

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**ADDENDUM NO. 1
TO
ORDER NO. R9-2003-0140
NPDES PERMIT NO. CA0109193**

**WASTE DISCHARGE REQUIREMENTS
FOR
IDEC PHARMACEUTICALS CORPORATION
NEW IDEC MANUFACTURING OPERATIONS (NIMO)
SAN DIEGO COUNTY**

**DISCHARGE TO THE PACIFIC OCEAN THROUGH
THE OCEANSIDE OUTFALL VIA
OCEANSIDE LAND OUTFALL**

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Water Board), finds that:

1. On August 13, 2003, this Regional Water Board adopted Order No. R9-2003-0140, National Pollutant Discharge Elimination System (NPDES) permit No. CA0109193, Waste Discharge Requirements for IDEC Pharmaceuticals Corporation (IDEC). Order No. R9-2003-0140 establishes the requirements for the discharge of up to 155,000 gallons per day of combined discharges of brine and other wastes associated with water softening and purification processes and non-industrial maintenance type activities (including cooling tower, boiler, and vapor compression still blowdowns) at the New IDEC Manufacturing Operations (NIMO) facility in Oceanside. The waste discharges regulated under the NPDES permit are routed to the Pacific Ocean through the Oceanside Ocean Outfall (OOO) via the Oceanside Land Outfall (OLO).
2. By letter dated June 22, 2005, the Regional Water Board was notified that IDEC Pharmaceuticals Corporation has had a change in ownership and facility name for its New IDEC Manufacturing Operations (NIMO) in Oceanside, San Diego County. The change in ownership is from IDEC Pharmaceuticals Corporation to Genentech, Inc. and facility name change from New IDEC Manufacturing Operations (NIMO) to Genentech NIMO Facility.
3. Pursuant to the *Purchase and Sale Agreement and Joint Escrow Instructions by and between Biogen Idec Inc. and Genentech, Inc.*, the effective transfer date of ownership ("Transfer Date"), operation and transfer of permits of the facility from NIMO to Genentech NIMO Facility was June 23, 2005. In accordance with the *Reporting Requirements*, Section E.4 of Order No. R9-2003-0140, the date for transfer of the Order's responsibility and coverage between IDEC and Genentech, Inc. was June 23, 2005.

4. The issuance of this Addendum is exempt from the requirement for preparation of environmental documents under the California Environmental Quality Act (Public Resources Code, Division 13, Chapter 3, Section 21000 et seq.) in accordance with the California Water Code, Section 13389.
5. The Regional Water Board has notified the previous and new discharger and all known interested parties of its intent to amend Order No. R9-2003-0140.

IT IS HEREBY ORDERED, that:

1. All references to the IDEC Pharmaceuticals Corporation in Order No. R9-2003-0140 and addenda thereto shall henceforth refer to Genentech, Inc. as the entity subject to regulation under Order No. R9-2003-0140.
2. All references to the New IDEC Manufacturing Operations (NIMO) in Order No. R9-2003-0140 and addenda thereto shall henceforth refer to the Genentech NIMO Facility.
3. Genentech, Inc is liable for any violation on and after the transfer date of June 23, 2005 pursuant to Section A-Transfer of Facility Permits of the *Purchase and Sale Agreement and Joint Escrow Instructions by and between Biogen Idec Inc. and Genentech, Inc.*

I, John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Addendum adopted by the California Regional Water Quality Control Board, San Diego Region, on February 8, 2006.



JOHN H. ROBERTUS
Executive Officer