



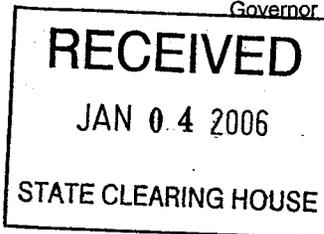
Department of Toxic Substances Control



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NOTICE OF EXEMPTION

CALIFORNIA ENVIRONMENTAL QUALITY ACT

TO: Office of Planning and Research
P.O. Box 3044
Sacramento, California 95812-3044

FROM: Department of Toxic Substances Control
Program Support Branch
1001 "I" Street 11th Floor, P.O. Box 806
Sacramento, California 95812-0806

Project Title: Hazardous Wastes of Concern Regulations Department
Reference Number: R-03-18

Project Location -Specific: Statewide applicability City: N/A County: N/A

Description of Project: These regulations, adopted pursuant to Senate Bill No. 489 (2001-2002 Reg. Sess.) Romero referenced below as SB 489.

The provisions enacted as a result of SB 489 are intended to increase the security of Hazardous Wastes of Concern (HWC) because of the potential to use those wastes intentionally and effectively to harm the public in a terrorist or criminal act. As such, any person, as defined in Health and Safety Code section 25118, handling HWC must report missing HWC. The emergency regulations adopted in July 2003, inadvertently excluded generators of HWC. The emergency regulations that were adopted in July 2003 are applicable only to transporters and treatment, storage and disposal facilities that handle HWC.

Generators of HWC are required to report missing hazardous wastes of concern by statute but were inadvertently excluded in the regulations adopted in July 2003. DTSC proposes to adopt regulations that will include generators of HWC. The proposed regulations will require a generator to immediately provide a verbal notification, within 24 hours after a HWC has been discovered to be missing during storage or if the amount of waste missing equals or exceeds the reportable quantity specified in the regulations. In addition, the generator of HWC must report missing HWC in writing within five days of discovery.

Name of Public Agency Approving Project: California Environmental Protection Agency,
Department of Toxic Substances Control.

Name of Person or Agency Carrying Out Project: California Environmental Protection Agency,
Department of Toxic Substances Control.

Exempt Status: California Code of Regulations, title 14, article 5, section 15061,
subsection (b)(3). With certainty, these regulations have no possibility of a significant effect on the
environment.

Reasons Why Project is Exempt: These regulations impose more stringent standards for the
security of hazardous wastes of concern during transportation and storage. Thus, the changes result in
improved environmental protection and do not have the potential to cause other adverse environmental effects.

Lead Agency Contact Person: Hortensia Muniz

Telephone: (916) 324-1818

Signature: _____

Date: 1/3/06

Jan Radimsky, P.E., Chief
Program Support Branch
Hazardous Waste Management Program

Date Received for Filing and Posting at OPR: