

**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, Bio-Rad Laboratories, Hercules, California

**Project Location:** 4000 Alfred Nobel Drive, Hercules, California, CA 94547

**County:** Contra Costa

**Project Applicant:** Jeff Hamilton, EHS Manager

**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 Bio-Rad Laboratories, (EPA ID# CAD983606872) to treat hazardous wastes through a controlled reaction with chemical solutions. Specifically, two (2) 1-liter containers of diethyl ether must be stabilized prior to transport to an authorized hazardous waste treatment, storage, and disposal facility.

These chemicals are currently being stored at Bio-Rad Laboratories located at 4000 Alfred Nobel Drive, Hercules, CA 94547. 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 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 container caps. The presence of peroxide formation may be unstable at relatively low concentrations, resulting in fire and/or explosion if improperly handled. Due to the presence of peroxide formation, DTSC considers these chemicals to be an imminent and substantial endangerment to human health and the environment. Chemical stabilization is recommended prior to transport to a permitted treatment, storage, and disposal facility.

**Project Activities:** The treatment of the hazardous wastes involves the addition of solutions to the containers in a controlled manner to reduce the reactive or ignitable characteristics of the chemicals. 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, Bio-Rad Laboratories 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 responsibly managed.

The Emergency Permit is effective beginning October 4, 2023, and shall expire on December 2, 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 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
Matthew Mullinax	Hazardous Substances Engineer	(916) 255-6531

Approver's Signature:

*Matthew Mullinax*

Date:

September 25, 2023

Approver's Name

Approver's Title

Approver's Phone Number

Matthew Mullinax

Hazardous Substances Engineer

(916) 255-6531

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