

### NEGATIVE DECLARATION

Department of Toxic Substances Control  
Brownfields and Environmental Restoration Program  
8800 Cal Center Drive  
Sacramento, CA 95826

Subject:  DRAFT  FINAL  MITIGATED

Project Title: Caltrans Lead Variance

State Clearinghouse No.:

Project Location: Statewide

County: All California Counties

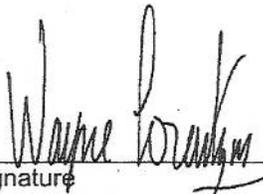
Project Description: The California Department of Toxic Substances Control (DTSC) is proposing to issue a variance that would allow the California Department of Transportation (Caltrans), under specified terms and conditions, to excavate, stockpile, transport, and reuse soil contaminated with low levels of lead that may be encountered during highway improvement projects conducted within existing state-owned highway right of ways. These projects are individually subject to additional environmental impact assessments as required by the California Environmental Quality Act (CEQA) when Caltrans proposes and approves projects for detailed design and construction.

The variance would waive the provisions of Chapter 6.5, Health and Safety Code (H&SC), and Title 22, California Code of Regulations (22 CCR), that would otherwise require Caltrans to obtain a hazardous waste disposal facility permit and to comply with various generator requirements that concern transportation, manifesting, storage and disposal of hazardous waste. The variance would be issued in accordance with H&SC section 25143 and 22 CCR section 66260.210.

Finding Of Significant Effect On Environment: *(An Initial Study supporting this finding is attached.)*

Based on evidence provided in this Initial Study, DTSC makes the following determination: The proposed project COULD NOT HAVE a significant effect on the environment.

Mitigation Measures:



Branch Chief Signature

Wayne Lorentzen

Branch Chief Name

Project Manager

Branch Chief Title

6-30-09

Date

916-255-3883

Phone #

**CALIFORNIA ENVIRONMENTAL QUALITY ACT  
NOTICE OF DETERMINATION**

**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  
Hazardous Waste Management Permitting Team  
8800 Cal Center Drive  
Sacramento, California 95826

**Subject:** FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH SECTION 21108 OR 21152 OF THE PUBLIC RESOURCES CODE

**Project Title:** *California Department of Transportation (Caltrans) Variance for Handling and Reuse of Low-Level Lead-Contaminated Soils*

**State Clearinghouse No.:** 2009042134

**Project Location:** *Statewide*

**County:** *All Counties*

**Project Description:**

*The California Department of Toxic Substances Control (DTSC) is proposing to issue a variance that would allow the California Department of Transportation (Caltrans), under specified terms and conditions, to excavate, stockpile, transport, and reuse soil contaminated with low levels of lead that may be encountered during highway improvement projects conducted within existing state-owned highway right of ways. These projects are individually subject to additional environmental impact assessments as required by the California Environmental Quality Act (CEQA) when Caltrans proposes and approves projects for detailed design and construction.*

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As  Lead Agency  a Responsible Agency under the California Environmental Quality Act (CEQA), DTSC approved the above-described project on [date] and has made the following determinations:

1. The project  will  will not have a significant effect on the environment.
2. A  Negative Declaration  Mitigated Negative Declaration  Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures  were  were not made a condition of project approval.
4. A Statement of Overriding Considerations  was  was not adopted for this project.
5. Findings  were  were not made pursuant to the provisions of CEQA.

This is to certify that the final environmental document, comments and responses, and the record of project approval are available to the public at the following location: **Department of Toxic Substances Control, Hazardous Waste Management Permitting Team, 8800 Cal Center Drive, Sacramento, California 95826**

<u>Wayne Lorentzen</u> Contact Person Name	<u>Hazardous Substances Engineer</u> Contact Person Title	<u>916-255-3883</u> Phone #
<u><i>Mary Kilkala</i></u> Branch Chief Signature	<b>RECEIVED</b> JUL 01 2009	<u>6/30/09</u> Date
<u><i>Beverly Kilkala</i></u> Branch Chief Name	<u>Leader, Operations</u> Branch Chief Title	<u>(916) 255-3746</u> Phone #