

## NOTICE OF EXEMPTION

2019078031

**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, California 95826

<b>Project Title:</b> Emergency Permit for Treatment of Hazardous Waste - IBM Almaden Research Center		
<b>Project Address:</b> 650 Harry Road	<b>City:</b> San Jose	<b>County:</b> Santa Clara
<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"/> Other (specify): Emergency Permit		
<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 the IBM Almaden Research Center, (EPA ID# CAD980883292) to treat hazardous waste through a controlled reaction with a chemical solution.

**Project Activities:** The hazardous waste to be treated consists of the following items:

Description	Quantity of Containers	Hazard Designation	Container Size
Vinyl Pyridine	5	Peroxide Former/Monomer	2x500ml, 3x100ml

The hazardous waste items are expired and are currently being stored at 650 Harry Road, San Jose, CA 95120. 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 transportation off-site by Clean Harbors Environmental Services (CHES). The treatment of the hazardous waste involves the addition of solution to the container in a controlled manner to reduce the reactive or ignitable characteristics of the chemicals.

Treatment will take place within a designated exclusion zone. Only reactive material 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, IBM Almaden Research Center 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 July 12, 2019 and shall expire on September 13, 2019.

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

**Name of Person or Agency Carrying Out Project:** IBM Almaden Research Center

**Exempt Status:** (check one)

- Ministerial [PRC, Sec. 21080(b)(1); CCR, Sec. 15268]  
 Declared Emergency [PRC, Sec. 21080(b)(3); CCR, Sec. 15269(a)]  
 Emergency Project [PRC, Sec. 21080(b)(4); CCR, Sec. 15269(b)(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.

Evidence to support the above reasons is documented in the project file record, available for inspection at:

Department of Toxic Substances Control  
File Room  
Permitting Division  
8800 Cal Center Drive  
Sacramento, California 95826

Parisa Khosraviani  
Project Manager

Hazardous Substances Engineer  
Title

(916) 255-6559  
Phone No.

Approver's Signature

July 3, 2019

Date

Edward Nieto  
Acting Branch Chief

Supervising HSE I  
Title

(916) 255-3578  
Phone No.

**TO BE COMPLETED BY OPR ONLY**

Governor's Office of Planning & Research

Date Received for Filing and Posting at OPR:

**JULY 09 2019**

**STATE CLEARINGHOUSE**