IV. Environmental Impact Analysis

F. Hazards and Hazardous Materials

1. Introduction

This section analyzes the Project's potential hazards and hazardous materials impacts that could occur during Project construction and operation. In addition, this section analyzes the Project's incremental contribution to cumulative hazards and hazardous materials impacts from past, present, and probable future projects. The analysis is largely based on the *Phase I Environmental Site Assessment Report* (Phase I ESA) prepared for the Project by Citadel EHS, dated July 16, 2021, included as Appendix F.1 of this Draft EIR, and the *Phase II Environmental Site Assessment Summary Letter* (Phase II ESA) prepared for the Project by Citadel EHS, last revised August 1, 2023, included as Appendix F.2 of this Draft EIR.

2. Environmental Setting

a. Regulatory Framework

Several plans, regulations, and programs include policies, requirements, and guidelines regarding hazards and hazardous materials at the federal, state, regional, and local levels. As described below, these plans, guidelines, and laws include the following:

- Resource Conservation and Recovery Act;
- Comprehensive Environmental Response, Compensation, and Liability Act;
- Occupational Safety and Health Act of 1970;
- Toxic Substances Control Act;
- Hazardous Materials Transportation Act;
- Research and Special Programs Administration;
- Uniform Fire Code;
- Federal Emergency Management Agency;
- Disaster Mitigation Act of 2000;

- Other Hazardous Materials Regulations;
- State Policies and Regulations;
- California Hazardous Materials Release Response Plans and Inventory Law of 1985;
- Hazardous Waste and Substances Sites;
- Hazardous Waste Control Law;
- License to Transport Hazardous Materials—California Vehicle Code, Section 32000.5 et seq.;
- Underground Storage Tanks Program;
- Aboveground Petroleum Storage Act;
- Lead-Based Paint Regulations;
- California Division of Occupational Safety and Health;
- The Safe Drinking Water and Toxic Enforcement Act;
- California Water Code;
- California Public Resources Code Section 3229, Division 4;
- California Fire Code;
- California Standard Emergency Management System Program;
- Emergency Managed Mutual Aid Plan;
- South Coast Air Quality Management District Rule 1113;
- South Coast Air Quality Management District Rule 1166;
- South Coast Air Quality Management District Rule 1403;
- Los Angeles County Operational Area Emergency Response Plan;
- Los Angeles County Airport Land Use Commission Comprehensive Land Use Plan;
- Certified Unified Program Agency;
- Los Angeles Fire Code;
- Los Angeles Municipal Code (Methane Zones and Methane Buffer Zones); and

- City of Los Angeles General Plan Conservation Element.

(1) Federal

(a) Resource Conservation and Recovery Act

The federal Resource Conservation and Recovery Act (RCRA) (42 United States Code [USC] Sections 6901–6992k), which amended and revised the Solid Waste Disposal Act, regulates the generation, transportation, treatment, storage, and disposal of hazardous waste. Under RCRA regulations, generators of hazardous waste must register and obtain a hazardous waste activity identification number. RCRA allows individual states to develop their own programs for the regulation of hazardous waste as long as they are at least as stringent as RCRA's.

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

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

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as "Superfund," was enacted by Congress on December 11, 1980.[1] This law provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites, providing for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA also enabled the revision of the National Contingency Plan. The National Contingency Plan provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The National Contingency Plan also establishes the National Priorities List, which is a list of contaminated sites warranting further investigation by the U.S. Environmental Protection Agency (USEPA). CERCLA was amended most recently by the Small Business Liability Relief and Brownfields Revitalization Act of 2002.[2]

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[1] *USEPA, Superfund CERCLA Overview, www.epa.gov/superfund/superfund-cercla-overview, accessed June 7, 2023.*

[2] *USEPA, Summary of the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund), www.epa.gov/laws-regulations/summary-comprehensive-environmental-response-compensation-and-liability-act, accessed October 24, 2024.*

(c) Occupational Safety and Health Act of 1970

The Occupational Safety and Health Act of 1970, which is implemented by the federal Occupational Safety and Health Administration (OSHA), contains provisions with respect to hazardous materials handling. OSHA was created to assure safe and healthful working conditions by setting and enforcing standards and by providing training, outreach, education, and assistance. OSHA provides standards for general industry and construction industry on hazardous waste operations and emergency response. OSHA requirements, as set forth in 29 Code of Federal Regulations (CFR) Section 1910, et. seq., are designed to promote worker safety, worker training, and a worker's right–to-know. The U.S. Department of Labor has delegated the authority to administer OSHA regulations to the State of California. The California OSHA (Cal/OSHA) program (codified in the California Code of Regulations [CCR], Title 8, or 8 CCR generally and in the Labor Code Sections 6300–6719) is administered and enforced by the California Division of Occupational Safety and Health (DOSH). Cal/OSHA is very similar to the OSHA program. Among other provisions, Cal/OSHA requires employers to implement a comprehensive, written Injury and Illness Prevention Program (IIPP) for potential workplace hazards, including those associated with hazardous materials.

In addition, pursuant to OSHA, a developer that undertakes a construction project that involves the handling of contaminated site conditions must prepare and implement a Health and Safety Plan (HASP) that sets forth the measures that would be undertaken to protect those that may be affected by the construction project. While a HASP is prepared and implemented pursuant to OSHA, the HASP is not subject to regulatory review and approval, although a HASP is typically appended to a Soil Management Plan if this document is required by the Certified Unified Program Agency (CUPA), which is the City of Los Angeles Fire Department (LAFD) with regard to the Project Site. The HASP, if required, would be prepared in accordance with the most current OSHA regulations, including 29 CFR 1910.120, Hazardous Waste Operations and Emergency Response and 29 CFR 1926, Construction Industry Standards, as well as other applicable federal, state, and local laws and regulations.

(d) Toxic Substances Control Act

In 1976, the federal Toxic Substances Control Act (TSCA) (15 USC Sections 2601–2671) established a system of evaluation in order to identify chemicals which may pose hazards. TSCA is enforced by the USEPA through inspections of places in which asbestos-containing materials (ACMs) are manufactured, processed, and stored and through the assessment of administrative and civil penalties and fines, as well as injunctions against violators. TSCA establishes a process by which public exposure to hazards may be reduced through manufacturing, distribution, use and disposal restrictions or labeling of products. Polychlorinated Biphenyls (PCB)s are hazardous materials regulated by the USEPA under the TSCA. These regulations ban the manufacture of PCBs although the continued use of existing PCB-containing equipment is allowed. PCBs were formerly used in such applications as hydraulic fluids, plasticizers, adhesives, fire retardants, and electrical transformers, among

others. TSCA also contains provisions controlling the continued use and disposal of existing PCB-containing equipment. The disposal of PCB wastes is also regulated by TSCA (40 CFR 761), which contains life cycle provisions similar to those in RCRA. In addition to TSCA, provisions relating to PCBs are contained in the Hazardous Waste Control Law (HWCL), which lists PCBs as hazardous waste.

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

(e) Hazardous Materials Transportation Act

The U.S. Department of Transportation (USDOT) prescribes strict regulations for the safe transportation of hazardous materials, including requirements for hazardous waste containers and licensed haulers who transport hazardous waste on public roads. The Secretary of the USDOT 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 Pipeline and Hazardous Materials Safety Administration (PHMSA),[3] formerly the Research and Special Provisions Administration, was delegated the responsibility to write the hazardous materials regulations, which are contained in Title 49 CFR Parts 100–185.[4] Title 49 CFR contains the regulations set forth by the HMTA and 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 USDOT "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."

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[3] *USDOT, Federal Hazardous Materials Safety Administration, Federal Hazardous Materials Transportation Law: An Overview, www.phmsa.dot.gov/standards-rulemaking/hazmat/federal-hazardous-materials-transportation-law-overview, accessed June 7, 2023.*

[4] *Title 49 CFR Parts 100 to 185.*

(f) Research and Special Programs Administration

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

(g) 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 a catastrophic spill.

(h) Federal Emergency Management Agency

Federal Emergency Management Agency (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.[5] FEMA also initiates proactive mitigation

[5] *FEMA, History of FEMA, www.fema.gov/about/history, accessed February 27, 2023.*

activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration.

(i) Disaster Mitigation Act of 2000

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

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

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

(j) Other Hazardous Materials Regulations

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

- Community Environmental Response Facilitation Act (CERFA) of 1992;

- Clean Water Act;
- Clean Air Act;
- Safe Drinking Water Act; and
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

(2) State

(a) State Policies and Regulations

The primary state agencies with jurisdiction over hazardous chemical materials management are California Environmental Protection Agency's (CalEPA) Department of Toxic and Substance Control (DTSC) and the State Water Resources Control Board (SWRCB). 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 Regional Water Quality Control Board (RWQCB) on the regional level, and typically to the local fire department on the local level.

The Cal/OSHA program is administered and enforced by the DOSH. Cal/OSHA is very similar to the federal OSHA program. For example, both programs contain rules and procedures related to exposure to hazardous materials during demolition and construction activities. In addition, Cal/OSHA requires employers to implement a comprehensive, written IIPP. An IIPP is an employee safety program for potential workplace hazards, including those associated with hazardous materials.

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

provide state and local emergency managers with emergency coordination and technical assistance.

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

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

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

(c) Hazardous Waste and Substances Sites

Government Code Section 65962.5, amended in 1992, requires the CalEPA to develop and update annually the Hazardous Waste and Substances Sites (Cortese List), which is a list of hazardous waste sites and other contaminated sites. The Cortese List is a planning document used by the state, local agencies, and developers to comply with California Environmental Quality Act (CEQA) requirements pertaining to providing information about the location of hazardous materials release sites. While the Cortese List is no longer maintained as a single list, the following databases provide information that meet the Cortese List requirements:

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

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

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

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

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

(d) Hazardous Waste Control Law

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

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

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

(f) Underground Storage Tanks Program

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

(g) Aboveground Petroleum Storage Act

In 1989, California established the Aboveground Petroleum Storage Act instituting a regulatory program covering aboveground storage tanks (ASTs) containing specified petroleum products (HSC Sections 25270–25270.13). The Aboveground Petroleum Storage Act applies to facilities with storage capacities of 10,000 gallons or more or are subject to oil pollution prevention and response requirements under 40 CFR Part 112. Under the

Aboveground Petroleum Storage Act, each owner or operator of a regulated AST facility must file biennially a storage statement with the SWRCB disclosing the name and address of the AST facility; the contact person for the facility; and the location, size, age, and contents of each AST that exceeds 10,000 gallons in capacity and that holds materials that are at least 5 percent petroleum. In addition, each owner or operator of a regulated AST must prepare a Spill Prevention Control and Countermeasure Plan in accordance with federal and state requirements (40 CFR Part 112 and HSC Section 25270.5[c]). The responsibility for inspecting ASTs and ensuring that Spill Prevention Control and Countermeasure Plans have been prepared lies with the RWQCBs.

(h) Lead-Based Paint Regulations

Lead-based paint (LBP) is defined as any paint, varnish, stain, or other applied coating that has 1 milligram per square centimeter (mg/cm^2) (5,000 microgram per gram [µg/g] or 0.5 percent by weight) or more of lead. The U.S. Consumer Product Safety Commission (16 CFR 1303) banned paint containing more than 0.06 percent lead for residential use in 1978. Buildings built before 1978 are much more likely to have LBP.

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

(i) California Division of Occupational Safety and Health

Cal/OSHA is responsible for developing and enforcing workplace safety standards and ensuring worker safety in the handling and use of hazardous materials (8 CCR, Section 1529). Among other requirements, Cal/OSHA requires entities handling specified amounts of certain hazardous chemicals to prepare injury and illness prevention plans and chemical hygiene plans and provides specific regulations to limit exposure of construction workers to lead. OSHA applies to this Project because contractors will be required to comply with its handling and use requirements that would increase worker safety and reduce the possibility of spills, and to prepare an emergency response plan to respond to accidental spills.

(j) The Safe Drinking Water and Toxic Enforcement Act

The Safe Drinking Water and Toxic Enforcement Act (HSC Section 25249.5, et seq.), Proposition 65, lists chemicals and substances believed to have the potential to cause cancer or deleterious reproductive effects in humans. It also restricts the discharges of listed

chemicals into known drinking water sources above the regulatory levels of concern, requires public notification of any unauthorized discharge of hazardous waste, and requires that a clear and understandable warning be given prior to a known and intentional exposure to a listed substance.

(k) California Water Code

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

(l) California Public Resources Code Section 3229, Division 3

In compliance with Section 3229, Division 3 of the California Public Resources Code, before commencing any work to abandon any well, the owner or operator shall request approval from the California Geologic Energy Management Division (CalGEM), formerly the

[6] *Los Angeles Regional Water Quality Control Board, Order No. R4-2018-0125, Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties, adopted September 13, 2018. www.waterboards.ca.gov/losangeles/board_decisions/adopted_orders/general_orders/r4-2018-0125/OrderNoR4-2018-0125(Order).pdf*

Division of Oil, Gas, and Geothermal Resources (DOGGR), via a written notice of intention to abandon the well.

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

The California Fire Code (CFC), Chapter 9 of Title 24 of the CCR, was created by the California Building Standards Commission based on the International Fire Code (IFC) and is updated every three years. 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 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 storage, use, and handling of hazardous materials, as well as the development and enforcement of fire safety standards. The 2022 CFC, which is based on the 2021 IFC, became effective January 1, 2023.

(n) California Standard Emergency Management Program

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

(o) Emergency Managed Mutual Aid System

Cal OES developed the Emergency Manager Mutual Aid (EMMA) Plan in response to the 1994 Northridge Earthquake. The EMMA Plan 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 are to provide a system to coordinate and mobilize assigned personnel, formal requests, assignment, training and demobilization of assigned personnel; establish structure to maintain the EMMA Plan and its procedures; provide the coordination of training for EMMA resources, including SEMS training, coursework, exercises, and disaster response procedures; and to promote professionalism in emergency management and response. The EMMA Plan was updated in November 2012 and supersedes the 1997 EMMA Plan and November 2001 EMMA Guidance.

(3) Regional

(a) South Coast Air Quality Management District Rule 1113

South Coast Air Quality Management District (SCAQMD) Rule 1113, Architectural Coating, requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce volatile organic compound (VOC) emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories.

(b) South Coast Air Quality Management District Rule 1166

SCAQMD Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil, requires that an approved mitigation plan be obtained from SCAQMD prior to commencing any of the following activities: (1) the excavation of an 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 greater than 50 parts per million (ppm) or greater using an organic vapor analyzer (OVA) calibrated with hexane] at or from an excavation or grading site; and (4) the treatment of VOC-contaminated soil at a facility. This rule sets requirements to control the emission of VOCs from excavating, grading, handling and treating VOC-contaminated soil as a result of leakage from storage or transfer operations, accidental spillage, or other deposition. 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.

(c) South Coast Air Quality Management District Rule 1403

SCAQMD Rule 1403, Asbestos Emissions from Renovation/Demolition Activities, regulates asbestos as a toxic material and controls the emissions of asbestos from demolition and renovation activities by specifying agency notifications, appropriate removal procedures, and handling and clean up procedures. Rule 1403 applies to owners and operators involved in the demolition or renovation of structures with ACMs, asbestos storage facilities, and waste disposal sites.

(d) Los Angeles County Operational Area Emergency Response Plan

The County of Los Angeles (County) developed the Operational Area Emergency Response Plan (OAERP) to ensure the most effective allocation of resources for the maximum benefit and protection of the public in time of emergency. The OAERP does not address normal day-to-day emergencies or the well-established and routine procedures used in coping with them. Instead, the operational concepts reflected in this plan focus on potential large-scale disasters like extraordinary emergency situations associated with natural and man-made disasters and technological incidents which can generate unique situations requiring an unusual or extraordinary emergency response. The purpose of the plan is to incorporate and coordinate all facilities and personnel of the County government, along with the jurisdictional resources of the cities and special districts within the County, into an efficient operational area organization capable of responding to any emergency using a Standard Emergency Management System, mutual aid and other appropriate response procedures. The goal of the plan is to take effective life-safety measures and reduce property loss, provide for the rapid resumption of impacted businesses and community services, and provide accurate documentation and records required for cost-recovery.

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

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

(4) Local

(a) Certified Unified Program Agency

The LAFD is designated by the State as a CUPA for the City and is the primary local agency with responsibility for implementing federal and state laws and regulations pertaining to hazardous materials management. A CUPA is a local agency that has been certified by CalEPA to implement the six state environmental programs within the local agency's jurisdiction. This program was established under the amendments to the California HSC made by Senate Bill 1082 in 1994. The six consolidated programs are:

- Hazardous Materials Release Response Plan and Inventory (Business Plans);
- California Accidental Release Prevention (CalARP);
- Hazardous Waste (including Tiered Permitting);
- USTs;
- ASTs (Spill Prevention Control and Countermeasures [SPCC] requirements); and
- UFC Article 80 Hazardous Material Management Program (HMMP) and Hazardous Material Identification System (HMIS)

As the CUPA for the City, LAFD 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.

The LAFD monitors the storage of hazardous materials in the City for compliance with local requirements. Specifically, businesses and facilities that store more than threshold quantities of hazardous materials as defined in California HSC Code Chapter 6.95 are required to file an Accidental Risk Prevention Program with LAFD. This program includes information such as emergency contacts, phone numbers, facility information, chemical inventory, and hazardous materials handling and storage locations. LAFD also has the authority to administer and enforce federal and state laws and local ordinances for USTs. Plans for the construction/ installation, modification, upgrade, and removal of USTs are reviewed by LAFD inspectors.

In addition, the LAFD, in their role as the CUPA, also oversees and addresses issues relating to the presence and handling of contaminated soils that may be present at the Project Site. Any such hazardous materials that may be encountered would be managed (using tools, such as a Soil Management Plan [SMP]) in accordance with all relevant and applicable federal, state, and local laws and regulations that pertain to the use, storage, transportation and disposal of hazardous materials and waste. The SMP, if required, would describe the

methodology to identify and manage (reuse or off-site disposal) contaminated soil during soil excavation and/or construction. The SMP would also provide protocols for confirmation sampling, segregation and stockpiling, profiling, backfilling, disposal, guidelines for imported soil, and backfill approval from the City's Department of Building and Safety (DBS). The SMP would also describe the methodology to manage underground features that may be encountered during construction. In addition, the LAFD may consult with other agencies (e.g., DTSC and the LARWQCB) if the nature of the contamination warrants the involvement of these agencies.

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

The LAFD also administers the Fire Life Safety Plan Check and Fire Life Safety Inspections interpreting and enforcing applicable standards of the California Fire Code, Title 19 of the CCR, Uniform Building Code, as well as City and national codes concerning new construction and remodeling. As part of the Fire Life Safety Plan Check and Fire Life Safety

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

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

Inspections, businesses that store hazardous waste or hazardous materials in amounts exceeding the thresholds noted above are subject to review.

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

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

LAMC Chapter IX, Article 1, Division 71, Section 91.7103, also known as the Los Angeles Methane Seepage Regulations, establishes requirements for buildings and paved areas located in methane zones and methane buffer zones. Requirements for new construction within such zones include methane gas sampling and, depending on the detected concentrations of methane and gas pressure at the site, application of design remedies for reducing potential methane impacts. The required methane mitigation systems are based on the site design level, with more involved mitigation systems required at the higher site design levels. The required methane mitigation systems are designed so that when properly implemented, they reduce methane-related risks to a less than significant level.

(d) City of Los Angeles General Plan Conservation Element

The City of Los Angeles General Plan includes a Conservation Element adopted in September 2001. The policy relevant to hazards and hazardous materials is shown in Table IV.F-1 below:

Table IV.F-1
Conservation Element—Resource Management (Fossil Library): Petroleum (Oil and Gas)

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[a] requirements.

[a] *As noted above, DOGGR is now known as CalGEM.*

Source: City of Los Angeles, 1996 and 2001.

b. Existing Conditions

(1) Current and Historical Uses of the Project Site

The current and past land uses within the Project Site were identified to assess their potential to present concerns relative to the presence of hazards and/or the handling of hazardous materials. These concerns are classified as Recognized Environmental Conditions

(RECs), which are defined as the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, past release, or material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water or surface water of the property.

As discussed in Section II, Project Description, of this Draft EIR, the Project Site is currently occupied primarily by an automotive dealership for Toyota that includes a showroom and parts storage structure (referred to as Building A in the Phase I ESA), auto repair facility with five service bays (referred to as Service Bays A, B, C, D, and E in the Phase I ESA), and surface parking. The existing structures total approximately 31,833 square feet. In addition, a car wash canopy is located east of Service Bay D within the east portion of the Project Site.

According to the Phase I ESA, the Project Site was undeveloped from as early as 1894 until at least 1907 with the development of residential uses and a hotel. Offices, retail stores, and additional residences were built between 1914 and 1920. By 1919, the Project Site included residential and retail uses, a paint shop, and lumber storage. Between 1919 and 1922, an auto repair shop, oil supply station, car wash structure, additional store, and a new garage were built. A store built in 1921 was converted to auto sales and service in 1925. In addition, an oil station built in 1924 was relocated off-site in 1926. An additional structure was added to the garage (auto service) in 1927. In 1929, an auto sales room and public garage were built. A grease rack structure was constructed in 1936 and a grease canopy was built in 1945. In 1947, two of the residences were demolished prior to the construction of a new auto repair garage. An office structure was also constructed in 1947. An additional auto repair structure was constructed in 1948. By 1950, the Project Site included two large structures occupied as auto sales, auto repair, and auto services; a small structure used as a grease shop; four residences; a doctor's office; a store structure; a three-unit structure occupied as stores; and an office and storage associated with a used auto sales lot. An additional garage was built in 1952, and the grease shop was demolished in 1954. Permits to enlarge existing clarifiers in the auto repair shop were issued in 1952 and 1954. Between the late 1950s and 1970, various structures on the Project Site were demolished and the Project Site was graded prior to the development of the current Building A as a car sales and services structure in 1970. A new canopy was built in the center of the Project Site in 1982. The mezzanine for the auto parts storage was enlarged in 1985, and Building A was expanded to include a waiting room and a small office in 1990.

As detailed in the Phase I ESA, based on a review of historical and present records as well as site reconnaissance, the Phase I ESA identified three primary RECs. These include: (1) the historic occupancy of the Project Site as a gasoline station and auto repair shops and lack of information regarding former USTs associated with these prior uses; (2) the observed conditions/equipment associated with the Project Site's long-term use for auto repair, including heavily stained concrete floors by the ASTs storing motor oil, inground automotive lifts, and clarifiers and the associated use of halogenated and hydrocarbon solvents at the Project Site;

and (3) a potential vapor encroachment condition (VEC) associated with nearby properties that include USTs, potential use of solvents, historic photofinishing and film development, historic print shop, and known use of tetrachloroethylene (PCE), as described further below.

(2) Hazardous Materials Database Search

The Phase I ESA for the Project Site obtained a database search report from Environmental Data Resources, Inc. (EDR), dated July 2021, which is included as Appendix K of the Phase I ESA. The report documents findings of various federal, state, and local regulatory database searches regarding properties with known or suspected releases of hazardous materials or petroleum hydrocarbons. These findings are summarized below.

(a) Project Site

The Project Site was identified on the Facility Index System/Facility Registry System (FINDS), the Enforcement and Compliance History Information (ECHO), and the Hazardous Waste Tracking System (HWTS) databases. As described in the Phase I ESA, FINDS contains facility information and "pointers" to other sources that contain more detail; ECHO provides integrated compliance and enforcement information; and HWTS is the DTSC data repository for hazardous waste identification and manifest information. The Project Site was identified on these databases due to being a hazardous waste generator, chemical storage facility, aboveground petroleum storage facility, a Risk Management Plan (RMP) reporter, and on the Used Oil Program. The Project Site was also identified as a RCRA Small Quantity Generator (RCRA SQG) in 1997. No violations were reported on these databases.

The Project Site was identified on the historical UST databases with five USTs. With the exception of one 500-gallon motor oil UST, the remaining USTs were associated with waste oil, two of which were listed as clarifiers. As provided in the Phase I ESA, no further information was provided regarding the historical USTs, and it is unclear if the former USTs have been removed.

The Project Site was also listed on the Historical Gas Station database. According to EDR, 6016 Hollywood Boulevard on the Hollywood Lot was occupied as an automobile repair shop in 1924 and gasoline and oil service station in 1929 and 1933. 6028 Hollywood Boulevard on the Hollywood Lot was occupied as an automobile service station in 1929.

Violations identified on the California Environmental Reporting System (CERS) were issued in October 2013; however, no further information was available for review. The Project Site was identified on the HAZNET database for generating the following hazardous waste:

- Halogenated solvents between 1989 and 1991

- Hydrocarbon Solvents between 1989 and 1996
- Unspecified aqueous solution in 1989 and 1990, between 2000 and 2002, and between 2006 and 2008
- Oil/water separator sludge in 1989, 197, 2003, and between 2009 and 2014
- Tank bottom waste in 1990
- Unspecified solvent mixture in 1991, 1996, 1997, 2012, and 2016
- Liquids with halogenated organic compounds in 1996
- Aqueous solution between 1999 and 2001 and in 2010 and 2012
- Unspecified oil-containing waste in 2002
- Other organic solids in 2002, 2006, 2007, and between 2016 and 2019
- Watse oil and mixed oil between 2006 and 2008
- Other inorganic solid waste in 2013 and 2014
- Unspecified organic liquid mixture in 2013 and 2016
- Oxygenated solvents in 2016

However, according to the Phase I ESA, the appearance of the Project Site on the HAZNET database reflects proper disposal of hazardous waste. Nevertheless, the historic occupancy of the Project Site as a gasoline station and auto repair shops, the use of halogenated and hydrocarbon solvents at the Project Site, and the historic use and lack of information regarding the former USTs collectively represent a REC.

(b) Surrounding Sites

Information on nearby properties were reviewed to evaluate for potential vapor encroachment concerns to the Project Site from off-site sources. According to EDR, historical releases of petroleum products from a LUST occurred within 0.25 miles and upgradient of the Project Site. Fire Station No. 82, located at 1800 North Bronson Avenue, is listed as a LUST site. According to EDR, the property is approximately 646 feet east-northeast of the Project Site and the diesel leak impacting soil only was discovered in November of 1989 during tank testing. The case was completed and closed by the LAFD on April 6, 2009.

Four properties were identified as within 0.125 miles and upgradient of the Project Site on the Historical Gas Station database. As previously discussed above, the Project Site was

identified with two listings on the Historical Gas Station database, which represents an environmental concern. The remaining properties are not likely to have adversely affected the Project Site. However, the adjoining property west of the Project Site at 5928 Hollywood Boulevard was identified on the current UST database with a historical status. No further information was provided. Based on a review of historical sources as part of the Phase I ESA, this property was developed as a used car sales lot with an auto repair shop by 1957. The structures were demolished by 1994 and the property has been occupied as a surface parking lot. Based on the proximity to the Project Site, the historic use of USTs at the adjoining property represents a VEC concern.

Nine properties were identified as within 0.125 miles and upgradient of the Project Site on the Historical Dry Cleaners database. The following properties were identified as VEC concerns:

- Wilmar Cleaners, 6037 Hollywood Boulevard, approximately 92 feet northwest and upgradient of the Project Site. According to EDR, this property was occupied as a clothes cleaners, pressers, and repairers in 1929. The address was associated with a two-unit commercial structure occupied as stores. By 1950, the address appeared to be associated with a machine shop further north of the Project Site (at the rear of the Project Site). In addition, the property was also depicted with a photofinishing laboratory in 1919 and a film developing room in 1950. No further information was found for the cleaner occupancy. A VEC cannot be ruled out based on the potential use of solvents at the former cleaners and the historic photofinishing and film developing occupancies.

- Louis E. Benson, 6015 Hollywood Boulevard, approximately 93 feet north and upgradient of the Project Site. According to the reviewed City directories, this property was occupied as a clothes cleaner in 1937 and 1942, and by Marcal Hand Laundry and Cleaners in 1951. The tenant space may have been occupied by the adjoining tenant as a print shop by 1961. The structure was demolished in 1994 and replaced with a surface parking lot. A VEC cannot be ruled out based on the potential use of solvents at the former cleaners and the historic print shop occupancy.

- Movie Town Cleaners, 6051 Hollywood Boulevard, approximately 182 feet northwest and upgradient of the Project Site. According to EDR, this property was occupied as a Chinese laundry from 1937 to 1942 and garment pressing and cleaners' agents from 1986 to 2014. The property was also identified on the current Drycleaners database with dry cleaning equipment using PCE. The property is a retail shopping center and one of the units is currently occupied by Shine Cleaners, approximately 125 feet north of the Project Site. The South Coast Air Quality Management District's (SCAQMD) Facility Information Detail was reviewed for information regarding dry cleaning equipment used at the property. Permits to operate dry cleaning equipment using PCE was issued in 1984 and 1991, while a 2006 permit was rejected. Based on the historic use of PCE and the proximity to the Project Site, a VEC cannot be ruled out.

Given the identified USTs, potential use of solvents, historic photofinishing and film developing occupancies, historic print shop, and known use of PCE, a VEC cannot be ruled out from the properties identified above based on the proximity to the Project Site and these conditions represent a REC.

(3) Hazardous Materials Use and Storage

During site reconnaissance, hazardous materials were observed as follows:

- Carwash soap, degreasers, and tire dressing (five 55-gallon containers) in the car wash canopy
- Waste antifreeze (12 55-gallon containers) throughout the service bays
- Used oil (approximately 30 25-gallon caddies) throughout the service bays
- Used oil and gasoline filters (eight 55-gallon containers) in Service Bay D
- SCAQMD Brake Cleaner (two 55-gallon containers) in Service Bay D
- Waste gasoline and diesel (two 55-gallon containers) in Service Bay D
- Parts washer on top of two 55-gallon containers in Service Bays B and E

Routine janitorial and maintenance supplies were observed in containers sized for commercial use and properly stored with no signs of staining or leaking. The hazardous materials observed are not expected to represent a significant environmental concern.

(4) Hazardous Waste Generation, Handling, and Disposal

No evidence of on-site hazardous waste disposal was observed on the Project Site during the site reconnaissance.

(5) Aboveground and Underground Storage Tanks

The site reconnaissance identified a total of seven ASTs withing the service bays. No spills, staining, or leaks were observed by the ASTs in Service Bays B and C; however, the concrete floor by the ASTs in Service Bay D appeared heavily stained with motor oil. This observed conditions may represent a REC.

As previously discussed, the Project Site was identified on the historical UST databases with five USTs. With the exception of one 500-gallon motor oil UST, the remaining USTs were associated with waste oil, two of which were listed as clarifiers. In addition, the historic Project

Site addresses were identified on the UST database with historical statuses. No further information was readily available for review. It is unclear if the former USTs have been removed. The historic occupancy of the Project Site as a gasoline station and auto repair shops, the use of USTs associated with these prior uses, and the lack of information regarding the former USTs represent a REC.

(6) Asbestos-Containing Materials

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

(7) Lead-Based Paint

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

(8) Polychlorinated Biphenyls

Typical sources of PCBs include electrical transformer cooling oils, fluorescent light fixture ballasts, and hydraulic oil. In 1976, the USEPA banned the manufacture and sale of PCB-containing transformers. Prior to this date, transformers were frequently filled with a dielectric fluid containing PCB-laden oil. PCB-contaminated transformers known or assumed under TSCA to contain between 50 and 499 ppm of PCBs are also subject to USEPA regulations.[9] By 1985, the USEPA required that commercial property owners with transformers

[9] *U.S. Environmental Protection Agency, Learn about Polychlorinated Biphenyls, www.epa.gov/pcbs/learn-about-polychlorinated-biphenyls-pcbs, accessed February 27, 2023.*

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

During the site reconnaissance, two pad-mounted transformers were observed on the Project Site, the locations of which include to the north of Service Bay B and along the south boundary of the central portion of the Project Site. The observed equipment appeared to be in working order with no signs of staining or leaking and are not expected to represent a significant environmental concern. In addition, approximately 31 two-post automotive lifts, two scissor automotive lifts, and seven single-post automotive lifts were also observed on the Project Site. The lifts, which are serviced on an annual basis, typically consist of reservoirs containing hydraulic oils. However, based on the long-term occupancy of the Project Site with auto repair uses, the inground lifts may represent a REC.

(9) Methane Gas

As previously discussed, LAMC Section 91.7103, also known as the Los Angeles Methane Seepage Regulations, establishes requirements for buildings and paved areas located in methane zones and methane buffer zones. Requirements for new construction within such zones include methane gas sampling and, depending on the detected concentrations of methane and gas pressure at the site, application of design remedies for reducing potential methane impacts. The required methane mitigation systems are based on the site design level, with more involved mitigation systems required at the higher site design levels. The required methane mitigation systems are designed so that when properly implemented, they reduce methane-related risks to a less-than-significant level. According to the Phase I ESA, the Project Site is not located within a Methane Zone or Methane Buffer Zone.

(10) Other Site Conditions

During the site reconnaissance, two clarifiers were observed at the Project Site. The clarifiers, which are cleaned out on an annual basis, were located at the Car Wash Canopy and Service Bay D. However, based on the long term occupancy of the Project Site as auto repair shops and the use of halogenated and hydrocarbon solvents at the Project Site, the observed equipment may represent a REC.

As discussed in the Phase I ESA, based on a review of CalGEM's Online Mapping System (COMS), there is an oil well approximately 0.4 miles southwest of the Project Site. The oil well is identified as API 0403720765. According to COMS, the well operator for the well is listed as Chevron USA Inc., and the status of the well is inactive and plugged. The well was drilled to a depth of 4,724 feet in May 1969 and was abandoned in March 1970.

(11) Subsurface Investigation

A Phase II ESA was conducted to determine if the historic occupancy as a gas station and auto repair shops along with the current use of the Project Site and historic occupancies of adjacent properties have impacted the subsurface of the Project Site. As part of the Phase II ESA, a total of 10 borings were advanced across the Project Site using a direct push drill rig.

Soil samples from the five-foot depth of each boring were analyzed for volatile organic compounds (VOCs)and total petroleum hydrocarbons (TPH). Results of the analysis indicate that no VOCs or TPH as gasoline were detected in any soil sample. Low concentrations of TPH as diesel (TPHd) and TPH as oil (TPHo) were detected in six of the 10 borings. In addition, four of the soil samples were also analyzed for PCBs and heavy metals. Results indicate that no PCBs were detected in any soil sample. Heavy metals were detected in all soil samples with concentrations below regulatory limits.

With regard to soil vapor sampling, a total of 24 soil vapor samples were analyzed for VOCs. Results indicate that PCE was detected in 11 soil vapor samples from seven borings at concentrations between 56 and 564 micrograms per cubic meter (µg/m^3). Soil vapor concentrations in all 11 samples exceeded the residential threshold of 14 µg/m^3 with 10 soil vapor samples exceeding the commercial screening level of 67 µg/m^3. In addition, trichloroethene (TCE) was detected in two soil vapor samples from one boring, at concentrations between 1,270 and 101 µg/m^3, at boring 5 at five feet and 15 feet below ground surface, respectively. These results exceeded the residential threshold of 15 µg/m^3 and commercial screening level of 100 µg/m^3. Lastly, toluene was detected in five samples from three borings at concentrations between 51 and 57 µg/m^3, which fall below the residential and commercial screening levels set forth by DTSC.

As described in the Phase II ESA, PCE in soil vapor generally decreases with depth across the Project Site. More specifically, of the 11 soil vapor samples, PCE concentrations in Borings 1, 2, 4, 5 and 6 decreased with depth while PCE was not present in soil vapor in Borings 3, 7, and 8. PCE was reported in soil vapor at 40 feet below ground surface in Boring 9; however, PCE was not reported in samples from five feet to 25 feet below ground surface. PCE increased with depth slightly at Boring 10. Given the anomalies in Borings 9 and 10, as described in the Phase II ESA, the depth and locations suggest PCE from an off-site source to the north of the Project Site. Notwithstanding, as concluded in the Phase II ESA, the reported contaminants in soil and soil vapor would be removed during excavation to 40 feet below ground surface.

TCE was reported in one boring and decreased from a concentration of 1,270 ug/m^3 at five feet below ground surface to 101 ug/m^3 at 15 feet below ground surface. Due to the limited presence of TCE and the decrease in concentration with increasing depth, TCE is not considered significant.

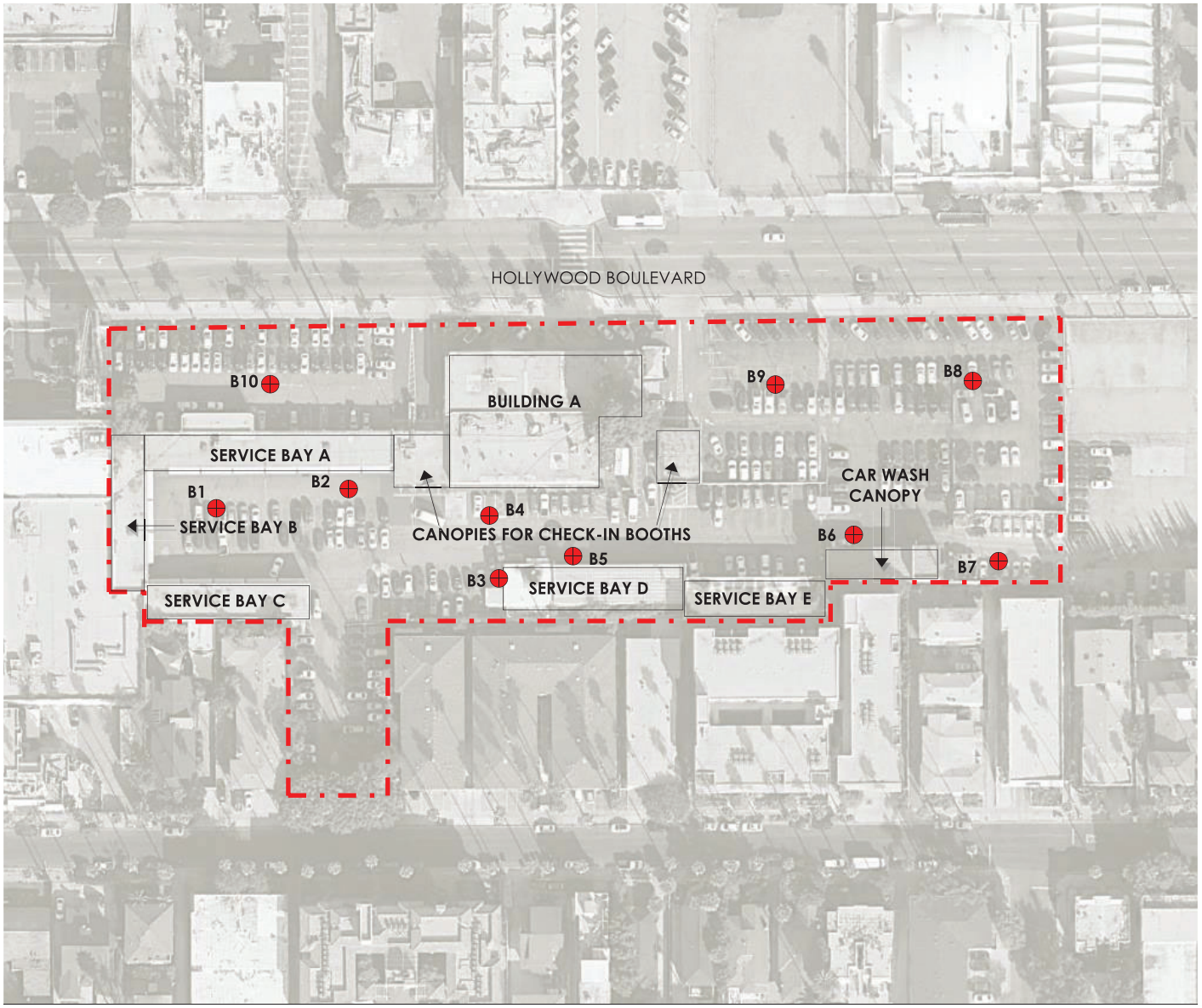
Based on the result of the subsurface investigation, the Phase II ESA concluded that TPH, VOCs, PCBs and heavy metals do not appear to be a concern for on-site soils. However, *de minimis* concentrations of TPHd and TPHo are present in shallow soil that may be encountered during excavation. Boring locations for the subsurface investigation are provided in Figure IV.F- 1 on page IV.F-28.

(12) Wildlands

The Project Site is located in an urbanized area and is not within or adjacent to any wildlands. The Project Site is not located within a City-designated Very High Fire Hazard Severity Zone[10] or a City-designated Wildfire Severity Zone.[11]

[10] *City of Los Angeles Department of City Planning, Zone Information and Map Access System (ZIMAS), Parcel Profile Report for APNs 5545-006-029; 005-005; 005-022, http://zimas.lacity.org/, accessed April 4, 2023.*

[11] *City of Los Angeles, 2018 Local Hazard Mitigation Plan, Central APC, Figure 13-2, Wildfire Severity Zones, p. 277.*



SITE BOUNDARIES

APPROXIMATE BORING LOCATIONS

Figure IV.F-1
Soil Boring Locations

Source: Citadel EHS, 2024.

3. Project Impacts

a. Thresholds of Significance

(1) State CEQA Guidelines Appendix G

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

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

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

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

Threshold (d): ***Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment;***

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

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

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

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

The L.A. CEQA Thresholds Guide identifies the following factors to assist in evaluating impacts associated with hazards and hazardous materials:

(1) Risk of Upset/Emergency Preparedness

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

(2) Human Health Hazards

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

b. Methodology

A Phase I ESA and a Phase II ESA were prepared for the Project to evaluate potential impacts relative to hazards and hazardous materials. The objective of these reports is to provide a baseline description of the Project Site related to historical and existing uses, as well as the storage and disposal of hazardous materials. The analysis of potential impacts regarding hazards and hazardous materials is based on the following: (1) site inspections; (2) interviews with parties familiar with the Project Site; (3) historical research into the past uses of the Project Site; and (4) hazardous materials research with regard to the Project Site, adjoining properties, and surrounding area. In addition, the Phase I ESA provides general information regarding ACMs, LBPs, and other environmental issues and conditions. The Phase I ESA and Phase II ESA are included in Appendix F of this Draft EIR.

c. Project Design Features

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

d. Analysis of Project Impacts

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

(1) Impact Analysis

(a) Construction

During demolition, excavation, on-site grading, and building construction, hazardous materials, such as fuel and oils associated with construction equipment, as well as coatings, paints, adhesives, and caustic or acidic cleaners, could be used on the Project Site through the duration of construction. These hazardous materials would be handled in accordance with all applicable regulatory protocols. While some hazardous materials used during construction could require off-site disposal, such activity would occur only for the duration of construction and would cease upon completion of the Project construction. As such, construction of the Project would involve the non-routine, short-term use of hazardous materials, and no hazardous waste disposal would occur on-site. Notwithstanding, all potentially hazardous materials used during construction of the Project would be used and disposed of in accordance with appropriate hazardous materials management protocols, including each hazardous material manufacturers' specifications and instructions, thereby reducing the risk of a significant hazard to the public or the environment through the use of hazardous materials. In addition, as described in the Regulatory Framework subsection above, there are regulations aimed at establishing specific guidelines regarding risk planning and accident prevention, protection from exposure to specific chemicals, and the proper storage of hazardous materials. Specifically, all construction activities would comply with specific OSHA requirements regarding worker safety and use of hazardous materials. Similarly, ground disturbance associated with site clearance, excavation, and grading activities during construction would comply with RCRA, California Hazardous Waste Control Law, federal OSHA, Cal/OSHA, SCAQMD rules, and permits and associated conditions issued by LADBS. Consequently, Project construction activities would not create a significant hazard to the public or the environment through the use of hazardous materials during construction. **Therefore, with implementation of appropriate hazardous materials management protocols at the Project Site and continued compliance with all applicable local, state, and federal laws and regulations relating to environmental protection and the management of hazardous materials, impacts related to the routine transport, use, or disposal of hazardous materials during construction would be less than significant.**

(b) Operation

Operation of the Project would involve the routine use of small quantities of potentially hazardous materials typical of those used in residential and commercial uses, including

cleaning agents, paints, pesticides, and other materials used for maintenance of landscaping and pools. These materials present a low risk for hazards exposure and, if used, would be handled and disposed of in accordance with appropriate hazardous materials management protocols, including each hazardous material manufacturers' specifications and instructions, thereby reducing the risk of hazardous materials use. Additionally, as with Project construction, all hazardous materials used on the Project Site during operation would be acquired, used, stored, and disposed of in accordance with all applicable federal, state, and local requirements. As with any business in California, tenants and vendors are subject to all applicable OSHA training and informational requirements regarding hazardous materials. Overall, due to the type of development proposed (e.g., residential and commercial), operation of the Project would not involve the routine transport of hazardous materials to and from the Project Site. **Therefore, with implementation of appropriate hazardous materials management protocols at the Project Site and continued compliance with all applicable federal, state, and local laws and regulations relating to environmental protection and the management of hazardous materials, impacts associated with the routine transport, use, or disposal of hazardous materials during operation of the Project would be less than significant.**

(2) Mitigation Measures

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

(3) Level of Significance After Mitigation

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

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

(1) Impact Analysis

(a) Construction

(i) Recognized Environmental Conditions

Based on a review of historical and present records, as well as site reconnaissance, the Phase I ESA identified three primary RECs. These include (1) the historic occupancy of the Project Site as a gasoline station and auto repair shops and lack of information regarding former USTs associated with these prior uses; (2) the observed conditions/equipment

associated with the Project Site's long-term use for auto repair, including heavily stained concrete floors by the ASTs storing motor oil, inground automotive lifts, and clarifiers and the associated use of halogenated and hydrocarbon solvents at the Project Site; and (3) a potential vapor encroachment condition (VEC) associated with nearby properties that include USTs, potential use of solvents, historic photofinishing and film development, historic print shop, and known use of PCE. Accordingly, a Phase II ESA was conducted to determine if the historic occupancy as a gas station and auto repair shops along with the current use of the Project Site and historic occupancies of adjacent properties have impacted the subsurface of the Project Site.

As previously described, based on the results of the subsurface investigation, the Phase II ESA concluded that TPH, VOCs, PCBs, and heavy metals were not reported above the laboratory method detection limit and/or regulatory threshold and do not appear to be a concern for on-site soils. However, de minimis concentrations of TPHd and TPHo are present in shallow soil that may be encountered during excavation. In addition, with regard to soil vapors, all 11 soil vapor samples exceeded the residential threshold for PCE concentrations with 10 soil vapor samples exceeding the commercial screening level for PCE concentrations. The PCE in soil vapor at boring 10 is undefined, and the source of PCE at boring 9 is unknown and may represent a larger area that is undefined.

The reported contaminants in soil and soil vapor would likely be removed during excavation of the Project Site to 40 feet below ground surface. Residual VOCs may be present below this depth but are likely sourced from groundwater and not from historic site operations. Due to the concentrations of petroleum hydrocarbons in on-site soils, as well as the PCE in soil vapor, construction activities could potentially encounter contaminated soil, including soil contaminated with hydrocarbons, that would require proper handling and off-site disposal as per existing regulatory requirements. In the event that contaminated soils are encountered during construction, 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 1166.[12] Specifically, SCAQMD Rule 1166 requires that an approved mitigation plan be obtained from SCAQMD prior to commencing any of the following activities: the excavation of an underground storage tank or piping, which has stored VOCs; 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 (OVA) 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

[12] *South Coast Air Quality Management District. Rules and Compliance, Rule 1166, www.aqmd.gov/home/rules-compliance/compliance/rule-1166-site-specific-and-various-locations-soil-mitigation-plan, accessed September 26, 2023.*

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.

Furthermore, adherence to standard construction safety measures, as well as compliance with Cal/OSHA safety requirements, would also serve to reduce the risk in the event that elevated levels of soil gases are encountered during grading and construction. **However, due to the presence of shallow VOCs in soil vapor and the undefined limits of VOCs in soil vapors, potentially significant impacts associated with the release of hazardous materials into the environment could occur.**

(ii) Hazardous Waste Generation, Handling, and Disposal

As discussed above, during demolition, excavation, on-site grading, and building construction, hazardous materials, such as fuel and oils associated with construction equipment, as well as coatings, paints, adhesives, and caustic or acidic cleaners, could be used and, therefore, would require proper handling and management and, in some cases, disposal. The use, handling, storage, and disposal of these materials could increase the opportunity for hazardous materials releases and, subsequently, the exposure of people and the environment to hazardous materials. However, as previously discussed, all potentially hazardous materials used during construction of the Project would be used and disposed of in accordance with applicable federal, state, and local requirements and hazardous materials management protocols, including each hazardous material manufacturers' manufacturers' specifications and instructions, and regulations aimed at establishing specific guidelines regarding risk planning and accident prevention, protection from exposure to specific chemicals, and the proper storage of hazardous materials, thereby reducing the risk of hazardous materials use. **Accordingly, Project construction activities would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of potentially hazardous materials used during construction, and impacts would be less than significant.**

(iii) Aboveground and Underground Storage Tanks

As previously discussed, the site reconnaissance identified a total of seven ASTs within the service bays located within the Project Site. Generally, no spills, staining, or leaks were observed by the ASTs in the service bays; however, the concrete floor by the ASTs in Service Bay D appeared heavily stained with motor oil. Five USTs were also identified on the historical UST database. With the exception of one 500-gallon motor oil UST, the remaining USTs were associated with waste oil, two of which were listed as clarifiers. As discussed in the Phase I ESA and summarized above, no further information was readily available, and it is unclear if

the former USTs have been removed. Project construction would require the removal of the existing ASTs. In addition, Project-related grading and excavation activities could uncover or disturb any previously unknown or unidentified USTs. However, these activities would comply with all state and local regulatory requirements governing the removal of ASTs. Similarly, in the event that previously unidentified USTs are uncovered or disturbed during construction, the Project would comply with existing regulatory requirements pertaining to their removal, including obtaining applicable permits from the LAFD prior to their removal. If USTs are uncovered and require removal, during tank removal, excavations would be monitored for the potential for impacted soils. Soils that exhibit odors or visual evidence of contamination would be managed as required by the appropriate regulatory agencies. Depending on the extent of contamination, these agencies could require that the soils be sampled for laboratory analysis, segregated, stored, and disposed of in accordance with applicable regulations. Hence, in the event that contaminated soils are unexpectedly encountered during construction, the nature and extent of the contamination would be determined and appropriate handling, disposal, and/or treatment would be implemented in accordance with applicable federal, state, and local regulatory requirements. Compliance with applicable permitting, notification, and worker safety regulations and programs would also ensure construction worker safety at and near sites with potential contamination. **Therefore, Project construction activities would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the removal of ASTs or USTs during construction, and impacts would be less than significant.**

(iv) Asbestos-Containing Materials

As discussed above, based on the age of the on-site buildings, ACMs may be present on-site. Thus, in accordance with SCAQMD Rule 1403, the Project Applicant would be required to conduct a comprehensive asbestos survey prior to demolition, subject to approval by LADBS. In the event that ACMs are found, suspect materials would be removed by a certified asbestos abatement contractor in accordance with applicable regulations prior to demolition. With compliance with relevant regulations and requirements, Project construction activities would not expose people to a substantial risk resulting from the release of asbestos fibers into the environment. **As such, Project construction activities would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions associated with ACMs. Therefore, impacts related to the removal of ACMs during construction would be less than significant.**

(v) Lead-Based Paint

As discussed above, based on the age of the buildings on the Project Site, LBP is potentially present on-site. All identified and suspected LBP would be removed in accordance with procedural requirements and regulations for the proper removal and disposal of LBP prior to demolition activities. Examples of procedural requirements include the use of respiratory protection devices while handling lead-containing materials, containment of lead or materials

containing lead on the Project Site or at locations where construction activities are performed, and certification of all consultants and contractors conducting activities involving LBP or lead hazards. With compliance with relevant regulations and requirements, Project construction activities would not expose people to a substantial risk resulting from the release of LBP into the environment. **As such, Project construction activities would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions associated with the release of LBPs. Therefore, impacts related to the removal of LBP during construction would be less than significant.**

(vi) Polychlorinated Biphenyls

As discussed above, two pad-mounted transformers were observed on the Project Site, the locations of which include to the north of Service Bay B and along the south boundary of the central portion of the Project Site. The observed equipment appeared to be in working order with no signs of staining or leaking and are not expected to represent a significant environmental concern. In addition, approximately 31 two-post automotive lifts, two scissor automotive lifts, and seven single-post automotive lifts were observed on the Project Site. The lifts typically consist of reservoirs containing hydraulic oils. As discussed in the Phase II ESA and summarized above, results of the soil sampling indicate that no PCBs were detected in any soil sample. Notwithstanding, in the event that PCBs are found, suspect materials would be removed in accordance with all applicable federal, state, and local regulations. **As such, Project construction activities would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions associated with PCBs. Therefore, impacts related to the removal of PCBs during construction would be less than significant.**

(b) Operation

(i) Recognized Environmental Conditions

As discussed above, based on a review of historical and present records, as well as site reconnaissance, the Phase I ESA identified three primary RECs. These include the historic occupancy of the Project Site as a gasoline station and auto repair shops and lack of information regarding former USTs associated with these prior uses; the observed conditions/equipment associated with the Project Site's long-term use for auto repair, including heavily stained concrete floors by the ASTs storing motor oil, inground automotive lifts, and clarifiers and the associated use of halogenated and hydrocarbon solvents at the Project Site; and a potential vapor encroachment condition (VEC) associated with nearby properties that include USTs, potential use of solvents, historic photofinishing and film development, historic print shop, and known use of PCE. However, these existing conditions would be addressed and remediated during construction of the Project, as discussed above and below. **As such, operation of the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving**

the release of potentially hazardous materials, and impacts would be less than significant.

(ii) Hazardous Waste Generation, Handling, and Disposal

As discussed above, Project operations would involve the use of potentially hazardous materials typical of those used in residential and commercial developments. As the use of the Project Site would change from automotive sales and repair to a residential and commercial development, no substantial increases in the amount of operational hazardous wastes would be expected to occur. As stated previously, activities involving the handling and disposal of hazardous wastes would occur in compliance with all applicable federal, state, and local requirements concerning the handling and disposal of hazardous waste. **Therefore, operation of the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of potentially hazardous materials, and impacts would be less than significant.**

(iii) Aboveground and Underground Storage Tanks

The Project does not propose the installation of underground or aboveground storage tanks. **As such, operation of the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions associated with ASTs or USTs, and impacts would be less than significant.**

(iv) Asbestos-Containing Materials

Development of the Project would include the use of commercially-sold construction materials that would not contain asbestos or ACMs. Project operation is, therefore, not anticipated to result in any impacts related to the occurrence of friable asbestos or ACMs at the Project Site. **As such, operation of the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions associated with ACMs, and no impacts would occur.**

(v) Lead-Based Paint

Development of the Project would include the use of commercially-sold construction materials that would not contain LBP. Project operation is, therefore, not anticipated to result in any impacts related to the occurrence of LBP at the Project Site. **As such, operation of the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions associated with LBPs, and no impacts would occur.**

(vi) Polychlorinated Biphenyls

In accordance with existing regulations, which ban the manufacture of PCBs, the new electrical systems to be installed as part of the Project would not contain PCBs. Therefore, during operation of the Project, maintenance of such electrical systems would not result in any impacts related to the exposure of people to PCBs. **As such, operation of the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions associated with PCBs, and no impacts would occur.**

(2) Mitigation Measures

As set forth in the Phase II ESA, due to the presence of VOCs in soil vapor in shallow soils, the following mitigation measure is proposed to reduce Project impacts related to the release of hazardous materials into the environment:

Mitigation Measure HAZ-MM-1: The Applicant shall retain a qualified environmental consultant to prepare a Soil Management Plan (SMP), which shall be submitted to the City of Los Angeles Department of Building and Safety for review and approval prior to the commencement of soil disturbance activities. The SMP shall be implemented during soil disturbance activities on the Project Site to ensure that contaminated soils are properly identified, excavated, managed, transported, and disposed of off-site. Elements of the SMP shall include the following:

- A qualified environmental consultant shall be present on the Project Site at the start of soil disturbance activities (e.g., clearing, grubbing of trees/shrubs, pavement/asphalt removal, building foundation and other below ground structure removal, excavation, grading, etc.) in the known or suspected locations of contaminated soils and shall be on-call at other times as necessary, to monitor compliance with the SMP and to actively monitor the soils and excavations for evidence of contamination.
- Soil monitoring during soil disturbance, including visual observation (soil staining), representative sampling via a photo ionization detector, and/or VOC monitoring.
- The SMP shall require the timely testing and sampling of soils so that VOC-contaminated soils can be separated from inert soils for proper disposal. The SMP shall specify the testing parameters and sampling frequency. Routine testing shall include be conducted for VOCs and metals. The qualified environmental consultant shall have the authority to request additional testing based on visual observation, the presence of odors, or other factors.

- During excavation, if soil is stockpiled prior to disposal, it shall be managed in accordance with the Project's Storm Water Pollution Prevention Plan (SWPPP), prior to transportation for treatment and/or disposal.
- To ensure appropriate containment of excavated soil or demolition debris/materials that exceed state or federal hazardous waste criteria, such materials shall be placed in containers and closures that are properly secured and lined, as appropriate, or wrapped and enclosed by tarps and transported by licensed hazardous waste haulers and disposed of at a licensed hazardous waste management facility approved for the specific disposed hazardous materials.
- During excavation, soils identified as VOC-contaminated shall be sprayed with water or another approved vapor suppressant or covered with sheeting and securely anchored during periods of inactivity of greater than an hour to prevent contaminated soils from becoming airborne.
- Dust suppression shall be used for any active or inactive stockpile known or suspected to contain contaminants, including metals, above State or Federal hazardous waste limits. Active and inactive excavations and stockpiles of soil shall be kept visibly moist by water spray, treated with a vapor suppressant, or covered with a continuous heavy-duty plastic sheeting (4 mm or greater) or other covering. The covering shall be overlapped at the seams and securely anchored.
- The qualified environmental consultant shall perform weekly inspections of all waste (drums and bulk) to document that waste is being managed in accordance with the SMP. Inspection records shall be maintained on-site and shall be made available upon request.

(3) Level of Significance After Mitigation

With implementation of Mitigation Measure HAZ-MM-1, impacts related to the identified RECs within the Project Site would be reduced to a less-than-significant level.

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

As discussed in Section VI, Other CEQA Considerations, and in the Initial Study (Appendix A) of this Draft EIR, the nearest Los Angeles Unified School District (LAUSD) schools located in the vicinity of the Project Site include Joseph Le Conte Middle School (0.5 miles south of Project Site); Hollywood Senior High School (1.7 miles west of Project Site); and Grant Elementary (0.45 miles northeast of Project Site). Other schools in the vicinity of the Project Site that are not managed by LAUSD include Montessori School (0.2 miles south

of the Project Site) and Delaney Wright Fine Arts Preschool (0.3 miles northwest of the Project Site). As discussed above, operation of the Project would involve the routine use of small quantities of potentially hazardous materials typical of those used in residential and commercial uses, including cleaning agents, paints, pesticides, and other materials used for maintenance of landscaping and pools. These materials present a low risk for hazards exposure and, if used, would be handled and disposed of in accordance with appropriate hazardous materials management protocols, including each hazardous material manufacturers' specifications and instructions, thereby reducing the risk of hazardous materials use. Additionally, all hazardous materials used on the Project Site during operation would be acquired, used, stored, and disposed of in accordance with all applicable federal, state, and local requirements. . **As such, impacts regarding Threshold (c) would be less than significant, and no further analysis is required.**

Threshold (d): Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment;

(1) Impact Analysis

As discussed above, the Project Site was identified in numerous databases compiled pursuant to Government Code Section 65962.5. These listing collectively result in three primary RECs on the Project Site. Based on the results of the Phase II ESA, due to the concentrations of petroleum hydrocarbons in on-site soils, as well as the undefined limits of PCE in soil vapor, construction activities could potentially encounter contaminated soil, including soil contaminated with hydrocarbons, that would require proper handling and off-site disposal pursuant to existing regulatory requirements. In addition, previously unknown or unidentified USTs may be uncovered during Project construction activities. However, the Project would comply with all state and local regulatory requirements governing the removal of contaminated soils and USTs, which would reduce their impacts on the public and environment. **Nevertheless, the presence of contaminated soil and soil vapor beneath the Project Site could create a significant hazard to the public or environment caused in whole or in part from the Project's exacerbation of existing environmental conditions. Therefore, impacts would be potentially significant.**

(2) Mitigation Measures

Refer to Mitigation Measure HAZ-MM-1 provided above under Threshold (b).

(3) Level of Significance After Mitigation

With the implementation of an SMP pursuant to Mitigation Measure HAZ-MM-1, contaminated soils would be properly identified, excavated, managed and transported and disposed of off-site, and impacts would be reduced to a less-than-significant level.

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

As discussed in Section VI, Other CEQA Considerations, and in the Initial Study (Appendix A) of this Draft EIR, the Project Site is not located within 2 miles of an airport or within an airport planning area. The closest airport is the Hollywood Burbank Airport, which is approximately 6.75 miles northwest of the Project Site. Given the distance between the Project Site and this airport, the Project would not have the potential to result in a safety hazard or excessive noise for people residing or working near an airport. **As such, as determined in the Initial Study, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project Site area. Therefore, no impacts with respect to Threshold (e) would occur, and no further analysis is required.**

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

As discussed in Section VI, Other CEQA Considerations, and in the Initial Study (Appendix A) of this Draft EIR, with compliance with applicable regulatory requirements, the Project would not impede emergency access within the Project Site or vicinity that could cause an impediment along City-designated disaster routes, such that the Project would impair the implementation of the City's emergency response plan. **As such, as determined in the Initial Study, the Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or evacuation plan. Therefore, impacts with respect to Threshold (f) would be less than significant, and no further analysis is required.**

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

As discussed in Section VI, Other CEQA Considerations, and in the Initial Study (Appendix A) of this Draft EIR, the Project Site is located in an urbanized area without any wildlands in the vicinity. In addition, the Project Site is not located within a City-designated Very High Fire Hazard Severity Zone or a City-designated fire buffer zone. Furthermore, the Project would be developed in accordance with LAMC requirements pertaining to fire safety, and the proposed uses would not create a fire hazard that has the potential to exacerbate

wildfire risks. **As such, as determined in the Initial Study, the Project would not expose people or structures, directly or indirectly, to a significant risk of loss, injury, or death as a result of exposure to wildland fires. Therefore, impacts with respect to Threshold (g) would not occur, and no further analysis is required.**

e. Cumulative Impacts

(1) Impact Analysis

As indicated in Section III, Environmental Setting, of this Draft EIR, there are 15 related projects in the vicinity of the Project Site. Development of the Project in combination with the related projects has the potential to increase the risk for an accidental release of hazardous materials. Each of the related projects would require evaluation for potential threats to public safety, including those associated with the use, storage, and/or disposal of hazardous materials, ACMs, LBP, PCBs, and oil and gas, and would be required to comply with all applicable local, state, and federal laws, rules and regulations, as discussed above for the Project. Because environmental safety issues are largely site-specific, this evaluation would occur on a case-by-case basis for each individual project affected, in conjunction with development proposals on these properties. **Therefore, with full compliance with all applicable federal, state, and local laws, rules, and regulations, as well as implementation of site-specific recommendations for the related projects and the Project, the Project's cumulative impacts related to hazards and hazardous materials would be less than significant.**

(2) Mitigation Measures

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

(3) Level of Significance After Mitigation

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