

## CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

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

**Project Title:** Emergency Permit for Treatment of Hazardous Waste, EoCell, San Jose, California

**Project Location:** 1321 Ridder Park Drive, San Jose, CA 95131

**County:** Santa Clara County

**Project Applicant:** Kenneth Loh, Manager, IT and Administration, EoCell.

**Approval Action Under Consideration by DTSC:** Emergency Permit

**Statutory Authority:** California Health and Safety Code, Chapter 6.5

**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 EoCell (EPA ID# CAL000413516) to treat hazardous waste through a controlled reaction with a chemical solution. Specifically, the following containers, one (1) container of 1,1 Bis(tert-butylperoxy)-3,3,5- trimethylcyclohexane, one (1) container of Tetrahydrofuran 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 on the EoCell campus located at 1321 Ridder Park Drive, 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 wastes prior to transportation off-site by Clean Harbors Environmental Service (CHES).

**Background:** The chemicals noted above are either peroxide forming materials or are temperature sensitive materials. The chemicals produce peroxide compounds as they degrade (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 reaction, making transport of non-stabilized chemicals 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, EoCell 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 6, 2021 and shall expire on October 4, 2021.

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

**Name of Person or Agency Carrying Out Project:** Clean Harbors Environmental Services

**Exempt Status:** Emergency Project [PRC, Sec. 21080(b)(4); 14 CCR, Sec.15269(c)]

**Reasons Why Project is Exempt:** This action is necessary to prevent an emergency. Chemical stabilization of the chemicals is necessary prior to transportation to an authorized hazardous waste treatment, storage, and disposal facility to prevent accidental fire and/or explosion during transport.

The administrative record for this project is available to the public by appointment at the following location:

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

Contact Person	Contact Title	Phone Number
Hai-Yong Kang	Hazardous Substances Engineer	(916) 255-6522

Approver's Signature:

*Hai-Yong Kang*

Date:

August 5, 2021

Approver's Name	Approver's Title	Approver's Phone Number
Hai-Yong Kang	Hazardous Substances Engineer	(916) 255-6522

TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR: