

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, California 95812-3044

From: Department of Toxic Substances Control
Permitting Division
8800 Cal Center Drive
Sacramento, California 95826

Project Title: Emergency Permit for Management of Hazardous Waste, Vertex Pharmaceuticals, San Diego, California

Project Location: 3215 Merryfield Row, San Diego, California 92121

County: San Diego

Project Applicant: Christian Florido, Sr. Manager, EHSS

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 (CCR), Title 22, Division 4.5, Chapter 20, Sec. 66270.61, has issued an Emergency Permit to the Vertex Pharmaceuticals (Vertex), (EPA ID# CAR000108043) to treat hazardous wastes through a controlled reaction with chemical solutions. Specifically, two (2) 100-milliliter containers of 2,4-Dinitrophenylhydrazine, one (1) 100-milliliter container of Cyclohexyl Magnesium Chloride (1.3M solution in tetrahydrofuran/toluene), one (1) 100-milliliter container of Lithium Diisopropylamide (2.0M solution in Heptane/tetrahydrofuran), one (1) 50-milliliter container of Methyllithium Solution (1.6M in Diethyl Ether), one (1) 100-milliliter container of Tetrabutylammonium Fluoride Solution (1.0M in tetrahydrofuran), one (1) 100-milliliter container of Chlorophenylmagnesium Bromide Solution (1.0M in Diethyl Ether), one (1) 100-milliliter container of Tert-Butanol, two (2) 500-gram containers of Sodium Ter-Butoxide (20% Solution in tetrahydrofuran), one (1) 100-gram container of 4-Ethylphenylmagnesium Bromide (0.5M in tetrahydrofuran), one (1) 100-gram container of 2-Propylzinc Bromide (0.5M in tetrahydrofuran), one (1) 100-gram container of Cyclobutylzinc Bromide (0.5M in tetrahydrofuran), one (1) 100-gram container of 2-Tert-Butoxy-2-oxoethylzinc bromide (0.5M in Diethyl Ether), one (1) 100-gram container of Vinylzinc Bromide (0.05M in tetrahydrofuran), and one (1) 100-gram container of 3-Phenyl-1-propylzinc bromide (0.5M in tetrahydrofuran) must be stabilized prior to transport to an authorized hazardous waste treatment, storage, and disposal facility.

State of California – California Environmental Protection Agency
Department of Toxic Substances Control

These chemicals are currently being stored at Vertex, located at 3215 Merryfield Row, San Diego, 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 prior to storage and eventual transportation off-site by Veolia Environmental Services (Veolia).

Background: The containers have peroxide formation present on either the inside, outside, or the bottom of the chemicals' containers, as well as the thread container caps. The presence of peroxide formation may be unstable at relatively low concentrations, resulting in fire and/or explosion if improperly handled. DTSC considers these chemicals to be an imminent and substantial endangerment to human health and the environment. Chemical stabilization is recommended prior to transport to a permitted treatment, storage, and disposal facility.

Project Activities: The treatment of these 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 Veolia will be allowed in the exclusion zone. Movement, preparation, and treatment of the containers will be in accordance with established standards.

Within 10 business days of the expiration of this permit, Vertex will submit a final report, signed in accordance with Title 22, CCR Sec. 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 May 22, 2024, and shall expire on July 22, 2024.

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

Name of Person or Agency Carrying Out Project: Veolia Environmental Services

Exempt Status: Emergency Project Public Resources Code (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 chemicals is necessary prior to transportation to an authorized hazardous waste treatment, storage, and disposal facility to prevent accidental fire and/or explosion during transport.

State of California – California Environmental Protection Agency
Department of Toxic Substances Control

The administrative record for this project is available to the public by appointment at the following location:

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

Approver's Name	Approver's Title	Approver's Phone Number
Hai-Yong Kang	Hazardous Substances Engineer	(916) 255-6522

Approver's Signature:

Date:

Hai-Yong Kang

May 22, 2024

TO BE COMPLETED BY OFFICE OF PUBLIC RELATIONS (OPR) ONLY

Date Received for Filing and Posting at OPR: