

## **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
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**Project Title:** Emergency Permit for Treatment of Hazardous Waste, California State University, East Bay Concord, Concord, California

**Project Location:** 4700 Ygnacio Valley Road, Concord, California 94521

**County:** Contra Costa

**Project Applicant:** Lyanh Luu, Environmental Health and Safety Director

**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 the California State University (CSU), East Bay Concord, (EPA ID# CAD983661521) to treat hazardous waste through a controlled reaction with chemical solutions. Specifically, one (1) 500-millimeter container and one (1) 100-millimeter container of Diethyl Ether must be stabilized prior to transport to an authorized hazardous waste treatment, storage, and disposal facility.

The chemical is currently being stored at CSU East Bay Concord located at 4700 Ygnacio Valley Road, in Concord, California. DTSC has determined as a safety precaution to prevent an accident or severe injury, an Emergency Permit should be issued to chemically stabilize this hazardous waste prior to storage and eventual transportation off-site by Clean Harbors Environmental Services (CHES).

**Background:** The containers have peroxide formation present on either the inside, outside, or the bottom of the chemicals' containers, as well as the thread containers' caps. The presence of peroxide formation may become explosive, and reactions are easily triggered if shipped untreated prior to disposal. Due to the presence of peroxide formation, DTSC considers this chemical to be an

imminent and substantial endangerment to human health and the environment therefore, 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 solutions 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 containers will be in accordance with established standards.

Within 10 business days of the expiration of this permit, CSU East Bay Concord 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 July 17, 2023, and shall expire on August 14, 2023.

**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(b)(c)]

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

Additional project information is available on [EnviroStor](#) and 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
Matthew Mullinax	Hazardous Substances Engineer	(916) 255-6531

Approver's Signature:

*Matthew Mullinax*

Date:

July 11, 2023

Approver's Name

Approver's Title

Approver's Phone Number

Matthew Mullinax

Hazardous Substances Engineer

(916) 255-6531

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