

**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 Waste, Theravance Biopharma, South San Francisco, California

**Project Location:** 901 Gateway Boulevard, South San Francisco, CA 94080

**County:** San Mateo

**Project Applicant:** Michael Hill, Environmental Health and Safety Manager, Theravance Biopharma, 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 Theravance Biopharma, (EPA ID# CAR000063826) to treat hazardous wastes through controlled reactions with chemical solutions. Specifically, 500 milliliters of Methyl Isobutyl Ketone, 4 liters of Cyclopentyl Methyl Ether, 4 liters of 2-Methyltetrahydrofuran, 200 milliliters of Acetaldehyde, 100 milliliters of Tetrahydrofuran, 100 milliliters of Acrylonitrile, 100 milliliters of Ethyl Acrylate, 100 milliliters of Methacrylic Acid, 10 grams of Acrylic Acid, 100 milliliters of t-Butyl Acrylate, 100 grams of 2,2 Azobisisobutyronitrile, 600 milliliters of Borane THF, 25 grams of Sodium Amide, 100 grams of 2,4 Dinitrophenylhydrazine, 25 grams of 5-Amino-1H Tetrazole, and 5 grams of Tetra-n-Butylammonium Azide must be stabilized prior to transport to an authorized hazardous waste treatment, storage, and disposal facility.

These chemicals are currently being stored at Theravance Biopharma located at 901 Gateway Boulevard. 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 storage and eventual transportation off-site by Clean Harbors Environmental Services (CHES).

**Background:**

The chemicals noted above may include peroxide former or peroxide forming monomer. These chemicals produce peroxide compounds as it degrades (i.e., after the product's expiration date). The

peroxide produced may be unstable at low concentrations, resulting in fire and/or explosion if improperly handled. The chemicals noted above also include a shock and/or temperature sensitive material which can decompose or detonate with external energy when dry or concentrated. Solids are also prone to explosive decomposition if ground, for example with pestle and mortar. Static electricity or heating from sunlight may be enough to trigger some reaction, making transport of non-stabilized chemicals 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 solutions to the containers in a controlled manner to reduce the reactive or ignitable characteristics of the chemicals. 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 these items will be in accordance with established standards.

Within 10 business days of the expiration of this permit, Theravance Biopharma 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 wastes generated from this emergency treatment and all generated wastes has been responsibly managed.

The Emergency Permit is effective beginning November 16, 2022 and shall expire on January 16, 2023.

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

**Name of Person or Agency Carrying Out Project:** Clean Harbors Environmental Services

**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 this chemical is necessary prior to transportation to an authorized hazardous waste 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  
File Room  
Permitting Division  
8800 Cal Center Drive  
Sacramento, CA 95826

Contact Person	Contact Title	Phone Number
Matthew Mullinax	Hazardous Substances Engineer	(916) 255-6531

Approver's Signature:

*Matthew Mullinax*

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Date:

November 16, 2022

Approver's Name	Approver's Title	Approver's Phone Number
Matthew Mullinax	Hazardous Substances Engineer	(916) 255-6531

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TO BE COMPLETED BY OPR ONLY

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