

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

To: Office of Land Use and Climate Innovation
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 Management of Hazardous Waste, Lyten, Inc. (Lyten), San Jose, California

Project Location: 145 Baytech Drive, San Jose, California, 95134

County: Santa Clara

Project Applicant: Cris Suizo, Sr EHS Tech II

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 Lyten, (EPA ID# CAR000352377) to treat hazardous waste through a controlled reaction with a chemical solution. Specifically, one (1) 250-milliliter container of 1,3 Dioxolane, one (1) 2.5-liter container of Tetrahydrofuran, one (1) 4-liter container of Diethyl Ether, and one (1) 100-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 Lyten located at 145 Baytech Drive, San Jose, California, 95134. 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 waste by Clean Harbors Environmental Services (Clean Harbors) prior to storage and eventual transportation off-site.

Background: The containers have peroxide formation present on either the inside, outside, or the bottom of the chemical's containers, as well as the thread container cap. 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.

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

Project Activities: The treatment of this hazardous waste involves the addition of a 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 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, Lyten 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 July 14, 2025 and shall expire on September 15, 2025.

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 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.

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
Parisa Khosraviani	Hazardous Substances Engineer	(916) 255-6559

Approver's Signature:

Date:

Parisa Khosraviani

July 10, 2025

TO BE COMPLETED BY OFFICE OF LAND USE AND CLIMATE INNOVATION (LCI) ONLY

Date Received for Filing and Posting at LCI: