

## NOTICE OF EXEMPTION

2019100281

**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, California 95826

<b>Project Title:</b> Emergency Permit for Treatment of Hazardous Waste – HGST Inc.		
<b>Project Address:</b> 1710 Automation Pkwy	<b>City:</b> San Jose	<b>County:</b> Santa Clara
<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"/> Other (specify): Emergency Permit		
<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 HGST Inc., (EPA ID# CAR00013581) to treat hazardous waste through a controlled reaction with a chemical solution.

**Project Activities:** The hazardous waste to be treated consists of the following items:

Description	Quantity of Containers	Hazard Designation	Container Size
Tetrahydrofuran	2	Peroxide Forming Material	1x2L, 1x1L
Benzoyl Peroxide	1	Temperature/Shock Sensitive Material	50 grams

The hazardous waste items are expired and are currently being stored at 1710 Automation Pkwy, San Jose, CA 95131. 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). The treatment of the hazardous waste involves the addition of solution to the container 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, HGST Inc. 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 October 17, 2019 and shall expire on December 23, 2019.

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

**Name of Person or Agency Carrying Out Project:** HGST Inc.

**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 Tetrahydrofuran and Benzoyl Peroxide is necessary prior to transportation to a permitted treatment, storage, and disposal facility to prevent accidental fire and/or explosion during transport.

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

Department of Toxic Substances Control  
File Room  
Permitting Division  
8800 Cal Center Drive  
Sacramento, California 95826

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Project Manager	Title	Phone No.
		<u>10/9/2019</u>
Approver's Signature		Date

<u>Parisa Khosraviani</u>	<u>Hazardous Substances Engineer</u>	<u>(916) 255-6559</u>
Project Manager	Title	Phone No.

<b>TO BE COMPLETED BY OPR ONLY</b>		<b>Governor's Office of Planning &amp; Research</b>
Date Received for Filing and Posting at OPR:		<b>OCT 15 2019</b>
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