

## CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

<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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**Project Title:** Variance TWW-2021-DF-00580 to Allow the Disposal of Treated Wood Waste under Alternate Procedures by City of Clovis

**Project Location:** 15679 Auberry Road, Clovis, CA 93612

**County:** Fresno

**Project Applicant:** Ivette Rodriguez, Solid Waste Manager, City of Clovis

**Approval Action Under Consideration by DTSC:** Variance

**Statutory/Regulatory Authority:** California Health and Safety Code, Section 25143; CCR Title 22, Section 66260.210

**Project Description:** The Department of Toxic Substances Control (DTSC) has issued a variance to City of Clovis (CAH111000512) to receive and dispose of treated wood waste from generators, transporters, and/or handler facilities. 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-DF-00580, City of Clovis will ensure the treated wood waste will be appropriately managed.

**Background:** Treated wood waste is a fully regulated California-only hazardous waste because it exhibits the hazardous waste characteristic of toxicity. From 2007 to December 31, 2020, treated wood waste was managed under alternative management standards, established in 22 CCR 67386. The legislation that authorized the alternative management standards for treated wood waste expired on December 31, 2020. Without the issuance of the variance, City of Clovis would be required to seek a permit as a hazardous waste disposal facility.

City of Clovis owns and operates the City of Clovis landfill. The City's Public Utilities Department, Solid Waste Division monitors and assures landfill compliance. The City of Clovis landfill is not a public landfill and only accepts waste from City of Clovis residents and businesses hauled by City of Clovis garbage trucks.

**Project Activities:** Under the variance, the Facility will accept treated wood waste from generators, and authorized handlers and/or transporters for disposal, however it will be managed as a California hazardous waste, under authority of HSC 25200 et seq. Operations generally include unloading and disposal of treated wood waste within City of Clovis Landfill which has a Geocomposite, 60 mil HDPE, double sided textured geomembrane, Geosynthetic clay liner, prepared subgrade. Acceptance and disposal of TWW will be consistent with hazardous waste management and disposal standards specified in the variance. The variance will expire on December 13, 2021 with possibility of extension for an additional six months.

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

**Name of Person or Agency Carrying Out Project:** City of Clovis

**Exempt Status:** Existing Facilities [CCR Title 14, Sec. 15301]

**Reasons Why Project is Exempt:** All analysis conducted included the potential extension of the variance for an additional six months. DTSC has determined none of the exceptions to the categorical exemptions apply to this project, as described in Public Resources Code Section 21084(c), (d), and (e), and 14 CCR Section 15300.2. This project consists of the accumulation and storage of the treated wood waste is consistent with the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structure, involving negligible or no expansion of existing or former use.

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 Kahui Lim	Contact Title Project Manager	Phone Number (916) 255-3711
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Approver's Signature:

Date:

*Robert Irving*

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June 17, 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: