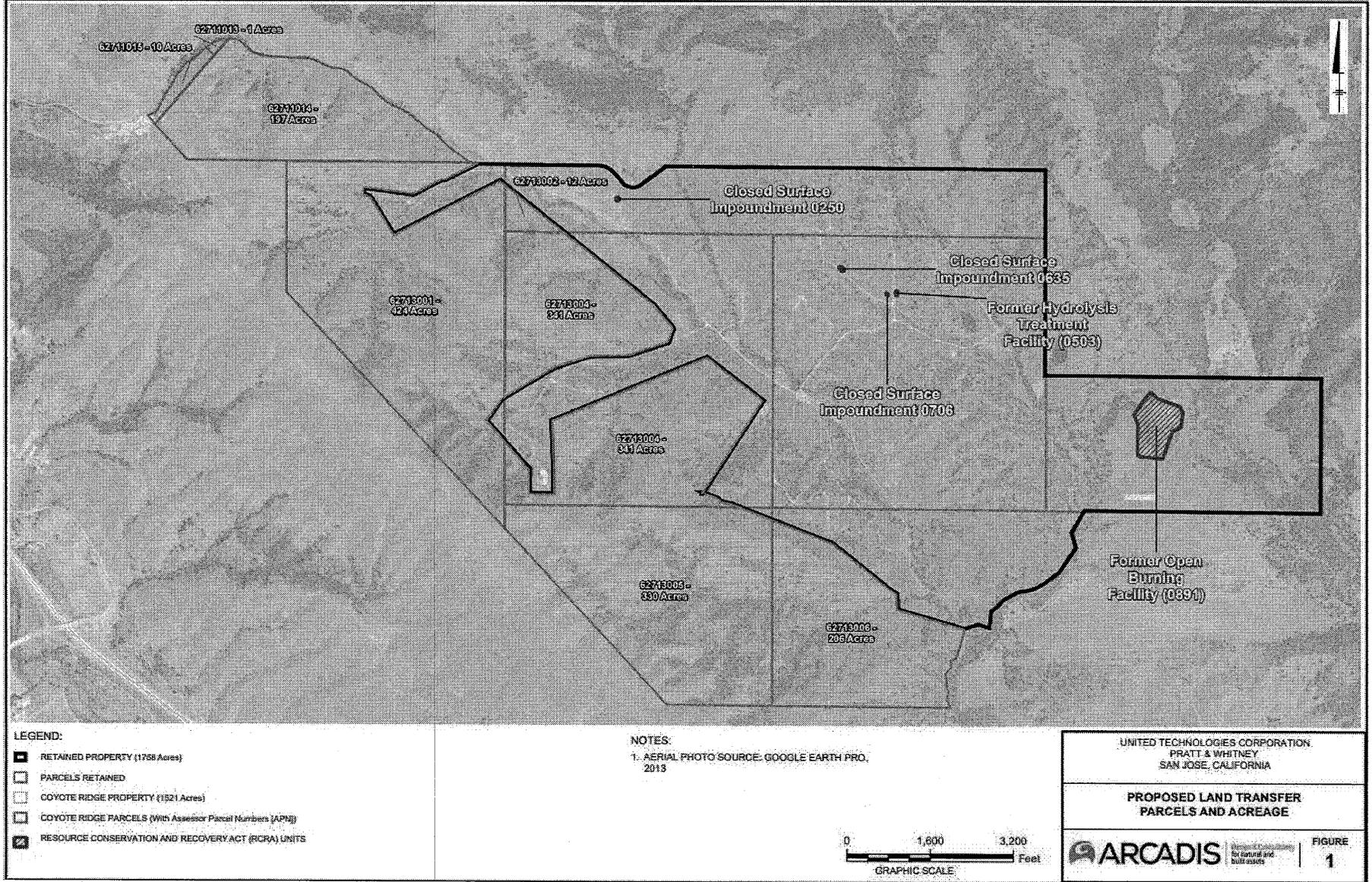
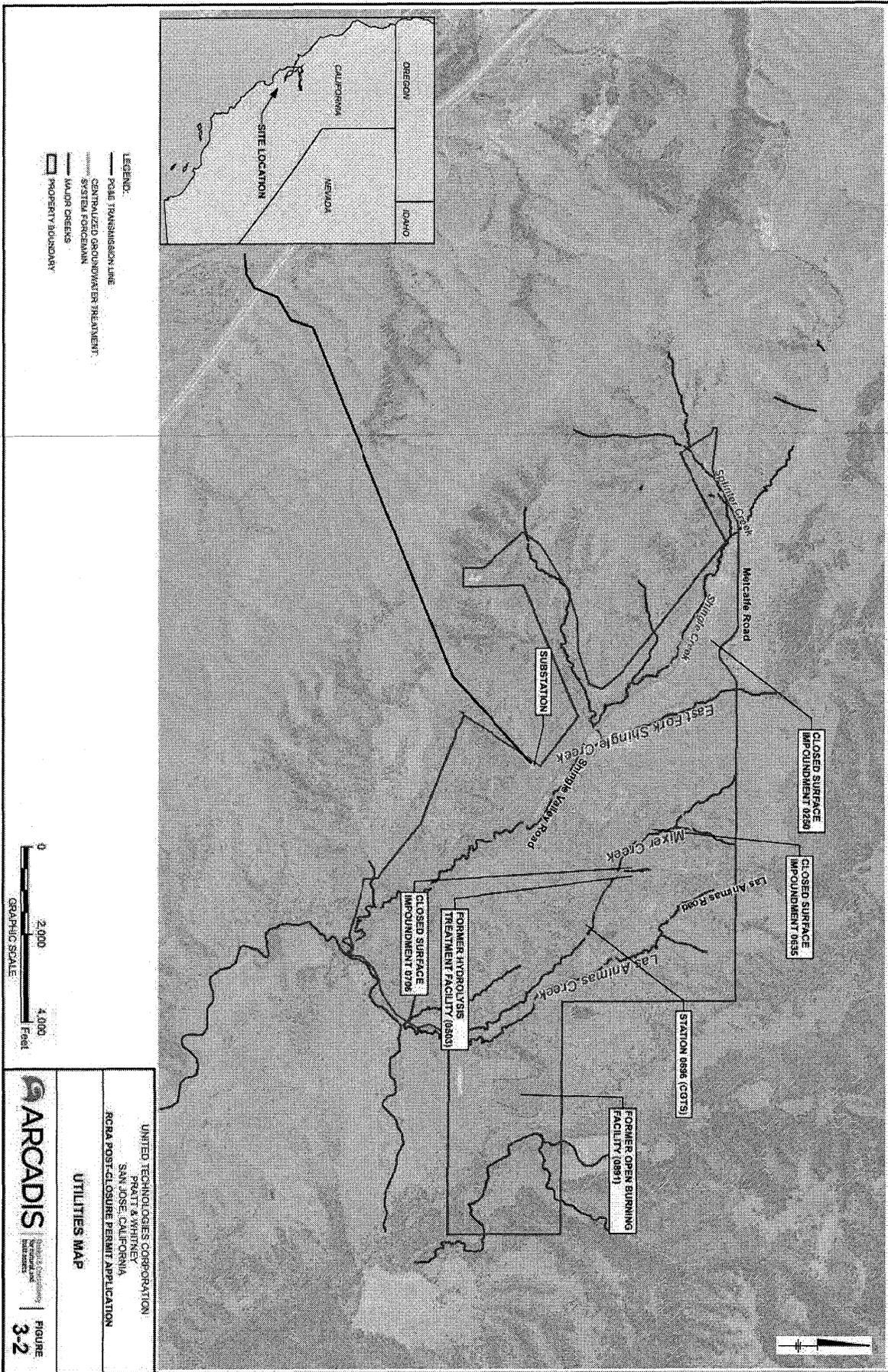


Figure 1



LEGEND:

- POLE TRANSMISSION LINE
- CENTRALIZED GROUNDWATER TREATMENT SYSTEM FOUNDATION
- MAJOR CREEKS
- PROPERTY BOUNDARY

0 2,000 4,000
Feet
GRAPHIC SCALE

UNITED TECHNOLOGIES CORPORATION
SAN JOSE CALIFORNIA
RCRA POST-CLOSURE PERMIT APPLICATION

UTILITIES MAP

ARCADIS Environmental and Infrastructure

FIGURE 3-2

Figure 2

2019058343

Evidence to support the above reasons is documented in the project file record, available for inspection at:

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 700 Heinz Avenue, Suite 200
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<u>Joanna Louie</u> Project Manager Name	<u>Hazardous Substances Engineer</u> Project Manager Title	<u>(510) 540-3812</u> Phone #
<u></u> Supervisor's Signature		<u>5/28/2019</u> Date
<u>Lori Koch</u> Supervisor Name	<u>Sup. Hazardous Substances Engineer I</u> Supervisor Title	<u>(510) 540-3951</u> Phone #

TO BE COMPLETED BY OPR ONLY

Date Received For Filing and Posting at OPR:

References:

- Arcadis 2010. Revised Supplemental Final Remedial Action Plan. Prepared for United Technologies Corporation, Pratt & Whitney Rocketdyne, San Jose, California. Arcadis U.S., Inc. May.
- Arcadis 2012. Sitewide Human Health and Ecological Risk Assessment, Prepared for United Technologies Corporation, San Jose, California. Arcadis U.S., Inc. December.
- UTC 2017. RCRA Post-Closure Part B Permit Application for Former Surface Impoundments 0250, 0635, and 070, Former Hydrolysis Treatment Facility 0503, and the Former Open Burning Facility, United Technologies Corporation Pratt & Whitney Space Propulsion, EPA ID No. CAD001705235, February 27.
- UTC 2002. Deed Notation and Covenant and Environmental Restriction, United Technologies Corporation Pratt & Whitney Space Propulsion, Recorded 07/29/2002.
- UTC 2015. Land Use Covenant and Agreement, Environmental Restrictions, United Technologies Corporation, Recorded 3/2/2015.
- ENSR 2005. Perchlorate Characterization Report for Surface Soil for United Technologies Corporation Pratt & Whitney Space Propulsion, ENSR Corporation, ENSR Project Number 06916-244-200, January.

Governor's Office of Planning & Research
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