

## CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF DETERMINATION

<b>To:</b> Office of Planning and Research-State Clearinghouse P.O. Box 3044, 1400 Tenth Street, Room 212 Sacramento, CA 95812-3044	<b>From:</b> Department of Toxic Substances Control P.O. Box 806 Sacramento, CA 95812-0806
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**Subject:** Filing of Notice of Determination in Compliance with Section 21108 of the Public Resources Code

**Project Title:** Variance TWW-2021-LG-00301 to Allow the Generation, Accumulation, and Transport of Treated Wood Waste under Alternate Procedures by Orange County Transportation Authority

**State Clearinghouse Number:** 2010051060

**Project Location:** 1000 E Santa Ana Blvd., Santa Ana, CA 92701

**County:** Orange

**Project Applicant:** Ross Lew, Program Manager, Orange County Transportation Authority

**Project Description:** The Department of Toxic Substances Control (DTSC), pursuant to Section 25143 of the Health and Safety Code and Section 66260.210 of the California Code of Regulations Title 22, has issued a variance to Orange County Transportation Authority (CAR000306522) to generate and accumulate treated wood waste on-site. The applicant may transport the treated wood waste generated on-site to an authorized handler or disposal facility. The treated wood waste is generated as a result of Old railroad ties and other treated wood debris discovered during excavation for the project. The variance allows treated wood waste to be managed under procedures different from, but equally protective to human health and the environment to, the provisions of California Health and Safety Code (HSC) Articles 6, 6.5 and 9 of Chapter 6.5 and California Code of Regulations (CCR), Title 22, Division 4.5, Chapters 12, 13, 14, 15, 16, 18, and/or 20. Under the terms and conditions of Variance TWW-2021-LG-00301, Orange County Transportation Authority will ensure the treated wood waste will be appropriately managed. Because the variance activities are consistent with operations of a previously approved project, DTSC has prepared an addendum to a previously certified environmental impact report consistent with Public Resources Code 21166 and Title 14 CCR 15162-15164. The variance will expire on October 5, 2021 with possibility of extension for an additional six months.

The OC Streetcar Construction project extends from Santa Ana Train Station at Santa Ana Blvd. and Santiago Ave. in the City of Santa Ana to Harbor Blvd. and Westminster Avenue in the City of Garden Grove, CA, which may generate treated wood waste.

As a Responsible Agency under the California Environmental Quality Act (CEQA), DTSC approved the above-described project on April 8, 2021 and has made the following determinations:

1. The project will not have a significant effect on the environment.
2. An environmental impact report 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  
 1001 I Street  
 Sacramento, CA 95814

Contact Person John Muegge	Contact Title Project Manager	Phone Number (916) 322-0471
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Approver's Signature:

*Robert Irving*

Date:

April 9, 2021

Approver's Name Robert Irving	Approver's Title Supervising Environmental Planner	Approver's Phone Number (916) 255-3988
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TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR: