IV. Environmental Impact Analysis

F. Hazards and Hazardous Materials

1. Introduction

This section analyzes the Project's potential hazards and hazardous materials impacts that could occur during Project construction and operation. In addition, this section analyzes the Project's incremental contribution to cumulative hazards and hazardous materials impacts from past, present, and probable future projects. The analysis is largely based on the *Phase I Environmental Site Assessment* prepared by California Environmental, Inc., dated March 21, 2017, and the *Phase I Environmental Site Assessment Update* prepared by California Environmental, Inc., dated September 2020, and the *Methane Investigation Report* (Methane Report), prepared by Carlin Environmental Consulting, Inc., dated February 13, 2017. All three reports are included in Appendix E of this Recirculated Draft EIR.

2. Environmental Setting

a. Regulatory Framework

Several plans, regulations, and programs include policies, requirements, and guidelines regarding Hazards and Hazardous Materials at the federal, state, regional, and City of Los Angeles levels. As described below, these plans, guidelines, and laws include the following:

- Resource Conservation and Recovery Act;
- Comprehensive Environmental Response, Compensation, and Liability Act;
- Occupational Safety and Health Act of 1970;
- Toxic Substances Control Act;
- Hazardous Materials Transportation Act ;
- Research and Special Programs Administration;
- Federal Emergency Management Act;

- Disaster Mitigation Act of 2000;
- Other Hazardous Materials Regulations;
- State Policies and Regulations;
- California Hazardous Materials Release Response Plans and Inventory Law of 1985;
- Hazardous Waste and Substances Sites;
- Hazardous Waste Control Law;
- License to Transport Hazardous Materials—California Vehicle Code, Section 32000.5 et seq.;
- Underground Storage Tanks Program;
- Aboveground Petroleum Storage Act;
- Lead Based Paint Regulations;
- California Division of Occupational Safety and Health;
- The Safe Drinking Water and Toxic Enforcement Act;
- California Water Code;
- Government Code Section 3229 (California Geologic Energy Management Division);
- California Fire Code;
- Uniform Fire Code;
- California Governor's Office of Emergency Services;
- Emergency Managed Mutual Aid System;
- South Coast Air Quality Management District Rule 1113;
- South Coast Air Quality Management District Rule 1166;
- South Coast Air Quality Management District Rule 1403;
- Los Angeles County Operational Area Emergency Response Plan;

- Los Angeles County Airport Land Use Commission Comprehensive Land Use Plan;
- Certified Unified Program Agency;
- Los Angeles Fire Code;
- Los Angeles Municipal Code (Methane Zones and Methane Buffer Zones);
- Waste Discharge Requirements;
- Emergency Management Department, Emergency Operations Organization (EOO), and Emergency Operation Center; and
- General Plan Conservation Element.

(1) Federal

(a) Resource Conservation and Recovery Act

The federal Resource Conservation and Recovery Act (RCRA) (42 United States Code [USC] secs. 6901–6992k), which amended and revised the Solid Waste Disposal Act, regulates the generation, transportation, treatment, storage, and disposal of hazardous waste. 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 programs for the regulation of hazardous waste as long as they are at least as stringent as RCRA's.

Underground Storage Tanks (USTs) are regulated under Subtitle I of RCRA and its regulations, which establish construction standards for UST installations installed after December 22, 1988, as well as standards for upgrading existing USTs and associated piping. Since 1998, all non-conforming tanks were required to be either upgraded or closed.

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

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as "Superfund," was enacted by Congress on December 11, 1980.[1] This law provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the

[1] *USEPA, Superfund CERCLA Overview, www.epa.gov/superfund/superfund-cercla-overview, accessed June 8, 2023.*

environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites, providing for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA also enabled the revision of the National Contingency Plan. The National Contingency Plan provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The National Contingency Plan also establishes the National Priorities List, which is a list of contaminated sites warranting further investigation by the EPA. CERCLA was amended most recently by the Small Business Liability Relief and Brownfields Revitalization Act of 2002.[2]

(c) Occupational Safety and Health Act of 1970

The Occupational Safety and Health Act of 1970, which is implemented by the federal Occupational Safety and Health Administration (OSHA), contains provisions with respect to hazardous materials handling. OSHA was created to assure safe and healthful working conditions by setting and enforcing standards and by providing training, outreach, education, and assistance. OSHA provides standards for general industry and construction industry on hazardous waste operations and emergency response. OSHA requirements, as set forth in 29 Code of Federal Regulations (CFR) Section 1910, et. seq., 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. The California OSHA program (Cal/OSHA) (codified in the California Code of Regulations [CCR], Title 8, or 8 CCR generally and in the Labor Code secs. 6300-6719) is administered and enforced by the Division of Occupational Safety and Health (DOSH). Cal/OSHA is very similar to the 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.

In addition, pursuant to OSHA, a developer that undertakes a construction project that involves the handling of contaminated site conditions must prepare and implement a Health and Safety Plan (HASP) that sets forth the measures that would be undertaken to protect those that may be affected by the construction project. While a HASP is prepared and implemented pursuant to OSHA, the HASP is not subject to regulatory review and approval, although a HASP is typically appended to a Soil Management Plan if this document is required by the Certified Unified Program Agency (CUPA), which is the City of Los Angeles Fire Department (LAFD) with regard to the Project Site. The HASP, if required, would be prepared in accordance with the most current OSHA regulations,

[2] *USEPA, Summary of the Small Business Liability Relief and Brownfields Revitalization Act, www.epa.gov/brownfields/summary-small-business-liability-relief-and-brownfields-revitalization-act, accessed June 7, 2023.*

including 29 CFR 1910.120, Hazardous Waste Operations and Emergency Response and 29 CFR 1926, Construction Industry Standards, as well as other applicable federal, State, and local laws and regulations.

(d) Toxic Substances Control Act

In 1976, the federal Toxic Substances Control Act (TSCA) (15 USC Sections 2601–2671) established a system of evaluation in order to identify chemicals which may pose hazards. TSCA is enforced by the United States Environmental Protection Agency (USEPA) through inspections of places in which ACMs are manufactured, processed, and stored and through the assessment of administrative and civil penalties and fines, as well as injunctions against violators. TSCA establishes a process by which public exposure to hazards may be reduced through manufacturing, distribution, use and disposal restrictions or labeling of products. Polychlorinated Biphenyls (PCBs) are hazardous materials regulated by the USEPA under the TSCA. These regulations ban the manufacture of PCBs although the continued use of existing PCB-containing equipment is allowed. PCBs were formerly used in such applications as hydraulic fluids, plasticizers, adhesives, fire retardants, and electrical transformers, among others. TSCA also contains provisions controlling the continued use and disposal of existing PCB-containing equipment. The disposal of PCB wastes is also regulated by TSCA (40 CFR 761), which contains life cycle provisions similar to those in RCRA. In addition to TSCA, provisions relating to PCBs are contained in the Hazardous Waste Control Law (HWCL), which lists PCBs as hazardous waste.

Under TSCA, the USEPA has enacted strict requirements on the use, handling, and disposal of asbestos-containing materials (ACMs). These regulations include the phasing out of friable asbestos and ACMs in new construction materials beginning in 1979. In 1989, the USEPA banned most uses of asbestos in the country. Although most of the ban was overturned in 1991, the current banned product categories include corrugated paper, rollboard, commercial paper, specialty paper, flooring felt, and any new uses. TSCA also establishes USEPA's Lead Abatement Program regulations, which provide a framework for lead abatement, risk assessment, and inspections. Those performing these services are required to be trained and certified by USEPA.

(e) Hazardous Materials Transportation Act

The U.S. Department of Transportation (USDOT) prescribes strict regulations for the safe transportation of hazardous materials, including requirements for hazardous waste containers and licensed haulers who transport hazardous waste on public roads. The Secretary of the Department of Transportation receives the authority to regulate the transportation of hazardous materials from the Hazardous Materials Transportation Act (HMTA), as amended and codified in 49 USC Section 5101 et seq. The Secretary of Transportation is authorized to issue regulations to implement the requirements of 49 USC.

The Pipeline and Hazardous Materials Safety Administration (PHMSA),[3] formerly the Research and Special Provisions Administration, was delegated the responsibility to write the hazardous materials regulations, which are contained in Title 49 of the Code of Federal Regulations (CFR) Parts 100–180.[4] Title 49 of the CFR, which contains the regulations set forth by the HMTA, specifies requirements and regulations with respect to the transport of hazardous materials. It requires that every employee who transports hazardous materials receive training to recognize and identify hazardous materials and become familiar with hazardous materials requirements. Under the HMTA, the Secretary of Transportation "may authorize any officer, employee, or agent to enter upon, inspect, and examine, at reasonable times and in a reasonable manner, the records and properties of persons to the extent such records and properties relate to: (1) the manufacture, fabrication, marking, maintenance, reconditioning, repair, testing, or distribution of packages or containers for use by any "person" in the transportation of hazardous materials in commerce; or (2) the transportation or shipment by any "person" of hazardous materials in commerce."

(f) Research and Special Programs Administration

The Research and Special Programs Administration (RSPA) regulations cover definition and classification of hazardous materials, communication of hazards to workers and the public, packaging and labeling requirements, operational rules for shippers, and training. They apply to interstate, intrastate, and foreign commerce by air, rail, ships, and motor vehicles, and also cover hazardous waste shipments. The RSPA's Federal Highway Administration (FHWA) is responsible for highway routing of hazardous materials and highway safety permits. The U.S. Coast Guard regulates bulk transport by vessel. The hazardous material regulations include emergency response provisions, including incident reporting requirements. Reports of major incidents go to the National Response Center, which in turn is linked with CHEMTREC, a service of the chemical manufacturing industry that provides details on most chemicals shipped in the United States.

(g) Federal Emergency Management Act

Federal Emergency Management Act (FEMA) was established in 1979 via executive order and is an independent agency of the federal government. In March 2003, FEMA became part of the U.S. Department of Homeland Security with the mission to lead the effort in preparing the nation for all hazards and effectively manage federal response and

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[3] *U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Federal Hazardous Materials Transportation Law: An Overview, www.phmsa.dot.gov/standards-rulemaking/hazmat/federal-hazardous-materials-transportation-law-overview, accessed June 8, 2023.*

[4] *Federal Register, Code of Federal Regulations 49, Parts 100 to 185, Revised as of October 1, 2010.*

recovery efforts following any national incident[5] FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration.

(h) Disaster Mitigation Act of 2000

The Disaster Mitigation Act (42 USC Section 5121) provides the legal basis for FEMA mitigation planning requirements for State, local, and Indian Tribal governments as a condition of mitigation grant assistance. It amends the Robert T. Stafford Disaster Relief Act of 1988 (42 USC Sections 5121–5207) by repealing the previous mitigation planning provisions and replacing them with a new set of requirements that emphasize the need and creates incentives for state, Tribal, and local agencies to closely coordinate mitigation planning and implementation efforts. This Act reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and the streamlining of the administration of federal disaster relief and programs to promote mitigation activities. Some of the major provisions of this Act include:

- Funding pre-disaster mitigation activities;
- Developing experimental multi-hazard maps to better understand risk;
- Establishing state and local government infrastructure mitigation planning requirements;
- Defining how states can assume more responsibility in managing the Hazard Mitigation Grant Program (HMGP); and
- Adjusting ways in which management costs for projects are funded.

The mitigation planning provisions outlined in Section 322 of this Act establish performance-based standards for mitigation plans and require states to have a public assistance program (Advance Infrastructure Mitigation [AIM]) to develop county government plans. The consequence for counties that fail to develop an infrastructure mitigation plan is the chance of a reduced federal share of damage assistance from 75 percent to 25 percent if the damaged facility has been damaged on more than one occasion in the preceding 10-year period by the same type of event.

[5] *Federal Emergency Management Act, History of FEMA, www.fema.gov/about/history, accessed June 8, 2023.*

(i) Other Hazardous Materials Regulations

In addition to the USDOT regulations for the safe transportation of hazardous materials, other applicable federal laws that also address hazardous materials. These include:

- Community Environmental Response Facilitation Act (CERFA) of 1992;
- Clean Water Act;
- Clean Air Act;
- Safe Drinking Water Act; and
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

(2) State

(a) State Policies and Regulations

The primary state agencies with jurisdiction over hazardous chemical materials management are CalEPA's Department of Toxic and Substance Control (DTSC) and the Los Angeles Regional Water Quality Control Board (RWQCB). Other state agencies involved in hazardous materials management include Cal/OSHA and the State Office of Emergency Services (Cal OES).

Authority for the statewide administration and enforcement of RCRA rests with DTSC. While DTSC has primary state responsibility in regulating the generation, storage and disposal of hazardous materials, DTSC may further delegate enforcement authority to local jurisdictions. In addition, DTSC is responsible and/or provides oversight for contamination cleanup and administers statewide hazardous waste reduction programs. DTSC operates programs to accomplish the following: (1) manage the aftermath of improper hazardous waste management by overseeing site cleanups; (2) prevent releases of hazardous waste by ensuring that those who generate, handle, transport, store, and dispose of wastes do so properly; and (3) evaluate soil, water, and air samples taken at sites.

The storage of hazardous materials in USTs is regulated by the State Water Resources Control Board (SWRCB), which delegates authority to the RWQCB) on the regional level, and typically to the local fire department on the local level.

The Cal/OSHA program is administered and enforced by the DOSH. Cal/OSHA is very similar to the federal OSHA program. For example, both programs contain rules and

procedures related to exposure to hazardous materials during demolition and construction activities. In addition, Cal/OSHA requires employers to implement a comprehensive, written IIPP. An IIPP is an employee safety program for potential workplace hazards, including those associated with hazardous materials.

The Cal OES Hazardous Materials (HazMat) section under the Fire and Rescue Division coordinates statewide implementation of hazardous materials accident prevention and emergency response programs for all types of hazardous materials incidents and threats. In response to any hazardous materials emergency, the HazMat section staff is called upon to provide state and local emergency managers with emergency coordination and technical assistance.

(b) California Hazardous Materials Release Response Plans and Inventory Law of 1985

The Business Plan Act requires preparation of Hazardous Materials Business Plans and disclosure of hazardous materials inventories, including an inventory of hazardous materials handled, plans showing where hazardous materials are stored, an emergency response plan, and provisions for employee training in safety and emergency response procedures for businesses that handle, store, or transport hazardous materials in amounts exceeding specified minimums (California Health and Safety Code [HSC], Division 20, Chapter 6.95, Article 1). Statewide, DTSC has primary regulatory responsibility for management of hazardous materials, with delegation of authority to local jurisdictions that enter into agreements with the state. Local agencies are responsible for administering these regulations.

Several state agencies regulate the transportation and use of hazardous materials to minimize potential risks to public health and safety, including CalEPA and the California Emergency Management Agency. The California Highway Patrol (CHP) and California Department of Transportation (Caltrans) enforce regulations specifically related to the transport of hazardous materials. Together, these agencies determine container types used and license hazardous waste haulers for hazardous waste transportation on public roadways.

(c) Hazardous Waste and Substances Sites

Government Code Section 65962.5, amended in 1992, requires the 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 California Environmental Quality Act (CEQA) requirements pertaining to providing information about the location of hazardous materials release sites. While the Cortese List

is no longer maintained as a single list, the following databases provide information that meet the Cortese List requirements:

1. List of Hazardous Waste and Substances sites from the (DTSC Envirostor database (HSC Sections 25220, 25242, 25356, and 116395);

2. List of open and active leaking underground storage tank (LUST) Sites by County and Fiscal Year from the SWRCB GeoTracker database (HSC Section 25295);

3. List of solid waste disposal sites identified by the SWRCB with waste constituents above hazardous waste levels outside the waste management unit (California Water Code [CWC] Section 13273[e] and 14 CCR Section 18051);

4. List of "active" Cease and Desist Orders and Cleanup and Abatement Orders from the SWRCB (CWC Sections 13301 and 13304); and

5. List of hazardous waste facilities subject to corrective action pursuant to HSC Section 25187.5, identified by the DTSC.

(d) Hazardous Waste Control Law

The Hazardous Waste Control Law (HWCL) empowers DTSC to administer the state's hazardous waste program and implement the federal program in California. CCR Titles 22 and 23 address hazardous materials and wastes. Title 22 defines, categorizes, and lists hazardous materials and wastes. Title 23 addresses public health and safety issues related to hazardous materials and wastes and specifies disposal options.

(e) License to Transport Hazardous Materials—California Vehicle Code, Section 32000.5 et seq.

Caltrans regulates hazardous materials transportation on all interstate roads. Within California, the State agencies with primary responsibility for enforcing federal and State regulations and for responding to transportation emergencies are the CHP and Caltrans. Together, federal and State agencies determine driver-training requirements, load labeling procedures, and container specifications for vehicles transporting hazardous materials.

(f) Underground Storage Tanks Program

The State regulates USTs through a program pursuant to HSC, Division 20, Chapter 6.7, and CCR Title 23, Division 3, Chapter 16 and Chapter 18. The State's UST program regulations include among others, permitting USTs, installation of leak detection systems and/or monitoring of USTs for leakage, UST closure requirements, release reporting/corrective action, and enforcement. Oversight of the statewide UST program is

assigned to the SWRCB which has delegated authority to the RWQCB and typically on the local level, to the fire department. LAFD administers and enforces federal and state laws and local ordinances for USTs at the Project Site. Plans for the construction/installation, modification, upgrade, and removal of USTs are reviewed by LAFD Inspectors. If a release affecting groundwater is documented, the project file is transferred to the appropriate RWQCB for oversight.

(g) Aboveground Petroleum Storage Act

The State regulates USTs through a program pursuant to HSC, Division 20, Chapter 6.7, and CCR Title 23, Division 3, Chapter 16 and Chapter 18. The State's UST program regulations include among others, permitting USTs, installation of leak detection systems and/or monitoring of USTs for leakage, UST closure requirements, release reporting/ corrective action, and enforcement. Oversight of the statewide UST program is assigned to the SWRCB which has delegated authority to the RWQCB and typically on the local level, to the fire department. LAFD administers and enforces federal and state laws and local ordinances for USTs at the Project Site. Plans for the construction/installation, modification, upgrade, and removal of USTs are reviewed by LAFD Inspectors. If a release affecting groundwater is documented, the project file is transferred to the appropriate RWQCB for oversight.

(h) Lead-Based Paint Regulations

Lead-based paint (LBP) is defined as any paint, varnish, stain, or other applied coating that has a 1 milligram per square centimeter (mg/cm^2) (5,000 microgram per gram [µg/g] or 0.5 percent by weight) or more of lead. The U.S. Consumer Product Safety Commission (16 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.

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 HSC.

(i) California Division of Occupational Safety and Health (Cal/OSHA)

Cal/OSHA is responsible for developing and enforcing workplace safety standards and ensuring worker safety in the handling and use of hazardous materials (8 CCR, Section 1529). Among other requirements, Cal/OSHA requires entities handling specified

amounts of certain hazardous chemicals to prepare injury and illness prevention plans and chemical hygiene plans and provides specific regulations to limit exposure of construction workers to lead. OSHA applies to this Project because contractors will be required to comply with its handling and use requirements that would increase worker safety and reduce the possibility of spills, and to prepare an emergency response plan to respond to accidental spills.

(j) The Safe Drinking Water and Toxic Enforcement Act

The Safe Drinking Water and Toxic Enforcement Act (HSC Section 25249.5, et seq.), Proposition 65, lists chemicals and substances believed to have the potential to cause cancer or deleterious reproductive effects in humans. It also restricts the discharges of listed chemicals into known drinking water sources above the regulatory levels of concern, requires public notification of any unauthorized discharge of hazardous waste, and requires that a clear and understandable warning be given prior to a known and intentional exposure to a listed substance.

(k) California Water Code

The CWC authorizes the SWRCB to implement provisions of the Clean Water Act, including the authority to regulate waste disposal and require cleanup of discharges of hazardous materials and other pollutants. With regard to construction dewatering discharge analysis and treatment, groundwater may be encountered during deeper excavations for the subterranean parking structure, building foundations, or other subterranean building components. Under the CWC, discharges of any such groundwater to surface waters, or any point sources hydrologically connected to surface waters, such as storm drains, is prohibited unless conducted in compliance with a Waste Discharge Requirement (WDR) permit. In addition to the CWC, these permits implement, and are in compliance with, the federal Clean Water Act's National Pollutant Discharge Elimination System (NPDES) program. In accordance with these legal requirements, dewatering, treatment, and disposal of groundwater encountered during construction activities would be conducted in accordance with the Los Angeles RWQCB's (LARWQCB) Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties, pursuant to adopted Order No. R4-2018-0125, or any other appropriate WDR permit identified by the LARWQCB.[6] Compliance with an appropriate WDR permit would include monitoring, treatment if appropriate, and proper disposal of any encountered groundwater in accordance with applicable water quality standards. If, for example, extracted groundwater

[6] *Los Angeles Regional Water Quality Control Board, Order No. R4-2018-0125, Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties, adopted September 13, 2018.*

contains Total Petroleum Hydrocarbons (TPH) or other petroleum breakdown compounds in concentrations exceeding water quality standards, compliance with legal requirements would mandate treatment to meet published state water quality standards prior to discharge into a storm drain system.

(l) Government Code Section 3229, Division (California Geologic Energy Management Division)

In compliance with Section 3229, Division 3 of the California Public Resources Code, before commencing any work to abandon any well, the owner or operator shall request approval from the California Geologic Energy Management Division (CalGEM), formerly the Division of Oil, Gas, and Geothermal Resources (DOGGR), via a written notice of intention to abandon the well.

(m) California Fire Code, Title 24, Part 9, Chapters 33, 50, and 57

The 2022 California Fire Code (CFC), written by the California Building Standards Commission and effective January 1, 2023, is based on the 2021 International Fire Code (IFC). The IFC is a model code that regulates minimum fire safety requirements for new and existing buildings, facilities, storage and processes. The IFC addresses fire prevention, fire protection, life safety, and safe storage and use of hazardous materials in new and existing buildings, facilities, and processes.

The CFC, codified in 24 CCR Part 9, was created by the California Building Standards Commission based on the IFC and is updated every three years. The overall purpose of the CFC is to establish the minimum requirements to safeguard the public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises, and to provide safety and assistance to firefighters and emergency responders during emergency operations. Chapter 49 of the CFC contains minimum standards for development in the wildland–urban interface and fire hazard areas. The CFC also provides regulations and guidance for local agencies in the development and enforcement of fire safety standards.

(n) Uniform Fire Code

The Uniform Fire Code (UFC), Article 80 (UFC Section 80.103 as adopted by the State Fire Marshal pursuant to HSC Section 13143.9), includes specific requirements for the safe storage and handling of hazardous materials. These requirements are intended to reduce the potential for a release of hazardous materials and for mixing of incompatible chemicals, and specify the following specific design features to reduce the potential for a release of hazardous materials that could affect public health or the environment:

- Separation of incompatible materials with a noncombustible partition;

- Spill control in all storage, handling, and dispensing areas; and
- Separate secondary containment for each chemical storage system. The secondary containment must hold the entire contents of the tank, plus the volume of water needed to supply the fire suppression system for a period of 20 minutes in the event of catastrophic spill.

(o) California Governor's Office of Emergency Services (Cal OES)

In 2009, the State of California passed legislation creating the Cal OES and authorized it to prepare a Standard Emergency Management System (SEMS) program (19 CCR Section 2401 et seq.), which sets forth measures by which a jurisdiction should handle emergency disasters. In California, SEMS provides the mechanism by which local governments request assistance. Non-compliance with SEMS could result in the state withholding disaster relief from the non-complying jurisdiction in the event of an emergency disaster. Cal OES coordinates the state's preparation for, prevention of, and response to major disasters, such as fires, floods, earthquakes and terrorist attacks. During an emergency, Cal OES serves as the lead state agency for emergency management in the state. It also serves as the lead agency for mobilizing the state's resources and obtaining federal resources. Cal OES coordinates the state response to major emergencies in support of local government. The primary responsibility for emergency management resides with the local government. Local jurisdictions first use their own resources and, as they are exhausted, obtain more from neighboring cities and special districts, the county in which they are located, and other counties throughout the state through the statewide mutual aid system (see discussion of Mutual Aid Agreements, below). California Emergency Management Agency (Cal-EMA) maintains oversight of the state's mutual aid system.

(p) Emergency Managed Mutual Aid System

Cal OES developed the Emergency Managed Mutual Aid (EMMA) System in response to the 1994 Northridge Earthquake. The EMMA System coordinates emergency response and recovery efforts along the coastal, inland, and southern regions of California. The purpose of EMMA is to provide emergency management personnel and technical specialists to afflicted jurisdictions in support of disaster operations during emergency events. Objectives of the EMMA Plan is to provide a system to coordinate and mobilize assigned personnel, formal requests, assignment, training and demobilization of assigned personnel; establish structure to maintain the EMMA Plan and its procedures; provide the coordination of training for EMMA resources, including SEMS training, coursework, exercises, and disaster response procedures; and to promote professionalism in emergency management and response. The EMMA Plan was updated in November 2012 and supersedes the 1997 EMMA Plan and November 2001 EMMA Guidance.

(3) Regional

(a) South Coast Air Quality Management District Rule 1113

South Coast Air Quality Management District (SCAQMD) Rule 1166, Architectural Coating, requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce volatile organic compound (VOC) emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories.

(b) South Coast Air Quality Management District Rule 1166

SCAQMD Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil, requires that an approved mitigation plan be obtained from SCAQMD prior to commencing any of the following activities: (1) The excavation of an underground storage tank or piping which has stored VOCs; (2) the excavation or grading of soil containing VOC material including gasoline, diesel, crude oil, lubricant, waste oil, adhesive, paint, stain, solvent, resin, monomer, and/or any other material containing VOCs; (3) the handling or storage of VOC-contaminated soil [soil which registers >50 parts per million (ppm) or greater using an organic vapor analyzer (OVA) calibrated with hexane] at or from an excavation or grading site; and (4) the treatment of VOC-contaminated soil at a facility. This rule sets requirements to control the emission of VOCs from excavating, grading, handling and treating VOC-contaminated soil as a result of leakage from storage or transfer operations, accidental spillage, or other deposition.

(c) South Coast Air Quality Management District Rule 1403

SCAQMD Rule 1403, Asbestos Emissions from Renovation/Demolition Activities, regulates asbestos as a toxic material and controls the 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 structures with ACMs, asbestos storage facilities, and waste disposal sites.

(d) Los Angeles County Operational Area Emergency Response Plan

The County of Los Angeles developed the Emergency Response Plan (ERP) to ensure the most effective allocation of resources for the maximum benefit and protection of the public in time of emergency. The ERP does not address normal day-to-day emergencies or the well-established and routine procedures used in coping with them. Instead, the operational concepts reflected in this plan focus on potential large-scale disasters like extraordinary emergency situations associated with natural and man-made disasters and technological incidents which can generate unique situations requiring an

unusual or extraordinary emergency response. The purpose of the plan is to incorporate and coordinate all facilities and personnel of the County government, along with the jurisdictional resources of the cities and special districts within the County, into an efficient Operational Area organization capable of responding to any emergency using a Standard Emergency Management System, mutual aid and other appropriate response procedures. The goal of the plan is to take effective life-safety measures and reduce property loss, provide for the rapid resumption of impacted businesses and community services, and provide accurate documentation and records required for cost-recovery.

(e) Los Angeles County Airport Land Use Commission Comprehensive Land Use Plan

In Los Angeles County, the Regional Planning Commission has the responsibility for acting as the Airport Land Use Commission (ALUC) and for coordinating the airport planning of public agencies within the county. The ALUC coordinates planning for the areas surrounding public use airports. The Los Angeles County Airport Land Use Plan (dually titled the Comprehensive Land Use Plan) provides for the orderly expansion of Los Angeles County's public use airports and the area surrounding them. It is intended to provide for the adoption of land use measures that will minimize the public's exposure to excessive noise and safety hazards. In formulating this plan, the Los Angeles County ALUC has established provisions for safety, noise insulation, and the regulation of building height within areas adjacent to each of the public airports in the County.

(4) Local

(a) Certified Unified Program Agency

The primary local agency with responsibility for implementing federal and state laws and regulations pertaining to hazardous materials management is the Los Angeles County Health Department, Environmental Health Division. The Los Angeles County Health Department is the CUPA for the County of Los Angeles. A CUPA is a local agency that has been certified by CalEPA to implement the six state environmental programs within the local agency's jurisdiction. This program was established under the amendments to the California HSC made by Senate Bill 1082 in 1994. The six consolidated programs are:

- Hazardous Materials Release Response Plan and Inventory (Business Plans);
- California Accidental Release Prevention (CalARP);
- Hazardous Waste (including Tiered Permitting);
- USTs;

- ASTs (Spill Prevention Control and Countermeasures [SPCC] requirements); and

- UFC Article 80 Hazardous Material Management Program (HMMP) and Hazardous Material Identification System (HMIS).

As the CUPA for County of Los Angeles, the Los Angeles County Health Department Environmental Health Division maintains the records regarding location and status of hazardous materials sites in the county and administers programs that regulate and enforce the transport, use, storage, manufacturing, and remediation of hazardous materials. By designating a CUPA, Los Angeles County has accurate and adequate information to plan for emergencies and/or disasters and to plan for public and firefighter safety.

A Participating Agency is a local agency that has been designated by the local CUPA to administer one or more Unified Programs within their jurisdiction on behalf of the CUPA. The Los Angeles County Health Department, Environmental Health Division has designated the LAFD as a Participating Agency. The LAFD monitors the storage of hazardous materials in the City for compliance with local requirements. Specifically, businesses and facilities that store more than threshold quantities of hazardous materials as defined in California HSC Code Chapter 6.95 are required to file an Accidental Risk Prevention Program with LAFD. This program includes information such as emergency contacts, phone numbers, facility information, chemical inventory, and hazardous materials handling and storage locations. LAFD also has the authority to administer and enforce federal and State laws and local ordinances for USTs. Plans for the construction/ installation, modification, upgrade, and removal of USTs are reviewed by LAFD Inspectors.

In addition, the LAFD, in their role as the CUPA, also oversees and addresses issues relating to the presence and handling of contaminated soils that may be present at the Project Site. Any such hazardous materials that may be encountered would be managed (using tools, such as a Soil Management Plan [SMP]) in accordance with all relevant and applicable federal, State, and local laws and regulations that pertain to the use, storage, transportation and disposal of hazardous materials and waste. The SMP, if required, would describe the methodology to identify and manage (reuse or off-site disposal) contaminated soil during soil excavation and/or construction. The SMP would also provide protocols for confirmation sampling, segregation and stockpiling, profiling, backfilling, disposal, guidelines for imported soil, and backfill approval from the City's Department of Building and Safety (LADBS). The SMP would also describe the methodology to manage underground features that may be encountered during construction. In addition, the LAFD may consult with other agencies (e.g., DTSC and the LARWQCB) if the nature of the contamination warrants the involvement of these agencies.

(b) Los Angles Fire Code

At the local level, the LAFD monitors the storage of hazardous materials for compliance with local requirements. Specifically, businesses and facilities that store more than threshold quantities of hazardous materials as defined in Chapter 6.95 of the California Health and Safety Code are required to file an Accidental Risk Prevention Program with the LAFD.[7] This program includes information such as emergency contacts, phone numbers, facility information, chemical inventory, and hazardous materials handling and storage locations. The LAFD also issues permits for hazardous materials handling and enforces California's Hazardous Materials Release Response Plans and Inventory Law (HSC Section 25500 et seq.). Basic requirements of California's Hazardous Materials Release Response Plans and Inventory Law include the development of detailed hazardous materials inventories used and stored on-site, a program of employee training for hazardous materials release response, identification of emergency contacts and response procedures, and reporting of releases of hazardous materials. Any facility that meets the minimum reporting thresholds (i.e., a mixture containing a hazardous material that has a quantity at any one time during the reporting year that is equal to, or greater than, 55 gallons for materials that are liquids, 500 pounds for solids, or 200 cubic feet for compressed gas) must comply with the reporting requirements and file a Business Emergency Plan (BEP) with the local administering agency.[8]

The LAFD also administers the Fire Life Safety Plan Check and Fire Life Safety Inspections interpreting and enforcing applicable standards of the Fire Code, Title 19, Uniform Building Code, City, and National codes concerning new construction and remodeling. As part of the Fire Life Safety Plan Check and Fire Life Safety Inspections, businesses that store hazardous waste or hazardous materials in amounts exceeding the thresholds noted above are subject to review.

Section 91.7109.2 of the Los Angeles Municipal Code (LAMC) requires LAFD notification when an abandoned oil well is encountered during construction activities and requires that any abandoned oil well not in compliance with existing regulations be re-abandoned in accordance with applicable rules and regulations of CalGEM.

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[7] *The CalARP program encompasses both the federal "Risk Management Program," established in the Code of Federal Regulations, Title 40, Part 68, and the State of California program, in accordance with the Title 19 of the California Code of Regulations, Division 2, Chapter 4.5.*

[8] *California Health & Safety Code, Division 20, Chapter 6.95, Article 1; California Code of Regulations, Title 19, Sections 2620-2732; California Code of Regulations, Title 24, Part 9, Section 80.115; Los Angeles Municipal Code, Article 7 of Chapter V, Section 57.120.1, and 57.120.1.4.*

(c) Los Angeles Municipal Code (Methane Zones and Methane Buffer Zones)

LAMC Chapter IX, Article 1, Division 71, 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 reduce methane-related risks to a less than significant level.

(d) Waste Discharge Requirements

Effective on July 23, 2021, the Los Angeles RWQCB adopted Order No. R4-2021-0105, NPDES Permit No. CAS004004, Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges into the Coastal Watersheds of Los Angeles County and Ventura County. The permit establishes new performance criteria for new development and redevelopment projects in the coastal watersheds of Los Angeles County (with the exception of the city of Long Beach). Storm water and non-storm water discharges consist of surface runoff generated from various land uses, which are conveyed via the municipal separate storm sewer system and ultimately discharged into surface waters throughout the region ("storm water" discharges are those that originate from precipitation events, while "non-storm water" discharges are all those that are transmitted through an MS4 Storm Water Permit and originate from precipitation events). Discharges of stormwater and non-storm water from the MS4s, or storm drain systems, in the Coastal Watersheds of Los Angeles County convey pollutants to surface waters throughout the Los Angeles Region. Non-storm water discharges through an MS4 in the Los Angeles Region are prohibited unless authorized under an individual or general NPDES permit; these discharges are regulated by the Los Angeles County NPDES Permit, issued pursuant to Clean Water Act (CWA) Section 402. Coverage under a general NPDES permit such as the Los Angeles County permit can be achieved through development and implementation of a project-specific SWPPP.

(e) Emergency Management Department, Emergency Operations Organization, and Emergency Operation Center

The City of Los Angeles Emergency Management Department (EMD) is comprised of four divisions and two units including administrative services division, communications division, community emergency management division, operations division, planning unit, and training exercise unit. The EMD works with City departments, municipalities and with community-based organizations to ensure that the City and its residents have the

resources and information they need to prepare, respond, and recover from emergencies, disasters and significant events. The Emergency Operations Organization (EOO) is the operational department responsible for the City's emergency preparations (planning, training and mitigation), response and recovery operations. The EOO centralizes command and information coordination to enable its unified chain-of-command to operate efficiently and effectively in managing the City's resources.

The Emergency Operation Center (EOC) is the focal point for coordination of the City's emergency planning, training, response and recovery efforts. EOC processes follow the National All-Hazards approach to major disasters such as fires, floods, earthquakes, acts of terrorism and large-scale events in the City that require involvement by multiple City departments.

(f) Los Angeles General Plan Conservation Element

The City of Los Angeles General Plan includes a Conservation Element adopted in September 2001. The policy relevant to hazards and hazardous materials is Policy 3, which calls for the continued protection of neighborhoods from potential accidents and subsidence associated with drilling, extraction and transport operations, consistent with California Department of Conservation, Division of Oil and Gas (now CalGEM) requirements.

b. Existing Conditions

(1) Current and Historical Uses of the Project Site

The current and past land uses within the Project Site were identified to assess their potential to present concerns relative to the presence of hazards and/or the handling of hazardous materials. These concerns are classified as Recognized Environmental Conditions (RECs), which are defined as "the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, past release, or material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water or surface water of the property." In order to differentiate between conditions relating to current and prior uses, conditions relating to prior uses are classified as Historical Recognized Environmental Conditions (HREC). Controlled Recognized Environmental Conditions (CRECs) are RECs resulting from a past release of hazardous substances or petroleum products that have been addressed to the satisfaction of the applicable regulatory authority, and the hazardous products are allowed to remain in place subject to required controls.

As described in Section II, Project Description, of this Recirculated Draft EIR, the Project Site is currently developed with three structures, including a two-story Barnes & Noble bookstore located along the northeast corner of the Project Site, near the Maxella Avenue and Glencoe Avenue intersection; a single-story building providing a variety of retail uses located generally within the southern portion of the Project Site, along Glencoe Avenue; a two-story commercial and retail building located generally within the western portion of the Project Site; and surface parking and circulation areas. According to the Phase I ESA and the Phase I ESA Update included as Appendix E of this Recirculated Draft EIR, based on a review of historic documents and photographs, the Project Site was agricultural land until approximately 1973, when the first commercial structures were constructed on-site. By 1977, the Project Site was occupied by the existing commercial structures.

According to information provided in the SCAQMD Facility Information Detail (FIND) database, the Project Site has previously been issued air emissions permits by SCAQMD for natural gas charboilers. Based on the nature of the permits for restaurant operations, the permits are not considered a REC for the Project Site. Therefore, the Phase I ESA and Phase I ESA Update determined that there are no RECs, HRECs and/or CRECs based on historical or existing uses on the Project Site.

(2) Hazardous Materials Database Search

The Phase I ESA and Phase I ESA Update for the Project Site included a computerized government environmental records search. The records search included numerous government databases such as those of registered USTs, operators who are hazardous waste generators, former landfills, and sites with a known hazardous materials release. These findings are summarized below.

(a) Project Site

Based on the database records search, the Project Site is listed on the California Hazardous Waste Information System (CA HAZNET), which includes facility and manifest data for sites that file hazardous waste manifests with the DTSC, and on the California Hazardous Waste Tracking System (CA HWTS), which is DTSC's data repository for hazardous waste manifest and ID Number information.[9] DTSC relies on HWTS for issuing and tracking ID numbers, registering transporters, and providing information to analyze hazardous waste activities for policy purposes and enforcement. The CA HAZNET and CA HWTS databases identify the Project Site as being a hazardous waste generator

[9] *Note that being listed within any of these lists does not imply that an environmental problem exists presently or has existed in the past.*

between 1993 and 1995. Hazardous wastes reportedly generated on-site included asbestos containing waste, organic liquid mixture, and organic solids with halogens. Based on building permit records, these hazardous wastes appear to be attributed to remodeling activities that occurred on the Project Site during that time period. No violations were identified with respect to the hazardous waste listings. In addition, based on a lack of reported spill, leaks, or violation, this listing is not considered to represent a significant environmental concern.

(b) Surrounding Sites

Several properties located within a 1-mile radius of the Project Site are listed on various regulatory databases. Four sites located near the Project Site are considered environmental concerns. One site has been listed on multiple regulatory databases for having hazardous waste located on-site, one site is listed as a contaminated site, and two sites are listed as having had an environmental release occur on-site. These sites are discussed further below.

The nearest listed environmental concern is the property formerly occupied by Transco Products Incorporated located approximately 189 feet northwest of the Project Site at 4241 Glencoe Avenue. This property has been listed on a number of regulatory databases for both prior generation of more than 100 and less than 1,000 kilograms of hazardous waste during any calendar month and for operating a 500-gallon waste oil UST. The property is specifically listed on the following regulatory databases: Resource Conservation and Recovery Act—Small Quantity Generator (RCRA-SQG), California Statewide Environmental Evaluation and Planning System Underground Storage Tanks (CA SWEEPS UST), California Hazardous Substance Storage Container Underground Storage Tank (CA HIST UST), California Facility Inventory Database Underground Storage Tanks (CA FID UST), Facility Information Detail (FINDS); and Enforcement and Compliance History Online (ECHO). Although it is unknown if the 500-gallon waste oil UST was removed prior to redevelopment of the site, no hazardous waste violations were found in connection with the property. Based on a lack of reported violation, this listing is not considered to represent a significant environmental concern to the Project Site.

The nearest listed contaminated site to the Project Site is the USA Gasoline Corporation #98 property located approximately 200 feet southeast of the Project Site on the southwest corner of Glencoe Avenue and Mindanao Way. This property is considered a contaminated site and is listed on the following regulatory databases: RCRA-SQG, FINDS, ECHO, Environmental Data Resources, Inc. Historical Auto Station (EDR Hist Auto), California leaking underground storage tank (CA LUST), California Hazardous Substance Storage Container Database Hazardous Waste and Substance Site List (CA HIST CORTESE), California Underground Storage Tank (CA UST), CA FID UST, CA SWEEPS UST; and CA HIST UST. According to the Phase I ESA and Phase I ESA

Update, a gasoline release impacting soil and groundwater was discovered in February 1989 and a case was opened with the LAFD. No documentation was found that indicates any testing beneath or around the gas station was conducted prior to case closure in January 1997. The case was reopened in May 2000. In October 2011, three single-walled 12,000-gallon USTs located west of the pump islands were removed from the site and two double-walled 20,000-gallon USTs were installed northeast of the pump islands. During the UST upgrade activities, approximately 1,929 cubic yards of impacted soil was removed from the site. In March 2012, the case was referred to the Regional Water Quality Control Board. In June 2013 one groundwater extraction well and four groundwater monitoring wells were installed. Currently the Regional Water Quality Control Board case is under review and pending closure. Notwithstanding, based on the south-southeast groundwater gradient of the site, which flows away from the Project Site, this site is not considered to represent a significant environmental concern to the Project Site.

The 76 Unocal Gas Station located west-southwest of the Project Site, approximately 400 feet from the Project Site at 4300 Lincoln Boulevard is considered a release site and is listed on the following regulatory databases: CA HIST UST, CA UST, CA LUST, CA HIST CORTESE, EDR Hist Auto, CA SWEEPS UST, and CA FID UST. A leak impacting groundwater was first reported in 1988 with concentrations of MTBE (methyl tert-butyl ether) in groundwater up to 1,800 µg/L (microgram/liter). The case regarding the release was closed on June 18, 1997. In March and April 2009, five monitoring wells were installed and were sampled from 2009 through 2012. Based on the concentrations of the petroleum hydrocarbons in the monitoring wells, the site was issued a case closure by the Regional Water Quality Control Board in September 2012. As discussed in the Phase I ESA and Phase I ESA Update, due to the south-southeast groundwater gradient of the site, which flows away from the Project Site, this site is not considered to represent a significant environmental concern to the Project Site.

An additional release site is the former property of the Cornell-Dubilier Electronics Division located north-northwest of the Project Site, approximately 1,200 feet from the Project Site, at 4144 Glencoe Avenue. The site is considered a solvent release site and is located on the following regulatory databases: California Bond Expenditure Plan (CA BOND EXP. PLAN), RCRA- SQG, CA HAZNET, safety and environmental management system (SEMS), CA RESPONSE, CA ENVIROSTOR, and California Spills, Leaks, Investigation, and Cleanup (CA SLIC). During an investigation of the property in 1988, elevated concentrations of PCBs, trichloroethylene (TCE), and tetrachloroethylene (PCE) were detected in the soils. PCBs, TCE, and PCE were also detected in the groundwater beneath the site. In February 2006, DTSC approved a Remedial Action Plan for the site. As of 2015, DTSC has determined that permanent groundwater monitoring wells are necessary in the down-gradient direction to monitor VOCs due to the presence of PCE and TCE concentrations found in the dewatering system located at the Marina Marketplace site. Therefore, it is likely that groundwater beneath the Project Site has been

impacted by this off-site solvent release. A Remedial Action Completion Report by DTSC is due in 2023.[10]

With respect to oil production sites, according to the State of California Division of Geologic Energy Management (CalGEM) Online Mapping System, the Project Site is located within a 2,000-foot radius of the Playa del Rey oil field. The database also indicates that there are two oil wells located within a 2,000-foot radius of the Project Site.

With regard to landfill sites, Thatcher Street processing and transfer station located approximately 1,750 feet west-southwest of the Project Site is listed on the Solid Waste Information (SWIS) and the Waste Management Unit Database (WMUD) databases. The station processes and stores construction/demolition inert and mixed municipal waste. This site is not considered to represent a significant environmental concern to the Project Site.

(3) Hazardous Materials Use and Storage

Currently, operations within the Project Site involve the use of limited quantities of potentially hazardous materials typical of those used in retail properties and landscaping. These materials include pesticides for landscaping, cleaning solvents for maintenance, small quantities of paint, and other general maintenance products. During the Project Site reconnaissance conducted as part of the Phase I ESA and Phase I ESA Update, no recognized environmental conditions such as leaks, stains, spills, or distressed vegetation were observed on the Project Site. In addition, no hazardous substances, drums or other chemical containers were observed on-site.

(4) Hazardous Waste Generation, Handling, and Disposal

During the Project Site reconnaissance, an on-site trash compactor located near 4365 Glencoe Avenue, and numerous trash bins were observed on the Project Site. No evidence of spills or staining was identified near the trash compactor or trash bins. The wastes are removed from the Project Site by a licensed contractor to be managed at licensed waste treatment, disposal, or recycling facilities that are permitted to receive the applicable waste.

[10] *Department of Toxic Substances Control, EnviroStor, Cornell-Dubilier Electronics, www.envirostor.dtsc.ca.gov/public/profile_report?global_id=19360279, accessed June 8, 2023.*

(5) Underground and Aboveground Storage Tanks

During the Project Site reconnaissance, no evidence of existing USTs or ASTs was observed on the Project Site.

(6) Asbestos-Containing Materials

Asbestos is a naturally occurring mineral made up of microscopic fibers. Asbestos has unique qualities which include its strength, fire resistance, resistance to chemical corrosion, poor conduction of heat, noise, and electricity, and low cost. Asbestos was widely used in the building industry starting in the late 1800s and up until the late 1970s for a variety of uses, including acoustic and thermal insulation and fireproofing, and is often found in ceiling and floor tiles, linoleum, pipes, structural beams, and asphalt. Despite its useful qualities, asbestos becomes a hazard if the fibers separate and become airborne. Inhalation of airborne asbestos fibers could cause lung diseases. Any building, structure, surface asphalt driveway, or parking lot constructed prior to 1979 could contain asbestos or ACMs. Based on the age of the retail buildings (i.e., constructed as early as 1973), there is a potential for ACMs to be present on-site.

(7) Lead-Based Paint

Lead is a naturally occurring element and heavy metal that was widely used as a major ingredient in most interior and exterior oil-based paints prior to 1950. Lead compounds continued to be used as corrosion inhibitors, pigments, and drying agents from the early 1950s to 1972, when the Consumer Products Safety Commission specified limits on lead content in such products. While adults can be affected by excessive exposure to lead, the primary concern is the adverse health effects on children. The most common paths of lead exposure in humans are through ingestion and inhalation. LBP is of concern both as a source of exposure and as a major contributor to lead in interior dust and exterior soil. Due to the age of the retail buildings, it is possible LBPs could be present.

(8) Polychlorinated Biphenyls

Typical sources of PCBs include electrical transformer cooling oils, fluorescent light fixture ballasts, and hydraulic oil. In 1976, the USEPA banned the manufacture and sale of PCB-containing transformers. Prior to this date, transformers were frequently filled with a dielectric fluid containing PCB-laden oil. PCB-contaminated transformers known or assumed under the Toxic Substances Control Act to contain between 50 and 499 ppm of PCBs are also subject to USEPA regulations.[11] By 1985, the USEPA required that

[11] *U.S. Environmental Protection Agency, PCBs Questions & Answers, https://19january2017snapshot.epa.gov/www3/region9/pcbs/faq.html, accessed June 8, 2023.*

commercial property owners with transformers containing more than 500 ppm of PCBs must register the transformer with the local fire department, provide exterior labeling, and remove combustible materials within five meters (40 CFR 761.30: "Fire Rule").

During the Project Site reconnaissance, three vaulted transformers were observed on-site. Surficial staining was not observed in the vicinity of the transformers. No other potential PCB-containing equipment was observed on the Project Site.

(9) Oil Wells and Methane Gas

During the Project Site reconnaissance, no evidence of dry wells, monitoring wells, or other wells was observed on the Project Site. A review of the State of California CalGEM Online Mapping System determined the Project Site is located within a 2,000-foot radius of the Playa del Rey oil field. The database also indicates that there are two oil wells located within a 2,000-foot radius of the Project Site.

Shaerby Oil Company located southeast of the Project Site has an exploratory oil well that is listed as plugged and inactive. In July 1937, the well was spudded to a depth of 856 feet and drilled to a total depth of 7,522 feet. On September 20, 1937, the well was abandoned due to a lack of production. The well was plugged with mud followed by a cement plug from 875 feet to 818 feet.

Marathon Oil Company located southwest of the Project Site has an exploratory oil well that is listed as plugged and inactive. In March 1929, the well was spudded to a depth of 905 feet and drilled to a depth of 6,210 feet. On May 30, 1929, the well was abandoned due to a lack of production. The well was plugged with mud followed by a steel cap welded on top of the casing.

The Project Site is located within a designated Methane Buffer Zone mapped by the City.[12] Methane is a naturally occurring gas associated with the decomposition of organic materials. In high-enough concentrations, between 50,000 ppm and 150,000 ppm by volume in the presence of oxygen, methane can be considered an explosion hazard. A Methane Report was prepared for the Project in February 2017 to evaluate the potential subsurface hazardous gas conditions at the Project Site as they relate to the construction and operation of the Project. According to the Methane Report, which is included in Appendix E, of this Recirculated Draft EIR, a methane investigation, which consisted of the installation of 11 soil vapor probes, was performed. The results of the investigation

[12] *City of Los Angeles Department of City Planning, ZIMAS, Parcel Profile Report for 13450 Maxella Avenue., http://zimas.lacity.org/, accessed July 6, 2023.*

revealed elevated concentrations of methane gas between 20 and 1,050 ppm of methane by volume.

(10) Other Site Conditions

The Project Site is not located in an area designated by the USEPA as having a high potential for radon gas exposure.

3. Project Impacts

a. Thresholds of Significance

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

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

Threshold (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

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

Threshold (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

Threshold (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

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

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

For this analysis, the Appendix G Thresholds listed above are relied upon. The analysis utilizes factors and considerations identified in the City's 2006 L.A. CEQA

Thresholds Guide, as appropriate, to assist in answering the Appendix G Threshold questions.

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

(1) Risk of Upset/Emergency Preparedness

- Compliance with 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

- Compliance with 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.

b. Methodology

To evaluate potential impacts relative to hazards and hazardous materials, a Phase I ESA and Phase I ESA Update were prepared for the Project Site in accordance with the requirements of *ASTM Practice E1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (ASTM Standard E1527-13).[13] The analysis of the potential impacts regarding hazards and hazardous material was based on the following:

[13] *This publication by the American Society for Testing and Materials (ASTM) defines good commercial and customary practice in the United States of America for conducting an environmental site assessment of a parcel of commercial real estate with respect to the range of contaminants within the scope of the*
(Footnote continued on next page)

- Visual inspection of the entire Project Site with special attention given to any hazardous materials storage and handling, distressed vegetation, and stains that could indicate contamination;
  - Survey of the surrounding area to determine if other potential contaminated sites exist that could environmentally impact the Project Site;
  - Observation of Project Site and area drainage patterns for potential contamination migration pathways;
- Interviews with persons familiar with Project Site usage;
- Review of historical sources of the Project Site and regulatory agency records for the Project Site and surrounding sites;
- Review of current Project Site geotechnical and methane reports; and
- Review of previous environmental reports prepared for the Project Site and adjacent parcels.

In addition, the Phase I ESA and Phase I ESA Update provides general information regarding ACMs, LBP, radon, oil and gas exploration, and methane gas. Recommendations regarding the construction and operation of the Project are based on these results. The Phase I ESA, Phase I ESA Update, and the Methane Report are provided in Appendix E of this Recirculated Draft EIR.

c. Project Design Features

No specific project design features are proposed with regard to hazards and hazardous materials.

d. Analysis of Project Impacts

As set forth in Section II, Project Description, of this Recirculated Draft EIR, the Project proposes two development options—Option A and Option B. Under Option A, the Project proposes the development of 658 multi-family residential units and up to 27,300 square feet of neighborhood-serving commercial uses, including up to approximately 13,650 square feet of retail space and up to approximately 13,650 square feet of restaurant space. Option B proposes the development of 425 multi-family residential units, 91,162 square feet of office space, and 40,165 square feet of

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. Section 9601) and petroleum products.

neighborhood-serving commercial uses, including approximately 20,000 square feet of retail space and approximately 20,165 square feet of restaurant space. The types of construction activities required for development would be similar under both development options. As the differences in the land use mix under the two development options do not affect the analyses related to hazards and hazardous materials, the analysis of potential impacts associated with hazards and hazardous materials provided below accounts for both development options and, the term "Project" used in the analysis below accounts for the potential impacts of both Option A and Option B.

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) Construction

During demolition, on-site grading, and building construction, hazardous materials such as fuel and oils associated with construction equipment, as well as coatings, paints, adhesives, and caustic or acidic cleaners could be used, handled, and stored on the Project Site. The use, handling, and storage of these materials could increase the opportunity for hazardous materials releases and, subsequently, the exposure of people and the environment to hazardous materials. However, all potentially hazardous materials would be used and stored in accordance with manufacturers' specifications and instructions, thereby reducing the risk of hazardous materials use. In addition, as described in the Regulatory Framework subsection above, there are regulations aimed at establishing specific guidelines regarding risk planning and accident prevention, protection from exposure to specific chemicals, and the proper storage of hazardous materials. The Project would be in full compliance with all applicable federal, state, and local requirements concerning the use, storage, and management of hazardous materials. Consequently, there is limited potential for Project construction activities to expose people to a substantial risk resulting from the release or explosion of a hazardous material, or from exposure to a health hazard in excess of regulatory standards. The Project Site would not exacerbate the current environmental conditions so as to create a significant hazard to the public or the environment. **Therefore, impacts related to the routine transport, use, or disposal of hazardous materials during construction would be less than significant.**

(b) Operation

Operation of the Project would use potentially hazardous materials typical of those used in residential and commercial uses. As with Project construction, all hazardous materials on the Project Site would continue to be acquired, handled, used, stored, and disposed of in accordance with all applicable federal, state and local requirements.

Therefore, with implementation of appropriate hazardous materials management protocols at the Project Site and continued compliance with all applicable local, state, and federal laws and regulations relating to environmental protection and the management of hazardous materials, impacts associated with the routine transport, use, or disposal of hazardous materials during operation of the Project would be less than significant.

(2) Mitigation Measures

Project-level impacts related to the routine transport, use, or disposal of hazardous materials would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project-level impacts related to the routine transport, use, or disposal of hazardous materials were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

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?

(1) Impact Analysis

(a) Construction

(i) Hazardous Waste Generation, Handling, and Disposal

During demolition, excavation, on-site grading and building construction, hazardous materials, such as fuel, and oils associated with construction equipment, as well as coatings, paints, adhesives, and caustic or acidic cleaners, would be used, and therefore, would require proper handling and management and, in some cases, disposal. In addition, the Phase I ESA and Phase I ESA Update identified a potential for groundwater contamination to exist on the Project Site. This contamination is a result of the elevated concentrations of PCBs, TCE, and PCE that were detected in the soils at the former property of Cornell-Dubilier Electronics Division located north-northwest of the Project Site.

The Project Site is in proximity to several sensitive uses, including residential uses, which may be affected by the generation, handling, and disposal of hazardous wastes during Project construction. The management of any resultant wastes could increase the potential for hazardous material releases and, subsequently, the exposure of people and

the environment to hazardous materials. However, construction activities would occur in accordance with regulatory requirements, including specific OSHA requirements regarding worker safety and use of hazardous materials. Similarly, ground disturbance associated with site clearance, excavation, and grading activities during construction would be required to comply with relevant and applicable federal, state, and local regulations and requirements. In addition, in the event dewatering is required during construction of the Project, any discharge of groundwater would occur pursuant to, and comply with, the applicable NPDES permit or industrial user sewer discharge permit requirements. Pursuant to such requirements, the groundwater extracted would be chemically analyzed to determine contamination and the appropriate treatment and/or disposal methods. With compliance with relevant regulations and requirements, Project construction activities would not expose people to a substantial risk resulting from the release or explosion of a hazardous material, or from exposure to a health hazard, in excess of regulatory standards. **Therefore, impacts associated with hazardous waste management during construction would be less than significant.**

(ii) Underground and Aboveground Storage Tanks

According to the Phase I ESA and Phase I ESA Update, no evidence of existing USTs or ASTs was observed on the Project Site. In the unlikely event that USTs, underground facilities, buried debris, waste drums, tanks, and stained or odorous soils are found within areas proposed for demolition, suspect materials would be removed in accordance with all applicable federal, state, and local regulations. In addition, compliance with applicable permitting, notification, and worker safety regulations and programs would ensure construction worker safety at and near sites with potential contamination. Adherence to these guidelines would serve to effectively avoid worker exposure to hazardous materials that may be encountered on-site during construction activities. **Therefore, with compliance with applicable regulations, impacts related to the removal of USTs, ASTs, or other buried materials during demolition and building construction would be less than significant.**

(iii) Asbestos-Containing Materials

As discussed above, based on the age of the on-site buildings, ACMs may be present on-site. Thus, in accordance with SCAQMD Rule 1403, the Project Applicant would be required to conduct a comprehensive asbestos survey prior to demolition, subject to approval by the City of Los Angeles Department of Building and Safety. In the event that ACMs are found within areas proposed for demolition, suspect materials would be removed by a certified asbestos abatement contractor in accordance with applicable regulations. With compliance with relevant regulations and requirements, Project construction activities would not expose people to a substantial risk resulting from the release of asbestos fibers into the environment. **Therefore, impacts related to the removal of ACMs during demolition would be less than significant.**

(iv) Lead-Based Paint

As discussed above, based on the age of the on-site buildings, LBP may be present on-site. In the event that LBP is found within areas proposed for demolition, suspect materials would be removed in accordance with procedural requirements and regulations for the proper removal and disposal of LBP prior to demolition activities. Example procedural requirements include the use of respiratory protection devices while handling lead-containing materials, containment of lead or materials containing lead on the Project Site or at locations where construction activities are performed, and certification of all consultants and contractors conducting activities involving LBP or lead hazards. With compliance with relevant regulations and requirements, Project construction activities would not expose people to a substantial risk resulting from the release of LBP into the environment. **Therefore, impacts related to the removal of LBP during demolition would be less than significant.**

(v) Polychlorinated Biphenyls

As discussed above, three vaulted transformers were observed on-site. No leaks or stains were observed on the ground beneath the transformers during the site reconnaissance. Therefore, the transformers are unlikely to represent an environmental concern. In the event that PCBs are found within areas proposed for demolition, suspect materials would be removed in accordance with all applicable federal, state, and local regulations. **Therefore, impacts related to the removal of PCBs during demolition would be less than significant.**

(vi) Oil Wells and Methane Gas

While no oil wells or oil production facilities were identified on-site, the Project Site is located within a 2,000-foot radius of the Playa del Rey oil field, and previously unknown wells could be present. If previously unidentified wells are encountered during Project construction, an accidental release could occur, or contaminated soil could be uncovered. Adherence to all applicable regulatory compliance measures would ensure impacts associated with previously unidentified oil wells or oil production facilities would be less than significant.

As discussed above, the Project Site is also located within a City-designated Methane Buffer Zone as defined by the City of Los Angeles Department of Building and Safety. According to the Methane Report, which is included in Appendix E of this Recirculated Draft EIR, a methane investigation, which consisted of the installation of 11 soil vapor probes, was performed. The results of the investigation revealed elevated concentrations of methane gas between 20 and 1,050 ppm of methane by volume.

Grading or construction activities within portions of the Project Site that are designated as being within a Methane Buffer Zone and that involve work in confined spaces on-site could pose a potential for methane build-up, resulting in a possible hazardous condition. As provided in the Methane Report, the Project would comply with the City of Los Angeles' Methane Mitigation Ordinance No. 175,790. Under this ordinance, the Project Site is categorized as a Level III Site Design with a Design Methane Pressure of equal to and less than two inches in the water column. Adherence to the City of Los Angeles' Methane Mitigation Ordinance, the construction safety measures, as well as compliance with California Occupational Safety and Health Act safety requirements, would serve to avoid substantial risk in the event that elevated levels of these soil gases are encountered during grading and construction. Based on such safety provisions and appropriate monitoring, grading and construction activities associated with development within a Methane Buffer Zone are not expected to substantially expose construction workers to elevated levels of methane or other soil gases. Additionally, the waterproofing membrane required by the Los Angeles Department of Building and Safety to be installed during construction would be designed to be effective in reducing the potential for vapor intrusion associated with degassing of VOCs from potentially contaminated groundwater. The waterproofing membrane in conjunction with the ventilated garage space would eliminate the vapor intrusion potential at the Project Site. Thus, compliance with regulatory standards would reduce the chance of exposure of people to a substantial risk resulting from the release or explosion of an oil or methane gas, or from exposure to a health hazard, in excess of regulatory standards. **Therefore, impacts associated with oil wells and methane gas during demolition and building construction would be less than significant.**

(b) Operation

(i) Hazardous Waste Generation, Handling, and Disposal

As discussed above, operation of the Project would involve the use of potentially hazardous materials typically used in residential and commercial uses, and for building and ground maintenance, including cleaning solvents, and pesticides for landscaping. As the proposed commercial operations would be similar to the type of operations occurring presently on-site and adjacent to the Project Site, no substantial increases in the amount or type of operational hazardous wastes would be expected to occur with those uses or with the proposed Project uses. As stated previously, activities involving the handling and disposal of hazardous wastes would occur in compliance with all applicable federal, state, and local requirements concerning the handling and disposal of hazardous waste. Therefore, with compliance with relevant regulations and requirements, operational activities would not expose people to a substantial risk resulting from hazardous waste, handling, and disposal. **Thus, impacts associated with hazardous waste management during operation of the Project would be less than significant.**

(ii) Underground and Aboveground Storage Tanks

Development of the Project includes residential, retail, and restaurant uses. The Project does not propose the installation of underground or aboveground storage tanks. As such, operation of the Project would not expose people to substantial risk resulting from the release or explosion of a hazardous material, or from exposure to a health hazard, in excess of regulatory standards associated with USTs or ASTs. **Thus, impacts associated with underground and aboveground storage tanks during operation of the Project would be less than significant.**

(iii) Asbestos-Containing Materials

Development of the Project would include the use of commercially-sold construction materials that would not include asbestos or ACMs. Project operation is, therefore, not anticipated to increase the occurrence of friable asbestos or ACMs at the Project Site. Therefore, operation of the Project would not expose people to substantial risk resulting from the release of, or exposure to, asbestos or asbestos containing materials. **Thus, no impacts associated with asbestos or ACMs during operation of the Project would occur.**

(iv) Lead-Based Paint

Development of the Project would include the use of commercially-sold construction materials that would not include LBP. Project operation is, therefore, not anticipated to increase the occurrence of LBP at the Project Site. Operation of the Project would not expose people to LBP as no LBPs would be used. Thus, the Project would not expose people to substantial risk resulting from the release of, or exposure to, LBP. **Impacts associated with LBP during operation of the Project would not occur.**

(v) Polychlorinated Biphenyls

In accordance with existing regulations which ban the manufacture of PCBs, the new electrical systems to be installed as part of the Project would not contain PCBs. Therefore, during operation of the Project, maintenance of such electrical systems would not expose people to PCBs and operation of the Project would not expose people to any risk resulting from the release of PCBs in the environment. **Therefore, no impacts related to PCBs during Project operation would occur.**

(vi) Oil Wells and Methane Gas

Development of the Project includes residential, retail, and restaurant uses. The Project does not propose the development of oil wells. **Therefore, impacts associated with oil wells during operation of the Project would be less than significant.**

All new buildings and paved areas located within a Methane Buffer Zone would comply with the City of Los Angeles' Methane Mitigation Ordinance No. 175,790. Under this ordinance, the Project Site is categorized as a Level III Site Design with a Design Methane Pressure of equal to and less than two inches in the water column. As the permitting process would ensure that new development would comply with the City's Methane Mitigation Ordinance, the Project would not expose people or structures to substantial risk resulting from the release of a hazardous material, or from exposure to a health hazard, in excess of regulatory standards, associated with the release of methane gas. **Impacts associated with methane gas would be less than significant.**

(2) Mitigation Measures

Project-level impacts related to the release of hazardous materials into the environment would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project-level impacts related to the release of hazardous materials into the environment were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

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

(1) Impact Analysis

There is one existing school located within 0.25 mile of the Project Site. The Redwood Village Preschool Children's Center is located approximately 0.25 mile from the Project Site at 13150 Maxella Avenue. As previously discussed, the types and amounts of hazardous materials that would be used in connection with the Project would be typical of those used in residential and commercial uses, and for building and ground maintenance, including cleaning solvents, and pesticides for landscaping. Similarly, the types and amounts of hazardous materials used during operation of the proposed uses would be typical of commercial developments and would include cleaning solvents, and pesticides for landscaping. Therefore, the types of potentially hazardous materials that would be used in connection with the Project would be consistent with other potentially hazardous materials currently used within and in the vicinity of the Project Site. In addition, the Project would not involve the use or handling of acutely hazardous materials, substances, or waste. Specifically, the Project does not involve the development of industrial or other uses that would emit large amounts of chemicals or acutely hazardous materials.

Furthermore, all materials used during both the construction and operation of the Project would be used in accordance with manufacturers' instructions and handled in compliance with applicable federal, state, and local regulations. **Therefore, the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within a quarter-mile of an existing or proposed school, and impacts would be less than significant.**

(2) Mitigation Measures

Project-level impacts related to the emission or handling of hazardous materials within 0.25 mile of a school would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project-level impacts related to the emission or handling of hazardous materials within 0.25 mile of a school were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold (d): Is the Project 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?

(1) Impact Analysis

Section 65962.5 of the California Government Code requires the California Environmental Protection Agency to develop and update annually the Cortese List, which is a "list" of hazardous waste sites and other contaminated sites. While Section 65962.5 makes reference to the preparation of a "list," many changes have occurred related to web-based information access since 1992 and information regarding the Cortese List is now compiled on the websites of multiple agencies. The Phase I ESA and Phase I ESA Update for the Project Site included the results of consultation with local agency representatives and a review of available federal, State, and local databases. Based on the database records search, the Project Site is listed on the California Hazardous Waste Information System (CA HAZNET), which includes facility and manifest data for sites that file hazardous waste manifests with the DTSC, and on the California Hazardous Waste Tracking System (CA HWTS), which is DTSC's data repository for hazardous waste

manifest and ID Number information.[14] DTSC relies on HWTS for issuing and tracking ID numbers, registering transporters, and providing information to analyze hazardous waste activities for policy purposes and enforcement. The CA HAZNET and CA HWTS databases identify the Project Site as being a hazardous waste generator between 1993 and 1995. Hazardous wastes reportedly generated on-site included asbestos containing waste, organic liquid mixture, and organic solids with halogens. Based on building permit records, these hazardous wastes appear to have been attributed to remodeling activities that occurred on the Project Site during that time period. No violations were identified with respect to the hazardous waste listings. **Based on a lack of reported spill, leaks, or violation, these listings are not considered to represent a significant impact.**

(2) Mitigation Measures

Project-level impacts related to the Project Site's listing on a list of hazardous materials sites would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project-level impacts related to the Project Site's listing on a list of hazardous materials sites were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold (e): Is the 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, and would result in a safety hazard or excessive noise for people residing or working in the project area?

As discussed in the Initial Study included as Appendix A of this Recirculated Draft EIR, the Project Site is not located within 2 miles of an airport, private airstrip, or within an area subject to an airport land use plan. The closest airport to the Project Site, the Santa Monica Municipal Airport in Santa Monica, is located approximately 1.9 miles from the Project Site and is not located within the Airport Influence Area. **As concluded in the Initial Study, given the distance between the Project Site and Santa Monica Municipal Airport, the Project would not have the potential to exacerbate current environmental conditions that would result in a safety hazard or excessive noise for people residing or working in the area, and no impact would occur.**

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[14] *Note that being listed within any of these lists does not imply that an environmental problem exists presently or has existed in the past.*

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

(1) Impact Analysis

According to the Safety Element of the City of Los Angeles General Plan, the Project Site is located in proximity to a designated disaster route along the Marina Expressway and Lincoln Boulevard.[15] As discussed in Section IV.K, Transportation, of this Recirculated Draft EIR, construction activities for the Project would be primarily confined to the Project Site and would only include minor off-site work for installation of utility connections. In addition, a Construction Management Plan would be implemented during construction of the Project to ensure that adequate and safe access remains available within and near the Project Site during construction activities. The Construction Management Plan would include street closure information, traffic controls to direct traffic, a detour plan, haul routes, and a staging plan. The Project would also comply with all applicable codes and ordinances for emergency access. **Therefore, with adherence to regulatory requirements and implementation of a Construction Staging and Traffic Management Plan (refer to Project Design Feature TR-PDF-1 in Section IV.K, Transportation, of this Recirculated Draft EIR), construction of the Project would not be anticipated to significantly impair implementation of, or physically interfere with, any adopted or on-site emergency response or evacuation plans. Impacts related to emergency response and evacuation during construction would be less than significant.**

During operation, the Project would not involve any activities that would impede public access or travel along the public right-of-way or interfere with an adopted emergency response or evacuation plan. As discussed in Section IV.J.1, Public Services—Fire Protection, of this Recirculated Draft EIR, emergency vehicles would continue to access the Project Site directly from the surrounding roadways, including Glencoe Avenue and Maxella Avenue. In addition, the increase in traffic generated by the Project would not significantly impact emergency vehicle response to the Project Site and surrounding uses, including along City-designated disaster routes since the drivers of emergency vehicles are able to avoid traffic by using sirens to clear a path of travel or by driving in the lanes of opposing traffic. Accordingly, Project operation, including traffic generated by the Project, would not cause a substantial effect on emergency response as a result of increased traffic congestion. **As such, impacts associated with emergency response and emergency evacuation plans would be less than significant.** Refer to Section IV.J.1, Public Services—Fire Protection, of this Recirculated Draft EIR, for a detailed analysis regarding emergency response.

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[15] *Los Angeles General Plan Safety Element, November 1996, Exhibit H, Critical Facilities and Lifeline Systems, p. 61.*

(2) Mitigation Measures

Project-level impacts related to impairing implementation of emergency response or emergency evacuation plans would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project-level impacts related to impairing implementation of emergency response or emergency evacuation plans were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

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?

As discussed in the Initial Study included as Appendix A of this Recirculated Draft EIR, the Project Site is not located within a City-designated Very High Fire Hazard Severity Zone. Therefore, the Project would not subject people or structures to a significant risk of loss, injury, or death as a result of exposure to wildland fires and, the proposed residential and commercial uses would not create a fire hazard that has the potential to exacerbate the current environmental condition relative to wildfires. **As concluded in the Initial Study, no hazards impacts related to wildland fires would occur.**

e. Cumulative Impacts

(1) Impact Analysis

As indicated in Section III, Environmental Setting, of this Recirculated Draft EIR, there are 14 related projects in the vicinity of the Project Site. Development of the Project in combination with the related projects has the potential to increase the risk for an accidental release of hazardous materials. Each of the related projects would require evaluation for potential threats to public safety, including those associated with the use, storage, and/or disposal of hazardous materials, ACMs, LBP, PCBs, and oil and gas and would be required to comply with all applicable local, state, and federal laws, rules and regulations. Because environmental safety issues are largely site-specific, this evaluation would occur on a case-by-case basis for each individual project affected, in conjunction with development proposals on these properties. **Therefore, with full compliance with all applicable local, state, and federal laws, rules and regulations, as well as implementation of site-specific recommendations for the related projects, cumulative impacts related to hazards and hazardous materials would be less than significant.**

(2) Mitigation Measures

Cumulative impacts with regard to hazards and hazardous materials would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Cumulative impacts with regard to hazards and hazardous materials were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.