

NOTICE OF EXEMPTION 2019088002

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
8800 Cal Center Dr.
Sacramento CA 95826

Project Title: EMERGENCY PERMIT FOR TREATMENT OF HAZARDOUS WASTE, USDA-ARS, ALBANY, CALIFORNIA		
Project Address: 800 Buchanan Street	City: Albany	County: Alameda
Project Applicant: USDA-ARS		
Approval Action Under Consideration by DTSC:		
<input type="checkbox"/> Removal Action Workplan	<input type="checkbox"/> Initial Permit Issuance	<input type="checkbox"/> Permit Re-Issuance
<input type="checkbox"/> Corrective Measure Study/Statement of Basis	<input type="checkbox"/> Permit Modification	<input type="checkbox"/> Closure Plan
<input type="checkbox"/> Remedial Action Plan	<input type="checkbox"/> Regulations	<input type="checkbox"/> Interim Removal
<input checked="" type="checkbox"/> Emergency Permit	<input type="checkbox"/> Other (specify):	
Statutory Authority:		
<input checked="" type="checkbox"/> California H&SC, Chap. 6.5 <input type="checkbox"/> California H&SC, Chap. 6.8 <input type="checkbox"/> Other (specify):		

Project Description:

The California Department of Toxic Substances Control (DTSC), pursuant to authority granted under California Code of Regulations, Title 22, Division 4.5, Chapter 20, Section 66270.61, has issued an Emergency Permit to USDA-ARS (EPA ID# CA6120507342) to treat hazardous waste through a controlled reaction with a chemical solution. Specifically, 2 four-liter containers of diethyl ether, a peroxide forming material, must be stabilized prior to transport to a permitted treatment, storage, and disposal facility.

The hazardous waste item expired and is currently being stored on the USDA-ARS campus located at 800 Buchanan Street, Albany, CA 94710. DTSC has determined as a safety precaution to prevent an accident or severe injury, an Emergency Permit should be issued to chemically stabilize the hazardous waste prior to transportation off-site by Clean Harbors Environmental Service (CHES).

Background:

Diethyl ether produces peroxide as it degrades (i.e. after the product's expiration date). The peroxides produced by diethyl ether may be unstable at relatively low concentrations, resulting in fire and/or explosion if improperly handled. Static electricity or heating from sunlight may be enough to trigger some peroxides reaction, making transport of non-stabilized tetrahydrofuran hazardous. Chemical stabilization is recommended prior to transport to a permitted treatment, storage, and disposal facility.

Project Activities:

The treatment of the hazardous waste involves the addition of solution to the containers in a controlled manner to reduce the reactive or ignitable characteristics of the chemical. Treatment will take place within a designated exclusion zone. Only technicians from CHES will be allowed in the exclusion zone. Movement, preparation, and treatment of the items will be in accordance with established standards.

Within 10 business days of the expiration of this permit, USDA-ARS will submit a final report, signed in accordance with Title 22, California Code of Regulations section 66270.11(d). The report shall include certification that the treatment area has been cleared of all residual hazardous waste generated from this emergency treatment and all generated waste has been properly managed.

The Emergency Permit is effective beginning August 05, 2019 and shall expire on October 03, 2019.

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

Name of Person or Agency Carrying Out Project: Clean Harbors Environmental Service on behalf of USDA-ARS

Exempt Status: (check one)

- Ministerial [PRC, Sec. 21080(b)(1); CCR, Sec. 15268]
 Declared Emergency [PRC, Sec. 21080(b)(3); CCR, Sec. 15269(a)]

April 2019

- Emergency Project [PRC, Sec. 21080(b)(4); CCR, Sec.15269(c)]
- Categorical Exemption: [CCR Title 14, Sec. 153##]
- Statutory Exemptions: [State Code Section Number]
- Common Sense Exemption [CCR, Sec. 15061(b)(3)]

Exemption Title: Specific actions necessary to prevent or mitigate an emergency.

Reasons Why Project is Exempt: This action is necessary to prevent an emergency. Chemical stabilization of the diethyl ether is necessary prior to transportation to a permitted treatment, storage, and disposal facility to prevent accidental fire and/or explosion during transport.

The administrative record for this project is available for inspection at:

Department of Toxic Substances Control
Sacramento Regional Office
8800 Cal Center Drive
Sacramento, California 95826
(916) 255-3758, call for an appointment

Hai-Yong Kang Project Manager	Hazardous Substances Engineer Title	916-255-6522 Phone No.
		08/05/2019 Date
Hai-Yong Kang Approver	Hazardous Substances Engineer Title	916-255-6522 Phone No.

TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR:

Governor's Office of Planning & Research

AUG 05 2019

STATE CLEARINGHOUSE