

**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, California 95812-3044

From: Department of Toxic Substances Control  
Permitting Division  
8800 Cal Center Drive  
Sacramento, California 95826

**Project Title:** Emergency Permit for Treatment of Hazardous Waste, Thermo Fisher Scientific, Fremont, California

**Project Location:** 46500 Kato Road, Fremont, California 94538

**County:** Alameda

**Project Applicant:** Fulgence Dulay, 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 (CCR), Title 22, Division 4.5, Chapter 20, Sec. 66270.61, has issued an Emergency Permit to the Thermo Fisher Scientific, (EPA ID# CAR000278267) to treat hazardous wastes through a controlled reaction with chemical solutions. Specifically, five (5) 1-liter containers of tetrahydrofuran, two (2) 250-milliliter containers of styrene, five (5) 1-liter containers of butyl acrylate, one (1) 3-kilogram container of acrylic acid, and one (1) 500-milliliter container of acrylic acid must be stabilized prior to transport to an authorized hazardous waste treatment, storage, and disposal facility.

These chemicals are currently being stored at Thermo Fisher Scientific located at 46500 Kato Road, Fremont, California. 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 (Clean Harbors).

**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

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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 these 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 Clean Harbors 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, Thermo Fisher Scientific will submit a final report, signed in accordance with Title 22, CCR Sec. 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 April 16, 2024 and shall expire on June 15, 2024.

**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 Public Resources Code (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  
Permitting Division  
File Room  
8800 Cal Center Drive  
Sacramento, CA 95826

State of California – California Environmental Protection Agency  
Department of Toxic Substances Control

Approver's Name	Approver's Title	Approver's Phone Number
Michelle Snapp	Hazardous Substances Engineer	(916) 255-3647

Approver's Signature:

Date:

*Michelle Snapp*

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April 4, 2024

TO BE COMPLETED BY OFFICE OF PUBLIC RELATIONS (OPR) ONLY

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Date Received for Filing and Posting at OPR: