

4.6 HAZARDS AND HAZARDOUS MATERIALS

4.6.1 INTRODUCTION

This section describes known and potentially hazardous materials conditions in the vicinity of the project area, related potentially significant adverse public health impacts anticipated as a result of the proposed project, and known fire hazards and includes mitigation measures for the impacts as appropriate. This section is based on the Preliminary Environmental Screening prepared by EnviroDetics, Inc. (2005).

For purposes of this PEIR, hazardous materials are defined as substances with certain chemical and physical properties that could pose a substantial present or future hazard to human health or the environment if improperly handled, stored, disposed, or otherwise managed. If improperly handled, hazardous materials can result in public health hazards through human contact with contaminated soils or groundwater or through airborne releases in vapors, fumes, or dust.

4.6.2 EXISTING ENVIRONMENTAL SETTING

The project area and surrounding properties contain sites where hazardous materials are generated, stored, handled, and/or treated, including sites of existing and past land uses that used, stored, and disposed of hazardous materials and wastes, including gasoline service stations, auto repair facilities, and dry cleaning facilities.¹ These facilities are discussed in detail below. In addition, past transport, handling, and storage of fuels and other hazardous materials associated with such uses may have resulted in soil or groundwater contamination in the project vicinity.

Contaminated Sites from Prior Known Hazardous Material Releases

Soil and groundwater can become contaminated by hazardous material releases in a variety of ways, including permitted or illicit use and accidental or intentional disposal or spillage. Before the 1980s, most land disposal of chemicals was unregulated, with the result that numerous industrial properties and public landfills became dumping grounds for unwanted chemicals. The largest and most contaminated of these sites, in general, became federal Superfund sites in the early 1980s, so named for their eligibility to receive cleanup money from a federal fund established for that purpose under CERCLA. Sites are added to the National Priorities List (NPL) according to a hazard ranking system. The USEPA maintains this list of federal Superfund sites, as well as a more extensive list of all sites with potential to be listed known as CERCLIS.

Numerous smaller properties also have been designated as contaminated sites. Often these are gasoline station sites, where leaking underground storage tanks were upgraded under a federal requirement in the late 1980s. Another category of sites known as "Brownfield Sites" are previously

¹ EnviroDetics, Inc. Preliminary Environmental Screening: Peninsula Village, Rolling Hills Estates, CA 90274.

used and often abandoned sites that because of actual or suspected contamination, are undeveloped or underused. Both the USEPA and DTSC maintain lists of known Brownfields sites. These sites are often difficult to inventory due to their owners' reluctance to publicly label their property as potentially contaminated. Uncertainty as to cleanup levels and ultimate cleanup cost has stalled effective reuse of Brownfields sites by existing property owners. State legislation (SB 32, Escutia) adopted in 2001 establishes a locally-based program to help speed the cleanup and reuse of Brownfields sites.

According to the environmental agency database search contained in the Preliminary Environmental Screening provided by EnviroDetics, Inc. (EDI), there are seven dry-cleaning establishments, one auto repair/car wash facility, and four active leaking underground storage tanks (LUSTs) within the project limits, as well as one former LUST site that has evidence of Recognized Environmental Conditions.¹ Figure 4.6.1, Sites with Recognized Environmental Conditions, displays the locations of sites that have evidence of recognized environmental concerns. Table 4.6.A lists the cases of known or suspected hazardous material releases, including case type, assessor's parcel number (APN), address, and tenant. The site numbers correspond with the locations on Figure 4.6.1.

Building Materials

Existing buildings in the project area could contain lead-based paint (LBP), asbestos-containing materials (ACM), polychlorinated biphenyls (PCBs), and/or other hazardous materials.

Lead-Based Paint (LBP). Lead is a highly toxic metal that may cause a range of health effects, from behavioral problems and learning disabilities to seizures and death. Children six years old and under are most at risk because their bodies are still developing. Lead was used in commercial and residential paints prior to 1978 until the U.S. Consumer Product Safety Commission banned the sale of LBP to consumers and the use of LBP in residences and other areas where consumers have direct access to painted surfaces.

Lead is also regulated as a hazardous air pollutant and a hazardous waste. Demolition or renovation of structures that contain LBP has the potential to release hazardous concentrations of lead into the air, soil, or surface waters.

As shown in Table 4.6.B, many of the buildings in the project area were constructed prior to 1978 and therefore have the potential to contain LBP.

¹ The presence or likely presence of any regulated substance or pesticide under conditions that indicate a release, threatened release, or suspected release of any regulated substance or pesticide at, on, to, or from a remediation site into structures, surface water, sediments, groundwater, soil, fill or geologic materials. The term shall not include de minimis conditions that do not present a threat to human health or the environment.
http://iaspub.epa.gov/trs/trs_proc_qry.navigate_term?p_term_id=5917&p_term_cd=TERM
Accessed 05/15/06.

Table 4.6.A: Known or Suspected Hazardous Material Releases within the Project Site

Site Number	Case Type	Address	Tenant	Status
1	Dry cleaning facility	27301 Hawthorne Boulevard	Diegleman Garment Cleaning 1-Hr Martinizing (former)	Potential for release
1	Dry cleaning facility	27341 Hawthorne Boulevard	Diegleman Garment Cleaning 1-Hr Martinizing	Potential for release
2	Dry cleaning facility	857 Silver Spur Road	Gallerie Cleaners (North-front portion)	Potential for release
2	Dry cleaning facility	865 Silver Spur Road	Gallerie Cleaners (South-rear portion)	Potential for release
3	Dry cleaning facility	18 Peninsula Center	Star Bright Cleaners	Potential for release
4	Dry cleaning facility	700 Deep Valley Drive	Cleaners	Potential for release
5	Dry cleaning facility	758 Silver Spur Road	Unique Cleaners	Potential for release
6	Dry cleaning facility	660 Silver Spur Road	Elegance Cleaners	Potential for release
7	Dry cleaning facility	600 Deep Valley Drive	Courtesy Cleaners (Rear-south portion)	Potential for release
8	Auto repair/car wash	627 Deep Valley Drive	PV Auto Care, Inc.	Closed LUST case; case closed for diesel, gasoline, and solvent releases; current underground storage tank
9	Leaking underground storage tank	27301 Hawthorne Boulevard	Arco No. 3005	Remediation and groundwater monitoring in progress
10	Leaking underground storage tank	828 Silver Spur Road	Vacant Land (Former Arco No. 6087)	Pollution characterization
11	Leaking underground storage tank	413 Indian Peak Road	L.A. County Fire Station No. 1006	Leak being confirmed
12	Historical leaking underground storage tank	601 Silver Spur Road	Medical Office (Former Glendale federal property LUST site)	LUST case closed; potential for release

Source: EnviroDetics, Inc. Preliminary Environmental Screening.

Table 4.6.B: Potential for LBP or ACM in Buildings in the PVOZ

Address	Year Built	Presence of LBP or ACM
638 Silver Spur Rd..	1964	Presumed presence of LBP and ACM
672 Silver Spur Rd.	1964	Presumed presence of LBP and ACM
700 Silver Spur Rd.	1963	Presumed presence of LBP and ACM
734 Silver Spur Rd.	1989	Suspected presence of ACM
736 Silver Spur Rd.	1963	Presumed presence of LBP and ACM
758 Silver Spur Rd.	1970	Presumed presence of LBP and ACM
770 Silver Spur Rd.	1978	Presumed presence of ACM
810 Silver Spur Rd.	1976	Presumed presence of LBP and ACM
801 Silver Spur Rd.	1970	Presumed presence of LBP and ACM
815 Silver Spur Rd.	1971	Presumed presence of LBP and ACM
837 Silver Spur Rd.	1970	Presumed presence of LBP and ACM
857 Silver Spur Rd.	1970	Presumed presence of LBP and ACM
865 Silver Spur Rd.	1970	Presumed presence of LBP and ACM
000 Silver Spur Rd.*	1970	Presumed presence of LBP and ACM
935 Silver Spur Rd.	1969	Presumed presence of LBP and ACM
000 Silver Spur Rd.*	1969	Presumed presence of LBP and ACM
901 Silver Spur Rd.	1970	Presumed presence of LBP and ACM
601 Silver Spur Rd.	1987	Suspected presence of ACM
600 Deep Valley Dr.	1978	Presumed presence of ACM
600 Deep Valley Dr.	1978	Presumed presence of ACM
707 Silver Spur Rd.	1962	Presumed presence of LBP and ACM
700 Deep Valley Dr.	1968	Presumed presence of LBP and ACM
715 Silver Spur Rd.	1961	Presumed presence of LBP and ACM
727 Silver Spur Rd.	1962	Presumed presence of LBP and ACM
727 Silver Spur Rd.	1962	Presumed presence of LBP and ACM
735 Silver Spur Rd.	1963	Presumed presence of LBP and ACM
777 Silver Spur Rd.	1961	Presumed presence of LBP and ACM
655 Deep Valley Dr.	1975	Presumed presence of LBP and ACM
701 Deep Valley Dr.	1979	Presumed presence of ACM
827 Deep Valley Dr.	1972	Presumed presence of LBP and ACM
927 Deep Valley Dr.	1961	Presumed presence of LBP and ACM
981 Silver Spur Rd.	1974	Presumed presence of LBP and ACM
27916 Silver Spur Rd.	1966	Presumed presence of LBP and ACM
27900 Silver Spur Rd.	1962	Presumed presence of LBP and ACM
608 Silver Spur Rd.	1963	Presumed presence of LBP and ACM
828 Silver Spur Rd.	1968	Presumed presence of LBP and ACM
627 Deep Valley Dr.	1970	Presumed presence of LBP and ACM
924 Indian Peak Rd	1981	Presumed presence of ACM
683 Deep Valley Dr.	1980	Presumed presence of ACM
950 Indian Peak Rd	1980	Presumed presence of ACM
955 Deep Valley Dr.	1961	Presumed presence of LBP and ACM
000 Deep Valley Dr.*	1975	Presumed presence of LBP and ACM

Source: Cultural Resources Assessment (LSA 2006).

* No address number is listed in the County Assessor's data.

Asbestos-Containing Materials. The presence of ACM in a building does not necessarily mean that the building poses a health hazard.¹ In many cases, asbestos within buildings is inaccessible or sealed within another material, and thus unable to cause a health hazard.² However, asbestos fibers can be released during building renovation or demolition unless proper precautions are taken. Studies have demonstrated that inhalation of asbestos fibers may lead to increased risk of developing respiratory or abdominal cancers. There is no known safe level of exposure. The removal, handling, transport, and disposal of ACM is heavily regulated at the federal, State, and local levels. These regulations are designed to minimize any exposure of on-site employees (e.g., construction workers) and the general public to asbestos. The USEPA provides asbestos standards. The federal OSHA and its state counterpart, CalOSHA, regulate the various aspects of ACM removal, handling, and disposal to ensure worker safety. Transport and disposal of ACM is also regulated.

Federal OSHA requires untested materials to be presumed to contain asbestos for buildings constructed prior to 1981. Per OSHA regulation 29 CFR 1926.1101 (Asbestos) (k) (Communication of Hazards), thermal system insulation, surfacing material, and asphalt/vinyl flooring that are present in a building constructed prior to 1981 and have not been analytically tested in accordance with 29 CFR 1926.1101 (k) (5) and determined to be non-ACM, are to be classified as presumed ACM. Buildings constructed between 1981 and 1995 are to be considered as “suspected to contain asbestos.”

Demolition or renovation of structures that contain ACM has the potential to release asbestos into the air, soil, or surface waters. Buildings within the project area that have the potential to contain ACM are shown in Table 4.6.B.

Polychlorinated Biphenyls (PCBs). PCBs are mixtures of synthetic organic chemicals with the same basic chemical structure and similar physical properties ranging from oily liquids to waxy solids. Due to their nonflammability, chemical stability, high boiling point, and electrical insulating properties, PCBs were used in hundreds of industrial and commercial applications including electrical, heat transfer, and hydraulic equipment; as plasticizers in paints, plastics, and rubber products; in pigments, dyes, carbonless copy paper, and many other applications.³ More than 1.5 billion pounds of PCBs were manufactured in the United States prior to cessation of production in 1977.⁴

Concern over the toxicity and persistence in the environment of polychlorinated biphenyls (PCBs) led Congress in 1976 to enact §6(e) of the TSCA that included, among other things, prohibitions on the manufacture, processing, and distribution in commerce of PCBs. Thus, TSCA legislated true “cradle to grave” (i.e., from manufacture to disposal) management of PCBs in the United States.

PCBs have been demonstrated to cause a variety of adverse health effects.⁵ PCBs have been shown to cause cancer in animals. PCBs have also been shown to cause a number of serious noncancer health effects in animals, including effects on the immune system, reproductive system, nervous system,

¹ USEPA Web site, <http://www.epa.gov>.

² Ibid.

³ USEPA Web site, <http://www.epa.gov>.

⁴ Ibid.

⁵ Ibid.

endocrine system, and other health effects. Studies in humans provide supportive evidence for potential carcinogenic and noncarcinogenic effects of PCBs. The different health effects of PCBs may be interrelated, as alterations in one system may have significant implications for the other systems of the body.

Wildfire Hazards

According to the Hazard Management Overlay Zone and Fire Hazard Management graphic presented in the City's Public Safety Element of the General Plan, Exhibit 8-7, the project site is located in an area where fire hazards are present (refer to Figure 4.6.2). In addition, the City and surrounding cities are located in a very high fire hazard and severity zone, according to the California Division of Forestry and Fire Protection. The City, including the project area, is also located in an wildland/urban interface, as described by the City's Joint Natural Hazards Mitigation Plan, due to the largely urbanized City's inclusion of islands of wildland vegetation. Certain conditions must be present for significant interface fires to occur. The most common conditions include: hot, dry, and windy weather; the inability of fire protection forces to contain or suppress the fire; the occurrence of multiple fires that overwhelm committed resources; and a large fuel load (dense vegetation).

4.6.3 REGULATORY SETTING

Federal Regulations

Toxic Substances Control Act (TSCA). The Toxic Substances Control Act (TSCA) of 1976 was enacted by Congress to give the United States Environmental Protection Agency (USEPA) the ability to track the 75,000 industrial chemicals currently produced or imported into the United States (US). USEPA repeatedly screens these chemicals and can require reporting or testing of those that may pose an environmental or human health hazard. USEPA can ban the manufacture and import of those chemicals that pose an unreasonable risk.

Also, USEPA has mechanisms in place to track the thousands of new chemicals that industry develops each year with either unknown or dangerous characteristics. USEPA then can control these chemicals as necessary to protect human health and the environment. TSCA supplements other federal statutes, including the Clean Air Act.

Resource Conservation and Recovery Act (RCRA). Hazardous waste generation, storage, treatment, and disposal is regulated by the USEPA (see 40 CFR, Parts 238–282) pursuant to RCRA. The regulations define hazardous waste: "According to USEPA estimates, of the 13 billion tons of industrial, agricultural, commercial, and household wastes generated annually, more than 27 million tons (2 percent) are hazardous, as defined by RCRA regulations."¹ The regulations specify requirements for generators, including waste minimization methods, as well as for transporters and for treatment, storage, and disposal (TSD) facilities. The regulations include restrictions on land disposal of wastes and used oil management standards.

¹ United States Environmental Protection Agency. (September 1997). *RCRA: Reducing risk from waste (EPA530-K-97-004)*. Retrieved November 5, 2003, from <http://www.epa.gov/epaoswer/general/risk/risk.txt>.

The principle of RCRA is that hazardous waste be managed “from cradle to grave.” To ensure that this occurs, the regulations require identification for generators and transporters and permits for TSD facilities. The regulations provide mechanisms for tracking waste shipments, such as special hazardous waste manifests that must be used for shipping. The regulations also require financial assurances through closure and postclosure for facilities that accept waste for disposal. The statute and regulations provide for inspection, enforcement, and formal corrective action for facilities that do not live up to the terms of their permits and other requirements. In California, the Department of Toxic Substances Control (DTSC) is authorized by the USEPA to implement most of the RCRA regulations.

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

Contaminated site identification and cleanup activities at the federal level are limited to sites that have been placed on the National Priorities List (the “Superfund” list) due to the hazard they represent. Generally, these are large, extensive, or particularly high-risk sites. These sites receive funding for remediation under CERCLA.

State Regulations

The California Hazardous Waste Control Law. The Hazardous Waste Control Law (HWCL) is the primary hazardous waste statute in the State of California. The HWCL implements RCRA as a “cradle-to-grave” waste management system in the State of California. HWCL specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure their proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reused as raw materials. The HWCL exceeds federal requirements for permitting facilities that treat hazardous waste. It also regulates a number of types of wastes and waste management activities that are not covered by federal law with RCRA.

California Code of Regulations (CCR). Most State and federal regulations and requirements that apply to generators of hazardous waste are disclosed in CCR, Title 22, Division 4.5. Title 22 contains the detailed compliance requirements for hazardous waste generators, transporters, and TSD facilities. Most RCRA regulations (those contained in 40 CFR 260 et seq.) have been duplicated and integrated into Title 22. However, because DTSC regulates hazardous waste more stringently than the USEPA, the integration of California and federal hazardous waste regulations that make up Title 22 do not contain as many exemptions or exclusions as does 40 CFR 260. California compiled the hazardous materials, waste, and toxics-related regulations contained in CCR, Titles 3, 8, 13, 17, 19, 22, 23, 24, and 27 into one consolidated CCR Title 26, Toxics. However, the California hazardous waste regulations are still commonly referred to as Title 22.

Regulatory Agencies

USEPA. The USEPA, Region IX, regulates chemical and hazardous materials use, storage, treatment handling, transport, and disposal practices; protects workers and the community (along with California Occupational Safety and Health Administration [CalOSHA]); and integrates the federal Clean Water Act and Clean Air Act into California legislation.

Federal OSHA. The federal OSHA establishes and enforces regulations related to the health and safety of workers exposed to toxic and hazardous materials. In addition, OSHA sets health and safety guidelines for construction activities and manufacturing facility operations.

California OSHA. CalOSHA is responsible for promulgating and enforcing health and safety standards and implementing federal OSHA laws.

State of California Water Resources Control Board. The State Water Resources Control Board (SWRCB), through the Regional Water Quality Control Board (RWQCB), Los Angeles Region, protects surface and groundwater quality from pollutants discharged or threatened to be discharged to the waters of the State. The RWQCB issues and enforces National Pollutant Discharge Elimination System (NPDES) permits.

California Department of Toxic Substances Control. The California Environmental Protection Agency (Cal EPA), Department of Toxic Substances Control, regulates hazardous substances and wastes, oversees remedial investigations, protects drinking water from toxic contamination, and warns the public exposed to listed carcinogens.

South Coast Air Quality Management District. The South Coast Air Quality Management District (SCAQMD) is responsible for the permitting of industrial air emissions and sets and enforces air quality standards.

County of Los Angeles Fire Department. The County of Los Angeles Fire Department, Health Hazardous Materials Division, is a State-Certified Unified Program Agency (CUPA) and implements program elements that address hazardous materials business plans, underground storage tanks, aboveground storage tanks, the risk management prevention program for acutely hazardous materials, Uniform Fire Code requirements, and hazardous waste on-site treatment by generators.

City of Rolling Hills Estates. The City of Rolling Hills Estates manages hazards and hazardous materials through the General Plan Safety Element Joint Natural Hazards Mitigation Plan and the City's Zoning Ordinance. Relevant policies and programs are listed below.

Issue: Disaster Preparedness

- Plan and provide for the occurrence of disasters and emergencies. (Public Safety Element, Goal 3)
- Develop and coordinate medical assistance procedures in the event of a major disaster. (Public Safety Element, Policy 3.1)

- Inventory and, where necessary, acquire supplemental disaster communication equipment and other equipment, tools, and supplies. (Public Safety Element, Policy 3.2)
- Ensure that adequate provisions are made to supply drinking water for extended periods of time in the event of a major disaster. (Public Safety Element, Policy 3.3)
- Ensure that the City Hall maintains a current emergency supply of water, food, blankets, and first aid to provide all employees for a 3 day period (Public Safety Element, Policy 3.5)
- Support the development and further implementation of a peninsula-wide disaster plan (Public Safety Element, Policy 3.7)
- Increase public awareness of City emergency response plans, evacuation routes and shelters, and in ways to reduce risks at the home and office. (Public Safety Element, Policy 3.8)
- Establish and maintain a Multi-Hazard Functional Plan, mutual aid agreement with neighboring jurisdictions, and coordinate with the American Red Cross and Los Angeles County Fire, Sheriff, and Public Social Services to develop specific plans for responding to emergencies. (Public Safety Element, Policy 3.9)
- Coordinate emergency planning efforts with building managers of high-occupancy facilities, dependent care centers (nursing homes, day care centers, etc.) and critical facilities located in the City to facilitate emergency response (Public Safety Element, Policy 3.10)
- Integrate the goals and action items from the RPV/RHE Natural Hazards Mitigation Plan into existing regulatory documents and programs, where appropriate (Public Safety Element, Policy 3.11)

Issue: Hazardous Materials

- Reduce the potential for hazardous waste contamination in the City. (Public Safety Element, Goal 6)
- Restrict the travel of vehicles carrying hazardous material through the City. (Public Safety Element, Policy 6.1)
- Monitor and limit the use and production of hazardous materials by businesses and industries in the City. (Public Safety Element, Policy 6.2)
- Ensure that no hazardous materials are dumped in Chandler Quarry landfill or in any other areas of the City. (Public Safety Element, Policy 6.3)
- Support County Hazardous Materials Management Plan objectives and enforcement of current Fire Code regulations regarding the storage of hazardous materials. (Public Safety Element, Policy 6.5)
- Work to promote safe use and disposal of household hazardous wastes. (Public Safety Element, Policy 6.6)

Issue: Wildfire

- Encourage development and dissemination of information relating to the fire hazard to help educate and assist builders and homeowners in being engaged in wildfire mitigation activities,

and to help guide emergency services during response. (Joint Natural Hazards Mitigation Plan, Wildfire Action Item WF No.3-1)

- Increase communication, coordination, and collaboration between wildland/urban interface property owners, local planners, and fire prevention crews and officials to address risks, existing mitigation measures, and federal assistance programs. (Joint Natural Hazards Mitigation Plan, Wildfire Action Item WF No.3-2)
- Encourage implementation of wildfire mitigation activities in a manner consistent with the goals of promoting sustainable ecological management and community stability. (Joint Natural Hazards Mitigation Plan, Wildfire Action Item WF No.3-3)

4.6.4 METHODOLOGY

Project impacts related to hazards and hazardous materials were evaluated based on existing and proposed land uses within the proposed Peninsula Village Overlay Zone and the potential to expose sensitive receptors, including residents and construction workers, as well as the surrounding environment to hazards or hazardous materials during construction activities and after development/redevelopment of properties. A Preliminary Environmental Screening (Appendix E) was prepared to determine any existing hazardous waste issues related to former or current operations within the project limits and in the surrounding vicinity. Based on the findings of the screening, impacts were evaluated and mitigation measures were developed to address recognized environmental concerns as well as use and disposal of hazardous materials.

4.6.5 THRESHOLDS OF SIGNIFICANCE

The City of Rolling Hills Estates has established significance criteria for determining the severity of environmental impacts. These thresholds are consistent with and expand upon the CEQA Guidelines, Appendix G. According to the City's CEQA thresholds, the project's effects on hazards and hazardous materials would be considered significant if it would:

- Be located in the Hazard Management Overlay Zone
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan
- Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

4.6.6 IMPACTS AND MITIGATION MEASURES

Less Than Significant Impacts

No less than significant impacts were identified.

Potentially Significant Impacts

Hazards Management Overlay Zone/Fire Hazard. As previously described, the project site is located in an area where high fire hazards are present according to the City's Hazard Management Overlay Zone. This is due to the proximity of the project site to certain vegetation types that are susceptible to fire. The project site is also located in an area susceptible to landslides. Landslides are discussed in Section 4.5, Geology and Soils.

The existing proposed overlay would allow residential uses within a fire hazard area where this land use does not currently exist. The proposed project, however, would not increase the fire hazards present in the project area beyond existing conditions since the project area is primarily developed with urban uses. Development within District 4 would be constructed on slopes with vegetation, thus reducing the potential for wildland fires in this area. All development within the PVOZ would still be required to comply with the County Fire Code and is subject to review and approval by the County Fire Department to reduce the susceptibility of proposed structures to fire. As stated in the General Plan Public Safety Element, development is allowed in a fire hazard area if certain conditions are met. Therefore, compliance with these conditions (Mitigation Measure 4.6-1) would prevent significant impacts related to fire hazards with implementation of the proposed project.

Because the Mixed-Use Overlay allows uses similar to the proposed overlay, impacts related to fire hazards would be similar to that of the proposed project.

Hazardous Materials Sites and Contamination. According to the Preliminary Environmental Screening (Appendix E) there are ten dry-cleaning establishments, one auto repair/car wash facility, and four active leaking underground storage tanks (LUSTs) within the project limits, as well as one former LUST site. These sites are considered hazardous pursuant to Government Code Section 65962.5. It is likely that the dry-cleaning establishments on the project site have historically utilized a chemical solvent known as perchloroethylene (perc) to clean fabrics.¹ Due to the high mobility of perc, and its ability to pass through concrete, even incidental spills or minor past releases at the facilities can impact the subsurface. In addition, there are four LUSTs that are either undergoing remediation or undergoing pollution characterization within the project limits, as well as a former LUST site. These LUSTs are related to current or former gasoline service stations or fueling operations and the associated hazardous materials including gasoline and automotive chemicals.

Although two decades have passed since federal and State laws were adopted providing for remediation of potential hazardous waste sites, it is unlikely that all contaminated sites have been identified due to continuously changing businesses and land uses that use hazardous materials. It is possible that demolition or the expansion of existing facilities or site grading would encounter previously unidentified contaminated properties, including but not limited to unknown soil and groundwater contamination, as well as asbestos-containing materials and lead-based paints based on the build dates of the existing structures.

¹ Envirotectics, Inc., Preliminary Environmental Screening, 2005.

There is the potential for construction activities within the project area to result in human and environment exposure to hazardous materials from unknown sources or hazardous sites identified in Table 4.6.B. As discussed in Section 4.6.1, there are numerous federal and State regulations that govern the generation, handling, and disposal of hazardous materials. The purpose of these regulations is to protect human health and the environment from adverse impacts associated with hazardous materials. Therefore, compliance with these regulations as set forth in Mitigation Measure 4.6-2 would reduce any hazardous material exposure impacts during construction or occupation of the proposed development to a less than significant level.

Because the Mixed-Use Overlay allows new development and redevelopment similar to that of the proposed project, impacts related to existing hazardous sites and contamination would be similar to that of the proposed project.

Emergency Response or Evacuation Plan. The proposed project has the potential to cause short-term interference with existing emergency response plans because construction activities within the Overlay Zone could involve roadway detours and closure of existing driveways currently utilized for access by emergency vehicles or used as an evacuation route. This potential impact is no different than that associated with development under the existing Mixed-Use Overlay. A project-level traffic management plan would identify emergency routes consistent with the City's Multi-Hazard Functional Plan (MHFP) so that emergency response or evacuation routes would not be significantly impacted by construction activities within the project area. Implementation of a City-approved traffic management plan for each project within the overlay zone, to ensure that emergency vehicles will continue have to access to the project site during construction and that all evacuation routes will remain open during construction activities, as described in Mitigation Measure 4.13-x in Section 4.13, would reduce potential short-term emergency response or evacuation plan impacts to a less than significant level.

Because the Mixed-Use Overlay allows new development and redevelopment similar to that of the proposed project, impacts related to short-term emergency response or evacuation would be similar to that of the proposed project.

Mitigation Measures

- 4.6-1** Prior to approval of any new project or issuance of grading or building permits for existing structures, each applicant for a project within the Peninsula Overlay Zone shall:
- Undergo a preliminary environmental assessment to determine the nature of additional study required with respect to fire hazards
 - Provide an evaluation of wildfire risk by a knowledgeable professional to determine the nature and extent of risk. Evidence of any required mitigation monitoring shall be submitted to the City Planning Department and County Fire Department for review and approval.
- 4.6-2** Prior to approval of any new project, or issuance of grading or building permits for existing structures, each applicant for a project within the Peninsula Overlay Zone shall retain an

environmental professional to conduct a Phase I Environmental Site Assessment in accordance with current USEPA standards to determine whether disturbance of existing structures would release hazardous materials into the environment. Structures shall be surveyed for asbestos, lead-based paint, PCBs, and other common hazardous materials prior to renovation or demolition activities by qualified environmental professionals. The applicant shall comply with all applicable existing local, State, and federally mandated site assessment, remediation, removal, and disposal requirements for, but not limited to, soil, surface water, groundwater contamination, asbestos, LBP, and PCBs. The Phase I assessment shall be provided to the Planning Director for his/her review and approval.

Level of Significance after Mitigation

As discussed above, mitigation measures for fire hazards, hazardous materials, and emergency response or evacuation plans would reduce potential impacts to less than significant levels.

4.6.6 CUMULATIVE IMPACTS

The hazards and hazardous materials cumulative study area considered for cumulative impacts consisted of (1) the area that could be affected by proposed project activities, and (2) the areas affected by other projects whose activities could directly or indirectly affect the presence or fate of hazards or hazardous materials on site. In general, only projects occurring adjacent to or very close to the project site are considered due to the limited potential impact area associated with on-site hazards or the release of hazardous materials into the environment.

The proposed project would not cumulatively contribute to hazardous material or hazard impacts in the region since future development within the Peninsula Village Overlay Zone would comply with all federal, State, and local regulations concerning the storage and handling of hazardous materials and/or waste.

With the exception of renovation/demolition of existing buildings that could release airborne lead or asbestos, the proposed project would not create potential significant cumulative impacts off site. Renovation and demolition activities are overseen by the City, the County Fire Department, and the South Coast Air Quality Management District (SCAQMD). Compliance with existing regulations for all renovation/demolition activities is required to prevent the release of hazardous pollutants.

The proposed project would not cumulatively contribute to wildland fire hazards because it would include the conversion of fire-susceptible vegetation to urban uses and approved landscaping.

Potential cumulative emergency response or evacuation plan impacts would be limited to the PVOZ and surrounding roadways. Other projects within the City or bordering cities would be required to implement traffic management plans similar to that of the proposed project. With traffic management plans in place, cumulative impacts regarding these issues would not be significant.

Therefore, with implementation of the requirements stipulated in Mitigation Measures 4.6-1, 4.6-2, and 4.13.X for the project and other cumulative projects, the impacts of the proposed project in

combination with reasonably foreseeable projects in the surrounding areas would not significantly affect people or the environment due to exposure to hazardous materials or hazards.

4.6.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION

There are no significant unavoidable adverse hazards or hazardous materials impacts associated with the proposed project.