IV. Environmental Impact Analysis

E. Hazards and Hazardous Materials

1. Introduction

This section analyzes the Project's potential hazards and hazardous materials impacts that could occur during construction and operation. This analysis is based on the information provided in the Partner Engineering and Science, Inc., *Phase I Environmental Site Assessment Report, 676 Mateo Street* (Site Assessment) and the Methane Specialists, *Site Methane Investigation Report for: 8-story mixed use project with 3 subterranean levels 676 S. Mateo Street, Los Angeles, CA – 90021* (Methane Report). These reports are included as **Appendix F.1** and **Appendix F.2**, respectively, of this Draft EIR.

2. Environmental Setting

The characteristics of hazardous materials include ignitability, toxicity, corrosivity, reactivity, radioactivity, or bioactivity. This Draft EIR uses the definition given in Section 25501(p) of the California Health and Safety Code, which defines a "hazardous material" as:

> *Any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous Materials" include, but are not limited to, hazardous substances, hazardous wastes, and any materials which a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or environment.*

"Hazardous waste" is any hazardous material that is abandoned, discarded, or recycled, as defined by Sections 25117 and 25124 of the California Health and Safety Code. In addition, hazardous waste may occasionally be generated by actions that change the composition of previously nonhazardous materials.

a) Regulatory Framework

(1) Federal Regulations

A variety of laws and regulations governing the management and control of hazardous substances have been established at the Federal level to protect the environment. These regulations fall under the jurisdiction of the US EPA and are discussed below.

(a) Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA),[1] or "Superfund," was enacted in 1980 and created national policy and procedures to identify and cleanup sites where hazardous substances have been released into the environment and provides the mechanisms by which these remedial actions are financed. Additionally, the Superfund Amendment and Reauthorization Act (SARA), which extended and amended CERCLA, required that due diligence be exercised in the investigation of past and current handling of hazardous substances prior to property sale.

(b) Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA)[2] was enacted in 1976 as the first step in regulating the potential health and environmental problems associated with solid hazardous and non-hazardous waste disposal. Under RCRA regulations, generators of hazardous waste must register and obtain a hazardous waste activity identification number. RCRA allows individual states to develop their own program for the regulation of hazardous waste as long as it is at least as stringent as RCRA. The State of California has developed the California Hazardous Waste Control Law (HWCL) (Health and Safety Code Sections 25100 et seq. and 22 California Code of Regulations [CCR] Sections 66260.1 et seq.). The US EPA has granted California the authority to implement RCRA regulations and, has granted Cal/EPA DTSC with administration and enforcement responsibility authority for implementing the HWCL.

[1] *United States, Comprehensive Environmental Response, Compensation, and Liability Act of 1980, Pub.L. 96–510, 42 U.S.C. § 9601 et seq., December 11, 1980.*

[2] *United States, Resource Conservation and Recovery Act, Pub.L. 94–580, 90 Stat. 2795, 42 U.S.C. § 6901 et seq., October 21, 1976.*

(c) Toxic Substances Control Act

The Toxic Substances Control Act (TSCA),[3] enacted in 1976, regulates and controls harmful chemicals and toxic substances in commercial use, in particular PCBs.

(d) Federal Insecticide, Fungicide, and Rodenticide Act

The Federal Insecticide, Fungicide, and Rodenticide Act (as amended)[4] controls the manufacture, use, and disposal of pesticides and herbicides.

(e) Hazardous and Solid Waste Amendments

The Hazardous and Solid Waste Amendments (HSWA)[5] are the 1984 amendments to RCRA to address gaps in the area of highly toxic wastes. The amendments focused on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases.

(f) Federal Occupational Safety and Health Act of 1970

The Federal Occupational Safety and Health Act of 1970,[6] which is implemented by the Federal Occupational Safety and Health Administration (OSHA), contains provisions with respect to hazardous materials handling. Federal OSHA requirements are designed to promote worker safety, worker training, and a worker's right–to-know. The U.S. Department of Labor has delegated the authority to administer OSHA regulations to the State of California.

(g) Title 40: Protection of Environment

Title 40: Protection of Environment[7] is the section of the Code of Federal Regulations (CFR) that deals with EPA's mission of protecting human health and the environment. Title 40 provides guidance on the removal and disposal of materials containing lead, asbestos, and PCBs.

(2) State Regulations

At the state level, California has developed hazardous waste regulations that are similar to the federal laws, but that are much more stringent in their application. The Department

[3] *United States, Toxic Substances Control Act of 1976, Pub.L. 94-469, 15 U.S.C. § 2601-2629, October 11, 1976.*
[4] *United States, Federal Insecticide, Fungicide, and Rodenticide Act, Pub.L. 61-152, 7 U.S.C. § 136 et seq., April 26, 1910.*
[5] *United States, Hazardous and Solid Waste Amendments, Pub.L. 98-616, 98 Stat. 3221, November 8, 1984.*
[6] *United States, Federal Occupation Safety and Health Act of 1970, Pub.L. 91-596, 29 U.S.C. § 1910 et seq., December 29, 1970.*
[7] *United States, Title 40: Protection of Environment, 40 C.F.R.*

of Toxic Substances Control (DTSC) has the primary responsibility for enforcement and implementation of hazardous waste control laws in the State. However, this responsibility is shared with other State and local government agencies, including the State Water Resources Control Board (SWRCB), RWQCB, and city and county governments. These regulations are discussed below.

(a) Hazardous Waste Control Law

The basic law established in California, similar to RCRA, is the Hazardous Waste Control Law (HWCL). More detailed information concerning the implementation of these requirements is given in Title 22 of California Code of Regulations (CCR), Chapter 23. The HWCL empowers the Department of Toxic Substances Control (DTSC), a division of the California Environmental Protection Agency (CalEPA) (formerly part of the Department of Health Services), to administer the state's hazardous waste program and implement the federal program in California. This law includes underground storage tank (UST) regulation.

(b) Proposition 65 (California Code of Regulations, Title 22)

Proposition 65 (California Code of Regulations, Title 22) focuses on carcinogenic or teratogenic contaminants and implements the state's community-right-to-know program. It established a list of chemicals and substances and the level at which they are believed to potentially cause cancer, restricted discharge of listed chemicals at certain levels into known drinking water sources, required public notification of unauthorized discharges, required clear warning prior to a known and intentional exposure to a listed substance; and established a right of action for citizens, and separate notice requirements for government employees and counties. California Code of Regulations, Title 22, provides guidance on the removal and disposal of materials containing polychlorinated biphenyls (PCBs).

(c) California Health and Safety Code, Division 20, Chapter 6.7

California Health and Safety Code, Division 20, Chapter 6.7, governs the State's UST program and regulates the program in CCR Title 23, Division 3, Chapter 16 and 17. The UST Law regulates underground storage to prevent groundwater contamination.

(d) Porter-Cologne Water Quality Control Act

Porter-Cologne Water Quality Control Act,[8] adopted in 1969, requires the maintenance of the highest reasonable quality of the State's waters. It authorizes the Regional Water

[8] *State of California, Porter-Cologne Water Quality Control Act, Water Code § 13000 et seq., 1969.*

Quality Control Board (RWQCB) to supervise cleanup efforts at spill sites that have affected groundwater.

(e) The California OSHA Program

The California OSHA program (Cal-OSHA) (codified in the CCR, Title 8 generally and in the California Labor Code Sections 6300-6719) is administered and enforced by the Division of Occupational Safety and Health (DOSH). Cal-OSHA is very similar to the Federal OSHA program. Among other provisions, Cal-OSHA requires employers to implement a comprehensive, written Injury and Illness Prevention Program (IIPP) for potential workplace hazards, including those associated with hazardous materials.

(f) California Code of Regulations, Title 8, Section 1532.1

Cal/OSHA has established limits of exposure to lead contained in dusts and fumes through California Code of Regulations, Title 8, Section 1532.1, which provides for exposure limits, exposure monitoring, and respiratory protection, and mandates good working practices by workers exposed to lead, particularly since demolition workers are at greatest risk of adverse health exposure. Lead-contaminated debris and other wastes must also be managed and disposed of in accordance with applicable provisions of the California Health and Safety Code.

(g) Government Code Section 65962.5

Government Code Section 65962.5, amended in 1992, requires the California Environmental Protection Agency (CalEPA) to develop and update annually the Hazardous Waste and Substances Sites (Cortese) List, which is a list of hazardous waste sites and other contaminated sites. The Cortese List is a planning document used by the State, local agencies, and developers to comply with the California Environmental Quality Act requirements in providing information about the location of hazardous materials release sites.

(3) Local Regulations

(a) Safety Element of the Los Angeles General Plan

The City's General Plan Safety Element includes policies related to the City's response to hazards and natural disasters and represents the long-range emergency response plan for the City of Los Angeles. The General Plan Safety Element seeks to address the protection of people from unreasonable risks associated with natural disasters (e.g., fires, floods, and earthquakes) and reduce future losses of life, injuries, and socioeconomic disruption from other safety issues including the management of hazardous materials.

(b) Los Angeles Municipal Code

(i) Chapter 5, Article 7

The Los Angeles Municipal Code (LAMC) Chapter 5, Article 7 (commonly called the "City of Los Angeles Fire Code" (Fire Code)), sets forth laws for hazardous material storage and handling, and safe guarding of life and property from fire, explosion, panic, or other hazardous conditions that may arise in the use of buildings, structures or other premises.

Additionally, at the local level, the City of Los Angeles Fire Department (LAFD) administers hazardous materials environmental compliance programs within the City of Los Angeles jurisdiction. These programs include hazardous materials disclosure and business plans, underground storage tank programs, aboveground storage tank spill prevention control and countermeasures, hazardous waste generator programs (administered by Los Angeles County Fire Department), and the California Accidental Release Prevention Program.

(ii) LAMC Section 91.7103

LAMC Section 91.7103, also known as the Los Angeles Methane Seepage Regulations, establishes requirements for buildings and paved areas located in methane zones and methane buffer zones. Requirements for new construction within such zones include methane gas sampling and, depending on the detected concentrations of methane and gas pressure at the site, application of design remedies for reducing potential methane impacts. The required methane mitigation systems are based on the site Design Level, with more involved mitigation systems required at the higher Site Design Levels. The required methane mitigation systems are designed so that when properly implemented, they are considered to reduce methane-related risks to a less than significant level.

(4) Asbestos

The USEPA has enacted strict requirements on the use, handling, and disposal of asbestos-containing materials (ACM) under the Toxic Substances Control Act (TSCA). These regulations include the phase out of friable asbestos and ACM in new construction materials beginning in 1979. Thus, any building, structure, surface asphalt driveway or parking lot constructed prior to 1979 could potentially contain ACM. The ban on ACMs was vacated in 1991 allowing some building materials to continue to contain asbestos.

The EPA also established National Emission Standards for Hazardous Air Pollutants (NESHAP) that governs the use, removal, and disposal of ACM as a hazardous air pollutant. The NESHAP regulations mandate the removal of friable ACM before a building is demolished and includes notification requirements prior to demolition. Responsibility for implementing these requirements has been delegated to the State of California, which

in turn has delegated the responsibility to the South Coast Air Quality Management District (SCAQMD).

California classifies ACM as hazardous waste if it is friable and contains one percent or more asbestos. Non-friable bulk asbestos-containing waste is considered non-hazardous regardless of its asbestos content and is not subject to regulation. DTSC regulates the packaging, on-site accumulation, transportation and disposal of asbestos when it is a hazardous waste. In California, any facility known to contain asbestos is required to have a written asbestos management plan (also known as an Operation and Maintenance Program).

SCAQMD implements the NESHAP through its Rule 1403, Asbestos Emissions from Renovation/Demolition Activities. Rule 1403 regulates asbestos as a toxic material and controls emissions of asbestos from demolition and renovation activities by specifying agency notifications, appropriate removal procedures, and handling and clean-up procedures. Rule 1403 applies to owners and operators involved in the demolition or renovation of ACM-containing structures, asbestos storage facilities and waste disposal sites. Rule 1403 regulations require that the following actions be taken: (1) a survey of the facility prior to issuance of a permit by SCAQMD; (2) notification of SCAQMD prior to construction activity; (3) asbestos removal in accordance with prescribed procedures; (4) placement of collected asbestos in leak-tight containers or wrapping; and (5) proper disposal.

(5) Lead-Based Paints

Lead-based paint (LBP) is defined as any paint, varnish, stain, or other applied coating that has a one milligram per square centimeter (mg/cm^2) (5,000 microgram per gram (µg/g) or 0.5% by weight) or more of lead.[9] The US Consumer Product Safety Commission (16 Code of Federal Regulations [CFR] 1303) banned paint containing more than 0.06 percent lead for residential use in 1978. Buildings built before 1978 are much more likely to have LBP.

While adults can be affected by excessive exposure to lead, the primary concern is the adverse health effects on children. If not detected early, children with high levels of lead can suffer from damage to the brain and nervous system; behavior and learning problems such as hyperactivity, slowed growth, hearing problems; and headaches. Adults can suffer from lead-related effects such as reproductive problems (in both men and women), high blood pressure and hypertensions, nerve disorders, memory and concentration problems, and muscle and joint pain.

[9] *Partner Engineering and Science, Inc., Phase I Environmental Site Assessment Report, 676 Mateo Street, April 22, 2016, p. 27.*

The demolition of buildings containing LBPs is subject to a comprehensive set of California regulatory requirements that are designed to assure the safe handling and disposal of these materials. Cal/OSHA has established limits of exposure to lead contained in dusts and fumes, which provides for exposure limits, exposure monitoring, and respiratory protection, and mandates good working practices by workers exposed to lead, particularly since demolition workers are at greatest risk of adverse exposure. Lead-contaminated debris and other wastes must also be managed and disposed of in accordance with applicable provisions of the California Health and Safety Code.

(6) Polychlorinated Biphenyls

Due to their hazardous properties, all aspects of Polychlorinated Biphenyls (PCBs) are strictly regulated by the USEPA under the Toxic Substances Control Act. In 1976, the USEPA banned the manufacture and sale of PCB containing transformers, although the continued use of existing PCB-containing equipment is allowed. By 1985, the USEPA required that commercial property owners with transformers containing more than 500 parts per million (ppm) PCBs must register the transformer with the local fire department, provide exterior labeling, and remove combustible materials within 16 feet.[10] The Toxic Substances Control Act also contains provisions controlling the continued use and disposal of existing PCB-containing equipment.

The disposal of hazardous waste building materials, including PCB, is also regulated by Federal and State laws. The disposal of PCB wastes is regulated by the Toxic Substances Control Act (40 CFR Part 761), which contains life cycle provisions similar to those in RCRA.

(7) Underground Storage Tanks

In 1984, Congress adopted a national Underground Storage Tank (UST) regulatory program (42 USC 6991 *et seq*), commonly referred to as Subtitle I of the Federal RCRA. Regulations implementing this program are found in 40 CFR 280. Subtitle I authorized USEPA to issue regulations establishing construction standards for new UST installations (those installed after December 22, 1988), as well as strict standards for:

- Upgrading existing USTs and associated piping;
- New UST installations;
- Corrosion protection for USTs and piping;

[10] *40 Code of Federal Regulations 761.30: "Fire Rule".*

- Spill and overfill protection and, for USTs that contain substances other than petroleum, secondary containment methods to detect and contain leaks and leak detection for associated piping;
- Leak detection and reporting of releases and corrective actions;
- On-site practices and record keeping;
- UST closure standards; and
- Financial responsibility.

After 1998, all nonconforming tanks were required to be upgraded or closed.

Prior to the adoption of the federal UST regulatory program, the State of California initiated the regulation of USTs storing hazardous substances in 1983. The State of California has since further defined the Federal laws and regulations related to the USTs program. The California Health & Safety Code (HSC), Division 20, Chapter 6.7, governs the UST program and regulates the program in the California Code of Regulations (CCR), Title 23, Division 3, Chapter 16 and Chapter 18. The various elements regulated by the State's UST program include:

- Registration of USTs;
- Permitting for USTs;
- Establishment of UST construction and operational standards;
- Installation of leak detection systems and/or monitoring of USTs for leakage;
- Establishment of UST closure requirements;
- Licensing of UST contractors;
- Establishment of financial responsibility requirements;
- Release of reporting/corrective action; and
- Enforcement.

The state's UST program has been amended frequently to incorporate the federal requirements. As with the federal standards, the state's UST program required that all tanks have leak detection, corrosion protection, and spill and overflow devices by December 1998. USTs that did not meet the 1998 requirements were required to be immediately retrofitted or removed. One notable difference between the Federal and State regulations is that under the State's UST program, the demarcation date between

"existing" and "new" USTs is January 1, 1984 (as opposed to December 22, 1988, as under Federal regulations).

Oversight of the Statewide UST program is assigned to the SWRCB (23 CCR Section 2610 *et seq*.). The administration of the UST regulatory and permit program is performed by local agencies. The administration of the UST program within the City of Los Angeles is performed by the LAFD. The responsibility for oversight of the leaking USTs lies within the RWQCB – Los Angeles Region. The City of Los Angeles' UST regulations are contained in the Fire Code.

(8) Methane

Methane (CH_4) is a naturally occurring, odorless, colorless, and extremely flammable gas with a wide distribution in nature. It is the major constituent of natural gas that is used as a fuel and is an important source of hydrogen and a wide variety of other organic compounds. Methane has the potential to migrate into buildings through physical pathways that include cracks in concrete foundations, unsealed conduits or utility trenches, and other small openings common in building construction. The primary danger posed by methane build-up is the risk of fire or explosion. No long-term health effects are known to occur from exposure to methane. However, at a very high concentration, methane can act as an asphyxiate by reducing the relative concentration of oxygen in the air that is inhaled (similar to carbon monoxide).

In March 2004, the City adopted Ordinance Number 175,790, which was incorporated into LAMC (Section 91.106.4.1 and Division 71, Chapter IX) to establish Citywide methane mitigation requirements, including updated construction standards to control methane intrusion into buildings. This ordinance established defined geographic areas as Methane Zones and Methane Buffer Zones, which relate to specific assessment and mitigation requirements per area and set forth a standard of assessment and mitigation in the planning stages of all new construction zones. The Project Site is located within a Methane Buffer Zone recognized by the Los Angeles Department of Building and Safety (LADBS).[11]

Worker exposure to methane is regulated by the Federal OSHA under CFR section 1910.146. This section regulates worker exposure to a "hazardous atmosphere" within a confined space where the presence of flammable gas vapor or mist is in excess of 10 percent of the lower explosive limit.

[11] *City of Los Angeles, Department of City Planning, ZIMAS Parcel Profile Report, 676 Mateo, April 3, 2018.*

b) Existing Conditions

(1) On-Site Land Uses

The Project Site is currently developed with one single-story industrial warehouse that occupies approximately 27,000 square feet of floor area, and an associated surface parking lot. Nearly the entire Project Site is paved with concrete and asphalt. The warehouse fronting Mateo Street and Imperial Street is built to the lot line. Security gates at Mateo Street and Imperial Street restrict vehicular access to the Project Site.

(2) Surrounding Land Uses

The Project Site is located within the Arts District, on the eastern edge of downtown Los Angeles and in an area that has been developed since the early 1900s. The Arts District is located to the east of the Little Tokyo District and Central City East/Toy District, west of the Los Angeles River, south of the US-101, and north of the I-10. The Arts District encompasses an area that has been transitioning from predominantly industrial warehouses to include creative spaces, including live/work units, commercial uses (e.g., retail shops, restaurants, and studios), multi-family residential, etc. The Project Site fronts Mateo Street and Imperial Street, which are lined with industrial and commercial uses. The land uses within the Project's general vicinity are characterized by a mix of low- to medium-intensity industrial, commercial, and live/work uses, which vary widely in building style and period of construction. The surrounding properties include industrial, commercial retail, studio, bar, café, restaurant, low-rise and mid-rise adaptive reuse buildings with live/work components, and surface parking lots. The six-story mixed-use Toy Factory Lofts and the seven-story mixed-use Biscuit Company Lofts are located across Mateo Street to the west. While the majority of properties in the surrounding area are designated and zoned heavy industrial and manufacturing, the implementation of the Adaptive Reuse Ordinance has allowed for residential uses within the live/work components, with neighborhood commercial uses to complement the residential population.

(a) Sensitive Receptors

Land uses that are considered more sensitive to environmental discharges than others are referred to as sensitive receptors. Land uses such as primary and secondary schools, hospitals, and convalescent homes are considered to be sensitive to environmental discharges because the very young, the elderly, and the infirm are more susceptible due to their fragile immune systems and special sensitivity to environmental discharges. Residences are considered to be sensitive because people are often at home for extended periods of time, and could be exposed to pollutants for extended periods. The following uses in the vicinity of the Project Site are considered to be sensitive receptors:

- Residential uses at the Toy Factory Lofts (1855 Industrial Street), located to the west across Mateo Street (55 feet);
- Residential uses at the National Biscuit Company Building (1820 E. Industrial Street), located to the west across Mateo Street (55 feet);
- Residential uses at the Amp Lofts (1850 Industrial Street), located to the east across Imperial Street (55 feet);
- Residential uses at the Brick Lofts (652 Mateo Street), located to the north across Jesse Street (165 feet);
- Metropolitan High School (727 Wilson Street), located to the southwest across E. 7th Street (800 feet); and
- Para Los Niños Elementary School (1617 E. 7th Street) located to the southwest across E. 7th Street (1,500 feet).

(3) Historic Use of the Project Site

Historical maps and aerial photographs for selected years between 1894 and 2013 were reviewed for information regarding the historic land uses on the Project Site. City directories, Sanborn maps, topographic maps, and building department records were also reviewed for similar information. Additionally, the Project Site has been the subject of past hazardous materials investigation over the years. The past hazardous materials investigations were reviewed and incorporated into the Site Assessment for the Project, included as **Appendix F.1** of this Draft EIR.

(a) Summary of Site History

The following Site history discussion is based on information contained in the Historical Report prepared by GPA Consulting (**Appendix C.2**) and the Site Assessment prepared by Partner Engineering and Science, Inc. (**Appendix F.1**).

By 1900, the Project Site was planned for residential development and was developed with at least four residential structures. Through 1923, the two blocks bound by Jesse Street to the north, Santa Fe Avenue to the east, 7th Street to the south, and Mateo Street to the west were divided into small lots indicative of residential development. Commercial buildings were to the north of Jesse Street, east of Santa Fe Avenue, south of 7th Street, and west of Mateo Street. The land across Jesse Street to the west was vacant. By 1938, the majority of the residences were gone and the southern portion of small buildings was in the center of the parcel. A smaller building was along the east border of the Project Site, adjacent to Imperial Street. The majority of the property was used for parking at that time, and a residence remained on the southwestern portion. By the mid-1950s, Star

Truck & Warehouse Co. was operating on-site, using the property for truck maintenance, washing, and parking. Star Truck & Warehouse constructed a new building in the center of the Project Site that extends north and south beyond the site boundaries at that time. By 1977, the buildings were razed and the current building was constructed in 1978. Original tenants included Adeco, a division of Coca-Cola, for use as warehouse and truck maintenance from 1978 through 1988. Since 1988, Federal Armored Express has occupied the west portion of the building as a warehouse and Greene Broillet has occupied the east portion of evidence storage.

(i) Underground Storage Tanks

Three USTs associated with operation of the various former uses have been installed and removed from the Project Site. The following discussion of these USTs is based on the Site Assessment prepared by Partner Engineering and Science, Inc. (**Appendix F.1**) and a previous environmental site assessment, the *Phase I Environmental Site Assessment Report, Two-Unit Industrial Building, 676 Mateo Street 677 Imperial Street* Report, prepared by Orswell & Kasman (O&K) in February 2016 (see Appendix B of the Site Assessment Report included as **Appendix F.1** to this Draft EIR)

A fuel UST associated with the Star Truck & Warehouse was identified near the northeast corner of the Project Site on the 1950, 1953, and 1954 Sanborn maps.[12] The UST was removed sometime prior to 1977, at which time the location was re-excavated and recompacted. No documented evidence of any leak was found regarding the UST; however, no soil samples were taken as it was not required by law in 1977. The Star Truck & Warehouse structures were demolished in the 1970s, and the existing industrial building was constructed on top of the former UST excavation in 1978. Since the property has been redeveloped, including grading of the site, and it has been 39 years since the UST was removed, O&K concluded that it is not likely that the former UST poses a significant threat of contamination to the Site today.[13] Based on the removal of this UST and, assuming the UST was used for fuel, the likely rapid attenuation of fuel related hydrocarbons since 1977, if any were present, the Site Assessment agreed that it is unlikely that impact to the subject property requiring action would be discovered and that no further action would be required.[14]

A 10,000-gallon UST was installed in the parking lot directly south of the warehouse building in 1978. Soil samples collected during installation of a leak detection system

[12] *Partner Engineering and Science, Inc., Phase I Environmental Site Assessment Report, 676 Mateo Street, April 22, 2016, page ii.*

[13] *Orswell & Kasman, Inc., Phase I Environmental Site Assessment Report, Two-Unit Industrial Building, 676 Mateo Street 677 Imperial Street, February 10, 2016, p. 1.*

[14] *Partner Engineering and Science, Inc., Phase I Environmental Site Assessment Report, 676 Mateo Street, April 22, 2016, page 30.*

around the UST in 1986 did not contain detectable levels of soil contamination. However, soil sampling conducted as part of closure activities in 1991 detected elevated levels of petroleum hydrocarbons beneath the dispenser. Following the sampling results, approximately 70 cubic yards of contaminated soil was excavated and removed from the site. Confirmation sampling concluded that there was no evidence of residual hydrocarbon contamination in the soil surrounding the tank excavation. The Los Angeles City Fire Department (LAFD) issued a "No Further Action" letter on April 3, 1992. No further environmental action regarding this former UST was recommended by O&K.[15] Based on the removal of the tanks, the analytical results, and the regulatory closure, the Site Assessment agreed that no further action would be required.[16]

A 8,000-gallon diesel fuel UST was installed in the parking lot south of the existing warehouse building and just south of the previously removed 10,000-gallon UST in 1991. The UST was excavated and removed under the supervision of an LAFD fire inspector. Soil samples were collected from beneath the tank excavation, dispenser, planter area and stockpiles. The Tank Closure Report submitted to the LAFD concluded that the tank did not leak; however, there was discharge from the dispenser. The contaminated soils were removed from the dispenser area, and additional tests were conducted to show that the contaminated soil was removed. Following additional testing for MTBE contaminants, the LAFD issued a "No Further Action" letter on November 1, 2000. No further environmental action regarding this former UST was recommended by O&K.[17] Based on the removal of the tanks, the analytical results, and the regulatory closure, the Site Assessment agreed that no further action would be required.[18]

(4) Mapped Database Records Search

Information from standard Federal, State, county, and City environmental record sources was provided by Environmental Data Resources, Inc. Data from governmental agency lists are updated and integrated into one database, which is updated as these data are released. The information contained in the report was compiled from publicly available sources and the locations of the sites are plotted using a geographic information system, which geocodes the site addresses. The accuracy of the geocode locations is approximately 300 feet.

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[15] *Orswell & Kasman, Inc., Phase I Environmental Site Assessment Report, Two-Unit Industrial Building, 676 Mateo Street 677 Imperial Street, February 10, 2016, p. 2.*

[16] *Partner Engineering and Science, Inc., Phase I Environmental Site Assessment Report, 676 Mateo Street, April 22, 2016, page 30.*

[17] *Orswell & Kasman, Inc., Phase I Environmental Site Assessment Report, Two-Unit Industrial Building, 676 Mateo Street 677 Imperial Street, February 10, 2016, p. 2.*

[18] *Partner Engineering and Science, Inc., Phase I Environmental Site Assessment Report, 676 Mateo Street, April 22, 2016, page 30.*

The Site Assessment considers the migration of hazardous substances or petroleum products in any form onto the Project Site during the evaluation of each site listed on the radius report, which includes solid, liquid, and vapor. The databases, distance searched, and associated findings are listed in **Table IV.E-1, Regulatory Database Summary**.

Table IV.E-1
Regulatory Database Summary

Radius Report Database	Search Radius (mile)	Project Site	Adjacent Properties	Sites of Concern
Federal NPL or Delisted NPL	1.0	N	N	N
Federal CERCLIS Site	0.5	N	N	N
Federal CERCLIS-NFRAP Site	0.5	N	N	N
Federal RCRA CORRACTS Facility	1.0	N	N	N
Federal RCRA TSDF Facility	0.5	N	N	N
Federal RCRA Generators Site (LQG, SQG, CESQG)	0.25	N	N	N
Federal IC/EC Registries	0.5	N	N	N
Federal ERNS Site	Project Site	N	N	N
State/Tribal Equivalent NPL	1.0	N	N	N
State/Tribal Equivalent CERCLIS	1.0	N	N	N
State/Tribal Landfill/Solid Waste Disposal Site	0.5	N	N	N
State/Tribal Leaking Storage Tank Site	0.5	N	N	N
State/Tribal Registered Storage Tank Sites (UST/AST)	0.25	N	**Y**	N
State/Tribal Voluntary Cleanup Sites (VCP)	0.5	N	N	N
State/Tribal Spills	0.5	N	N	N
Federal Brownfield Sites	0.5	N	N	N
State Brownfield Sites	0.5	N	N	N
EDR MGP	Varies	N	N	N
EDR US Hist Auto Station	Varies	N	**Y**	N
EDR US Hist Cleaners	Varies	N	N	N

Notes:
N = The Project Site and/or the properties located within the radius were not listed.
Y = The Project Site and/or properties located within the radius were listed.
Source: Partner Engineering and Science, Inc. Phase I Environmental Site Assessment Report, 676 Mateo, Los Angeles, California 90021, April 22, 2016.

(a) Project Site

The agency database report identified the Project Site as the following:

- LA Federal Armored Services Inc. (A1), 676 S. Mateo Street is identified on the HAZNET database for generation for off-site disposal under manifest of 1.368 tons of waste oil and mixed oil in 2008 with no violations reported.

- Dunbar Armored Inc. (A2), the same address of 676 S. Mateo Street is identified on the HAZNET database for generation and off-site disposal under manifest of less than 0.6 ton annually of hazardous wastes, including oil/water separation sludge, "aqueous solution with total organic residues less than 10 percent," and unreported wastes from 1998 to 2004 with no violations reported.

Based on the listed information and the lack of listings indicating violations or releases, no concerns are identified with the HAZNET listings reported for the Project Site.

- Federal Armored Express (A3), the same address of 676 S. Mateo Street is identified as a SWEEPS, UST, HIST, UST, and CA FID UST site for operation of a 10,000-gallon UST containing gasoline installed in 1987 at the Project Site.

- Adeco (A4), the same address of 676 S. Mateo Street is identified as a RCRA NonGen/NLR, FINDS, and ECHO site. The RCRA listing dates to 1986 and no indications of the generation of hazardous waste are associated with the listing. No violations or releases are reported; and, based on this information, no concerns are identified with the listings reported for these former on-site businesses.

(b) Adjacent Properties

The adjacent property to the south is identified as an EDR Historical Auto site; and the property adjacent to the west across Mateo Street is identified as a SWEEPS UST, CA FID UST, and EMI site in the regulatory database report, as discussed below.

- HP Wooten/RC Green (5) listed at 684 Mateo Street, adjacent to the south, and based on Sanborn maps, operated a garage and possibly a parking lot south of the garage. This facility is identified as an EDR Historical Auto site in 1942 and no additional information is reported. Based on the absence of entries indicating violations or releases, and the redevelopment of this parcel, these listings do not represent an environmental concern to the Project Site and it is unlikely that a regulatory file review for this site would alter the findings of this assessment.

- A-1 Novelty (9) listed at 1855 Industrial Street, adjacent to the west across Mateo Street and likely cross-gradient. This facility is identified as a SWEEPS, UST, CA FID UST and EMI site, and the UST listings appear to be historic with no releases or violations reported. The AQMD EMI listing dates to 1987 and indicates the facility was permitted to emit hazardous air emissions also with no violations or releases reported. Based on the absence of entries indicating violations or releases and the cross-gradient location, and the redevelopment of this parcel to include live/work units, a restaurant/bar, and a market, these listings do not represent an environmental concern to the Project Site and it is unlikely that a regulatory file review for this site would alter the findings of this assessment.

Based on these findings, vapor migration is not expected to represent a significant environmental concern at this time.

(c) Sites of Concern Listings

No sites of concern are identified in the regulatory database report. As such, vapor migration is not expected to represent a significant environmental concern at this time.

(d) Orphan Listings

"Orphan" sites are properties that have not been geocoded based on lack of sufficient data regarding their exact location within the general area. The Project Site is not identified as an orphan site. Six orphan sites are listed; however, based on the listed addresses or locations of the facilities, none of the sites appears to be located near the Project Site. Therefore, the Site Assessment states that Partner Engineering and Science, Inc. "has no reason to believe that these sites had an impact on the subject property."[19]

(5) Project Site Reconnaissance

A site reconnaissance which included visual inspection of the exterior portions of the Project Site was conducted on April 4, 2016.[20] Environmental concerns were identified during the on-site reconnaissance related to hazardous substance storage, ACMs, LBP, and methane.

Several 55-gallon drums of new and waste motor oil, automotive batteries, and other trash are stored in the northeast corner of the parking lot. The materials were found to be improperly labeled (the drums are not stored within secondary containment) and stored above wooden pallets at the time of the inspection with signs of surficial leaks and stains on the paved surface. The presence of the drums and other vehicle waste as well as observations made in 1991 indicate that vehicle repair did occur on-site. Vehicle repair is reportedly no longer conducted on-site. Based on the nature of use, overall small quantities observed, and the lack of violations on-file with the local fire department, these materials are not expected to represent a significant environmental concern.

The existing building on the Project Site was constructed in 1978. The presence of ACMs is assumed in building materials, such as drywall systems, floor tile and mastic, carpet mastic, spray applied acoustic, ceiling tiles, and exterior finish materials, including the roof. ACM that is intact and in good condition can, in general, be managed safely in-

[19] *Partner Engineering and Science, Inc., Phase I Environmental Site Assessment Report, 676 Mateo Street, April 22, 2016, page 18.*

[20] *Partner Engineering and Science, Inc., Phase I Environmental Site Assessment Report, 676 Mateo Street, April 22, 2016, page 24.*

place until removal is dictated by renovation, demolition, or deteriorating material condition.

Based on the age of the existing building on the Project Site, there is also a potential that LBP is present. However, interior and exterior painted surfaces were observed in good condition and can remain in place until removal is required for demolition of the building prior to construction of the Project. Therefore, the existence of LBPs is not expected to represent an environmental concern.

No potential PCB-containing equipment (transformers, oil-filled switches, hoists, lifts, dock levelers, hydraulic elevators, etc.) was observed on the subject property during Partner's reconnaissance. Therefore, the potential existence of PCBs is not expected to represent an environmental concern.

(6) Methane

The Project Site is located in the Methane Buffer Zone. The level of methane protection required depends upon the "design methane concentration," which is defined in Division 71 of Article I, Chapter IX of the LAMC as "the highest concentration of methane gas found during site testing." Site testing is required to determine the design concentration, unless the developer accepts the most stringent methane requirements (Level V). In this case, Project Site testing was required to document that a lower level of mitigation is justified. As such, shallow and multiple-depth gas probe testing were conducted in accordance with the Department of Building and Safety "Site Testing Standards for Methane" (P/BC 2002-101).

Methane Specialists installed the required minimum of five shallow methane probes at a depth of four feet below the ground surface. The five shallow gas probes were drilled and installed, starting on July 20 and 21, 2017. Multiple-depth probe site testing was similarly conducted on July 20 and 21, 2017. The results of the shallow gas probe and the multiple-depth gas probe are provided in **Appendix F.2** to this Draft EIR. The results indicate that several measurable levels of methane were detected during the testing. However, the Project falls under Design Level III (see Table 1B in **Appendix F.2**), with less than two inches of water-column gas pressure. Therefore, per the Methane Code Table 1B, no methane mitigation system would be required with development of the Project.

3. Project Impacts

a) Thresholds of Significance

In 2015, the California Supreme Court in *California Building Industry Assn. v. Bay Area Air Quality Management Distric*t (CBIA v. BAAQMD) (62 Cal.4th 369), held that CEQA generally does not require a lead agency to consider the impacts of the existing

environment on the future residents or users of the project. The revised thresholds are intended to comply with this decision. Specifically, the decision held that an impact from the existing environment to the project, including future users and/or residents, is not an impact for purposes of CEQA. However, if the project, including future users and residents, exacerbates existing conditions that already exist, that impact must be assessed, including how it might affect future users and/or residents of the project. For example, if construction of the project on a hazardous waste site will cause the potential dispersion of hazardous waste in the environment, the EIR should assess the impacts of that dispersion to the environment, including to the project's residents.

In accordance with Appendix G of the *State CEQA Guidelines* and the *CBIA v. BAAQMD* decision, the Project would have a significant impact related to hazards and hazardous materials if it would:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; or

d) 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 create a significant hazard to the public or the environment; or

e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area; or

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

The *L.A. CEQA Thresholds Guide* identifies the following criteria to evaluate impacts related to hazards and hazardous materials:

(1) Risk of Upset/Emergency Preparedness

- *The regulatory framework;*
- *The probable frequency and severity of consequences to people or property as a result of a potential accidental release or explosion of a hazardous substance;*
- *The degree to which the project may require a new, or interfere with an existing, emergency response or evacuation plan, and the severity of the consequences; and*
- *The degree to which project design will reduce the frequency or severity of a potential accidental release or explosion of a hazardous substance.*

(2) Human Health Hazards

- *The regulatory framework for the health hazard;*
- *The probable frequency and severity of consequences to people from exposure to the health hazard; and*
- *The degree to which project design would reduce the frequency of exposure or severity of consequences of exposure to the health hazard.*

The potential for the Project to result in impacts related to hazards and hazardous materials is based on the *State CEQA Guidelines* Appendix G thresholds and criteria identified in the *L.A. CEQA Thresholds Guide* that provide supplemental analysis to the Appendix G thresholds, where applicable. The City's threshold criteria above are considerations that were made as part of the analysis of the Appendix G thresholds related to hazards and hazardous materials.

The *L.A. CEQA Thresholds Guide* also requires the consideration of Fire Protection Services criteria, which are specifically addressed in **Section IV.J.1., Public Services – Fire Protection**, of this Draft EIR.

b) Methodology

The Site Assessment was reviewed for information regarding hazardous materials or conditions on the Project Site and is included in **Appendix F.1** of this Draft EIR. The Site Assessment was a Phase I performed in general conformance with the scope and limitations as detailed in the ASTM Practice E1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process and the EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312). The Site Assessment included a reconnaissance of the Project Site, review of historic aerial photographs, review of historic maps, mapped regulatory database searches, and

reviews of other reports prepared for the Project Site. Supplementary information was obtained through review of City of Los Angeles resources such as Zone Information & Map Access System (ZIMAS) and the City of Los Angeles, Department of City Planning, General Plan Safety Element.

c) Project Design Features

Construction and operation of the Project would be implemented in accordance with applicable regulatory requirements related to hazards and hazardous waste. No specific Project Design Features are proposed with regard to hazards and hazardous materials.

d) Analysis of Project Impacts

As compared to the Project, the Increased Commercial Flexibility Option (Flexibility Option) would change the use of the second floor from residential to commercial, and would not otherwise change the Project's land uses or size. The overall commercial square footage provided would be increased by 22,493 square feet to 45,873 square feet and, in turn, there would be a reduction in the number of live/work units from 185 to 159 units. The overall building parameters would remain unchanged and the design, configuration, and operation of the Flexibility Option would be comparable to the Project. Furthermore, hazards and hazardous materials impacts are typically site-specific and dependent on a project site's historic and existing uses and subsurface hazardous materials conditions. The Flexibility Option would be located on the same Project Site with the same historic and existing uses, subsurface hazardous materials conditions, and Government Code Section 65962.5 listings. In addition, the Flexibility Option would not alter the proposed construction activities or operational uses in a manner that would alter the anticipated risks involving hazards or hazardous materials as compared to the Project and would be subject to the same regulatory requirements, including SCAQMD Rule 1403, OSHA Lead In Construction Standard and Cal/OSHA Construction Safety Orders, Lead Section 1532.1, and Title 8, California Code of Regulations. Therefore, the conclusions regarding the impact analysis and impact significance determination presented below for the Project would be the same under the Flexibility Option. Further, as discussed below, for certain thresholds, the impacts of the Project were addressed in the Initial Study (see **Appendix A.2** of this Draft EIR) and were determined to be less than significant, with no further analysis required. However, since the Flexibility Option was not specifically addressed in the Initial Study, the analysis of the Flexibility Option is presented in this section for those thresholds.

Threshold a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

(1) Impact Analysis

(a) Project

As discussed in the Initial Study (**Appendix A.2**), the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. **Therefore, the Project would have a less-than-significant impact with respect to the routine transport, use, or disposal of hazardous materials, and no mitigation measures would be required.**

(b) Increased Commercial Flexibility Option

The Increased Commercial Flexibility Option would merely change the land use of the second floor from residential to commercial, and would not otherwise change the Project's land uses or size (Flexibility Option). The design, configuration, and operation of the Flexibility Option would be comparable to the Project.

(i) Construction

Construction of the Flexibility Option would involve the temporary use of potentially hazardous materials, including vehicle fuels, paints, oils, and transmission fluids. Any asbestos and lead would be removed and disposed in accordance with applicable regulations, as discussed below (see Threshold b). During construction, the Project Site would contain a variety of construction materials such as adhesives, cleaning agents, landscaping, plumbing, painting, heat/cooling, masonry materials, floor and wall coverings, and demolition debris. Spills of construction materials can be a source of soil contamination. All hazardous materials are to be stored, labeled and used in accordance with the U.S. Occupational Safety and Health Administration regulations. These regulations for routine handling and storing of hazardous materials effectively control the potential stormwater pollution caused by these materials.

(ii) Operation

With respect to operation, significant hazards are not anticipated as long as residents and commercial tenants store, use, and dispose of hazardous materials in accordance with manufacturers' instructions and handled in compliance with applicable federal, state, and local regulations. Any associated risk would be adequately reduced to a less-than-significant level through compliance with these standards and regulations. The types and amounts of hazardous materials that would be used would be typical of those used in

other live/work and commercial developments (e.g., cleaning solvents, painting supplies, batteries, etc.).

Similar to the Project, the Flexibility Option would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. **Therefore, the Flexibility Option would have a less-than-significant impact with respect to the routine transport, use, or disposal of hazardous materials, and no mitigation measures are required.**

(2) Mitigation Measures

Under both the Project and the Flexibility Option, impacts related to the routine transport, use, or disposal of hazardous materials would be less than significant; no mitigation would be required.

(3) Level of Significance after Mitigation

Under both the Project and the Flexibility Option, impacts related to the routine transport, use, or disposal of hazardous materials would be less than significant without mitigation.

Threshold b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Because the Flexibility Option would be located on the same Project Site with the same historic and existing uses and subsurface conditions as the Project, would be subject to the same federal, state, and local regulations and policies with regard to the storage, use, transport, and disposal of hazardous materials, and would not alter the proposed operational land uses as compared to the Project, the conclusions regarding the impact analysis and impact significance determination presented below for the Project would be the same under the Flexibility Option.

(1) Impact Analysis

(a) Construction

As previously discussed, no USTs or PCB-containing equipment are known to be or were observed to be present at the Project Site. However, the Site Assessment noted the potential presence of ACMs and LBP in the existing building on the Project Site due to the age of the building. During construction, all ACMs would be removed by a licensed abatement contractor in accordance with all Federal, State and local regulations prior to demolition. Mandatory compliance with applicable Federal and State standards and procedures would reduce risks associated ACMs to acceptable levels. With respect to

LBP, the contractor will comply with the OSHA Lead In Construction Standard and Cal/OSHA Construction Safety Orders, Lead Section 1532.1, Title 8, California Code of Regulations, including the pre-construction inspection of any previously-identified LBP-containing materials and proper abatement or disposal of any deteriorated LBP-containing materials. Mandatory compliance with applicable Federal and State standards and procedures would reduce risks associated with LBP to acceptable levels.

With respect to methane, although the Project Site is located within a Methane Buffer Zone, the Methane Investigation (**Appendix F.2** of this Draft EIR) found that no methane mitigation system would be required with the development of the Project because the results of the methane testing indicate that the Project falls under Design Level III (see Table 1B in **Appendix F.2**), with less than two inches of water-column gas pressure. Therefore, the Project would comply with Division 71 of the Los Angeles Building Code.

Therefore, the Project and the Flexibility Option would have a less-than-significant impact during construction with respect to upset and accident conditions involving the release of hazardous materials into the environment, and no mitigation measures would be required.

(b) Operation

As discussed in the Site Assessment, there is no evidence of hazardous materials present in Project Site soils that would pose a possible health risk to the occupants of future buildings. No uses are proposed that would generate hazardous materials. Routine cleaning supplies used on the Project Site during operations could contain hazardous materials. However, use of these supplies is subject to county, State, and Federal requirements to minimize exposure to people and to ensure safe use, storage, and disposal of any chemicals, including common cleaning and maintenance materials. Compliance with existing regulations would ensure that routine cleaning solvents would not pose a risk from hazardous materials. Furthermore, with respect to methane, the Methane Investigation (**Appendix F.2** to this Draft EIR) found that no methane mitigation system would be required with the development of the Project. **Therefore, the Project and the Flexibility Option would have a less-than-significant impact during operation with respect to upset and accident conditions involving the release of hazardous materials into the environment, and no mitigation measures would be required.**

(2) Mitigation Measures

Under both the Project and the Flexibility Option, impacts related to the release of hazardous materials into the environment would be less than significant; no mitigation would be required.

(3) Level of Significance after Mitigation

Under both the Project and the Flexibility Option, impacts related to the release of hazardous materials into the environment would be less than significant without mitigation.

Threshold c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

(1) Impact Analysis

(a) Project

As discussed in the Initial Study (**Appendix A.2**), the Project would not create a significant hazard to any nearby schools, including Metropolitan High School located at 727 Wilson Street because it is reasonably anticipated that all potentially hazardous materials would be used, stored, and disposed of in accordance with manufacturers' specifications and in compliance with applicable federal, state, and local regulations. **Therefore, the Project would have a less-than-significant impact with respect to hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, and no mitigation measures would be required.**

(b) Increased Commercial Flexibility Option

There is one existing school within a quarter-mile of the Project Site, Metropolitan High School located at 727 Wilson Street). Construction of the Flexibility Option would involve the temporary use of potentially hazardous materials, including vehicle fuels, paints, oils, and transmission fluids. Additionally, the Flexibility Option operation would involve the limited use of hazardous materials typically used in the maintenance of mixed-use projects incorporating live/work and commercial uses (e.g., cleaning solutions, solvents, painting supplies, batteries, etc.). However, it is reasonably anticipated that all potentially hazardous materials would be used, stored, and disposed of in accordance with manufacturers' specifications and in compliance with applicable Federal, State, and local regulations. As such, the use of such materials would not create a significant hazard to any nearby schools. Additionally, as discussed under Threshold a, the Project is not expected to result in hazardous emissions.

Similar to the Project, the Flexibility Option would not create a significant hazard to any nearby schools, including Metropolitan High School located at 727 Wilson Street. **Therefore, the Flexibility Option would have a less-than-significant impact with respect to hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, and no mitigation measures would be required.**

(2) Mitigation Measures

Under both the Project and the Flexibility Option, impacts related to the emission of hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of a school would be less than significant; no mitigation would be required.

(3) Level of Significance after Mitigation

Under both the Project and the Flexibility Option, impacts related to the emission of hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of a school would be less than significant without mitigation.

Threshold d) Would the project 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?

Because the Flexibility Option would be located on the same Project Site with the same Government Code Section 65962.5 listings as the Project, the conclusions regarding the impact analysis and impact significance determination presented below for the Project would be the same under the Flexibility Option.

(1) Impact Analysis

(a) Construction

California Government Code Section 65962.5 requires various State agencies to compile lists of hazardous waste disposal facilities, unauthorized releases from underground storage tanks, contaminated drinking water wells and solid waste facilities where there is known migration of hazardous waste and submit such information to the Secretary for Environmental Protection on at least an annual basis.

As discussed above, none of the database listings that include the Project Site are considered to be an environmental concern as no violations are noted and the databases on which the Project Site appears are for permitting/documentation purposes rather than for a noted hazardous release. As detailed in the Existing Setting subsection above, the three former USTs that were installed on the Project Site have been removed. Soil sampling conducted as part of removal activities for two of the USTs and following excavation of contaminated soil in these locations determined that no contaminated soil

remains and the LAFD issued case closures for two of the USTs.[21] The third UST was removed prior to regulations requiring soil sampling as part of UST removal activities. However, as detailed in the Existing Setting subsection above, the Site Assessment concluded that this UST is unlikely to have impacted the soils at the Project Site and no further action related to this UST would be required.[22] As such, the Project Site does not consist of a hazardous material site pursuant to Government Code Section 65962.5, and the Project would not create a significant hazard to the public or the environment. **Therefore, the Project and the Flexibility Option would have a less-than-significant impact during construction with respect to exacerbating environmental conditions due to existing hazardous materials, and no mitigation measures would be required.**

(b) Operation

As discussed above, none of the database listings that include the Project Site are considered to be an environmental concern as no violations were noted and the databases on which the Project Site appears are for permitting/documentation purposes rather than for a noted hazardous release. As such, the Project Site does not consist of a hazardous material site pursuant to Government Code Section 65962.5, and the Project would not create a significant hazard to the public or the environment. **Therefore, the Project and the Flexibility Option would have a less-than-significant impact during operation with respect to exacerbating environmental conditions due to existing hazardous materials, and no mitigation measures would be required.**

(2) Mitigation Measures

Under both the Project and the Flexibility Option, impacts related to lists of hazardous materials sites would be less than significant; no mitigation would be required.

(3) Level of Significance after Mitigation

Under both the Project and the Flexibility Option, impacts related to lists of hazardous materials sites would be less than significant without mitigation.

Threshold e) Would the project be located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, and result in a safety hazard or excessive noise for people residing or working in the project area?

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[21] *Partner Engineering and Science, Inc., Phase I Environmental Site Assessment Report, 676 Mateo Street, April 22, 2016, page 30.*

[22] *Partner Engineering and Science, Inc., Phase I Environmental Site Assessment Report, 676 Mateo Street, April 22, 2016, page 30.*

(1) Impact Analysis

(a) Project

As discussed in the Initial Study (**Appendix A.2**), the Project Site is not located within any airport's influence area nor within two miles of an existing airport.[23] **Therefore, the Project would have no impact with respect to public airport safety hazards or excessive noise for people residing or working in the Project area, and no mitigation measures would be required.**

(b) Increased Commercial Flexibility Option

Similar to the Project, the Project Site is not located within any airport's influence area nor within two miles of an existing airport.[24] **Therefore, the Flexibility Option would have no impact with respect to public airport safety hazards or excessive noise for people residing or working in the Project area, and no mitigation measures would be required.**

(2) Mitigation Measures

Under both the Project and the Flexibility Option, no impacts related to airport noise and safety hazards would occur; no mitigation would be required.

(3) Level of Significance after Mitigation

Under both the Project and the Flexibility Option, no impacts related to airport noise and safety hazards would occur.

Threshold f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Because the Flexibility Option would be located on the same Project Site with the same proximity to disaster routes as the Project and would not alter the proposed construction or operational activities in a manner that would have the potential to alter the anticipated risks involving interference with adopted emergency response or evacuation plans as compared to the Project, the conclusions regarding the impact analysis and impact significance determination presented below for the Project would be the same under the Flexibility Option.

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[23] *Los Angeles County Airport Land Use Commission, Airports and Airport Influence Areas Map, June 2012, accessed: April 24, 2017.*

[24] *Los Angeles County Airport Land Use Commission, Airports and Airport Influence Areas Map, June 2012, accessed: April 24, 2017.*

(1) Impact Analysis

(a) Construction

The Project Site is near County- and City-designated disaster routes, specifically, Alameda Street, approximately 0.4-mile to the west, and E. 4th Street, approximately 0.4-mile to the north.[25] Project construction activities may potentially impact traffic along Alameda Street and E. 4th Street, which may be utilized as evacuations routes during an emergency, if the Project requires temporary street and/or lane closure(s) without adequate measures to ensure optimal circulation and safety of motorists.

The construction of the Project would not require the closure of any vehicle travel lanes. This is due primarily to the availability of parking "lanes" adjacent to the Project Site on Mateo Street and Imperial Street, which precludes the need to use the adjacent travel lanes. The street parking spaces adjacent to the Project Site on Mateo Street and Imperial Street would likely be reserved for use by construction vehicles for the duration of construction. As these street parking spaces are likely associated with the existing uses on the Project Site (which will be removed as part of the Project), the temporary unavailability of these street parking spaces is not expected to prevent emergency access to other nearby businesses. In addition, as detailed in PDF TR-1, a Project-specific Construction Staging and Traffic Management Plan would be developed by the Applicant and approved by the Los Angeles Department of Transportation and an emergency response plan would be submitted to the LAFD during review of plans as part of the building permit process, and a work site traffic control plan would be prepared and submitted to LADOT prior to the start of construction which would show the location any temporary street parking or sidewalk closures, warning signs, and access to abutting properties (see **Section IV.K., Transportation)**. Furthermore, access for emergency service providers and evacuation routes would be maintained during construction. **Therefore, the Project and the Flexibility Option would have a less-than-significant impact during construction with respect to interference with an adopted emergency response plan or emergency evacuation plan, and no mitigation measures would be required.**

(b) Operation

Operation of the Project could impact the performance of roadways that could be utilized as evacuations routes during an emergency. However, a Project-specific emergency response plan would be submitted to the LAFD during review of plans as part of the

[25] *Los Angeles County Department of Public Works, Disaster Route Interactive Maps, City of Los Angeles Central Area, accessed: April 24, 2017; and City of Los Angeles Department of City Planning, General Plan Safety Element, Exhibit H, Critical Facilities & Lifeline Systems in the City of Los Angeles, Adopted November 1996.*

building permit process. Emergency access to the Project Site would continue to be provided from major roadways adjacent to the Project Site, including Mateo Street and Imperial Street. All circulation improvements that are proposed for the Project Site would comply with the Fire Code, including any additional access requirements of the LAFD. As discussed in **Section IV.K., Transportation**, the increase in traffic from the Project's operation would not greatly affect emergency vehicles because the drivers of emergency vehicles normally have a variety of options for avoiding traffic, such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic. These same options would be available during an emergency response plan or evacuation plan. Furthermore, the Project would not cause permanent alterations to vehicle circulation routes and patterns, or impede public access or travel upon public rights-of-way. **Therefore, the Project and the Flexibility Option would have a less-than-significant impact during operation with respect to interference with an adopted emergency response plan or emergency evacuation plan, and no mitigation measures would be required.**

(2) Mitigation Measures

Under both the Project and the Flexibility Option, impacts related to emergency response and evacuation plans would be less than significant; no mitigation would be required.

(3) Level of Significance after Mitigation

Under both the Project and the Flexibility Option, impacts related to emergency response and evacuation plans would be less than significant without mitigation.

Threshold g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

(1) Impact Analysis

(a) Project

As discussed in the Initial Study (**Appendix A.2**), the Project Site is not within a Very High Fire Hazard Severity Zone,[26] nor is the Project Site or surrounding area within a wildland fire hazard area.[27] **Therefore, the Project would have no direct or indirect impact with respect to wildland fires, and no mitigation measures would be required.**

[26] *City of Los Angeles Department of City Planning, Zone Information & Map Access System, accessed: April 24, 2017.*

[27] *City of Los Angeles Department of City Planning, General Plan Safety Element, Exhibit D, Selected Wildlife Hazard Areas in the City of Los Angeles, Adopted November 1996.*

(b) Increased Commercial Flexibility Option

As discussed above, the Project Site is not within a Very High Fire Hazard Severity Zone,[28] nor is the Project Site or surrounding area within a wildland fire hazard area.[29] **Therefore, the Flexibility Option would have no direct or indirect impact with respect to wildland fires, and no mitigation measures would be required.**

(2) Mitigation Measures

Under both the Project and the Flexibility Option, impacts related to the risk of loss, injury, or death involving wildfire would be less than significant; no mitigation would be required.

(3) Level of Significance after Mitigation

Under both the Project and the Flexibility Option, impacts related to the risk of loss, injury, or death involving wildfire would be less than significant without mitigation.

4. Cumulative Impacts

Because the Flexibility Option would be located on the same Project Site with the same historic and existing uses and subsurface hazardous materials conditions as the Project, and would not alter the proposed construction or operational activities and uses in a manner that would alter the potential risks associated with the storage, use, transport, or disposal of hazardous materials as compare to the Project, the conclusions regarding the impact analysis and impact significance determination presented below for the Project would be the same under the Flexibility Option.

a) Impact Analysis

(1) Construction

Generally, the geographic context for cumulative impact analysis of hazards and hazardous materials includes the related projects in the vicinity of the Project that, when viewed together with the Project, could incrementally increase a hazards impact to a significant level. Construction of the Related Projects could reasonably be expected to involve the limited use of potentially hazardous materials typical of those used in residential and commercial developments, including gasoline, lubricants, cleaning agents, paints, and pesticides. Because hazardous materials and risk of upset conditions are largely site-specific, this would occur on a case-by-case basis for each individual

[28] *City of Los Angeles Department of City Planning, Zone Information & Map Access System, accessed: April 24, 2017.*

[29] *City of Los Angeles Department of City Planning, General Plan Safety Element, Exhibit D, Selected Wildlife Hazard Areas in the City of Los Angeles, Adopted November 1996.*

project affected, in conjunction with the development proposal for that property. As detailed above, no environmental risks associated with hazardous materials were identified for the Project Site. Furthermore, as with the Project, Related Projects would be required to adhere to all applicable laws and regulations associated with hazardous materials and implement BMPs or mitigation, as necessary to reduce potential impacts related to the release of hazardous materials into the environment, including as a result of conditions related to the inclusion of Related Project Sites on California Government Code Section 65962.5 databases.

As previously discussed, Alameda Street and E. 4th Street are County- and City-designated disaster routes. Should construction of the Project and other Related Projects in the vicinity occur concurrently, a cumulative impact to these disaster routes could occur. However, similar to the Project, each related project would also be subject to the City's routine construction permitting process, which includes a review by the LAFD and LAPD. Additionally, as required by Project Design Feature PDF TR-1, a Project-specific Construction Staging and Traffic Management Plan would be developed by the Applicant and approved by the Los Angeles Department of Transportation. Such plans are based on the nature and timing of the specific construction activities and other Related Projects in the area, allowing the Los Angeles Department of Transportation to identify and reduce potential impacts to nearby roadways resulting from concurrent construction schedules. Furthermore, construction-related traffic generated by the Project and the related projects would not significantly affect emergency vehicles as drivers normally have a variety of options for avoiding traffic, such as using sirens to clear a path of travel or driving in the lanes of opposing traffic.

Therefore, the Project and the Flexibility Option, in conjunction with the Related Projects, would not have a cumulatively considerable impact on hazards and hazardous materials, and cumulative construction impacts would be less than significant.

(2) Operation

With respect to operation, Related Projects would require evaluation for potential threats to public safety, including those associated with the accidental release of hazardous materials into the environment during operation and the transport/use/disposal of hazardous materials. Because hazardous materials and risk of upset conditions are largely site-specific, this would occur on a case-by-case basis for each individual project affected, in conjunction with the development proposal for that property. Furthermore, Related Projects would be required to adhere to all applicable laws and regulations associated with hazardous materials and implement BMPs or mitigation, as necessary to reduce potential impacts related to the release of hazardous materials into the environment.

As previously discussed, Alameda Street and E. 4th Street are County- and City-designated disaster routes. As detailed in **Section IV.K., Transportation**, cumulative development associated with the Project and Related Projects would result in significant level of service impacts to one intersection along these disaster routes (Alameda Street / 7th Street). However, as with the Project, Related Projects would be required to submit emergency response plans for review and approval to the LAFD as part of the building permit process. As discussed in **Section IV.K., Transportation**, an increase in traffic would not greatly affect emergency vehicles because the drivers of emergency vehicles normally have a variety of options for avoiding traffic, such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic. These same options would be available during an emergency response plan or evacuation plan to reduce potential impacts to emergency evacuation routes.

In addition to the Project, there are 8 Related Projects located within 0.25-mile of Metropolitan High School: Related Projects Nos. 1, 2, 5, 7, 9, 12, 15, and 18. The operations of these Related Projects are not expected to be sources of hazardous materials (such as heavy industrial or manufacturing uses), as the uses from the Related Projects range from a mix of commercial office, restaurant, retail and residential uses (see **Table III-1 in Section III, Environmental Setting)**. Furthermore, as with the Project, these Related Projects would be required to adhere to all applicable laws, regulations, policies, and manufacturer suggestions with regard to the proper storage, usage, transport, and disposal of hazardous materials required for normal operations. As detailed above, the Project Site is not located within an airport influence zone, within two miles of an existing airport, or within a wildfire hazard zone and the Project would, accordingly, not have the potential to contribute to a cumulative impact with regard to such conditions.

Therefore, the Project and the Flexibility Option, in conjunction with the Related Projects would not have a cumulatively considerable impact on hazards and hazardous materials, and cumulative operational impacts would be less than significant.

b) Mitigation Measures

Under both the Project and the Flexibility Option, cumulative impacts related to hazards and hazardous materials would be less than significant; no mitigation measures would be required.

c) Level of Significance After Mitigation

Under both the Project and the Flexibility Option, cumulative impacts related to hazards and hazardous materials would be less than significant without mitigation.

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