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, Lawrence Berkeley National Laboratory (Berkeley Labs), Berkeley, California

Project Location: One Cyclotron Road, Berkeley, CA 94720

County: Alameda

Project Applicant: Maria Nappi, Environmental Health and Safety Division Director, Berkeley Labs

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 Lawrence Livermore National Laboratory (Berkeley Labs), (EPA ID# CA4890008986) to treat hazardous waste through controlled reactions with chemical solutions. Specifically, 125 grams of Sodium Azide, 5 milliliters of Styrene, 100 milliliters of Acrylonitrile, 2.001 liters of Butyl Acrylate, 500 grams of Trimethylolpropane Triacrylate, 250 grams of Octadecyl Acrylate, 125 milliliters of Pentaerythritol, Tetraacrylate, 1 milliliter of 2, 3-dimethyl-1,3-butadiene, 100 grams of Methacrylic Acid, 500 milliliters of Methyl Methacrylate, 5 grams of Acryloyl Chloride, 25 milliliters of 2-Hydroxethyl Methacrylate, 250 grams of Methyl Acrylate, 100 milliliters of Ethylene Glycol Dimethacrylate, 52 grams of Potassium, 500 milliliters of Benzyl Alcohol, 11.001 liters of Tetrahydrofuran, 2.001 liters of 1,2-Dimethoxyethane, 3 liters of 2-Ethoxyethanol, 1.001 liters of Diethylene Glycol Dimethyl Ether, 250 milliliters of 1,2,3,4-Tetrahydronaphthalene, 100 milliliters of 1,3-Dioxane, 2 liters of 1,4-Dioxane, 25 grams of 2,5-Dimethylfuran, 25 grams of 2-Bromethyl Methyl Ether, 1.250 kilograms of Cumene, 20 milliliters of 2,2-Azobisisobutyronitrile, 10 grams of Tetraethylammonium Perchlorate, 70 milliliters of Lanthanide DMSO Perchlorate Complex, and 250 milliliters of Sodium Selenide, Potassium Azide, Sodium Azide Titanium and Hydroxylamine, Hydrochloride Mixture.

These hazardous wastes must be stabilized prior to transport to an authorized hazardous wastes treatment, storage, and disposal facility. The chemicals are currently being stored at Berkeley Labs located at 1 Cyclotron Road in Berkeley. 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:

Some containers have peroxide formation present on either the inside, outside or the bottom of the chemicals' containers. Also, on the thread container caps as well. The presence of peroxide formation may become explosive, and reactions are easily triggered if shipped untreated prior to disposal. Because of the presence of peroxide formation, DTSC considers these chemicals to be an imminent and substantial endangerment to human health and the environment. Therefore, DTSC has determined that the chemicals must be treated under an emergency permit prior to being shipped to a fully permitted disposal facility.

Also, some containers have solids formation inside of the chemicals' containers that are shock sensitive. The presence of shock sensitive solids may appear to be discolored, degrading, or deteriorating or distorting the containers. Because of the formation of shock sensitive solids inside the containers, these chemicals may release unstable and energy-releasing (explosive) products when exposed to any external energy (i.e., thermal, shock, mechanical shock, friction, or detonation) if improperly handled. The external energy may trigger an undesirable reaction if shipped untreated prior to disposal. DTSC considers these chemicals to be an imminent and substantial endangerment to human health and the environment. Therefore, DTSC has determined that the chemicals must be treated under an emergency permit prior to being shipped to a fully permitted 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 zones. Movement, preparation, and treatment of these items will be in accordance with established standards.

Within 10 business days of the expiration of this permit, Berkeley Labs 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 wastes generated from this emergency treatment and all generated wastes has been responsibly managed.

The Emergency Permit is effective beginning January 5, 2023 and shall expire on April 5, 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 these chemicals is necessary prior to transportation to an authorized hazardous wastes 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: December 29, 2022

Approver's Name	Approver's Title	Approver's Phone Number
Matthew Mullinax	Hazardous Substances Engineer	(916) 255-6531

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Date Received for Filing and Posting at OPR: