

## NOTICE OF EXEMPTION

2019058347

**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

<b>Project Title:</b> EMERGENCY PERMIT FOR TREATMENT OF HAZARDOUS WASTE, SUPERIOR READY MIX		
<b>Project Address:</b> 1508 Mission Road	<b>City:</b> Escondido	<b>County:</b> San Diego
<b>Project Applicant:</b> Mark Strohmeyer, Superior Ready Mix		
<b>Approval Action Under Consideration by DTSC:</b>		
<input type="checkbox"/> Removal Action Workplan	<input type="checkbox"/> Initial Permit Issuance	<input type="checkbox"/> Permit Re-Issuance
<input type="checkbox"/> Corrective Measure Study/Statement of Basis	<input type="checkbox"/> Permit Modification	<input type="checkbox"/> Closure Plan
<input type="checkbox"/> Remedial Action Plan	<input type="checkbox"/> Regulations	<input type="checkbox"/> Interim Removal
<input checked="" type="checkbox"/> Emergency Permit	<input type="checkbox"/> Other (specify):	
<b>Statutory Authority:</b>		
<input checked="" type="checkbox"/> California H&SC, Chap. 6.5 <input type="checkbox"/> California H&SC, Chap. 6.8 <input type="checkbox"/> Other (specify):		

**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 Superior Ready Mix (EPA ID: CAD981389158) to treat hazardous waste through a controlled reaction with a chemical solution. Specifically, three 500-gram containers of 2,4-dinitrophenylhydrazine, must be stabilized prior to transport to a permitted treatment, storage, and disposal facility.

The hazardous waste items are expired and currently being stored at Superior Ready Mix located at 1508 Mission Road in Escondido, 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 waste prior to storage and eventual transportation off-site by Clean Harbors Environmental Services.

**Background:**

2,4-dinitrophenylhydrazine is normally kept damp while in storage to prevent drying out and becoming a dust. When dried, 2,4-dinitrophenylhydrazine can easily be aerosolized as a dust and is also easily ignited. When aerosolized as a dust, it can become explosive. Further instability can be introduced as the chemical degrades (i.e. after the product's expiration date). Static electricity or contact with some reactive chemicals may be enough to trigger a reaction in dried 2,4-dinitrophenylhydrazine, making transport of non-stabilized 2,4-dinitrophenylhydrazine hazardous. 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 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 CHES will be allowed in the exclusion zone. Movement, preparation, and treatment of the items will be in accordance with established standards.

Within 10 business days of the expiration of this permit, Superior Ready Mix 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 June 12, 2019 and shall expire on August 10, 2019.

**Name of Public Agency Approving Project:** Department of Toxic Substances Control

**Name of Person or Agency Carrying Out Project:** Clean Harbors Environmental Services on behalf of Superior Ready Mix

**Exempt Status:** (check one)

☐ Ministerial [PRC, Sec. 21080(b)(1); CCR, Sec. 15268]

April 2019

Governor's Office of Planning & Research

May 31, 2019

STATE CLEARINGHOUSE

- ☐ Declared Emergency [PRC, Sec. 21080(b)(3); CCR, Sec. 15269(a)]  
☒ Emergency Project [PRC, Sec. 21080(b)(4); CCR, Sec. 15269(c)]  
☐ Categorical Exemption: [CCR Title 14, Sec. 153##]  
☐ Statutory Exemptions: [State Code Section Number]  
☐ Common Sense Exemption [CCR, Sec. 15061(b)(3)]

**Exemption Title:** Specific actions necessary to prevent or mitigate an emergency.

**Reasons Why Project is Exempt:** This action is necessary to prevent an emergency. Chemical stabilization of the 2,4-dinitrophenylhydrazine is necessary prior to transportation to a permitted treatment, storage, and disposal facility to prevent accidental fire and/or explosion during transport.

The administrative record for this project is available for inspection at:

Department of Toxic Substances Control  
Sacramento Regional Office  
8800 Cal Center Drive  
Sacramento, California 95826

Lung-Yin Tai  
Project Manager

Hazardous Substances Engineer  
Title

916-255-3615  
Phone No.

*Lung-Yin Tai*  
Approver's Signature

5/31/2019  
Date

Lung-Yin Tai  
Approver

Hazardous Substances Engineer  
Title

916-255-3615  
Phone No.

**TO BE COMPLETED BY OPR ONLY**

Date Received for Filing and Posting at OPR:

Governor's Office of Planning & Research

May 31, 2019

**STATE CLEARINGHOUSE**