**Department of Toxic Substances Control**

*Matthew Rodriquez*
Secretary for
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March 29, 2018

Mr. Christopher Agacite
EHS Engineer
Allergan Inc.
2525 Dupont Drive
Irvine, California 92612

EMERGENCY PERMIT FOR TREATMENT OF HAZARDOUS WASTE, ALLERGAN INC., ORANGE COUNTY, EPA ID: CAD38048286

Allergan Inc. (Allergan) has requested an emergency permit from the Department of Toxic Substances Control (DTSC) to allow Clean Harbor Environmental Services (CHES) to treat hazardous waste by controlled reaction with a chemical solution. The hazardous waste to be treated consists of the following items:

| Description | Quantity | Hazard Designation | Container Size |
|---|---|---|---|
| Tetrahydrofuran | 41 | Peroxide Forming Material | 38x100 milliliters, 2x500 milliliters, 1x1 liter |
| Diethyl Ether | 40 | Peroxide Forming Material | 28x100 milliliters, 12x4 liter |
| Tert Butyl Methyl Ether | 3 | Peroxide Forming Material | 2x4 liter, 1x1 liter |
| Ethyl Vinyl Ether | 1 | Peroxide Forming Material | 1x1 liter |
| Ethylene Glycol Dimethyl Ether | 1 | Peroxide Forming Material | 1x1 liter |
| Acetaldehyde | 1 | Peroxide Forming Material | 1x1 liter |
| Diethylene Glycol Monomethvl Ether | 5 | Peroxide Forming Material | 1x4 liter, 1x1 liter, 3x100 milliliter |
| 1,4 Dioxane | 17 | Peroxide Forming Material | 12x100 milliliter, 2x500 milliliter, 3x1 liter |
| 1-Phenyl-1H Tetrazole | 1 | Shock Sensitive Compounds | 1x25 grams |
| 1-Hvdroxvbenzotriazole | 8 | Shock Sensitive Compounds | 7x25 grams 1x50 grams |
| Diphenylphosphoryl Azide | 3 | Shock Sensitive Compounds | 2x25 grams, 1x100 grams |
| Tosyl Azide | 1 | Shock Sensitive Compounds | 1x100 milliliters |

| Description | Quantity | Hazard Designation | Container Size |
|---|---|---|---|
| Benzoyl Peroxide | 2 | Shock/Temperature Sensitive Compound | 2x50 grams |
| 2,2 Azobisisobutyronitrile | 2 | Shock/Temperature Sensitive Compound | 1x100 grams, 1x1 grams |
| Diazald | 3 | Shock/Temperature Sensitive Compound | 3x25 grams |
| 3-Chloroperoxybenzoic Acid | 1 | Shock/Temperature Sensitive Compound | 1x500 grams |

The chemicals listed ab.ave are expired and currently being stored at Allergan located at 2525 Dupont Drive, Irvine, CA 92612. It has been determined that these chemicals may be unstable and should be chemically stabilized as a safety precaution prior to transportation off site by CHES. The treatment of the hazardous waste involves the controlled addition of a solution to the containers to reduce the reactive or ignitable characteristics of the chemicals.

Once the chemicals are treated, they will be transported offsite to a hazardous waste facility. CHES personnel are tentatively scheduled to arrive at the facility between April 5, 2018 and June 4, 2018 to conduct the treatment operation, in an exclusion zone set up and maintained at the location outside the building (see Section 7.0 of the Permit Application).

Based on the authority in Title 22, California Code of Regulations (22 CCR), Division 4.5, Section 66270.61, DTSC finds there to be imminent and substantial endangermentto human health and the environment, and by way of this letter, issues this emergency permit to Allergan. The emergency permit is a temporary measure, which allows Allergan to have CHES personnel treat the chemicals so they can be safely transported offsite for proper management.

This permit is not transferable to any other party and may not be used in any other capacity or for any other activity. This permit may be revoked by DTSC at any time without process if it is determined that termination is appropriate to protect human health and the environment.

The emergency permit is effective beginning April 5, 2018 and shall expire on June 4, 2018. The treatment activities will be conducted by qualified Reactive Materials Technicians from CHES.

The following requirements are specific conditions of this permit. Failure to comply with any of the following conditions may cause an immediate revocation of this permit pursuant to 22 CCR, section 66270.61 (b)(4), and could subject Allergan to enforcement action.

1. The treatment of the items mentioned above must be conducted by qualified personnel from CHES and shall take place within the designated exclusion zone as illustrated in the workplan submitted to DTSC by CHES on March 22, 2018. Only CHES Reactive Material Technicians with proper health and safety equipment and attire shall be allowed within 50 feet of the items during the treatment and during the movement of the items from the storage location to the exclusion zone.
2. Allergan must have a predetermined route from the storage location to the exclusion zone that allows for unobstructed movement for CHES Reactive Material Technicians. Building Management and occupants must be notified of the treatment activity and any occupants must be moved as needed to meet the requirements of permit condition #1.
3. All items to be treated must be appropriately labeled and marked before CHE S personnel arrive to the facility.
4. Allergan must notify the Certified Unified Public Agency (CUPA) and local Fire Department that this emergency permit has been issued by DTSC by the effective date.
5. In the event that Allergan identifies any releases of hazardous waste, Allergan must notify DTSC's Permitting Division orally within 24 hours of discovery.
6. The area must be inspected after treatment to ensure that there is no release of hazardous waste from the area. Any untreated waste must be immediately. retreated or removed.
7. Allergan must allow inspection of records and of the facility by any duly-authorized representative of DTSC, in order to carry out the requirements of Chapter 6.5, Division 20 of the California Health and Safety Code.
8. Only the items listed in the table above may be treated. Additional quantity or type of hazardous waste may be treated if they follow the same treatment procedures listed in the March 22, 2018 workplan submitted to DTSC by CHES. Allergan must notify and request authorization from DTSC for any additional items that are discovered and that require a treatment process not described in the workplan.
9. The issuance of this Permit by DTSC does not release Allergan from any liability or duty imposed by federal or state statutes or regulations, or local ordinances. Allergan must obtain permits required by other governmental agencies, including but not limited to, the applicable land use planning, zoning, air quality, and water quality laws for the treatment operations.
10. Within 10 business days following the expiration of this permit or the execution of the treatment operation in whichever is shorter, Allergan must submit a report signed, in accordance with Title 22 CCR, section 66270.11(d) to DTSC and the overseeing Certified Unified Program Agency (CUPA). The report must contain following certification statement, "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly

gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The report must state whether the treatment area has been cleared of all residual hazardous waste generated from this emergency treatment, and if all waste has been properly managed. The report must also contain a list of all the hazardous waste that was treated by CHES and a description of any deviations from the established guidelines of this emergency permit, or information submitted to DTSC.

This emergency permit is effective beginning April 5, 2018 and shall expire on June 4, 2018.

If you have any questions, please contact me at (916) 255-6559 or parisa.khosraviani@dtsc.ca.gov

Sincerely,

Parisa Khosraviani
Hazardous Substance Engineer
Permitting Division
Hazardous Waste Management Program

cc: (via e-mail)

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