



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721



Arnold Schwarzenegger
Governor

CALIFORNIA ENVIRONMENTAL QUALITY ACT STATEMENT OF FINDINGS FOR

Lawrence Berkeley National Laboratory Hazardous Waste Facility Permit Renewal

The Department of Toxic Substances Control (DTSC) has approved a Hazardous Waste Facility Permit renewal request submitted by Lawrence Berkeley National Laboratory (LBNL). This discretionary action was undertaken by DTSC pursuant to its authority under Chapter 6.5 and California Code of Regulations section 66270.42. Approval of this permit allows for the following:

- Continue operating its existing Hazardous Waste Handling Facility (HWHF)
- Re-categorize several existing waste streams
- Add oxidizing solids to the list of hazardous waste streams accepted at the HWHF.

Date of Approval: November 17, 2006

DTSC is acting as a Responsible Agency on this project pursuant to the provisions of the California Environmental Quality Act (CEQA). Prior to reaching a decision on this project, DTSC considered the environmental effects of the project as shown in the following documents:

- Notice of Determination, Minor Changes in Operations at the Hazardous Waste Handling Facility, University of California, Lawrence Berkeley National Laboratory, March 2003 (Attachment)
- Notice of Exemption, Minor Changes in Operations at the Hazardous Waste Handling Facility, University of California, Lawrence Berkeley National Laboratory, March 2003 (Attachment)
- Addendum to the Construction of Replacement of Hazardous Waste Handling Facility Final Environmental Impact Report – Lawrence Berkeley National Laboratory, University of California, Lawrence Berkeley National Laboratory, March 2003 (Attachment)
- Updated Risk Analysis for Berkeley Laboratory Hazardous Waste Handling Facility, Parsons, October 2002
- Subsequent Mitigated Negative Declaration, Modification of Permitted Hazardous Waste Handling Operations at the Ernest Orlando Lawrence

- Berkeley National Laboratory, University of California, Lawrence Berkeley National Laboratory, May 1997
- Final Safety Analysis Document for the Hazardous Waste Handling Operations at the Lawrence Berkeley National Laboratory, M.H. Chew & Associates, Inc., April 1997
 - Final Environmental Impact Report – Construction of Replacement of Hazardous Waste Handling Facility – Lawrence Berkeley Laboratory, EIP Associates, may 1990
 - Lawrence Berkeley Laboratory – Site Development Plan – Final Environmental Impact Report, University of California, Lawrence Berkeley National Laboratory, August 1987

The following findings were made by LBNL in conjunction with its assessment of potential impacts related to the HWHF:

- No reasonably foreseeable significant environmental impacts would result from the proposed changes.
- There would be no change to the HWHF's currently permitted storage capacity or treatment methods.
- There would be no change in the relative amounts of the various types of waste that would be accepted at the HWHF.
- Oxidizing solids are currently accepted at the HWHF as part of a mixed waste stream, oxidizers with radionuclides.
- A safety analysis performed on behalf of LBNL concluded that with the use of proper procedures already in place at the HWHF, risks at the facility do not exceed applicable Occupational Safety and Health Administration (OSHA), National Institute of Occupational Safety and Health (NIOSH), and other standard exposure criteria.

In its role as a Responsible Agency under the provisions of CEQA, DTSC concurs with the above findings. Using its independent judgment, DTSC determined that these documents adequately addressed potential impacts to ensure that approval of the permit renewal would not result in significant adverse effects on the environment. No additional DTSC mitigation measures are deemed necessary to approve the permit renewal; no DTSC monitoring plan is required pursuant to Public Resources Code Section 21081.6.

A Notice of Determination (NOD) indicating the results of said findings has been filed with the State Clearinghouse of the Governor's Office of Planning and Research pursuant to Section 15096(i) of the State CEQA Guidelines.

(916) 255-3716

DTSC Branch/Unit Chief Signature

Telephone #

Date