

NOTICE OF EXEMPTION

2019100377

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

Project Title: EMERGENCY PERMIT FOR TREATMENT OF HAZARDOUS WASTE, GILEAD SCIENCES, INC., LA VERNE, CALIFORNIA		
Project Address: 1800 Wheeler Avenue	City: La Verne	County: Los Angeles
Project Applicant: Scott Petlick, Senior Environmental Health & Safety Director, Gilead Sciences, Inc.		
Approval Action Under Consideration by DTSC:		
<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):	
Statutory Authority:		
<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 Gilead Sciences, Inc., (EPA ID# CAR000265124) to treat hazardous waste through a controlled reaction with a chemical solution prior to shipment off-site to a permitted treatment, storage, and disposal facility. Specifically, two 1-Liter containers of 1,4 Dioxane, four 4-Liter containers and two 1-Liter containers of Diethyl Ether must be treated. No alternative treatment to controlled chemical reaction is available.

The hazardous wastes items expired and are currently being stored at Gilead Sciences, Inc., in La Verne, 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 wastes on-site prior to transport off-site.

Background:

1,4 Dioxane and Diethyl Ether are highly explosive chemicals. 1,4 Dioxane and Diethyl Ether are temperature and shock sensitive, potentially causing explosions. Further instability can be introduced as the chemical degrades (i.e. after the product's expiration date). Minor concussions may be enough to trigger a reaction in expired 1,4 Dioxane and Diethyl Ether, making transport of the non-stabilized chemicals to be 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 Gilead Sciences, Inc's contractor, Clean Harbors Environmental Services, 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, Phenomenex will submit a final report, signed in accordance with Title 22, California Code of Regulations section 66270.11(d). This report shall include treatment logs or operating record and 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 disposed.

The Emergency Permit is effective from October 23, 2019 through December 23, 2019.

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

Name of Person or Agency Carrying Out Project: Gilead Sciences, Inc

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(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 1,4 Dioxane and Diethyl Ether 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

Matthew Mullinax Project Manager	Hazardous Substances Engineer Title	916-255-6531 Phone No.
 Approver's Signature		10/21/2019 Date
Matthew Mullinax Approver	Hazardous Substances Engineer Title	916-255-6531 Phone No.

TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR:

Governor's Office of Planning & Research

OCT 21 2019

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