

## 4.6 Hazards and Hazardous Materials

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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 Environmental Site Assessments (ESAs) and site investigations prepared for the OSP Specific Plan Site and the 327 Harbor Site (see Appendix E).

Reports prepared for the OSP Specific Plan Site include:

- Phase I ESA, Rancho San Pedro Housing Development (Frey Environmental [Frey] 2019)
- Phase II ESA, One San Pedro Development (Frey 2020)
- Additional Soil Vapor Assessment (Frey 2022a)

Reports prepared for the 327 Harbor Site include:

- Phase I ESA, 327 North Harbor Boulevard (Environ Phase Consulting Company [EPC] 2017)
- Phase I ESA, 319-327 North Harbor Boulevard (Partner Engineering and Science, Inc. [Partner] 2021)
- Phase II ESA, 319-327 North Harbor Boulevard (EFI Global, Inc. [EFI] 2021a)
- Supplemental Site Investigation Report, 319-327 North Harbor Boulevard (EFI 2021b)
- Additional Phase II ESA, 319-327 North Harbor Boulevard (Stantec Consulting Services Inc. [Stantec] 2022)

### 4.6.1 Environmental Setting

The term “hazardous material” is defined in the State of California’s Health and Safety Code (HSC), Chapter 6.95, Section 25501(p) as:

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

Hazardous waste is hazardous material generated, intentionally or unintentionally, as a byproduct of some process or condition. Hazardous wastes are defined in California HSC Section 25141(b) as wastes that:

...because of their quantity, concentration, or physical, chemical, or infectious characteristics, [may either] cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness [or] pose a substantial present or potential hazard to human health or the environment due to factors including, but not limited to, carcinogenicity, acute toxicity, chronic toxicity, bioaccumulative properties, or persistence in the environment, when improperly treated, stored, transported, disposed of, or otherwise managed.

According to the United States Environmental Protection Agency (U.S. EPA), waste may be considered hazardous under the Resource Conservation and Recovery Act (RCRA); the primary Federal hazardous materials law) if it is specifically listed as known hazardous waste or if it meets the one or more of the following characteristics of a hazardous waste:

- **Toxicity.** Poisonous, harmful when ingested or absorbed
- **Ignitability.** Capable of being ignited by open flame, liquids with flash points<sup>1</sup> below 60 degrees Celsius, non-liquids that cause fire through specific conditions, ignitable compressed gases and oxidizers
- **Corrosivity.** Capable of corroding other materials, aqueous wastes with a pH of 2 or less or greater than or equal to 12.5
- **Reactivity.** May be unstable under normal conditions, may react with water, may give off toxic gases or may be capable of detonation or explosion under normal conditions or when heated

Waste which meets certain criteria included in 40 Code of Federal Regulations (CFR) Section 261.11(a)(2), including being ‘fatal to humans in low doses’ or having specified lethal dose levels in laboratory rats or rabbits is designated as ‘acute hazardous waste’ under RCRA. 40 CFR Sections 261.31 through 261.33 set out lists of substances currently classified by U.S. EPA as acutely hazardous.

### **a. Current and Historical Uses of the Project Site**

The project site includes ten parcels at the OSP Specific Plan Site and two parcels at the 327 Harbor Site as described in Section 2, *Project Description*, and shown in Figure 2-2. The current and historical uses of the OSP Specific Plan Site and 327 Harbor Site are summarized below.

#### **Current Use**

The OSP Specific Plan Site is currently developed with the Rancho San Pedro public housing complex. Existing development includes 478 public housing units and 8,000 square feet (sf) of amenities, services, and administration land uses including a management/leasing office, computer center and resident leadership office, social hall, administrative/maintenance building, community room, playground, sports field, grilling area, picnic tables, and a community garden. The existing development is bounded by West Santa Cruz Street to the north, Harbor Boulevard to the east, West 3rd Street to the south, and North Mesa Street to the west.

Any hazardous materials currently used on the OSP Specific Plan Site would be consistent with those typically used in residential developments. These materials could include pesticides and fertilizer for landscaping, fuel and oil and grease for vehicles or landscaping equipment, cleaning products and solvents, paints, and other general maintenance products.

The 327 Harbor Site is an unoccupied, vacant site with no existing improvements, tenants, or on-site operations. As the 327 Harbor Site is vacant, there are no hazardous materials currently being used or generated within that portion of the project site.

#### **Historical Use**

A review of fire insurance maps and aerial photographs was conducted as part of the Phase I ESA for the OSP Specific Plan Site in 2019 to determine the historical use (Frey 2019). Based on this review, the southeast corner of the OSP Specific Plan Site was developed with single-family residential uses

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<sup>1</sup> Flash point is the lowest temperature at which the vapors of a volatile combustible substance ignite in the air when exposed to flame.

in 1888 and 1891. Approximately 75 percent of the OSP Specific Plan Site was developed with single-family residential uses in 1902 and 1908. A majority of the OSP Specific Plan Site was developed with single family residential uses by 1928. In 1921, a railroad track was located to the east of the OSP Specific Plan Site. By approximately 1950, approximately 50 percent of the OSP Specific Plan Site was redeveloped with the Rancho San Pedro public housing complex. By approximately 1960, the entire OSP Specific Plan Site was redeveloped with the existing Rancho San Pedro public housing complex.

Based on a review of historical records conducted as part of the two Phase I ESAs for the 327 Harbor, one in 2017 and another in 2021, the 327 Harbor Site was developed with a small garage structure in 1921 (EPC 2017; Partner 2021). A machine shop was located in the northern portion of the site from approximately 1925 to 1938. The 327 Harbor Site was occupied by San Pedro Iron & Metal Co in 1926, Marine Copper Works in 1942/1943, San Pedro Street Pipe Co in 1940, Harbro Steel Fabricators in 1946. A hotel and automotive garage (for parking) were present in the southwest portion of the site in 1950. An automotive repair shop was located on northern portion of the site from approximately 1959 to 1969. From approximately 1950 to 2006, the southern portion of the site was also developed with a battery manufacturing and warehouse facility (Arco Battery Manufacturing), which was demolished in 2007. The 327 Harbor Site has been vacant since 2007. However, the 327 Harbor Site was used for commercial sale of pumpkins and Christmas trees during the respective holidays in 2010 and 2013.

## **b. Surrounding Sites**

### **Surrounding Land Uses**

The OSP Specific Plan Site is generally bound by Santa Cruz Street to the north, Harbor Boulevard to the east, 3rd Street to the south, and Mesa Street to the west. Land uses surrounding the OSP Specific Plan Site are as follows:

- **North:** Single- and multi-family residential and commercial uses
- **East:** Harbor Boulevard, beyond which is industrial development and goods movement facilities associated with the Port of Los Angeles and Port of Long Beach, along with industrial, storage of church uses that are east of Beacon
- **South:** Residential, commercial, and public facilities uses
- **West:** Single- and multi-family residential uses

The 327 Harbor Site is bound by O'Farrell Street to the north, Harbor Boulevard to the east, a pet supply store and shopping plaza to the south, and Beacon Street to the west. Land uses surrounding the 327 Harbor Site are as follows:

- **North:** Commercial and office uses
- **East:** Harbor Boulevard, beyond which is industrial development associated with the Port of Los Angeles and Port of Long Beach
- **South:** Commercial uses
- **West:** Industrial and future multi-family residential development<sup>4</sup>

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<sup>4</sup> Multi-family residential uses are currently under construction at 345 North Beacon Street, west of the 327 Harbor Site. Refer to Section 3, *Environmental Setting*, for cumulative projects.

## **Sensitive Receptors**

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

The adjacent residential uses to the north, south, and west of the project site are considered sensitive receptors. In addition, schools within 0.25 mile of the project site are considered sensitive receptors. The Port of Los Angeles operates a Charter High School one block south of the OSP Specific Plan Site. As shown in Figure 4.11-2, in Section 4.11, *Public Services*, other schools in the area are more than 0.25 mile from the project site.

### **c. Hazardous Materials Database Searches**

Various Phase I ESAs were conducted for the OSP Specific Plan Site and 327 Harbor Site. The Phase I ESAs included searches of federal, state, and local government agency hazardous materials lists to determine if any hazardous materials sites are located on the project site. The database searches conducted as part of the Phase I ESAs are summarized below.

#### **OSP Specific Plan Site**

The 2019 Phase I ESA (Frey 2019) for the OSP Specific Plan Site included a review of a government agency database report conducted by Environmental Risk Information Services (ERIS). The ERIS report indicated that the OSP Specific Plan Site was listed as the City of Los Angeles/Housing Authority (275 West 1st Street) on the following databases:

- Facility Index System/Facility Registry Service
- Resource Conservation and Recovery Act Non-Generators/No Longer Regulated
- Historical Manifest
- Facility and Manifest Data

These listings indicate that the facility handled, generated, and disposed of off-site of various hazardous wastes from 1987 to 1992 and 1994 to 2005, including asbestos-containing waste, waste/mixed oil, solvents, pesticides, paint sludge, and polychlorinated biphenyls (PCBs).

The OSP Specific Plan Site was also listed as Edison/San Pedro manufactured gas plant (Santa Cruz Street, Centre Street, and Palos Verdes) on the EnviroStor and Voluntary Cleanup Site databases. These listings indicate that the facility was a manufactured gas plant with a Voluntary Cleanup Program case that was reported to have contaminated soil and a “no further action” status as of 1994.

Frey considered the database listings for the OSP Specific Plan Site to be potential Recognized Environmental Conditions (RECs) “due to the possible presence of chemicals of concern.” Refer to Section 4.6.d, *Recognized Environmental Conditions*, below for additional discussion of the RECs on the OSP Specific Plan Site.

The Phase I ESA notes that two additional facilities were reported by ERIS to be located on the OSP Specific Plan Site; however, it was concluded that neither of these facilities were considered a concern and neither of the addresses of the two facilities (31 South Palos Verdes Street and 325 South Palos

Verdes Street) are associated with the OSP Specific Plan Site. The one address that still exists (325 South Palos Verdes Street) is discussed below.

The ERIS report identified four adjacent properties that were listed on hazardous materials databases:

- 252 West Santa Cruz Street (north of the OSP Specific Plan Site) is listed in the California Hazardous Material Incident Report System database as a SoCalGas natural gas leak. A vapor phase gas leak was reported at this address due to gas valve damage caused by a resident. The leak was controlled shortly after the leak was reported.
- 204 West Santa Cruz (north of the OSP Specific Plan Site) is listed in the Facility and Manifest Data database as a private residence that had asbestos-containing waste that was disposed of at a landfill.
- 325 South Palos Verdes Street (south of the OSP Specific Plan Site) is identified in the Alternative Fuels database as City of Los Angeles – Port of Los Angeles – Administration. This listing is for a compressed natural gas fuel station that has not operated since December 2012.
- 137 South Mesa Street (west of the OSP Specific Plan Site) is identified in the Facility and Manifest Data database as a private residence that had asbestos-containing waste that was disposed of at a landfill.

None of these adjacent properties were considered to be a concern to the OSP Specific Plan Site in the Phase I ESA.

Additionally, the Phase I ESA indicated that 63 properties within 1,760 feet of the OSP Specific Plan Site were listed on various databases reported by ERIS. The Phase I ESA concluded that based on distance from the OSP Specific Plan Site, none of these properties were considered to be a concern to the OSP Specific Plan Site.

### *327 Harbor Site*

The Phase I ESA report prepared by EPC in 2017 for the 327 Harbor Site includes a review of a government agency database report conducted by Environmental Record Search. The Environmental Record Search report indicates that the 327 Harbor Site was listed on the following databases:

- Air Pollution Control District
- Facility Registry Service, U.S. EPA
- Historical Database – Facility Inventory Database – California Department of Toxic Substances Control (DTSC)
- Historical Database – Facility Index System – U.S. EPA
- Historical Database – Vehicle Parts
- Hazardous Waste Information Summary State/Tribal RCRA Equivalent
- Resource Conservation and Recovery Act Small Quantity Generator

The listings were associated with the former Arco Battery Manufacturing facility on the 327 Harbor Site. No details or conclusion regarding these listings and potential impact to the 327 Harbor Site were provided by EPC in the Phase I ESA.

The 2017 Phase I ESA did not indicate whether adjacent properties were listed in the Environmental Record Search report; however, the 2017 Phase I ESA stated that “EPC did not reveal evidence of

human harmful activity or significant pollutant emission to pose immediate environmental concern into the [327 Harbor Site] from the neighboring properties during this environmental assessment.”

Additionally, the 2017 Phase I ESA indicated that eight nearby properties within a 1-mile radius of the 327 Harbor Site were listed on “high-risk occurrences” databases (defined by EPC as “those that have known contamination and have not received a ‘case closed’ or ‘no further action’ status from the agency that maintains the records”). The 2017 Phase I ESA concluded that due to ongoing remediation and/or relative distance to the 327 Harbor Site, these properties were not considered to be a concern to the 327 Harbor Site.

The second Phase I ESA report prepared for the 327 Harbor Site by Partner in 2021 included a review of a government agency database report conducted by Environmental Data Resources, LLC (EDR). The EDR report indicates that the 327 Harbor Site was listed on the following databases:

- Facility Index System
- Enforcement and Compliance and History Online
- Los Angeles County Site Mitigation List
- Hazardous Waste Tracking System

The listings were associated with the former Arco Battery Manufacturing facility on the 327 Harbor Site. These listings indicate that the facility handled, generated, and disposed of offsite various hazardous wastes from 1982 to 2007, with no wastes reported/records found during this timeframe. The listings also indicate that the facility was identified as a cleanup site and reportedly abated in 1995 and 2008, with the removal of lead- and total petroleum hydrocarbon (TPH)-impacted soils from the 327 Harbor Site between 2007 and 2008. Partner concluded that these listings, in conjunction with previous reports reviewed for the 327 Harbor Site, were considered to be a REC. Refer to Section 4.6.d, *Recognized Environmental Conditions*, below for additional discussion of the RECs on the 327 Harbor Site.

The EDR database report also determined that one adjacent property was listed on the Underground Storage Tank (UST), Statewide Environmental Evaluation and Planning System Underground Storage Tank, Historical Underground Storage Tank, and Facility Inventory Database Underground Storage Tank databases. The 2021 Phase I ESA concluded the following for the adjacent site:

- Icon International Inc. and Los Angeles Marine Hardware at 345 North Beacon Street is located adjacent to the west and situated hydrologically up-gradient of the 327 Harbor Site. This facility was identified with a 5,000-gallon UST which was reportedly installed in 1984 for use with motor vehicle fuel. The most recent UST listing, as well the LOS ANGELES HM listing (industrial waste and UST sites), identifies the facility as ‘inactive’ as of June 2019. Based on this information, the regulatory oversight, and the absence of a documented release, this site is not expected to represent a significant environmental concern.

As such, the 2021 Phase I ESA concluded that the adjacent property was not considered to be a concern to the 327 Harbor Site. Additionally, according to the 2021 Phase I ESA, no nearby sites of concern within 1 mile of the 327 Harbor Site were identified in the EDR report.

#### **d. Recognized Environmental Conditions**

Various ESAs and hazardous materials investigations were conducted for the project to identify RECs on the OSP Specific Plan Site and the 327 Harbor Site. The American Society for Testing and Materials define RECs as the presence or likely presence of hazardous substances or petroleum products in, on,

or at a subject property due to a release or likely release to the environment, or the presence of hazardous substances or petroleum products in, on, or at a subject property under conditions that pose a material threat of a future release to the environment. The RECs for the OSP Specific Plan Site and 327 Harbor Site are summarized below.

### **OSP Specific Plan Site**

The 2019 Phase I ESA conducted for the OSP Specific Plan Site included a site inspection; interviews and questionnaires with personnel familiar with the history of the OSP Specific Plan Site; review of hazardous materials databases (discussed in Section 4.6.1.c, *Hazardous Materials Database Searches*, above); and review of agency files, fire insurance maps, aerial photographs, topographic maps, phone directories, environmental lien and activity use limitation reports, and oil and gas maps. The 2019 Phase I ESA identified the RECs listed below on the OSP Specific Plan Site. The building numbers referenced below are depicted in Figure 4.6-1.

Building 8 (located at the odd numbered addresses between 231-245 West Santa Cruz Street).

- **Former on-site Edison/San Pedro manufactured gas plant** – In at least 1908, a former gas plant was located in the approximate location of the existing apartment building (Building 8) along West Santa Cruz Street. This site was reported to have contaminated soil and associated with a Voluntary Cleanup Program. The case was closed by DTSC in 1994, which indicates the remediation was completed to the satisfaction of DTSC.

Building 31 (located at the northeast corner of West 1st Street and North Centre Street at the even numbered addresses between 260-274 West 3rd Street).

- **Former on-site sheet metal works**– In at least 1921, this former metal working shop was located in the vicinity of the existing apartment building (Building 31) at the northeast corner of West 1st Street and North Centre Street.

Rancho San Pedro Administrative/Maintenance Building (Building A, located at the southeast corner of West 1st Street and North Centre Street at 275 West 1st Street).

- **Former kerosene/heating oil UST** – A 1,000-gallon kerosene/ heating oil UST was installed on site at 275 West 1st Street in 1942. There is no documentation of removal or proper abandonment in place for the UST.
- **Former flammable liquid and hazardous material/waste storage** – Flammable liquids and hazardous materials/waste, including waste oil, oxygenated/halogenated/ hydrocarbon solvents, pesticides, and PCBs were stored at 275 West 1st Street from 1987 through 2005.
- **Existing clarifier and wash-down area** – An on-site clarifier with a wash-down area and floor drains is currently located on the northern side of the on-site maintenance building (which is part of the Rancho San Pedro administrative building at 275 West 1st Street). The clarifier appears to be used for cleaning and washing small tools and equipment. Concrete trenches and patches indicate a potential former clarifier inside the maintenance building.
- **Existing storage of small quantities of hazardous materials** – Small quantities (containers of less than five gallons) of various hazardous materials, including gasoline, paint, paint thinners, new oil, used oil, pesticides, and herbicides are currently stored in the maintenance building at 275 West 1st Street.

**Figure 4.6-1 Building Numbers at the Existing Rancho San Pedro Public Housing Complex**



A = Administrative/Maintenance Building



#### Various Buildings

- **Asbestos Containing Material (ACM)** – Potential ACM was observed in various buildings on the OSP Specific Plan Site.

### **327 Harbor Site**

The 2017 Phase I ESA conducted for the 327 Harbor Site included a site inspection; property owner interview; review of hazardous materials databases (discussed in Section 4.6.1.c, *Hazardous Materials Database Searches*, above); and review of agency files, fire insurance maps and building department records. The 2017 Phase I ESA did not identify existing RECs or controlled RECs<sup>2</sup> on the 327 Harbor Site; however, a historical REC<sup>3</sup> associated with the Arco Battery Manufacturing facility (located in the southern portion of the 327 Harbor site) was identified. Past remediation activities associated with the Arco Battery Manufacturing facility are summarized below in the “Previous Soil Remediation” section.

The 2021 Phase I ESA conducted for the 327 Harbor Site included a site inspection; interviews and questionnaires with personnel familiar with the history of the 327 Harbor Site; review of agency databases (discussed in Section 4.6.1.c, *Hazardous Materials Database Searches*, above); and review of agency files, fire insurance maps, aerial photographs, and topographic maps. The 2021 Phase I ESA stated that based on the results of the previous investigations and excavation activities conducted as part of the previous remediation activities on the 327 Harbor Site between the 1990s to 2008, the lead-impacted soils from historical on-site operations appear to have been properly addressed and removed; however, groundwater did not appear to have been adequately investigated. Therefore, the unknown groundwater conditions resulting from historical on-site operations, including the former Arco Battery Manufacturing facility and automotive repair facility, was identified as an existing REC.

#### *Previous Soil Remediation*

The 327 Harbor Site was previously contaminated with high levels of lead, volatile organic compounds (VOCs)<sup>4</sup> and TPH<sup>5</sup> from the Arco Battery Manufacturing facility and remediation activities were conducted in the 1990s and 2000s. The findings of the past remediation are summarized in more detail below.

According to the two Phase I ESAs conducted for the 327 Harbor Site, several subsurface investigations were conducted on the site starting in the early 1990s to investigate high levels of lead in on-site soils from the previous Arco Battery Manufacturing facility on the site (EPC 2017; Partner 2021). In 1991 and 1992, approximately 350 cubic yards of soil was excavated, treated to below the cleanup goal of below 150 milligrams per kilogram (mg/kg), backfilled, and capped with asphalt. In January 1995, the Los Angeles County Fire Department (LACFD) Health Hazardous Materials Division reviewed the Closure Report and deemed the site to be satisfactorily remediated for its use at that

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<sup>2</sup> A controlled REC is a past release of hazardous substances that has been addressed to the satisfaction of the applicable regulatory authority, with the hazardous substances allowed to remain in place subject to the implementation of required controls.

<sup>3</sup> A historical REC is a past release of any hazardous substances that has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority without any required controls.

<sup>4</sup> VOCs are compounds that have a high vapor pressure and low water solubility. Many VOCs are human-made chemicals and industrial solvents that are used and produced in the manufacture of paints, pharmaceuticals, and refrigerants.

<sup>5</sup> TPH is a large family of several hundred chemical compounds that originally come from crude oil, which is used to make petroleum products.

time and issued a closure letter; however, prohibitions were included for site redevelopment until further remediation was conducted.

In 1996, a soil and groundwater investigation was conducted that indicated soluble lead concentrations in soil was above regulatory action level but groundwater had not been impacted. Additional subsurface sampling was conducted in 2005, which identified the presence of VOCs (ethylbenzene, xylenes, and tetrachloroethene [PCE]) and TPH above regulatory standards in soil vapor. TPH, organochlorine pesticides, and lead were detected in on-site soils above regulatory standards; however, VOCs and PCBs were not detected in soils. Based on the investigation, the LACFD Health Hazardous Materials Division issued a letter requiring preparation of a soil remediation workplan prior to site cleanup. In 2007 and 2008, 900 cubic yards of soil was excavated to achieve a cleanup goal of below 150 mg/kg. Approximately 955.98 tons of soil with high lead concentration and 458.83 tons of soil with high TPH levels were removed from the 327 Harbor Site. In 2008, the LACFD Health Hazardous Materials Division reviewed the Soil Remediation Report and determined there were no further requirements or restrictions for the site and issued a closure letter.

#### **e. Underground Storage Tanks**

As discussed above, the Phase I ESA conducted for the OSP Specific Plan Site identified the potential for a 1,000-gallon kerosene UST to be present at the Administrative/Maintenance Building (Building A; Frey 2019). As part of a Phase II ESA conducted for the OSP Specific Plan Site prepared in 2020, a geophysical survey was performed to evaluate the presence of the 1,000-gallon kerosene UST (Frey 2020). The geophysical survey did not locate a UST or backfilled excavation in the area surveyed.

No USTs were identified as part of the Phase I ESAs conducted for the 327 Harbor Site.

#### **f. Subsurface Investigations**

Based on findings of the Phase I ESAs, several soil, soil vapor, and groundwater investigations have been conducted to further investigate the following concerns on the OSP Specific Plan Site and the 327 Harbor Site:

- **OSP Specific Plan Site:** TPH, VOCs, and polynuclear aromatic hydrocarbons (PAHs)<sup>6</sup> in soils and VOCs in soil vapor due to the presence of a former manufactured gas plant (at the location of the existing Building 8), former sheet metal facility (at the location of the existing Building 31), and existing maintenance facility (existing Building A)
- **327 Harbor Site:** TPH and metals (primarily lead) in soils and groundwater and VOCs in soil vapor due to the former uses on the site, including the ARCO Battery Manufacturing facility in the southern portion of the site and automotive repair facility in the northern portion of the site

Subsurface investigations were conducted as part of the following reports prepared for the OSP Specific Plan Site include:

- Phase II ESA, One San Pedro Development (Frey 2020)
- Additional Soil Vapor Assessment (Frey 2022a)

Subsurface investigations were conducted as part of the following reports prepared for the 327 Harbor Site include:

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<sup>6</sup> PAHs are a class of chemicals that occur naturally in coal, crude oil, and gasoline. PAHs result from burning coal, oil, gas, wood, garbage, and tobacco.

- Phase II ESA, 319-327 North Harbor Boulevard (EFI 2021a)
- Supplemental Site Investigation Report, 319-327 North Harbor Boulevard (EFI 2021b)
- Additional Phase II ESA, 319-327 North Harbor Boulevard (Stantec 2022)

Soil samples which contain TPH, PAHs, VOCs, or metals are commonly evaluated based on the threat to human health through contact (ingestion, dermal contact, and inhalation) and the threat to groundwater degradation through vertical migration. As part of the subsurface investigations conducted for the project, compounds detected in soil were compared to screening levels published by the Regional Water Quality Control Boards (RWQCBs), DTSC, and U.S. EPA. The RWQCBs publish environmental screening levels that are conservative, risk-based values which combine human health toxicity with standard exposure factors to estimate contaminant concentrations that are considered protective of human health over a lifetime of exposure. The DTSC and the U.S. EPA also publish screening levels for soil but utilize different assumptions than those used for the RWQCB environmental screening levels.

As part of the subsurface investigations conducted for the project, concentrations of compounds in groundwater were compared to state and federal drinking water standards, which are referred to as Maximum Contaminant Levels (MCLs). Federal MCLs are established in CFR Title 40, Chapter I, Subchapter D, Part 141. State MCLs are established Title 17 of the California Code of Regulations (CCR).

The findings of the subsurface investigations are discussed below.

### **Total Petroleum Hydrocarbons**

TPH is a large family of several hundred chemical compounds that originally come from crude oil, which is used to make petroleum products. As detailed below, elevated concentrations of TPH in soil is a concern on both the OSP Specific Plan Site and the 327 Harbor Site.

#### *OSP Specific Plan Site*

As part of the 2020 Phase II ESA, soil samples were tested for TPH at various locations on the OSP Specific Plan Site. TPH-oil was detected in soil samples but the concentrations did not exceed screening levels for human health or leaching to groundwater (Frey 2020).

Soil in vicinity of the former Edison/San Pedro manufactured gas plant (near Buildings 7 and 8) contained TPH-diesel concentrations which exceeded the U.S. EPA regional screening level for human health of 96 mg/kg at depths of 10 and 25 feet below ground surface (bgs) but were below the leaching to groundwater screening level of 1,300 mg/kg.

Groundwater was not encountered during the Phase II ESA investigation; therefore, TPH was not sampled in groundwater.

#### *327 Harbor Site*

Soil was tested for TPH on the 327 Harbor Site as part of the Phase II ESA (EFI 2021a), the Supplemental Site Investigation Report (EFI 2021b) and the Additional Phase II ESA (Stantec 2022). The investigations were conducted in the area of former ARCO Battery Manufacturing facility and the former automotive repair shop. As detailed below, elevated concentrations of TPH-diesel were detected on the 327 Harbor Site.

TPH-gasoline was not detected in any soil samples tested. TPH-oil was not detected during the 2021 Phase II ESA. Low concentrations of TPH-oil were detected in soil during the 2021 Supplemental Site Investigation and 2022 Additional Phase II ESA; however, the concentrations were below screening levels.

During the 2021 Phase II ESA, TPH-diesel was detected at trace levels in two soil samples at depths of 5 and 25 feet bgs; however, the concentrations were below screening levels. During the 2021 Supplemental Site Investigation Report, TPH-diesel was detected on site at levels that exceeded screenings levels at 0.5 feet bgs in the vicinity of the former ARCO Battery Manufacturing facility and the former automotive repair facility. However, the concentration decreased to non-detectable levels with increasing depth up to the maximum sampled depth of 4.5 feet bgs. TPH-diesel was not detected during the 2022 Additional Phase II ESA.

TPH was detected at trace levels (i.e., just above the laboratory detection level) in groundwater samples during the 2021 Phase II ESA; however, TPH levels did not exceed screening levels. TPH was not detected in the groundwater samples collected during the 2022 Additional Phase II ESA. The 2022 Additional Phase II ESA prepared by Stantec concluded that, based on previous sampling, groundwater at the 327 Harbor Site does not appear to be impacted by TPH.

## **Polynuclear Aromatic Hydrocarbons**

PAHs are a class of chemicals that occur naturally in coal, crude oil, and gasoline. PAHs results from burning coal, oil, gas, wood, garbage, and tobacco. As detailed below, elevated concentrations of PAH in soil is a concern on the OSP Specific Plan Site but not on the 327 Harbor Site.

### *OSP Specific Plan Site*

As part of the Phase II ESA, soil samples were tested for PAHs at various locations on the OSP Specific Plan Site (Frey 2020). PAHs were detected in five samples. The sample with the greatest concentrations contained the following PAHs: phenanthrene, fluoranthene, pyrene (6.4 mg/kg), indeno [1,2,3cd] pyrene, benzo(a)anthracene, chrysene, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(a)pyrene, and benzo(g,h,i)perylene. Two soil samples in the vicinity of the former Edison/San Pedro manufactured gas plant (near Building 8) contained PAHs that exceeded the residential screening levels for human health at a depth of 25 feet bgs but were below the leaching to groundwater screening levels.

Groundwater was not encountered during the Phase II ESA investigation; therefore, PAH were not sampled in groundwater.

### *327 Harbor Site*

The Phase I ESAs did not identify PAH as a concern on the 327 Harbor Site and no PAH sampling was conducted as part of the Phase II ESA (EFI 2021a), Supplemental Site Investigation Report (EFI 2021b), or Additional Phase II ESA (Stantec 2022).

## **Metals**

As detailed below, elevated concentrations of metals (specifically lead) in soil is a concern on the 327 Harbor Site but not the OSP Specific Plan Site.

### *OSP Specific Plan Site*

As part of the Phase II ESA, soil samples were tested for metals at various locations on the OSP Specific Plan Site (Frey 2020). Metals, including antimony, arsenic, barium, beryllium, chromium, cobalt, copper, lead, nickel, vanadium and zinc, were detected in all soil samples collected. With the exception of thallium in one sample and arsenic in one sample, metal concentrations were below screening levels for human health or leaching to groundwater. However, all metal concentrations were at naturally occurring levels for soils in California. The Phase II ESA concluded that the detected concentrations of metals are not considered to be of concern on the OSP Specific Plan Site.

Groundwater was not encountered during the Phase II ESA investigation; therefore, metals were not sampled in groundwater.

### *327 Harbor Site*

Soil and groundwater were tested for metals on the 327 Harbor Site as part of the Phase II ESA (EFI 2021a), the Supplemental Site Investigation Report (EFI 2021b) and the Additional Phase II ESA (Stantec 2022). The investigations were conducted in the area of former ARCO Battery Manufacturing facility and the former automotive repair shop. As summarized below, elevated concentrations of lead are present in soils on the 327 Harbor Site.

Metals were detected at various concentrations in soil throughout the 327 Harbor Site, with lead, thallium, and hexavalent chromium being detected above residential screening levels. The 2021 Supplemental Site Investigation Report concluded that the concentrations of thallium and hexavalent chromium are within the typical background range of naturally-occurring levels in California soils and were not representative of a hazardous materials release on the site. Lead was primarily detected along the southern property line. The 2021 Supplemental Site Investigation Report concluded that the elevated lead concentrations that exceed screening levels are likely present within the fill on the 327 Harbor Site at depths ranging from 2 to 7.5 feet bgs.

The 2022 Additional Phase II ESA concluded that a total of approximately 1,000 cubic yards of lead-impacted soil is located on the 327 Harbor Site at seven locations throughout the site: two areas to a depth of 1 foot bgs, two areas to 2 feet bgs, and three areas to at least 5 feet bgs.

Various metals were detected in groundwater at levels exceeding MCLs during the Phase II ESA (EFI 2021). However, based on further investigation, the Supplemental Site Investigation Report (EFI 2021) and the Additional Phase II ESA (Stantec 2022) concluded that groundwater at the 327 Harbor Site does not appear to be impacted by metals.

## **Volatile Organic Compounds**

VOCs are compounds that have a high vapor pressure and low water solubility. Many VOCs are human-made chemicals and industrial solvents that are used and produced in the manufacture of paints, pharmaceuticals, and refrigerants. VOCs in soil vapor can potentially pose a threat to human health through the migration of vapors through building floors and foundations. VOCs include benzene, PCE, TCE, and chloroform. As detailed below, elevated concentrations of VOCs in soil vapor are a concern on both the OSP Specific Plan Site and the 327 Harbor Site.

### *OSP Specific Plan Site*

As part of the Phase 2020 II ESA, soil and soil vapor samples were tested for VOCs at various locations on the OSP Specific Plan Site (Frey 2020). An additional soil vapor investigation was also conducted at

the OSP Specific Plan Site in 2022 (Frey 2022a). As detailed below, based on the results of these investigations, VOCs (specifically PCE) is a concern in soil vapor on the OSP Specific Plan Site.

VOCs were detected in soil during the 2020 Phase II ESA; however, concentrations did not exceed screening levels for human health or leaching to groundwater. The 2020 Phase II ESA also included a soil vapor analysis. Three soil vapor sample locations contained VOCs (benzene, PCE, and chloroform) that exceeded screening levels. Two of the samples with exceedances for benzene, PCE, and chloroform were at the maintenance building at 275 West 1st Street. The third sample with an exceedance for chloroform was located south of the existing apartment building (Building 31) at the northeast corner of West 1st Street and North Centre Street (the location of the former on-site sheet metal works).

The Additional Soil Vapor Assessment (Frey 2022a) was conducted for the OSP Specific Plan to further assess the presence of VOCs in soil vapor in the vicinity of the on-site maintenance building (Building A) and the former manufactured gas plant facility (Building 8). PCE in soil vapor exceeded screening levels at the maintenance building (Building A), Building 18 (odd addresses at 231-245 West 1st Street), Building 1 (even addresses at 260-272 West 1st Street), and a playground.

TCE exceeded screening levels by 1 microgram per cubic meter in one sample at building 18 (odd addresses at 231-245 West 1st Street); however, the 2022 Soil Vapor Assessment concluded that the 1 microgram per cubic meter exceedance was not of concern.

Chloroform that exceeded screening levels was detected soil vapor; however, the 2022 Soil Vapor Assessment concluded that the presence of chloroform is generally attributed to the chlorination of drinking water and is commonly detected in irrigated lawn areas such as those existing on the OSP Specific Plan Site. The greatest concentrations of chloroform were detected in three soil vapor samples located in irrigated areas. The remaining soil vapor samples which contained chloroform in excess of the screening levels were collected from depths of 15 or 30 feet bgs.

While benzene was detected in soil vapor at maintenance building (Building A) at 275 West 1st Street during sampling conducted as part of the 2020 Phase II ESA, benzene was not detected in the sample collected as part of the 2022 Soil Vapor Assessment. The 2022 soil vapor investigation concluded that benzene is not of concern based on the single detection because it only slightly exceeded screening levels.

Groundwater was not encountered during the investigations; therefore, VOCs were not sampled in groundwater.

### *327 Harbor Site*

Soil, soil vapor, and groundwater were tested for VOCs on the 327 Harbor Site as part of the Phase II ESA (EFI 2021a). Groundwater was also tested for VOCs as part of the Supplemental Site Investigation Report (EFI 2021b). As detailed below, based on the results of these investigations, several VOCs are a concern in soil vapor on the 327 Harbor Site.

VOCs were not detected in soil during the 2021 Phase II ESA. Acetone, cyclohexane, and o-xylene were detected in soil vapor but at concentrations below screening levels. PCE and benzene were detected in soil vapor at concentrations exceeding screening levels in the vicinity of the former automotive repair shop. PCE, benzene, m,p-Xylene, ethylbenzene, and 1,1,1,2-Tetrachloroethane were detected at concentrations exceeding screening levels in soil vapor in the vicinity of the former ARCO Battery Manufacturing facility. VOCs were not detected in any groundwater samples.

### **g. Asbestos-Containing Materials**

Asbestos is a naturally occurring fibrous material that was widely used in structures built between 1945 and 1989 for its fireproofing and insulating properties. ACMs were banned by U.S. EPA between the early 1970s and 1991 under the authority of the federal Clean Air Act and the Toxic Substances Control Act (TSCA) due to their harmful health effects. Exposure to asbestos increases risk of developing lung disease, such as lung cancer, mesothelioma (a type of cancer), or asbestosis (a type of chronic, non-cancer lung disease) (U.S. EPA 2021). Common ACMs include vinyl flooring and associated mastic, wallboard and associate joint compound, plaster, stucco, acoustic ceiling spray, ceiling tiles, heating system components, and roofing materials. Commercial/industrial structures are affected by asbestos regulations if damage occurs or if remodeling, renovation, or demolition activities disturb ACMs.

Since many of the residential structures in the OSP Specific Plan Site were constructed before 1989, there is a potential for the presence of ACMs to exist in a wide variety of building materials on OSP Specific Plan Site. Because the 327 Harbor Site is currently vacant, ACMs are not a potential concern on the 327 Harbor Site.

### **h. Lead and Lead-Based Paint**

Lead is a naturally occurring metallic element. Because of its toxic properties, lead is regulated as a hazardous material. Excessive exposure to lead can result in the accumulation of lead in the blood, soft tissues, and bones. Children are particularly susceptible to potential lead-related health problems because it is easily absorbed into developing systems and organs. Lead can affect almost every organ and system in the body and can result in behavior and learning problems, lower IQ and hyperactivity, hearing problems, and anemia in children, and cardiovascular effects, decreased kidney function, and reproductive problems in adults (U.S. EPA 2022a). Among its numerous uses and sources, lead can be found in paint, water pipes, solder in plumbing systems, and in soils around buildings and structures painted with lead-based paint (LBP). LBP is defined as any paint, varnish, stain, or other applied coating that has a one milligram per square centimeter (5,000 micrograms per gram [ $\mu\text{g/g}$ ] or 0.5 percent by weight) or more of lead. LBP was primarily used during the same time period as ACMs. Buildings built before 1978 are much more likely to have LBP.

Since many of the residential structures in the OSP Specific Plan Site were constructed before 1978, there is a potential for the presence of LBP to exist in the building on the OSP Specific Plan Site. Because the 327 Harbor Site is currently vacant, LBP is not a potential concern on the 327 Harbor Site.

### **i. Polychlorinated Biphenyls**

PCBs are mixtures of up to 209 individual chlorinated compounds. There are no known natural sources of PCBs. PCBs have been used as coolants and lubricants in transformers, capacitors, and other electrical equipment because they do not burn easily and are good insulators. The manufacture of PCBs was banned in the United States in 1979 by the TSCA because of evidence that they build up in the environment and can cause a variety of harmful health effects. Health risks include cancer as well as non-cancer effects on the immune system, reproductive system, nervous system, endocrine system, such as a decrease in the size of the thymus gland, decreased birth weight and gestational age for children born to women exposed to PCBs, and decreased thyroid hormone levels (U.S. EPA 2022b). Products made before 1979 that may contain PCBs include old fluorescent lighting fixtures and electrical devices containing PCB capacitors, and old microscope and hydraulic oils.

Since many of the residential structures in the OSP Specific Plan Site were constructed before 1979, there is a potential for the presence of PCBs to exist in the building lighting and electrical devices on the OSP Specific Plan Site. Because the 327 Harbor Site is currently vacant, PCBs are not a potential concern on the 327 Harbor Site.

## **j. Other Potential Hazards**

Rincon completed additional research to determine if wildlands, airports, landfills, oil and gas wells, hazardous material transportation pipelines, methane, or per- and polyfluoroalkyl substances (PFAS) investigative sites are located on site or could be affecting the project site. An examination of the prior environmental documents and a search of relevant databases revealed no issues of concern arising from these types of hazards.

### **Wildfire**

Wildfire risks and impacts are addressed in Section 4.16, *Wildfire*. The project site is not located in or near a Very High Fire Hazard Severity Zone (VHFHSZ) (CAL FIRE 2022). The project site is located approximately 1.7 miles east of the nearest VHFHSZ at the edge of Rancho Palos Verdes and is separated from this area by intervening development, roadways, and infrastructure. Due to the project site's urban surroundings and distance to the nearest VHFHSZ, the project site is not subject to substantial risk of wildfire.

### **Airports**

The project site is not located within 2 miles of an airport. The nearest airport to the project site is the Long Beach Municipal Airport, approximately 9 miles southeast.

### **Landfills**

Five municipal landfills are located within 2 miles of the proposed project as follows:

- Gaffey Street Landfill: closed solid waste disposal site located approximately 1.2 miles northwest of the project site (California Department of Resources, Recycling and Recovery [CalRecycle] 2023a)
- Harbor Mulching Facility: active composting site located approximately 1.2 miles northwest of the project site (CalRecycle 2023b)
- Harbor Street Maintenance District Yard: active limited volume transfer station located approximately 1.2 miles northwest of the project site (CalRecycle 2023c)
- Site #6A Boat Disposal: closed solid waste disposal site located approximately 1.5 miles northeast of the project site (CalRecycle 2023d)
- Site #5 Skeet Range SW Fill Area: closed solid waste disposal site located approximately 1.8 miles east-northeast of the project site (CalRecycle 2023e)

Based on the distance of these landfills from the project site (over 6,000 feet), landfill gases and methane vapor migration are not anticipated to be a concern at the project site.

### **Oil and Gas Wells/Fields**

As discussed in the Phase I ESA for the Rancho San Pedro Housing Development, the project site is not located within an oil/gas field and no oil wells are located within 0.25 mile of the project site (Frey



2019). The nearest oil well is an idle oil/gas production well located approximately 0.3 mile north-northeast of the project site.

### **Hazardous Material Pipelines**

No liquid hazardous material or natural gas pipelines are located within the project site. One permanently abandoned hazardous liquid pipeline (contents not specified) is located adjacent to the east of the project site beneath South Harbor Boulevard (United States Department of Transportation [U.S. DOT] 2023). Additionally, no pipeline-related accidents or incidents within 0.5 mile of the project site have been listed on the U.S. DOT's online National Pipeline Mapping System database.

### **Methane**

Methane is a naturally occurring, odorless, colorless, and extremely flammable gas with a wide distribution in nature. It is the major constituent of natural gas that is used as a fuel and is an important source of hydrogen and a wide variety of other organic compounds. Methane has the potential to migrate into buildings through physical pathways that include cracks in concrete foundations, unsealed conduits or utility trenches, and other small openings common in building construction. The primary danger posed by methane build-up is the risk of fire or explosion. No long-term health effects are known to occur from exposure to methane. However, at a very high concentration, methane can act as an asphyxiate by reducing the relative concentration of oxygen in the air that is inhaled (similar to carbon monoxide). In March 2004, the City adopted Ordinance Number 175,790, which was incorporated into Los Angeles Municipal Code (Section 91.106.4.1 and Division 71, Chapter IX) to establish citywide methane requirements, including updated construction standards to control methane intrusion into buildings. This ordinance established defined geographic areas as Methane Zones and Methane Buffer Zones, which require methane assessment and compliance with methane standards in the planning stages of all new construction within the methane zones. The project site is not located within a Methane Buffer Zone recognized by the Los Angeles Department of Building and Safety (City of Los Angeles 2022a). Therefore, methane is not a potential concern at the project site.

### **Per- and Polyfluoroalkyl Substances**

Review of the California 2019 Statewide Drinking Water System Quarterly Testing Results Public Map Viewer indicates that perfluorooctanoic acid and perfluorooctanesulfonic acid were detected in the nearest drinking water wells to the project site, located approximately 2.2 miles north of the project site and tested quarterly as part of a PFAS investigative order. These wells contain perfluorooctanoic acid and perfluorooctanesulfonic acid at concentrations below their respective State Water Resources Control Board (SWRCB) notification and response levels (SWRCB 2022).

## **4.6.2 Regulatory Setting**

### **a. Federal Laws and Regulations**

#### **Resource Conservation and Recovery Act**

The federal 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.

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.

### **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. This law provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the 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 U.S. EPA. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986 (U.S. EPA 2023).

### **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 healthy 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 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 Occupational Safety and Health Administration (Cal/OSHA) program (codified in the CCR, Title 8, or 8 CCR generally and in the Labor Code Sections 6300-6719) is administered and enforced by the Division of Occupational Safety and Health. 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 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 (SMP) if this document is required by the Certified Unified Program Agency, which is the LAFD with regard to the project site. The HASP, if required, would be prepared in accordance with the most current OSHA regulations, 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.

## **Toxic Substances Control Act**

In 1976, the federal 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 U.S. EPA 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. PCBs are hazardous materials regulated by the U.S. EPA 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, which lists PCBs as hazardous waste.

Under TSCA, the U.S. EPA has enacted strict requirements on the use, handling, and disposal of ACMs. These regulations include the phasing out of friable asbestos and ACMs in new construction materials beginning in 1979. In 1989, the U.S. EPA 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 U.S. EPA'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 U.S. EPA.

## **Hazardous Materials Transportation Act**

The U.S. DOT 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, formerly the Research and Special Provisions Administration, was delegated the responsibility to write the hazardous materials regulations, which are contained in Title 49 CFR Parts 100-180 (U.S. DOT 2021). 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."

## **Research and Special Programs Administration**

The Research and Special Programs Administration 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 Research and Special Programs Administration's Federal Highway Administration 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.

## **Federal Emergency Management Act**

The 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 recovery efforts following any national incident (FEMA 2021). FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration.

## **Disaster Mitigation Act of 2000**

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 Section 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; 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) 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.

## **Other Hazardous Materials Regulations**

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

- Community Environmental Response Facilitation Act of 1992

- Clean Water Act
- Clean Air Act
- Safe Drinking Water Act
- Federal Insecticide, Fungicide, and Rodenticide Act

## **b. State Laws and Regulations**

The primary state agencies with jurisdiction over hazardous chemical materials management are CalEPA's DTSC and the Los Angeles 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 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 Division of Occupational Safety and Health. 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 Injury and Illness Prevention Program. An Illness Prevention Program is an employee safety program for potential workplace hazards, including those associated with hazardous materials.

The Cal OES Hazardous Materials 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 Hazardous Materials section staff is called upon to provide state and local emergency managers with emergency coordination and technical assistance.

## **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 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 and the 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.

### **Hazardous Waste and Substances Sites**

Government Code Section 65962.5, amended in 1992, requires 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:

- List of Hazardous Waste and Substances sites from the DTSC Envirostor database (HSC Sections 25220, 25242, 25356, and 116395);
- List of open and active leaking underground storage tank Sites by County and Fiscal Year from the SWRCB GeoTracker database (HSC Section 25295);
- List of solid waste disposal sites identified by the SWRCB with waste constituents above hazardous waste levels outside the waste management unit (Water Code Section 13273[e] and 14 CCR Section 18051);
- List of “active” Cease and Desist Orders and Cleanup and Abatement Orders from the SWRCB (California Water Code [CWC] Sections 13301 and 13304); and
- List of hazardous waste facilities subject to corrective action pursuant to HSC Section 25187.5, identified by the DTSC.

### **Hazardous Waste Control Law**

The Hazardous Waste Control Law 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.

### **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 California Highway Patrol and Caltrans. Together, federal and State agencies determine driver-training requirements, load labeling procedures, and container specifications for vehicles transporting hazardous materials.

### **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 in the city. 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.

### **Lead-Based Paint Regulations**

LBP is defined as any paint, varnish, stain, or other applied coating that has a 1 milligram per square centimeter (5,000 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 waste must also be managed and disposed of in accordance with applicable provisions of the California HSC.

### **California Occupational Safety and Health Act**

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.

### **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.

### **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. Regarding 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 permit. In addition to the CWC, these permits implement and comply 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 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. R4-2013-0095, or any other appropriate Waste Discharge Requirement permit identified by the Los Angeles RWQCB (Los Angeles RWQCB 2013). Compliance with an appropriate Waste Discharge Requirement 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 contains 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.

### **California Fire Code, Title 24, Part 9, Chapters 33, 50 and 57**

The 2019 California Fire Code (CFC), written by the California Building Standards Commission, is based on the 2018 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, Chapter 9 of Title 24 of the CCR, was created by the California Building Standards Commission based on the International Fire code 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.

### **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.

### **California Governor's Office of Emergency Services**

In 2009, the State of California passed legislation creating the Cal OES and authorized it to prepare a Standard Emergency Management System (SEMS) program (Title 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 maintains oversight of the state's mutual aid system.

### **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 Standard Emergency Management System 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.

### **c. Regional Laws and Regulations**

#### **South Coast Air Quality Management District Rule 1113**

SCAQMD Rule 1113, Architectural Coating, requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories.

#### **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 a UST 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 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.

### **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.

### **South Coast Air Quality Management District Rule 1466**

SCAQMD Rule 1466, Control of Particulate Emissions from Soil with Toxic Air Contaminants, requires the construction contractor to continuously monitor ambient PM<sub>10</sub> (particulate matter less than 10 microns) concentrations, implement fugitive dust control measures, and post signage during ground-disturbing activities when soil with applicable air toxic contaminants has been identified on a project site. SCAQMD Rule 1466 requires the contractor to notify the SCAQMD of the intent to conduct ground-disturbing activities within 72 hours of the start of ground-disturbing activities and requires the contractor to notify the SCAQMD if the PM<sub>10</sub> emission limit is exceeded. In addition, the contractor is required to maintain records of monitoring activities to show compliance with the provisions of Rule 1466. In accordance with SCAQMD Rule 1466, soil with toxic air contaminants are soils which have been identified by the U.S. EPA, DTSC, SWRCB, RWQCB, or another State, county, or local agency to contain one or more of the toxic air contaminants listed in Rule 1466, including PAHs and metals.

### **Los Angeles County Operational Area Emergency Response Plan**

The County of Los Angeles developed the Emergency Response Plan to ensure the most effective allocation of resources for the maximum benefit and protection of the public in time of emergency. The Emergency Response Plan 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.

### **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. ALUC coordinates planning for the areas surrounding public use airports. The Los Angeles County Airport Land Use Plan (dually titled 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.

#### **d. Local Laws and Regulations**

##### **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 LAFD. The LAFD is the Certified Unified Program Agency (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;
- Hazardous Waste (including Tiered Permitting);
- USTs;
- ASTs (Spill Prevention Control and Countermeasures requirements); and
- UFC Article 80 Hazardous Material Management Program and Hazardous Material Identification System.

As the CUPA for County of Los Angeles, the LAFD 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 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. 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 Los Angeles RWQCB) if the nature of the contamination warrants the involvement of these agencies.

## **Los Angeles 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.<sup>7</sup> 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 with the local administering agency<sup>8</sup>.

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, International Building Code, and City, State, and federal 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 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 the California Geologic Energy Management Division.

## **Waste Discharge Requirements**

Effective on December 28, 2012, the Los Angeles RWQCB adopted Order No. R4-2012-0175, NPDES Permit No. CAS004001, Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges into the Coastal Watersheds of Los Angeles 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

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<sup>7</sup> The California Accidental Release Prevention 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.

<sup>8</sup> 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.

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 Stormwater Pollution Prevention Plan.

### **Emergency Management Department, Emergency Operations Organization, and Emergency Operation Center**

The City of Los Angeles Emergency Management Department 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 Emergency Management Department 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 is the operational department responsible for the City's emergency preparations (planning, training, and mitigation), response and recovery operations. The Emergency Operations Organization 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 is the focal point for coordination of the City's emergency planning, training, response, and recovery efforts. Emergency Operation Center 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.

### **City of Los Angeles General Plan Safety and Conservation Elements**

The City of Los Angeles General Plan was adopted in September 2001. The Safety Element of the General Plan, which received a targeted update in 2021, provides a contextual framework for understanding the relationship between hazard mitigation, response to a natural disaster, and initial recovery from a natural disaster. The Safety Element addresses hazardous materials relative to potential natural hazards.

The intent of the Conservation Element of the General Plan is the conservation and preservation of natural resources. Policies of the Conservation Element address the conservation of petroleum resources (i.e., oil and gas) and appropriate, environmentally sensitive extraction of petroleum deposits to protect the petroleum resources for the use of future generations and to reduce the City's dependency on imported petroleum and petroleum products.

Policies from the Safety and Conservation Elements related to Hazards and Hazardous Materials are listed below in Table 4.6-1.

**Table 4.6-1 Relevant City of Los Angeles General Plan Hazardous Materials Policies**

<b>Policy No.</b>	<b>Policy</b>
<b>Safety Element – Hazard Mitigation</b>	
Policy 1.1.1	Coordination. Coordinate information gathering, program formulation and program implementation between City agencies, other jurisdictions and appropriate public and private entities to achieve the maximum mutual benefit with the greatest efficiency of funds and staff.
Policy 1.1.2	Disruption reduction. Reduce, to the greatest extent feasible and within the resources available, potential critical facility, governmental functions, infrastructure and information resource disruption due to natural disaster.
Policy 1.1.3	Facility/systems maintenance. Provide redundancy (back-up) systems and strategies for continuation of adequate critical infrastructure systems and services so as to assure adequate circulation, communications, power, transportation, water and other services for emergency response in the event of disaster related systems disruptions.
Policy 1.1.4	Health/environmental protection. Protect the public and workers from the release of hazardous materials and protect City water supplies and resources from contamination resulting from accidental release or intrusion resulting from a disaster event, including protection of the environment and public from potential health and safety hazards associated with program implementation.
Policy 1.1.5	Risk reduction. Reduce potential risk hazards due to natural disaster to the greatest extent feasible within the resources available, including provision of information and training.
Policy 2.1.1	Coordination. Coordinate program formulation and implementation between City agencies, adjacent jurisdictions and appropriate private and public entities so as to achieve, to the greatest extent feasible and within the resources available, the maximum mutual benefit with the greatest efficiency of funds and staff.
Policy 2.1.2	Health and environmental protection. Develop and implement procedures to protect the environment and public, including animal control and care, to the greatest extent feasible within the resources available, from potential health and safety hazards associated with hazard mitigation and disaster recovery efforts.
Policy 2.1.3	Information. Develop and implement, within the resources available, training programs and informational materials designed to assist the general public in handling disaster situations in lieu of or until emergency personnel can provide assistance.
Policy 2.1.4	Interim procedures. Develop and implement pre-disaster plans for interim evacuation, sheltering and public aid for disaster victims displaced from homes and for disrupted businesses, within the resources available. Plans should include provisions to assist businesses, which provide significant services to the public and plans for reestablishment of the financial viability of the City.
Policy 2.1.5	Response. Develop, implement, and continue to improve the City’s ability to respond to emergency events.
Policy 2.1.6	Standards/fire. Continue to maintain, enforce and upgrade requirements, procedures and standards to facilitate more effective fire suppression. The Fire Department and/or appropriate City agencies shall revise regulations or procedures to include the establishment of minimum standards for location and expansion of fire facilities, based upon fire flow requirements, intensity and type of land use, life hazard, occupancy and degree of hazard so as to provide adequate fire and emergency medical event response. At a minimum, site selection criteria should include the following standards which were contained in the 1979 General Plan Fire Protection and Prevention Plan: <ul style="list-style-type: none"> <li>▪ Fire stations should be located along improved major or secondary highways. If, in a given service area, the only available site is on a local street, the site must be on a street which leads directly to an improved major or secondary highway.</li> <li>▪ Fire station properties should be situated so as to provide drive-thru capability for heavy fire apparatus.</li> <li>▪ If a fire station site is on the side of a street or highway where the flow of traffic is toward a signalized intersection, the site should be at least 200 feet from that intersection in order to avoid blockage during ingress and egress.</li> </ul>

<b>Policy No.</b>	<b>Policy</b>
	The total number of companies which would be available for dispatch to first alarms would vary with the required fire flow and distance as follows: (a) less than 2,000 gallons per minute (gpm) would require not less than 2 engine companies and 1 truck company; (b) 2,000 but less than 4,500 gpm., not less than 2 or 3 engine companies and 1 or 2 truck companies; and (c) 4,500 or more gpm., not less than 3 engine companies and 2 truck companies.
<b>Safety Element – Disaster Recovery (Multi-Hazard)</b>	
Policy 3.1.1	Coordination. Coordinate with each other, with other jurisdictions and with appropriate private and public entities prior to a disaster and to the greatest extent feasible within the resources available, to plan and establish disaster recovery programs and procedures which will enable cooperative ventures, reduce potential conflicts, minimize duplication and maximize the available funds and resources to the greatest mutual benefit following a disaster.
Policy 3.1.2	Health/safety/environment. Develop and establish procedures for identification and abatement of physical and health hazards which may result from a disaster. Provisions shall include measures for protecting workers, the public and the environment from contamination or other health and safety hazards associated with abatement, repair and reconstruction programs.
Policy 3.1.4	Interim services/systems. Develop and establish procedures prior to a disaster for immediate reestablishment and maintenance of damaged or interrupted essential infrastructure systems and services so as to provide communications, circulation, power, transportation, water and other necessities for movement of goods, provision of services and restoration of the economic and social life of the City and its environs pending permanent restoration of the damaged systems.
Policy 3.1.5	Restoration. Develop and establish prior to a disaster short- and long-term procedures for securing financial and other assistance, expediting assistance and permit processing and coordinating inspection and permitting activities so as to facilitate the rapid demolition of hazards and the repair, restoration and rebuilding, to a comparable or a better condition, those parts of the private and public sectors which were damaged or disrupted as a result of the disaster.
<b>Conservation Element – Resource Management (Fossil Library) - Petroleum (Oil and Gas)</b>	
Policy 1	Continue to encourage energy conservation and petroleum product reuse.
Policy 3	Continue to protect neighborhoods from potential accidents and subsidence associated with drilling, extraction and transport operations, consistent with California Department of Conservation, Division of Oil and Gas (DOGGR) requirements. <sup>1</sup>

<sup>1</sup> DOGGR is now known as California Geologic Energy Management Division.

Source: City of Los Angeles 2001 and 2021

### 4.6.3 Impact Analysis

#### a. Significance Thresholds and Methodology

##### Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, a hazards and hazardous materials impact would be significant if the proposed project would:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
2. 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;
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school;

4. Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment;
5. Be located in an airport land use plan or within 2 miles of a public airport or public use airport and result in a safety hazard or excessive noise for people residing or working in the project area;
6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
7. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

For this analysis, the CEQA Appendix G thresholds are relied upon. The analysis utilizes factors and considerations identified in the 2006 L.A. CEQA Thresholds Guide (Thresholds Guide), as appropriate, to assist in answering the Appendix G threshold questions. The Thresholds Guide identifies the following criteria to evaluate hazards and hazardous materials:

#### *Risk of Upset/Emergency Preparedness*

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

#### *Human Health Hazards*

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

The Thresholds Guide also requires the consideration of Fire Protection Services criteria, which are specifically addressed in Section 4.11, *Public Services*, of this document.

## **Methodology**

To analyze the project's potential hazards and hazardous materials impacts, the various ESAs and site investigations (Appendix E) prepared for the OSP Specific Plan Site and the 327 Harbor Site were reviewed. Supplementary information was obtained through review of City of Los Angeles resources, such as the General Plan Safety Element, and other online databases for additional information (e.g., landfills, oil and gas wells, methane, hazardous material transportation pipelines, and PFAS) to supplement the available project-specific reports.

### **b. Project Design Features**

A Construction Management Plan would be implemented for the proposed project, as detailed in Section 4.13, *Transportation*. PDF T-1 is duplicated below.



## PDF T-1 Construction Management Plan

Prior to the start of construction, a Construction Management Plan will be prepared and submitted to the City of Los Angeles Department of Transportation (LADOT) for review and approval in accordance with the time frames set forth in Executive Directive 1. The Construction Management Plan will include a Worksite Traffic Control Plan and Construction Worker Parking Plan that will facilitate traffic and pedestrian movement, minimize the potential conflicts between construction activities, street traffic, bicyclists and pedestrians, and ensure appropriate parking for construction workers is provided. Furthermore, the Construction Management Plan will include, but not be limited to, the following measures:

- A Worksite Traffic Control Plan(s), approved by the LADOT in accordance with the time frames set forth in Executive Directive 1, will be implemented to route vehicular traffic, transit, bicyclists, and pedestrians around any lane and/or sidewalk closures;
- Safety precautions for pedestrians and bicyclists will be implemented through such measures as alternate routing and protection barriers as appropriate, especially as it pertains to maintaining safe access to the Port of Los Angeles High School;
- Minimize obstruction to land uses in proximity to the project site during construction, including temporary traffic constraints, temporary loss of access, and temporary loss of bus stops or rerouting of bus lines;
- Parking for construction workers will be provided either on-site or at off-site, off-street locations; and
- Ensure adequate emergency access is maintained to the project site and neighboring businesses and residences.

### c. Project Impacts and Mitigation Measures

**Threshold 1:** Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

**Impact HAZ-1 HAZARDOUS MATERIALS WOULD BE USED DURING CONSTRUCTION AND CONSTRUCTION WOULD INVOLVE THE REMOVAL AND DISPOSAL OF CONTAMINATED SOILS. HOWEVER, HAZARDOUS MATERIALS WOULD BE THOSE TYPICALLY USED FOR CONSTRUCTION AND CONTAMINATED SOILS AND HAZARDOUS MATERIALS WOULD BE APPROPRIATELY HANDLED, TRANSPORTED, AND DISPOSED OF DURING PROJECT CONSTRUCTION IN ACCORDANCE WITH MITIGATION MEASURES HAZ-1 THROUGH HAZ-3 AND EXISTING REGULATIONS. THEREFORE, CONSTRUCTION IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. PROJECT OPERATION WOULD INVOLVE THE USE OF TYPICAL HOUSEHOLD HAZARDOUS MATERIALS SUCH AS CLEANING PRODUCTS, LANDSCAPING MAINTENANCE PRODUCTS, AND FUELS. ALL HAZARDOUS MATERIALS USED DURING CONSTRUCTION AND OPERATION OF THE PROJECT WOULD BE TRANSPORTED, HANDLED, AND DISPOSED OF IN COMPLIANCE WITH EXISTING REGULATIONS. THEREFORE, OPERATIONAL IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

The OSP Specific Plan Site is currently developed with the Rancho San Pedro public housing complex. Existing development includes 478 public housing units and 8,000 sf of amenities, services, and administration land uses including a management/leasing office, computer center and resident leadership office, social hall, maintenance building, community room, playground, sports field, grilling area, picnic tables, and a community garden. The 327 Harbor Site is currently vacant.

The OSP Specific Plan Site would involve the phased demolition of existing structures on the project site and the construction of up to 1,600 multi-family residential units, 85,000 sf of services, amenities and administration uses, and 45,000 sf of local-serving commercial/retail uses. The proposed project also includes the construction of 47 housing units on the 327 Harbor Site. Two project development scenarios are proposed (see Section 2, *Project Description*) that would involve phasing construction in different ways. Under Scenario A, the densest development would be located in Phases 2 and 3, whereas under Scenario B, development would be densest in Phases 1 and 2. Under both Scenarios, the footprint of development would be identical, construction and grading activities would be the same, and the same types and amounts of land uses would be developed as a whole. Therefore, this analysis applies to both Scenario A and Scenario B.

## **Construction**

Construction of the proposed project would temporarily increase the regional transport, use, and disposal of construction-related hazardous materials and petroleum products (e.g., diesel fuel, lubricants, paints and solvents, and cement products containing strong basic or acidic chemicals). These materials are commonly used at construction sites, and construction activities would be required to comply with applicable State and federal regulations established by the U.S. EPA, the State of California, and the County of Los Angeles for proper transport, use, and disposal of excess hazardous materials and hazardous construction waste. These regulations prescribe measures for the safe transport, use, storage, and disposal of hazardous materials to reduce risk of accidental spills. In addition, as discussed in detail in Section 4.7, *Hydrology and Water Quality*, compliance with the Construction General Permit requires implementation of Good Housekeeping Best Management Practices to reduce potential impacts to water quality due to spills or runoff from hazardous materials used during construction. Compliance with these regulations would reduce the risk of impacts related to the route transport, use, and disposal of hazardous construction materials and products. However, the project grading activities would require the transport and disposal of large quantities of contaminated soils, which could result in a potentially significant hazard to the public or the environment.

## **Operation**

Operation of the proposed project would involve the use of hazardous materials commonly used in residential and commercial developments, which do not typically involve the use or storage of large quantities of hazardous materials. These materials could include pesticides and fertilizer for landscaping, fuel and oil and grease for vehicles or landscaping equipment, cleaning products and solvents, paints, and other general maintenance products. Hazardous materials use would be similar to those currently used at the existing residential development on the OSP Specific Plan Site. The 327 Harbor Site is currently vacant, and the new residential uses would introduce use of small quantities of hazardous materials to that portion of the project site. Hazardous materials use during project operation would be required to comply with applicable State and federal regulations for proper transport, use, and disposal of hazardous materials. With compliance with existing regulations, impacts related to the routine transport, use, disposal, or accidental release of hazardous materials during operation would be less than significant.

## Mitigation Measures

### HAZ-1 *Voluntary Oversight Agreement with the Los Angeles County Fire Site Mitigation Unit*

Because contaminated soil is present on the project site, the project Applicant shall coordinate on-site remediation activities on the OSP Specific Plan Site and 327 Harbor Site with the LACFD Site Mitigation Unit (SMU). Prior to initiation of soil grading, excavation, or remediation activities, the Applicant shall enter into a Voluntary Oversight Agreement with the LACFD SMU. The LACFD SMU shall oversee the assessment and remediation of the OSP Specific Plan Site and 327 Harbor Site through completion of building demolition, excavation, soil remediation, and building construction. Prior to commencement of demolition and excavation/grading activities on the OSP Specific Plan Site and 327 Harbor Site, the Applicant shall submit the following documents to the LACFD SMU for review and approval:

- All ESAs and subsurface investigation reports completed for the OSP Specific Plan Site and 327 Harbor Site
- Current development plan, including plans for soil excavation and removal and/or vapor barriers
- Soil management plans completed for the OSP Specific Plan Site and 327 Harbor Site
- Any additional hazardous materials-related reports completed for the project

Upon submittal of the information above, LACFD SMU may require further actions such as: additional subsurface investigation, including additional soil, soil vapor or groundwater monitoring wells; soil excavation and off-site disposal; completion of human health risk assessments; installation of soil vapor barriers, and/or completion of remediation reports or case closure documents. The Applicant shall submit all reports and documentation to the LACFD SMU for review and approval prior to initiation of soil grading, excavation, or remediation activities.

The Applicant shall obtain an approval letter from LACFD SMU prior to initiation of grading and construction activities. The approval letter shall specify that LACFD SMU is in agreement that the on-site soil has been remediated to LACFD SMU standards and project construction can commence. Prior to issuance of grading permits, the Applicant shall submit the approval letter to the City of Los Angeles Department of Building and Safety.

It should also be noted that LACFD SMU may determine that the Los Angeles RWQCB or DTSC may be best suited to perform the cleanup oversight agency duties for the assessment and/or remediation of the project site. Should the cleanup oversight agency be transferred from LACFD to the Los Angeles RWQCB or DTSC, this and other mitigation measures shall still apply and will be overseen by the designated cleanup oversight agency.

### HAZ-2 *Soil Management Plan*

Prior to commencement of grading and excavation activities at the project site, the Applicant shall retain a qualified environmental consultant (professional geologist [PG] or professional engineer [PE]) to prepare an SMP for the OSP Specific Plan Site and the 327 Harbor Site. The SMP shall specify the limits of soil that require removal to remediate the soil contamination on the OSP Specific Plan Site and the 327 Harbor Site. The SMP will provide the City of Los Angeles and the construction contractor with guidance and procedures for the proper handling and management of impacted soil, if any is encountered, during site construction activities. The SMP shall include measures required for

compliance with all application regulations, including but not limited to, SCAQMD Rule 1466. The SMP shall address:

- On-site handling and management of contaminated soils or other hazardous wastes (e.g., stained soil, and soil with solvent or chemical odors) if such soils or hazardous wastes are encountered; and
- Specific actions to reduce hazards to construction workers and off-site receptors during the construction stages.

The SMP shall specifically address hazards to residences and schools within 0.25 mile of the project site.

The SMP must establish remedial measures and soil management practices to ensure construction worker safety, the health of future workers and visitors, and the prevention of off-site migration of contaminants from the project site. These measures and practices shall include, but are not limited to:

- Stockpile management including stormwater pollution prevention and the installation of Best Management Practices
- Proper disposal procedures of contaminated materials
- Investigation procedures for encountering known and unexpected odorous or visually stained soils, other indications of hydrocarbon piping or equipment, and/or debris during ground-disturbing activities
- Monitoring and reporting
- A health and safety plan for contractors working at the project site that addresses the safety and health hazards of each stage of construction activities with the requirements and procedures for employee protection
- The health and safety plan shall outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction

The project Applicant shall submit the SMP to the LACFD SMU (or other designated oversight agency) for review and approval prior to grading, excavation, or remediation activities at the project site. The approved SMP shall be submitted to the City of Los Angeles Department of Building and Safety prior to issuance of grading permits. The project Applicant shall ensure the construction contractor implements the SMP during demolition, grading, and construction at the project site.

### *HAZ-3 Soil Remediation*

Where contaminated soil that exceeds hazardous waste screening levels is known to be present on the OSP Specific Plan Site and 327 Harbor Site, the Applicant shall retain a qualified environmental consultant (PG or PE) to properly remove and dispose of the contaminated soil. All soil removal and disposal activities shall be conducted in accordance with the recommendations of the SMP. The qualified environmental consultant shall utilize the project site analytical results for waste characterization purposes prior to off-site transportation or disposal of potentially impacted soils or other impacted wastes. The qualified consultant shall provide disposal recommendations and arrange for proper disposal of the waste soils or other hazardous wastes (as necessary), and/or provide recommendations for remedial engineering controls, if appropriate.

Remediation of impacted soils and/or implementation of remedial engineering controls may require additional delineation of sub-surface impacts, additional analytical testing per landfill or recycling facility requirements, soil excavation, and off-site disposal or recycling.

Prior to initiation of soil excavation or soil remediation activities, the LACFD SMU (or other designated oversight agency) shall review and approve the soil removal and disposal recommendations prior to transportation of waste soils off site and review and approve remedial engineering controls.

The project Applicant shall review and ensure the qualified environmental consultant implements the disposal recommendations prior to transportation of waste soils off site and review and implements the remedial engineering controls prior to and during construction.

The City shall review and approve the disposal recommendations and remedial engineering controls prior to issuing a grading permit.

### **Significance After Mitigation**

With implementation of Mitigation Measures HAZ-1 through HAZ-3, proper procedures for the handling, transport, and disposal of contaminated soils during construction would be in place. These measures would ensure that a significant hazard to the public or the environment would not occur due to the routine transport, use, or disposal of contaminated soils during construction. Therefore, impacts would be less than significant with mitigation.

<b>Threshold 2:</b>	Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?
<b>Threshold 3:</b>	Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?
<b>Threshold 4:</b>	Would the project be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

**Impact HAZ-2 THE PROJECT SITE IS LOCATED WITHIN 0.25 MILE OF A SCHOOL AND IS ON A LIST OF HAZARDOUS MATERIALS SITES. PROJECT CONSTRUCTION WOULD INCLUDE DEMOLITION OF EXISTING BUILDINGS WITH POTENTIAL HAZARDOUS MATERIALS INCLUDING ASBESTOS AND LEAD AND EXCAVATION OF SOILS WITH POTENTIAL HAZARDOUS MATERIALS CONTAMINANTS INCLUDING LEAD, TPH, AND PAHs. VOCs ARE ALSO PRESENT IN SOIL VAPOR AND COULD AFFECT CONSTRUCTION WORKERS OR FUTURE RESIDENTS IF RELEASED INTO THE ENVIRONMENT. COMPLIANCE WITH FEDERAL, STATE, AND LOCAL REGULATIONS AND MITIGATION MEASURES HAZ-1 THROUGH HAZ-5 WOULD REDUCE IMPACTS TO LESS THAN SIGNIFICANT.**

The OSP Specific Plan Site is currently developed with the Rancho San Pedro public housing complex. Existing development includes 478 public housing units and 8,000 sf of amenities, services, and administration land uses including a management/leasing office, computer center and resident leadership office, social hall, maintenance building, community room, playground, sports field, grilling area, picnic tables, and a community garden. The 327 Harbor Site is currently vacant.

The OSP Specific Plan Site would involve the phased demolition of existing structures on the project site and the construction of up to 1,600 multi-family residential units, 85,000 sf of services, amenities and administration uses, and 45,000 sf of local-serving commercial/retail uses. The proposed project

also includes the construction of 47 housing units on the 327 Harbor Site. Two project development scenarios are proposed (see Section 2, *Project Description*) that would involve phasing construction in different ways. Under Scenario A, the densest development would be located in Phases 2 and 3, whereas under Scenario B, development would be densest in Phases 1 and 2. Under both Scenarios, the footprint of development would be identical, construction and grading activities would be the same, and the same types and amounts of land uses would be developed as a whole. Therefore, this analysis applies to both Scenario A and Scenario B.

Both the OSP Specific Plan Site and the 327 Harbor Site are considered to be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5. As discussed in Section 4.6.1, *Hazardous Materials Database Searches*, the OSP Specific Plan Site is listed on several hazardous materials databases due to the former Edison/San Pedro manufactured gas plant on the site. The 327 Harbor Site is listed on several hazardous materials databases due to the former Arco Battery Manufacturing facility on the site. In addition, the project site is located within 0.25 mile of a school; specifically, the Port of Los Angeles operates a Charter High School one block south of the OSP Specific Plan Site. As detailed in Section 4.6.1, *Hazardous Materials Database Searches*, there are several known hazardous materials present on the project site. There is a potential for ACM, LBP, and PCB to be present in the existing buildings on the OSP Specific Plan Site and elevated concentrations of TPH and PAH are present in soils the OSP Specific Plan Site. Elevated concentrations of TPH and lead are present in soils on the 327 Harbor Site. Elevated concentrations of VOCs in soil vapor is a concern on both the OSP Specific Plan Site and the 327 Harbor Site. Potential impacts related to these hazardous materials are discussed below.

### **Hazardous Building Materials**

The following analysis is only applicable to the OSP Specific Plan Site because no structures are currently located on the 327 Harbor Site.

Due to the age of the existing buildings on the OSP Specific Plan Site, there is a potential for ACM, LBP, and PCB to be present in building materials on the site. Demolition of the existing on-site structures on the OSP Specific Plan Site has the potential to release ACM, LBP, and PCBs into the atmosphere if not properly removed and disposed of prior to demolition. Release of these hazardous materials could expose construction workers, nearby residents, and students at the nearby school to health hazards.

With respect to ACMs, SCAQMD Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities) requires the owner or operator of any demolition or renovation activity to complete a survey for the presence of asbestos prior to any demolition or renovation activity. The survey must include the inspection, identification, and quantification of all friable, and Class I and Class II non-friable ACMs. In instances where friable ACMs are identified and could be disturbed by demolition or renovation activities, Rule 1403 also includes specific notification, removal, and disposal procedures for the ACMs. The individual conducting all work must be certified by Cal/OSHA. Compliance with Rule 1403 requirements would reduce the potential for construction impacts related to ACMs to a less than significant level.

Similarly, there are numerous regulations related to the handling of LBPs and PCBs in federal and state regulations (e.g., Title 40 of the CFR, Title 22 of the CCR, TSCA, and HMTA). The project would be required to comply with all existing regulations, including the pre-construction inspection of any previously identified LBP or PCB-containing materials and proper handling and disposal of any deteriorated LBP or PCB-containing materials. Consequently, the impact related to the release of LBP

or PCBs from demolition as part of project construction would be less than significant with compliance with existing regulations.

In accordance with existing regulations which ban the use of ACM, LBP, and PCBs in commercially sold building materials, the proposed buildings would not contain these materials. Therefore, project operation would not exacerbate risk of release of ACM, LBP, and PCBs and no impact would occur.

## **Hazardous Soils**

The discussion below is applicable to both the OSP Specific Plan Site and the 327 Harbor Site due to the presence of contaminated soil on both portions of the project site.

As discussed in detail in Section 4.6.1.f, *Subsurface Investigations*, contaminated soil is present on both the OSP Specific Plan Site and the 327 Harbor Site due to past uses on both sites. Past uses include the Edison/San Pedro manufactured gas plant and former sheet metal facility on OSP Specific Plan Site and the Arco Battery Manufacturing Facility and automotive repair facility on the 327 Harbor Site. As discussed in Section 4.6.1, *Hazardous Materials Database Searches*, the OSP Specific Plan Site is listed on several hazardous materials databases due to the former Edison/San Pedro manufactured gas plant on the site. The 327 Harbor Site is listed on several hazardous materials databases due to the former Arco Battery Manufacturing facility on the site. Elevated concentrations of TPH and PAH are present in soils on the OSP Specific Plan Site. Elevated concentrations of TPH and lead are present in soils on the 327 Harbor Site. As such, construction activities could encounter contaminated soil, which could expose construction workers, nearby residents, and students at nearby schools to contaminants if they became airborne. Therefore, construction impacts would be potentially significant.

Contaminated on-site soil would be removed and replaced with certified fill soils prior to construction of the proposed buildings, as required by Mitigation Measures HAZ-1 through HAZ-3. Therefore, project residents, employees, and visitors would not be anticipated to encounter contaminated soils during project operation and impacts would be less than significant.

## **Hazardous Soil Vapor**

The discussion below is applicable to both the OSP Specific Plan Site and the 327 Harbor Site due to the presence of VOCs in soil vapor.

As detailed in Section 4.6.1.f, *Subsurface Investigations*, high levels of VOCs have been detected in soil vapor on the OSP Specific Plan Site and the 327 Harbor Site. Excavation and grading activities could release VOCs which could pose a health risk to construction workers, nearby residents, and students at nearby schools. Therefore, construction impacts would be potentially significant. Likewise, during project operation, VOCs in soil vapor could pose a threat to human health of future project residents and workers through the migration of vapors through building floors and foundations. Therefore, operational impacts would be potentially significant.

## **Mitigation Measures**

### *HAZ-4 Construction Vapor Monitoring Plan*

The project Applicant shall retain a qualified environmental consultant (PG or PE) or other qualified person to prepare a Construction Vapor Monitoring Plan. The Vapor Monitoring Plan shall specify the controls required to be implemented during construction activities at the OSP Specific Plan Site and

327 Harbor Site to mitigate the effects of subsurface gases on workers and the public. Controls could include, but are not limited to:

- Gas monitoring devices would be present to alert workers of elevated gas concentrations when basement or subsurface soil disturbing work is being performed;
- Contingency procedures would be in place if elevated gas concentrations are detected such as the mandatory use of personal protective equipment, evacuating the area, and/or increasing ventilation within immediate work area where the elevated concentrations are detected;
- Workers would be trained to identify exposure symptoms and implement alarm response actions;
- Soil exposed during excavations would be minimized to reduce the surface area which could off-gas (this will be done by staggering exposed excavation areas);
- Soil removed as part of construction will be sampled and tested for off-site disposal in a timely manner (if soil is stockpiled prior to disposal, it would be managed in accordance with the project's Storm Water Pollution Prevention Plan);
- Fencing would be established to limit public access and allow for gas dilution; and
- HASP development which would describe the work activities and hazards associated with each work activity.

Hazard mitigation shall be presented in the HASP to limit construction risks to workers. The HASP shall contain emergency contact numbers, maps to the nearest hospital, gas monitoring action levels, gas response actions, allowable worker exposure times, and mandatory personal protective equipment requirements. The HASP shall be signed by all workers on site to demonstrate their understanding of the construction risks.

The Applicant shall submit the Construction Vapor Monitoring Plan to the LACFD SMU for review and approval. The Applicant shall submit the approved Construction Vapor Monitoring Plan to the City of Los Angeles Department of Building and Safety prior to issuance of a grading permit.

#### *HAZ-5 Vapor Mitigation System*

Where soil vapor is known to be present at chemical concentrations exceeding screening levels for sub-slab/soil gas (vapor) intrusion, the project Applicant shall retain a qualified environmental consultant (PG or PE) or other qualified person to prepare a soil vapor Human Health Risk Assessment for the OSP Specific Plan Site and 327 Harbor Site. The Human Health Risk Assessment shall evaluate the risk to future on-site residences from VOCs in on-site soil vapor. If the Human Health Risk Assessment determines that a vapor mitigation system is required for the proposed building, the qualified environmental consultant shall prepare a Vapor Mitigation Plan and shall design the vapor mitigation system for the proposed project.

The Vapor Mitigation Plan shall include, but is not limited to:

- Design specifications
- Material specifications
- Installation requirements
- Monitoring requirements

The qualified environmental consultant shall design and implement engineering measures or institutional controls (e.g., soil vapor barrier) to prevent potential soil vapor intrusion into new residences or businesses in accordance with the measures included in the DTSC's Vapor Intrusion



Guidance Document – Final (October 2011) and Vapor Intrusion Mitigation Advisory, Revision 1 (October 2011), or current guidance (DTSC 2011a and 2011b).

The Applicant shall submit the Human Health Risk Assessment and Vapor Mitigation Plan to the LACFD SMU (or other designated oversight agency) for review and approval prior to construction. Design of engineering measures or institutional controls shall be submitted to the City of Los Angeles Department of Building and Safety prior to the issuance of any grading or building permits. If determined to be required by the Human Health Risk Assessment, the contractor shall incorporate a sub-slab vapor barrier during construction, the implementation of which would prevent the potential for soil gas VOCs from migrating to indoor air.

The Applicant shall retain a qualified professional to certify that the required vapor measures and controls are properly constructed and functioning at the project site. The efficacy of the measures and controls shall be confirmed and certified by a qualified professional pursuant to the construction quality assurance/quality control testing guidance of the DTSC's Vapor Intrusion Guidance Document – Final (October 2011). Written verification shall be submitted to the LACFD SMU (or other designated oversight agency) and the City prior to issuance of Certificates of Occupancy.

LACFD SMU (or other designated oversight agency) may require the creation of a Soil Vapor Operations and Maintenance Plan to ensure that future operational activities (e.g., underground utility repairs), do not alter the effectiveness of the selected vapor mitigation system. LACFD SMU (or other designated oversight agency) shall review and approve the Soil Vapor Operations and Maintenance Plan (if required) prior to occupancy. The City shall review the Operations and Maintenance Plan (if required) prior to Certificates of Occupancy. The project Applicant shall implement the Operations and Maintenance Plan during occupancy at the project site.

### **Significance After Mitigation**

Implementation of Mitigation Measures HAZ-1 through HAZ-3 would ensure that contaminated soils would be removed from the project site in accordance with existing regulatory requirements. Mitigation Measures HAZ-1 through HAZ-3 would ensure coordination with the proper regulatory agencies and proper handling and/or disposal of contaminated soils during grading, excavation, and remediation activities. In the event that contaminated soils are encountered during construction, or construction occurs in areas of known or potential contamination, the nature and extent of the contamination would be determined and appropriate handling, off-site disposal, and/or treatment would be implemented in accordance with applicable regulatory requirements, including SCAQMD Rule 1466. Specifically, SCAQMD Rule 1466 requires monitoring and reporting of fugitive dust, including toxic air contaminants such as PAHs and metals, during construction. Therefore, compliance with existing regulations and Mitigation Measures HAZ-1 through HAZ-3 would ensure the project would not create or exacerbate a significant hazard to the public, students at nearby schools, or the environment through reasonably foreseeable upset and accident conditions involving the handling and disposal of contaminated soil that may be encountered on site.

Mitigation Measure HAZ-4 requires approval of a Vapor Monitoring Plan by LACFD SMU (or other designated oversight agency) prior to site disturbing activities. The Vapor Monitoring Plan would specify any procedures, such as vapor monitoring, that would be implemented during construction to ensure VOCs in soil vapor do not pose a health risk to construction workers, nearby residents, or students at nearby schools. In addition, SCAQMD Rule 1166 requires that an approved mitigation plan be obtained from SCAQMD prior to commencing 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; the handling or storage of VOC-contaminated

soil [soil which registers 50 parts per million (ppm) or greater using an organic vapor analyzer calibrated with hexane] at or from an excavation or grading site; or the treatment of VOC-contaminated soil at a facility. SCAQMD Rule 1166 further requires that a copy of the approved mitigation plan be on site during the entire excavation period and that the SCAQMD executive officer be notified at least 24 hours prior to excavation. In accordance with SCAQMD Rule 1166, monitoring for VOC contamination would occur at least once every 15 minutes and VOC concentration readings would be recorded. When VOC-contaminated soil is detected, the approved mitigation plan would be implemented. Therefore, implementation of Mitigation Measure HAZ-4 and compliance with existing regulations would ensure the project would not create or exacerbate a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions through release of contaminated soil vapor during construction.

As specified in Mitigation Measure HAZ-3, contaminated on-site soils would be removed from the OSP Specific Plan Site and the 327 Harbor Site prior to construction of the proposed buildings. Removal of contaminated soils could reduce VOCs in soil vapor to levels that are not a concern for the future residential and commercial development. As specified in Mitigation Measure HAZ-5, a Human Health Risk Assessment, Vapor Mitigation Plan, and/or Soil Vapor Operations and Maintenance Plan (if required by LACFD SMU (or other designated oversight agency) would be prepared to determine if additional controls beyond soil removal, such as a vapor mitigation system, are required to ensure VOCs in soil vapor would not affect future on-site residents and workers. The Human Health Risk Assessment, Vapor Mitigation Plan, and/or Soil Vapor Operations and Maintenance Plan would be submitted to the LACFD SMU (or other designated oversight agency) for review and approval. Implementation of soil removal and/or vapor mitigation systems, as required by Mitigation Measures HAZ-3 and HAZ-5, would ensure that VOC concentrations are below levels that pose a risk to the health of future on-site residents and workers. Implementation of mitigation would ensure the project would not create or exacerbate a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions through release of contaminated soil vapor during project operation.

Impacts related to upset, accident, or emissions of hazardous materials would be less than significant with implementation of Mitigation Measures HAZ-1 through HAZ-5.

**Threshold 5:** For a project located in an airport land use plan or, where such a plan has not been adopted, within 2 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?

**Impact HAZ-3 THE PROJECT SITE IS NOT LOCATED IN THE LONG BEACH MUNICIPAL AIRPORT LAND USE COMPATIBILITY ZONE OR INFLUENCE AREA. THEREFORE, NO IMPACT RELATED TO AIRPORT SAFETY HAZARDS OR EXCESSIVE NOISE WOULD OCCUR.**

The proposed project would involve the phased demolition of existing structures on the project site and the construction of up to 1,600 multi-family residential units, 85,000 sf of services, amenities and administration uses, and 45,000 sf of local-serving commercial/retail uses. The proposed project also includes the construction of 47 housing units on the 327 Harbor Site. Two project development scenarios are proposed (see Section 2, *Project Description*) that would involve phasing construction in different ways. Under Scenario A, the densest development would be located in Phases 2 and 3, whereas under Scenario B, development would be densest in Phases 1 and 2. Under both Scenarios, the footprint of development would be identical, construction and grading activities would be the

same, and the same types and amounts of land uses would be developed as a whole. Therefore, this analysis applies to both Scenario A and Scenario B.

The nearest airport to the project site is the Long Beach Municipal Airport, approximately 9 miles southeast. The project site is not located in the Long Beach Municipal Airport compatibility zone or influence area (Los Angeles County ALUC 2009). Therefore, the project would have no impact related to safety hazards or excessive noise for people residing or working in the project area.

### **Mitigation Measures**

Project-level impacts related to the airport hazards would be less than significant. Therefore, mitigation is not required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

**Threshold 6:** Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

**Impact HAZ-4 PROJECT CONSTRUCTION MAY RESULT IN TEMPORARY DELAYS AND PARTIAL LANE CLOSURES ALONG HARBOR BOULEVARD AND SOUTH PACIFIC AVENUE, WHICH ARE DESIGNATED EVACUATION ROUTES. HOWEVER, IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH PREPARATION OF A CONSTRUCTION MANAGEMENT PLAN. PROJECT DESIGN WOULD COMPLY WITH CITY AND LAFD REQUIREMENTS REGARDING SITE ACCESS AND EMERGENCY VEHICLE ACCESS. PROJECT OPERATION WOULD NOT SIGNIFICANTLY INTERFERE WITH VEHICULAR CIRCULATION OR EMERGENCY RESPONSE ROUTES. THEREFORE, IMPACTS RELATED TO IMPAIRMENT TO IMPLEMENTATION OF OR PHYSICAL INTERFERENCE WITH AN ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN WOULD BE LESS THAN SIGNIFICANT.**

The proposed project would involve the phased demolition of existing structures on the project site and the construction of up to 1,600 multi-family residential units, 85,000 sf of services, amenities and administration uses, and 45,000 sf of local-serving commercial/retail uses. The proposed project also includes the construction of 47 housing units on the 327 Harbor Site. Two project development scenarios are proposed (see Section 2, *Project Description*) that would involve phasing construction in different ways. Under Scenario A, the densest development would be located in Phases 2 and 3, whereas under Scenario B, development would be densest in Phases 1 and 2. Under both Scenarios, the footprint of development would be identical, construction and grading activities would be the same, roadway standards and improvements and site circulation would be identical, and the same types and amounts of land uses would be developed as a whole. Therefore, this analysis applies to both Scenario A and Scenario B.

Designated evacuation routes near the project site include Harbor Boulevard along the eastern boundary of the project site and South Pacific Avenue one block west of the project site (City of Los Angeles 2022b; County of Los Angeles 2022). Other designated evacuation routes include State Route 47 to the north and State Route 110 to the east. Project construction may temporarily increase traffic on these designated evacuation routes. In addition, delays or partial lane closures along Harbor Boulevard may be required for construction of the new signal and enhanced crosswalks at the intersection with 3rd Street and along South Pacific Avenue at the intersection of 2nd Street for construction of the new traffic signal. However, any lane closures would be temporary, and no full roadway closures would be required.

Potential temporary traffic and access disruption that may occur during project construction would be addressed through the implementation of the required Construction Management Plan, as detailed in Section 2.5.2, *Project Construction*, in Section 2, *Project Description*. The Construction Management Plan would include a traffic control plan. The Construction Management Plan would be reviewed and approved by the Los Angeles Department of Transportation and would be coordinated with the emergency service providers to ensure adequate access is maintained and the emergency evacuation routes are not obstructed during project construction. With adherence to regulatory requirements and implementation of the proposed Construction Management Plan, construction of the project would not significantly impair implementation of, or physically interfere with, any adopted or on-site emergency response or evacuation plans. Therefore, impacts related to emergency response and evacuation plans during construction would be less than significant.

Development of the project would not interfere with the City's Operational Area Emergency Response Plan. The project would include new signals at Harbor Boulevard at the intersection with 3rd Street and at South Pacific Avenue at the intersection with 2nd Street. These signals would improve traffic flow along Harbor Boulevard and South Pacific Avenue and would not interfere with emergency response or emergency evacuation along these two designated evacuation routes. Furthermore, the project does not propose facilities, operations, or barriers that would interfere with any emergency response or emergency evacuation plan. The project's driveways and internal circulation would be designed to meet all applicable City Building Code and Fire Code requirements regarding site access, including providing adequate emergency vehicle access. Compliance with applicable City Building Code and Fire Code requirements, including emergency vehicle access, would be confirmed as part of LAFD's fire/life safety plan review and LAFD's fire/life safety inspection for new construction projects, as set forth in Los Angeles Municipal Code Section 57.118, and which are required prior to the issuance of a building permit. In accordance with City policies, coordination with the local fire and police departments during construction would ensure the project does not interfere with emergency response and evacuation efforts. Therefore, impacts related to emergency response and evacuation plans during operation would be less than significant.

### **Mitigation Measures**

Project-level impacts related to the emergency response and evacuation plans would be less than significant. Therefore, mitigation is not required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

<b>Threshold 7:</b> Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?
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**Impact HAZ-5 THE PROJECT SITE IS NOT LOCATED IN OR NEAR A VHFHSZ AND THE SITE IS NOT AT RISK FROM WILDLAND FIRES. THE PROJECT ENTAILS THE DEVELOPMENT OF MIXED RESIDENTIAL AND COMMERCIAL USES THAT WOULD NOT DIRECTLY OR INDIRECTLY EXPOSE PEOPLE OR STRUCTURES TO WILDFIRE RISKS. THEREFORE, THE PROJECT WOULD HAVE NO IMPACT RELATED TO RISK FROM WILDLAND FIRES.**

The proposed project would involve the phased demolition of existing structures on the OSP Specific Plan Site and the construction of up to 1,553 multi-family residential units, 85,000 sf of services, amenities and administration uses, and 45,000 sf of local-serving commercial/retail uses. On the 327 Harbor Site, 47 residential units would be constructed. Two project development scenarios are

proposed (see Section 2, *Project Description*) that would involve phasing construction in two development scenarios. Under Scenario A, the densest development on the OSP Specific Plan Site would be located in Phases 2 and 3, whereas under Scenario B, development would be densest in Phases 1 and 2. Under both Scenarios, the footprint of development would be identical, construction and grading activities would be the same, and the same types and amounts of land uses would be developed as a whole. Therefore, this analysis applies to both Scenario A and Scenario B.

Wildfire risks and impacts are addressed in Section 4.16.5, *Wildfire*. As described therein, the project site is not located in or near a VHFHSZ (CAL FIRE 2022). The OSP Specific Plan Site is located approximately 1.7 miles east and the 327 Harbor Site is located approximately 1.8 miles northeast of the nearest VHFHSZ at the edge of Rancho Palos Verdes. The project site is separated from the nearest VHFHSZ by intervening development, roadways, and infrastructure. Therefore, the project site is not at risk of wildfire and would not expose people or structures, directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

### **Mitigation Measures**

There would be no project-level impacts related to wildfire. Therefore, mitigation is not required.

### **Significance After Mitigation**

There would be no impact.

## **4.6.4 Cumulative Impacts**

As shown in Table 3-1 in Section 3.4, *Cumulative Development*, there are 12 cumulative projects in the vicinity of the project site. In particular, the 111 North Harbor Boulevard Project, 511 South Harbor Boulevard Project, and 319-345 Beacon Street and 117 O'Farrell Street Project are either located in close proximity or along the same major arterial as the project site and construction schedules may overlap, which could result in cumulative impacts related to the transport, use, disposal, and accidental release of hazardous materials during construction. In addition, the cumulative projects at 111 North Harbor, 511 South Harbor Boulevard, 625 South Beacon Street, and 444 West 5th Street are adjacent to emergency evacuation routes and could result in cumulative impacts related to emergency response. These nearby cumulative projects include residential, retail, and restaurant development.

The cumulative projects have the potential to expose people to risk of accidents involving routing transport, use, and disposal of hazardous materials. Similar to the proposed project, construction of the cumulative projects would temporarily increase the regional transport, use, and disposal of construction-related hazardous materials and petroleum products (e.g., diesel fuel, lubricants, paints and solvents, and cement products containing strong basic or acidic chemicals). Likewise, operation of the cumulative projects would involve the use of hazardous materials commonly used in residential and commercial developments, which do not typically involve the use or storage of large quantities of hazardous materials. Construction and operational activities associated with the cumulative projects and the proposed project would be required to comply with applicable State and federal regulations for proper transport, use, and disposal of excess hazardous materials and waste. Compliance with existing regulations would ensure that cumulative impacts related to routine transport, use, and disposal of hazardous materials would be less than significant.

The cumulative projects would result in the potential to expose future area residents, employees, and visitors to hazards by developing and redeveloping areas that may have previously been

contaminated. The magnitude of hazards for individual projects would depend upon the location, type, and size of development and the specific hazards associated with individual sites. Cumulative projects that are constructed concurrently with the proposed project could result in cumulative impacts due to release or emissions related to contaminated soils and/or buildings materials during construction. Hazard evaluations would be completed on a case-by-case basis for each cumulative project. If ACM, LBP, and/or PCBs are found to be present in buildings or structures planned for demolition or renovation, the cumulative projects would be required to comply with existing applicable local, State, and federal regulations governing the proper removal, handling, and disposal of these materials. If soil and groundwater contamination are found to be present on cumulative project sites, the sites would be remediated to remove contamination prior to construction in compliance with the applicable regulatory requirements. Compliance with applicable regulations and implementation of appropriate mitigation measures, including remedial action on contaminated sites, would address impacts related to these hazards and hazardous materials associated with cumulative development in San Pedro. Therefore, cumulative impacts related to release of hazardous waste or hazardous emissions during construction would be less than significant with implementation of mitigation. The proposed project site would also be remediated to remove on-site contamination prior to construction and to control hazardous materials emissions during construction, as required by Mitigation Measures HAZ-1 through HAZ-5. Compliance with existing regulations and implementation of the mitigation measures would reduce the proposed project's construction impacts to less than significant. Therefore, proposed project construction would not result in a cumulatively considerable contribution to significant cumulative impacts related to release or emission of hazardous materials.

Contamination in soil vapor is generally site specific, affecting the on-site use only and would not contribute to cumulative impacts during operation. Regardless, each cumulative project would be reviewed by the City and appropriate controls would be incorporated into project design to reduce risk of release of on-site soil vapors. Given the scope of cumulative projects, which include residential, hotel, and restaurant uses that do not utilize large quantities of hazardous materials for operation, cumulative impacts related to hazardous emissions, upset, or accident during operation are anticipated to be less than significant.

The proposed project site and cumulative project sites are not located in the Long Beach Municipal Airport compatibility zone or influence area (Los Angeles County ALUC 2009). Therefore, the cumulative projects would not result in cumulative impacts related to hazards to airport safety or excessive noise.

Cumulative development in San Pedro could result in cumulative impacts to emergency response plans or emergency evacuation routes if they obstruct or add substantial traffic to designated emergency evaluation routes, including Harbor Boulevard and South Pacific Avenue. The cumulative projects at 111 North Harbor, 511 South Harbor Boulevard, and 625 South Beacon Street are adjacent to Harbor Boulevard, and the cumulative project at 444 West 5th Street is adjacent to South Pacific Avenue. If constructed concurrently, these cumulative projects could require concurrent lane closures or detours to these designated evacuation routes, which could impair implementation of emergency response plans. Similar to the proposed project, the cumulative projects would be required to implement Construction Management Plans, including traffic control plans, which would be coordinated with the Los Angeles Department of Transportation and emergency service providers to ensure adequate access is maintained and the emergency evacuation routes are not obstructed during construction. Operation of all of the cumulative projects could result in an increase in vehicle traffic on the designated evacuation routes, which could impair implementation of emergency

response plans. All cumulative projects would be reviewed by the City to ensure any required roadway or intersection improvements to nearby designated evacuation routes are constructed or funded using in-lieu fees. In addition, the design of the cumulative projects would be reviewed by the City and LAFD to ensure they meet all applicable City Building Code and Fire Code requirements regarding site access, including providing adequate emergency vehicle access. Implementation of the Construction Management Plans and traffic management plans and compliance with City policies and design requirements would ensure cumulative impacts related to impairment to implementation of emergency response plans or obstruction of emergency evacuation routes would be less than significant.

The proposed project site and cumulative project sites are not located in a VHFHSZ (CAL FIRE 2022). Therefore, the proposed project site and cumulative project sites are not at risk of wildfire and would not expose people or structures, directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires, and no cumulative impacts related to wildfire would occur.

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