

CALIFORNIA ENVIRONMENTAL QUALITY ACT**NOTICE OF EXEMPTION**

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 WASTES, GILEAD SCIENCES INC., FOSTER CITY, CALIFORNIA

Project Location: 324 Lakeside Dr., Foster City, CA, San Mateo County

Project Applicant: Kevin Gripper, Manager, EHS, Gilead Sciences Inc.

Approval Action Under Consideration by DTSC: Emergency Permit

Statutory Authority: California Health and Safety Code, Chapter 6.5

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 (Gilead) (EPA ID# CAR000292847) to treat hazardous waste through a controlled reaction with a chemical solution. The hazardous waste to be treated consists of one 25-gram container of 5-Methyltetrazole.

The hazardous waste item is expired and is currently being stored on the Gilead located at 324 Lakeside Dr., Foster City, CA, CA 94404. 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 prior to transportation off-site by Clean Harbors Environmental Service (CHES).

Background: 5-Methyltetrazole produces shock sensitive compounds as it degrades (i.e. after the product's expiration date). The shock sensitive compounds produced may be unstable at relatively low concentrations, resulting in fire and/or explosion if improperly handled. Static electricity or heating from sunlight may be enough to trigger some reactions, making transport of non-stabilized 5-Methyltetrazole hazardous. Chemical stabilization is recommended prior to transport to a permitted treatment, storage, and disposal facility.

Project Activities: The treatment of the hazardous wastes involves the addition of solution to the container 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 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, Gilead 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 October 13, 2020 and shall expire on January 10, 2021.

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

Name of Person or Agency Carrying Out Project: Clean Harbors Environmental Service on behalf of Gilead

Exempt Status: Emergency Project [PRC, Sec. 21080(b)(4); 14 CCR, Sec.15269(b)(c)]

Reasons Why Project is Exempt: This action is necessary to prevent an emergency. Chemical stabilization of the chemical 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 to the public by appointment at the following location:

Department of Toxic Substances Control
Permitting Division
8800 Cal Center Drive
Sacramento, CA 95826

Contact Person
Hai-Yong Kang

Contact Title
Hazardous Substances Engineer

Phone Number
916-255-6522

Hai-Yong Kang

October 13, 2020

Approver Signature

Date

Approver Name
Hai-Yong Kang

Approver's Title
Hazardous Substances Engineer

Approver's Phone Number
916-255-6522

TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR: