

1 **3.6 Hazards and Hazardous Materials**

2 **3.6.1 Introduction**

3 This section describes the regulatory and environmental setting for hazards and hazardous
4 materials in the vicinity of the Project. It also describes the impacts on hazards and hazardous
5 materials that would result from the Project and mitigation measures that would reduce significant
6 impacts, where feasible and appropriate. Cumulative impacts on hazards and hazardous materials,
7 in combination with planned, approved, and reasonably foreseeable projects, are discussed in
8 Section 3.11, *Cumulative Impacts*. Discussion of hazards and hazardous materials use, storage, disposal
9 and transportation; hazardous emissions within one-quarter mile of a schools; sites listed and
10 complied pursuant to Government Code Section 65962.5; sites located within 2 miles of an airport;
11 emergency plans; and wildfire are found in Chapter 4, *Other CEQA-Required Analysis*.

12 **3.6.2 Regulatory Setting**

13 **3.6.2.1 Federal**

14 Several federal agencies regulate hazardous materials, including Unites States Environmental
15 Protection Agency (U.S. EPA), Department of Labor (federal Occupational Safety and Health
16 Administration [OSHA]), and United States Department of Transportation (U.S. DOT). Applicable
17 federal regulations are contained primarily in Titles 10, 29, 40, and 49 of the Code of Federal
18 Regulations (CFR). In particular, CFR Title 49 governs the manufacturing of packaging and transport
19 containers, packing and repacking, labeling, and marking of hazardous material transport. Some of
20 the major federal laws and issue areas include the following statutes (and regulations promulgated
21 thereunder):

- 22 • Resources Conservation and Recovery Act (RCRA): hazardous waste management;
- 23 • Hazardous and Solid Waste Amendments Act (HSWA): hazardous waste management;
- 24 • Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA): cleanup of
25 contamination;
- 26 • Superfund Amendments and Reauthorization Act (SARA): cleanup of contamination;
- 27 • Emergency Planning and Community Right-to-Know (SARA Title III): business inventories and
28 emergency response planning;
- 29 • Clean Air Act: Asbestos National Emission Standards for Hazardous Air Pollutants rules;
- 30 • Toxic Substances Control Act: asbestos ban and phase-out rules; and
- 31 • Federal Regulation 49 CFR Title 14 Part 77: establishes standards and notification requirements
32 for objects affecting navigable airspace.

33 U.S. EPA is the primary federal agency responsible for implementation and enforcement of
34 hazardous materials regulations. In most cases, enforcement of environmental laws and regulations
35 established at the federal level is delegated to state and local environmental regulatory agencies.

1 United States Consumer Product Safety Commission has also developed bans on the use of asbestos
2 in certain consumer products such as textured paint and wall-patching compounds.

3 **3.6.2.2 State**

4 Primary state agencies with jurisdiction over hazardous chemical materials management include
5 Department of Toxic Substances Control (DTSC) and Regional Water Quality Control Board
6 (RWQCB). Other state agencies involved in hazardous materials management are Department of
7 Industrial Relations (State of California Division of OSHA [Cal/OSHA] implementation), State Office
8 of Emergency Services (OES); California Environmental Protection Agency (CalEPA) California
9 Accidental Release Prevention implementation, Department of Fish and Wildlife, California Air
10 Resources Board, California Department of Transportation (Caltrans), State Office of Environmental
11 Health Hazard Assessment (Proposition 65 implementation), and Department of Resources
12 Recycling and Recovery. The enforcement agencies for hazardous materials transportation
13 regulations are California Highway Patrol (CHP) and Caltrans. Hazardous materials waste
14 transporters are responsible for complying with all applicable packaging, labeling, and shipping
15 regulations.

16 Hazardous chemical and biohazardous materials management laws in California include the
17 following statutes (and regulations promulgated thereunder):

- 18 • Hazardous Materials Management Act: business plan reporting,
- 19 • Hazardous Waste Control Act: hazardous waste management,
- 20 • Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): release of and
21 exposure to carcinogenic chemicals,
- 22 • Hazardous Substances Act: cleanup of contamination,
- 23 • Hazardous Waste Management Planning and Facility Siting (Assembly Bill 2948 [AB 2948]):
24 preparation of hazardous waste management plans and the siting of hazardous waste facilities,
25 and
- 26 • Hazardous Materials Storage and Emergency Response: including response to hazardous
27 materials incidents.

28 State regulations and agencies pertaining to hazardous materials management and worker safety
29 are described in the following sections.

30 **California Environmental Protection Agency**

31 CalEPA was created in 1991. It unified California's environmental authority in a single cabinet-level
32 agency and placed California Air Resources Board, State Water Resources Control Board (SWRCB),
33 RWQCB, California Department of Resources Recycling and Recovery, DTSC, Office of Environmental
34 Health Hazard Assessment, and Department of Pesticide Regulation under one agency. These
35 agencies were placed under the CalEPA umbrella to protect human health and the environment and
36 ensure the coordinated deployment of state resources. Their mission is to restore, protect, and
37 enhance the environment and ensure public health, environmental quality, and economic vitality.

1 Department of Toxic Substances Control

2 DTSC, part of CalEPA, is the primary statewide agency in California for regulating hazardous waste,
3 cleaning up existing contamination, and finding ways to reduce the amount of hazardous waste
4 produced in California. DTSC regulates hazardous waste primarily under the authority of the federal
5 RCRA and the California Health and Safety Code (CHSC; primarily Division 20, Chapters 6.5 through
6 10.6, and Title 22, Division 4.5). Other laws regarding hazardous waste are specific to handling,
7 storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning.

8 California Government Code Section 65962.5(a) (commonly referred to as the Cortese List)
9 encompasses DTSC-listed hazardous waste facilities and sites, lists of contaminated drinking water
10 wells, sites listed by SWRCB as having underground storage tank (UST) leaks or a discharge of
11 hazardous wastes or materials into the water or groundwater and lists from local regulatory
12 agencies of sites with a known migration of hazardous waste/material.

13 Assembly Bill 2948 (Tanner)

14 Although there are numerous state policies dealing with hazardous waste materials, the most
15 comprehensive is *AB 2948 (Tanner)* that was adopted in 1986. *AB 2948 (Tanner)* governs the
16 preparation of hazardous waste management plans and the storing of hazardous waste facilities in
17 the State of California. *AB 2948 (Tanner)* also mandates that each county adopt a Hazardous Waste
18 Management Plan. To be in compliance, local or regional hazardous waste management plans must
19 include provisions that define: (1) the planning process for waste management, (2) the permit
20 process for new and expanded facilities, and (3) the appeal process to the state available for certain
21 local decisions.

22 Hazardous Materials Management Plans

23 In January 1996, CalEPA adopted regulations implementing a “Unified Hazardous Waste and
24 Hazardous Materials Management Regulatory Program”. The six elements of the program are:

- 25 1. hazardous waste generators and hazardous waste on-site treatment,
- 26 2. underground storage tanks,
- 27 3. aboveground storage tanks,
- 28 4. hazardous material release response plans and inventories,
- 29 5. risk management and prevention program, and
- 30 6. Uniform Fire Code hazardous materials management plans and inventories.

31 The program is implemented at the local level by a local agency—Certified Unified Program Agency
32 (CUPA). CUPA is responsible for consolidating the administration of the six program elements
33 within its jurisdiction. Environmental Health Division serves as CUPA for the cities within Madera
34 County (Madera County, 2024a).

35 State and federal laws require detailed planning to ensure that hazardous materials are properly
36 handled, used, stored, and disposed of, and if such materials are accidentally released, to prevent or
37 to mitigate injury to health or the environment. California’s Hazardous Materials Release Response
38 Plans and Inventory Law, sometimes called the Business Plan Act, aims to minimize the potential for
39 accidents involving hazardous materials and to facilitate an appropriate response to possible
40 hazardous materials emergencies. The law requires businesses that use hazardous materials to
41 provide inventories of those materials to designated emergency response agencies, illustrate on a

1 diagram where the materials are stored on-site, prepare an emergency response plan, and train
2 employees to use the materials safely.

3 **California Accidental Release Prevention Program**

4 The California Accidental Release Prevention Program (CalARP) (Title 19, California Code of
5 Regulations Division 2, Chapter 4.5) covers certain businesses that store or handle more than a
6 certain volume of specific regulated substances at their facilities. The CalARP regulations became
7 effective on January 1, 1997, and include the provisions of the Federal Accidental Release Prevention
8 Program (Title 40, CFR Part 68) with certain additions specific to the state pursuant to Article 2,
9 Chapter 6.95, of the CHSC.

10 The list of regulated substances is found in Article 8, Section 2770.5 of the CalARP regulations. The
11 businesses that use a regulated substance above the noted threshold quantity must implement an
12 accidental release prevention program, and some may be required to complete a Risk Management
13 Plan (RMP). An RMP is a detailed engineering analysis of the potential accident factors present at a
14 business and the mitigation measures that can be implemented to reduce this accident potential.
15 The purpose of an RMP is to decrease the risk of an off-site release of a regulated substance that
16 might harm the surrounding environment and community. An RMP includes the following
17 components: safety information, hazard review, operating procedures, training, maintenance,
18 compliance audits, and incident investigation. The RMP must consider the proximity to sensitive
19 populations located in schools, residential areas, general acute care hospitals, long-term health care
20 facilities, and child day-care facilities, and must also consider external events such as seismic
21 activity.

22 **Worker and Workplace Hazardous Materials Safety**

23 Occupational safety standards exist in federal and state laws to minimize worker safety risks from
24 both physical and chemical hazards in the workplace. Cal/OSHA is responsible for developing and
25 enforcing workplace safety standards and assuring worker safety in the handling and use of
26 hazardous materials. Among other requirements, Cal/OSHA obligates many businesses to prepare
27 injury and illness prevention plans and chemical hygiene plans. The Hazard Communication
28 Standard requires that workers be informed of the hazards associated with the materials they
29 handle. For example, manufacturers are to appropriately label containers; Material Safety Data
30 Sheets are to be available in the workplace, and employers are to properly train workers.

31 **Hazardous Materials Transportation**

32 CHP and Caltrans are the enforcement agencies for hazardous materials transportation regulations.
33 Transporters of hazardous materials and waste are responsible for complying with all applicable
34 packaging, labeling, and shipping regulations. OES also provides emergency response services
35 involving hazardous materials incidents.

36 **Investigation and Cleanup of Contaminated Sites**

37 The oversight of hazardous materials release sites often involves several different agencies that may
38 have overlapping authority and jurisdiction. DTSC and RWQCB are the two primary state agencies
39 responsible for issues pertaining to hazardous materials release sites. Air quality issues related to

1 remediation and construction at contaminated sites are also subject to federal and state laws and
2 regulations that are administered at the local level.

3 Investigation and remediation activities that would involve potential disturbance or release of
4 hazardous materials must comply with applicable federal, state, and local hazardous materials laws
5 and regulations. DTSC has developed standards for the investigation of sites where hazardous
6 materials contamination has been identified or could exist based on current or past uses. The
7 standards identify approaches to determine if a release of hazardous wastes/substances exists at a
8 site and delineate the general extent of contamination; estimate the potential threat to public health
9 and/or the environment from the release and provide an indicator of relative risk; determine if an
10 expedited response action is required to reduce an existing or potential threat; and complete
11 preliminary project scoping activities to determine data gaps and identify possible remedial action
12 strategies to form the basis for development of a site strategy.

13 **California Department of Pesticide Regulation, Department of Food and** 14 **Agriculture, and Department of Public Health**

15 California Department of Pesticide Regulation, part of CalEPA, in coordination with California
16 Department of Food and Agriculture and California Department of Public Health, has primary
17 responsibility for pesticide use, vector control, and safety of food and drinking water. The agency
18 registers pesticides. Pesticide use is tracked at the county level. Title 22 of the California Code of
19 Regulations regulates both small and large water systems.

20 **Interstate Commerce Commission Termination Act**

21 San Joaquin Joint Powers Authority (SJJPA), as a state joint powers agency, proposes improvements
22 within and outside of the Union Pacific Railroad (UPRR) and BNSF Railway (BNSF) rights-of-way
23 (ROW). The Interstate Commerce Commission Termination Act (ICCTA) affords railroads that
24 engage in interstate commerce considerable flexibility in making necessary improvements and
25 modifications to rail infrastructure, subject to the requirements of the Surface Transportation
26 Board. ICCTA broadly preempts state and local regulation of railroads; this preemption extends to
27 the construction and operation of rail lines. As such, activities in the UPRR and BNSF ROW are
28 clearly exempt from local building and zoning codes as well as other land use ordinances. However,
29 Project activities outside of the UPRR and BNSF ROW would be subject to regional and local plans
30 and regulations. Though ICCTA broadly preempts state and local regulation of railroads, SJJPA
31 intends to obtain local agency permits for construction of facilities that fall outside of the UPRR and
32 BNSF ROW, even though SJJPA has not determined whether such permits are legally necessary or
33 required.

34 **3.6.2.3 Regional and Local**

35 **Madera County General Plan**

36 The proposed Project is in Madera County, CA. The *Madera County General Plan* Part II, Section 6,
37 *Health and Safety* includes policies for hazards and hazardous materials. The following goals and
38 policies are applicable to the proposed Project:

1 **3.6.3 Environmental Setting**

2 **3.6.3.1 Definition**

3 CHSC Chapter 6.5 sets forth definitions and regulations related to hazardous materials management
4 and disposal. This Draft EIR uses the definition given in this chapter, which defines a hazardous
5 material as:

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

12 A “hazardous waste,” for the purpose of this analysis, is any hazardous material that is abandoned,
13 discarded, or recycled, as defined by CHSC Section 25124. The criteria that characterize a material as
14 hazardous include ignitability, toxicity, corrosivity, reactivity, radioactivity, or bioactivity.

15 **3.6.3.2 Hazard versus Risk**

16 Workers’ and the general public’s health are potentially at risk whenever hazardous materials have
17 been used or where there could be exposure to such materials. Inherent in the setting and analyses
18 presented in this section are the concepts of the hazard of these materials and the risk they pose to
19 human health. Exposure to some chemical substances may harm internal organs or systems in the
20 human body, ranging from temporary effects to permanent disability, or death. Hazardous materials
21 that result in adverse effects are generally considered “toxic.” Other chemical materials, however,
22 may be corrosive, or react with other substances to form other hazardous materials, but they are not
23 considered toxic because organs or systems are not affected. Because toxic materials can result in
24 adverse health effects, they are considered hazardous materials, but not all hazardous materials are
25 necessarily “toxic.” For purposes of the information and analyses, the terms hazardous substances
26 or hazardous materials are used interchangeably and include materials that are considered toxic.

27 The risk to human health is determined by the probability of exposure to a hazardous material and
28 the severity of harm such exposure would pose; the likelihood and means of exposure, in addition to
29 the inherent toxicity of a material, are used to determine the degree of risk to human health. For
30 example, a high probability of exposure to a low-toxicity chemical would not necessarily pose an
31 unacceptable human health or ecological risk, whereas a low probability of exposure to a
32 very-high-toxicity chemical might. Various regulatory agencies, such as U.S. EPA, SWRCB, California
33 DTSC, and state and federal OSHA are responsible for developing and/or enforcing risk-based
34 standards to protect human health and the environment.

35 **3.6.3.3 On-Site and Adjacent Uses**

36 Development in the immediate vicinity of the Project site and immediate surrounding area are
37 mostly agricultural (see **Figure 3.1-1: Important Farmland** in Chapter 3.1, *Agriculture*). No
38 residential uses currently exist on the Project site. The Project and immediately adjacent land uses
39 are identified as ARE-40 (Agricultural, rural, exclusive [40-acre] district), and IH (Industrial, urban
40 or rural, heavy district) on the Madera County Zoning Map (Madera County, 2024b). In addition,

1 Madera County General Plan identifies the following land uses on and immediately adjacent to the
2 Project: Agriculture Residential, Agriculture Exclusive, Very Low Density Residential, Public
3 Institution, High Industrial, Open Space (Madera County, 2024c). Non-agricultural uses existing
4 adjacent to the Project site, include a BNSF-owned railway running along Santa Fe Drive, the
5 Cottonwood Creek Viaduct running adjacent to the BNSF railroad tracks between Avenue 13 and
6 Avenue 15 carrying high-speed trains over a creek bed, a roadway bridge at Avenue 12, Madera
7 Community College—the primary institution of higher education in Madera County, and commercial
8 businesses located along Avenue 12.

9 **3.6.3.4 Records Search**

10 An online record search of the SWRCB GeoTracker and DTSC EnviroStor websites was also
11 conducted on November 18, 2024. There are no sites of concern located on the Project site.

12 Only two sites were identified as a site of concern located near the Project footprint. The two sites of
13 concern are on the former MacGillis and Gibbs site located 0.74 miles east of the most southern end
14 of the Project site.

- 15 • MacGillis & Gibbs (20240001), located on 11272 Road 32, Madera, California, 92408. The case is
16 currently certified/operation and maintenance as of April 17, 2024. Potential Contaminants of
17 Concern are: Dioxin (as 2,3,7,8-TCDD TEQ), Pentachlorophenol, and TPH-DIESEL. Soil and other
18 groundwater (use other than drinking water) are the potential media of concern. DTSC is the
19 site cleanup program oversight agency (DTSC, 2024).
- 20 • MacGillis & Gibbs Pole TR (SLT5FR274381) is a leaking underground storage tank (LUST) site
21 located on 11272 Road 32, Madera, California, 92408. The case has an Open assessment status
22 that began on September 28, 1995. Wood treating is listed under potential contaminants of
23 concern, and aquifer used for drinking water supply is listed under potential media of concern.
24 The case is currently with DTSC (SWRCB, 2024).

25 The MacGillis and Gibbs site operated from 1959 to 1983, and the site was a wood-pole treatment
26 facility. Wood-treating activities at the site contributed to the contamination of the soil and
27 groundwater at the site. Arsenic, chromium, copper, and Pentachlorophenol were used on the site to
28 treat wood. The site formerly included pressure vessels, an asphalt lined surface impoundment, and
29 underground tanks and structures. The remedial action included the consolidation of all
30 contaminated soil to an on-site, asphalt-capped, and double-lined consolidation unit. Subsurface
31 investigation indicated that a perched water zone present beneath is contaminated with
32 Pentachlorophenol. Monitoring of the deeper regional aquifer indicates that Pentachlorophenol
33 contamination is confined to the perched water zones. A Remedial Action Workplan to address the
34 perched water zone using monitored natural attenuation as a remedy was approved in May 2017. A
35 land use covenant restricting the BNSF parcels to industrial, commercial use was recorded in August
36 2018 (DTSC, 2024). Due to the distance from the Project site, the flat site gradient, the depth to
37 groundwater, and the nature of the Project improvements, neither the proposed improvements nor
38 operation of the Project would affect the MacGillis and Gibbs site, and there are no construction or
39 operational impacts from the Project.

1 **3.6.3.5 Other Potential On-site Hazardous Materials**

2 **Pesticides**

3 U.S. EPA defines pesticide as “any substance or mixture of substances intended for preventing,
4 destroying, repelling, or mitigating any pest” (Environmental Protection Agency, 2024). A pesticide
5 may be a chemical substance, biological agent (such as a virus or bacteria), antimicrobial, and pest
6 control devices used against pests that are a vector for disease or are a nuisance. Some pesticides
7 could be harmful to humans. Pesticides could affect the human nervous system or could be
8 poisonous and harmful to human health. Pesticides are and have been widely used in agriculture.

9 **Herbicides**

10 Herbicides are and have been widely used in agriculture and are used to kill unwanted plants. Some
11 herbicides can kill specific targets while leaving the desired crop relatively unharmed. Certain
12 herbicides cause a variety of health effects such as chest pain, headaches, nausea, fatigue, skin
13 rashes, and even death. Some herbicides decompose rapidly in soil, and other types have more
14 persistent characteristics with longer environmental half-lives. Half-life is the time it takes for a
15 certain amount of a pesticide to be reduced by half. Improper application resulting in direct contact
16 with field workers, inhalation of aerial sprays, food consumption, and contact with residual soil
17 contamination could be harmful to human health.

18 **Lead**

19 Lead is a naturally occurring metallic element with numerous uses and sources, including paint,
20 water pipes, solder in plumbing systems, and soil around buildings, structures, roadways, and
21 railroads painted with lead-based paint. Historical roadway and railroad maintenance practices,
22 including lead-based paints on roadway striping, bridges, tracks, and equipment, may have left
23 residual lead in nearby soils. In 1978, the federal government required the reduction of lead in
24 house paint to less than 0.06 percent (600 parts per million). Because of its toxic properties, lead is
25 regulated as a hazardous material. Excessive exposure to lead can result in the accumulation of lead
26 in blood, soft tissues, and bones. Children are particularly susceptible to potential lead-related
27 health problems because it is easily absorbed into developing systems and organs. Inspection,
28 testing, and removal (abatement) of lead containing building materials must be performed by state-
29 certified contractors who are required to comply with applicable health and safety and hazardous
30 materials regulations. Buildings that have been constructed prior to 1978 and that contain lead-
31 based paints could require abatement prior to construction activities.

32 **Lead Arsenate**

33 Lead arsenate was used as an herbicide, insecticide, or rodenticide. Lead arsenates were historically
34 used by railroad companies as a means of weed control along a railroad right-of-way. Pesticide
35 residues from lead arsenate bind tightly to the surface soil layer, where they can remain for decades.
36 As a result, such residues, if present, could pose a human health risk when the soil is excavated. Lead
37 and arsenic are the primary constituents of lead arsenate pesticide. Both lead and arsenic could be
38 toxic at high concentrations in soil and are highly toxic to humans.

1 3.6.4 Impact Analysis

2 3.6.4.1 Methods for Analysis

3 The following information resources were relied upon in the evaluation of potential for the Project
4 to result in impacts involving hazards or hazardous materials: EnviroStor and GeoTracker database
5 research conducted on November 18, 2024; scope of the Project; results of background and site
6 research; and review of applicable regulations.

7 3.6.4.2 Thresholds of Significance

8 The CEQA Guidelines Appendix G (Title 14, California Code of Regulations, Section 15000 et seq.)
9 has identified significance criteria to be considered for determining whether a project could have
10 significant impacts on hazards and hazardous materials.

11 An impact would be considered significant if construction or operation of the project would have
12 any of the following consequences:

- 13 • Create a significant hazard to the public or the environment through reasonably foreseeable
14 upset and accident conditions involving the release of hazardous materials into the
15 environment.

16 3.6.4.3 Impacts and Mitigation Measures

17 Project Construction

18

Impact HAZ-1	Construction of the Project would create a significant hazard to the public or the environment reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
Level of Impact	Less than Significant with Mitigation Incorporated

19 Construction activities for the Project, such as grading and excavation, could expose construction
20 personnel and the public to hazardous substances in the soil that were previously unknown,
21 resulting in a significant impact. Potential hazards during excavation may include pesticides and
22 herbicides from agricultural activities and lead arsenate from railroad operations. Contaminated soil
23 could be disturbed or removed from the Project site, posing risks to construction personnel and the
24 public. Additionally, soil contamination may arise from nearby listed sites, such as roadways,
25 airports, railroads, or industrial uses, or from construction-related activities, including spills or
26 improper disposal of trash and debris. Hazardous materials used, stored, disposed of, and/or
27 transported are discussed in Chapter 4, *Other CEQA-Required Analysis*. Exposure to hazardous
28 materials during construction activities could occur as a result of any of the following:

- 29 • Direct dermal contact with hazardous materials;
- 30 • Incidental ingestion of hazardous materials (usually due to improper hygiene, when workers fail
31 to wash their hands before eating, drinking, or smoking); and
- 32 • Inhalation of airborne dust released from dried hazardous materials.

1 Any recognized environmental conditions or other indicators of potential contamination are
2 encountered for any unidentified sources of contamination during demolition, grading, or
3 excavation, the removal activities required could pose health and safety risks capable of resulting in
4 various short-term or long-term adverse health effects in exposed persons. The potential for
5 encountering unknown contamination within the Project site during construction would be a
6 significant impact.

7 To address the potential for encountering unknown contamination within the Project site,
8 Mitigation Measure (MM) HAZ-1 would be implemented to minimize the potential risk of
9 contamination by investigation and remediation efforts at the Project site.

10 Implementation of MM HAZ-1 would reduce the impacts associated with the potential exposure of
11 unknown hazardous materials by ensuring remediation of contaminated soil containing hazardous
12 materials prior to development of the Project, and by providing supplemental procedures in the
13 event of unanticipated discoveries of contaminants. Therefore, with implementation of MM HAZ-1
14 and adherence to applicable local, state, and federal regulations would reduce impacts related to the
15 upset and accidental release of hazardous materials to a less than significant level.

16 **MM HAZ-1: Preparation of Risk Management Plan**

17 In the event that previously unknown or unidentified soil and/or groundwater contamination
18 that could present a threat to human health or the environment is encountered during
19 construction in the Project site, construction activities in the immediate vicinity of the
20 contamination shall cease immediately. Then, a Risk Management Plan shall be prepared and
21 implemented that (1) identifies the contaminants of concern and the potential risk each
22 contaminant would pose to human health and the environment during construction and post
23 development and (2) describes measures to be taken to protect workers and the public from
24 exposure to potential site hazards. Such measures could include, but would not be limited to,
25 physical site controls during construction, remediation, long-term monitoring, post-
26 development maintenance or access limitations, or some combination thereof. Depending on
27 the nature of contamination, if any, appropriate agencies shall be notified (e.g., County of
28 Madera Fire Department and Madera County Environmental Health Division). If needed, a Site
29 Health and Safety Plan that meets Occupational Safety and Health Administration requirements
30 shall be prepared and in place prior to commencement of work in any contaminated area.

31 **Project Operations**

32 With implementation of the Project, hazardous materials could be stored within the Project site, but
33 the materials would generally be in the form of routinely used common chemicals. Therefore, the
34 probability of a major hazardous materials incident would be remote. Minor incidents would be
35 more likely, but the consequences of such accidents would likely not be severe due to the types of
36 common chemicals anticipated to be used at the Project site, and the impact would be less than
37 significant.

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