

## NOTICE OF EXEMPTION

2019098032

**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 Drive  
Sacramento, CA 95826

<b>Project Title:</b> EMERGENCY PERMIT FOR TREATMENT OF HAZARDOUS WASTE, BIO-RAD LABORATORIES, CONTRA COSTA COUNTY		
<b>Project Address:</b> 2000 Alfred Nobel Drive, Hercules, CA 94547	<b>City:</b> Hercules	<b>County:</b> Contra Costa
<b>Project Applicant:</b> Bio-Rad Laboratories		
<b>Approval Action Under Consideration by DTSC:</b>		
<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):	
<b>Statutory Authority:</b>		
<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 Bio-Rad Laboratories (EPA ID# CAD983606872) to treat hazardous waste through a controlled reaction with a chemical solution. Specifically, one 1-Liter container and nine 100-mL containers of Tetrahydrofuren and one 125-mL container of 4-Vinylpyridine, both a peroxide forming material, must be stabilized prior to transport to a permitted treatment, storage, and disposal facility.

The hazardous waste items are expired and are currently being stored at Bio-Rad Laboratories at 2000 Alfred Nobel Drive, Hercules, CA 94547. 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 Services (CHES).

**Background:**

Tetrahydrofuren and 4-Vinylpyridine both produce peroxide as it degrades (i.e. after the product's expiration date). The peroxides produced 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 peroxide reaction, making transport of non-stabilized Tetrahydrofuren and 4-Vinylpyridine 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 Reactive Material 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, Bio-Rad Laboratories will submit a final report, signed in accordance with Title 22, California Code of Regulations section 66270.11(d). The report shall include treatment logs or operating record and 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 September 20, 2019 and shall expire on November 11, 2019.

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

**Name of Person or Agency Carrying Out Project:** Bio-Rad Laboratories

**Exempt 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(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 Tetrahydrofuren and 4-Vinlypyridine 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  
Permitting Division  
8800 Cal Center Drive  
Sacramento, California 95826

Vinke Menardo  
Project Manager

Hazardous Substances Engineer  
Title

916-255-6668  
Phone No.

*Vinke Y. Menardo*

Approver's Signature

9/16/19

Date

Vinke Menardo  
Approver

Hazardous Substances Engineer  
Title

916-255-6668  
Phone No.

**TO BE COMPLETED BY OPR ONLY** Governor's Office of Planning & Research

Date Received for Filing and Posting at OPR:

**SEP 17 2019**

**STATE CLEARINGHOUSE**