

## **5.7 Hazards and Hazardous Materials**

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## 5.7 HAZARDS AND HAZARDOUS MATERIALS

This section identifies the potential for the proposed Project to expose the public to hazards, hazardous materials, or risk of upset that may be related to existing conditions or new hazards created as a result of the Project. Where significant impacts are identified, mitigation measures are provided to reduce these impacts to the extent feasible. This section is based on the following documents:

- Phase I Environmental Site Assessment (2005 Phase I ESA), prepared by CH2MHILL, April 2005;
- Phase I Environmental Site Assessment (2010 Phase I ESA), prepared by CH2MHILL, June 2010;
- Phase II Environmental Site Assessment (2010 Phase II ESA), prepared by CH2MHILL, August 2010; and
- Supplemental Site Investigation (Geosyntec Consultants, January 28, 2014).

For clarification purposes, the 2005 Phase I Environmental Site Assessment, 2010 Phase I Environmental Site Assessment, and 2010 Phase II Environmental Site Assessment prepared by CH2MHILL are collectively referred to as the “hazardous materials documentation” in this section of the EIR; refer to Appendix 11.8, *Environmental Site Assessments*.

For the purpose of this analysis, the term “hazardous material” is defined as any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety, or to the environment, if released into the workplace or environment.<sup>1</sup> Hazardous materials are typically grouped into four categories, based on their characteristics as toxic, ignitable, corrosive or reactive.<sup>2</sup> “Hazardous waste,” a subset of hazardous material, is material that is to be discharged, discarded, recycled, and/or reprocessed.

### 5.7.1 EXISTING ENVIRONMENTAL SETTING

The Project site encompasses approximately 76 acres, and is comprised of two areas: a former youth correctional facility area (approximately 74 acres); and an adjacent commercial area (approximately 2 acres) located at the eastern corner of the site that is currently occupied by an auto recycling business. The youth correctional facility consists of a complex of buildings, structures, and sites. There are 52 vacant buildings on-site, totaling approximately 420,173 square feet. The buildings on the site consist of former living quarters, dining room, church, library, infirmary, two gymnasiums, swimming pool, auditorium, and schooling facilities. Other vacant structures at the site include administration buildings, visiting hall, staff housing, security buildings, maintenance garage, carpenter and paint shop, boiler plant, emergency generator, and warehouse.

The surrounding area is characterized by a mix of commercial, industrial, and residential uses. The following is a discussion of the off-site land uses surrounding the Project site:

- North: Whittier Boulevard forms the northeastern site boundary. Surface parking and low-rise commercial uses are located across Whittier Boulevard, generally north of Philadelphia Street. Industrial uses and surface parking are generally located across

<sup>1</sup> California Health and Safety Code, Section 25501(m).

<sup>2</sup> California Code of Regulations, Title 22, Sections 66261.21-.24.



Whittier Boulevard, south of Philadelphia Street. The commercial and industrial areas located directly along Whittier Boulevard are zoned Whittier Boulevard Specific Plan (WBSP). Sorensen Avenue forms the site's northwestern boundary. North of Rincon Drive, adjacent uses along Sorensen Avenue include low-rise commercial uses and surface parking. This commercial area is also zoned WBSP.

- South: The Presbyterian Intercommunity Hospital (PIH) is located directly south of the Project site. PIH is comprised of multiple structures and a large surface parking lot. It is separated from the Project site by a 15-foot high security fence. The PIH site is designated as Hospital in the *City of Whittier General Plan* (General Plan) and zoned WBSP. Residential uses within the City and within the City's Sphere of Influence (SOI) are located directly southwest of the Project site beyond the youth correctional facility's 15-foot high security fencing.
- East: Low-rise industrial uses, including a self-storage business with surface parking, border the site to the east. The adjacent uses are separated from the Project site by the correctional facility's security fencing. These uses are zoned WBSP. Uptown Whittier, the City's historic mixed use district, is located approximately one-half mile east of the Project site via Philadelphia Street.
- West: The City boundary makes up the site's western boundary. Single-family residential uses are located west of the Project site. A church and related surface parking are located adjacent to the Project site near the intersection of Sorensen Avenue and Havenwood Drive. Both uses are separated from the Project site by the correctional facility's security fencing. The adjacent uses are located within unincorporated Los Angeles County and the City's SOI area.

## HISTORICAL ON-SITE OPERATIONS

The youth correctional facility was constructed in 1890 and operated from 1891 until 2004. Former uses associated with the youth correctional facility include a variety of buildings, structures, and sites. Based on the hazardous materials documentation, former agricultural operations occurred within much of the southern and southwestern portions of the site from at least 1928 until sometime prior to 1968. The extent of the former agricultural use on the site was estimated to be approximately 33 acres.

### Underground Storage Tanks

Operations associated with the former youth correctional facility included the use of five underground storage tanks (USTs) at the former Maintenance Garage and Boiler Room. These USTs are described in additional detail below.

### FORMER MAINTENANCE GARAGE

The former Maintenance Garage operated as a garage and maintenance facility from 1931 until 1999. According to the hazardous materials documentation, the former Maintenance Garage operated one waste oil UST, two 2,000-gallon gasoline USTs, and one diesel UST until they were removed in 1991. During the removal of the USTs, a Leaking Underground Storage Tank (LUST) case was opened for the former waste oil UST due to the detection of hazardous materials in shallow soil samples. The Regional Water Quality Control Board (RWQCB) subsequently closed the LUST case, without further investigation, in 2004.



In July 2005, soil, gas, and groundwater samples were collected in the vicinity of the former Maintenance Garage (in the vicinity of the former waste oil UST) to determine if these collected samples were above screening levels for residential uses. Based on hazardous materials documentation, the samples collected contained Volatile Organic Compounds (VOCs) in soil vapor in excess of residential screening levels at depths ranging from 10 to 30 feet below ground surface (bgs). The hazardous materials documentation also reported metals (arsenic, cadmium, chromium, and lead) that were above their respective residential screening levels.

### **FORMER BOILER ROOM**

The former Boiler Room on the Project site historically contained a 30,000-gallon diesel UST that was abandoned in-place and filled with slurry in 1973. The hazardous materials documentation concluded that additional sampling at this UST was necessary. Therefore, soil, soil vapor, and groundwater samples were collected in the vicinity of the former 30,000-gallon UST in July 2005. The soil samples taken at depths of 20 and 30 feet bgs contained concentrations of VOCs above residential screening levels. Soil vapor samples contained concentrations of VOCs above adjusted residential screening levels. The groundwater sample collected in July 2005 did not contain concentrations of VOCs above drinking water standards. According to the Supplemental Site Investigation, soil and soil vapor sampling indicated that VOCs are not present in shallow soils, and VOCs in soil vapor are adequately defined in a vertical and lateral direction to concentrations below risk-based concentrations or non-detectable levels in this area.

### **On-Site Structures**

#### **LEAD BASED PAINTS**

The Project site has 34 buildings on-site that were constructed prior to 1978. Based on the hazardous materials documentation, these buildings are anticipated to contain lead-based paint (LBP). As LBP is expected to be associated with these buildings, the soils surrounding the buildings are likely to be contaminated with lead from paint which flaked off of exterior surfaces. The Supplemental Site Investigation concluded that 26 of the 36 soil samples collected around five of the six sampled on-site buildings contained lead above residential screening levels. Lead in on-site soils around buildings constructed prior to 1978 was determined to be an area of potential concern.

#### **ASBESTOS CONTAINING MATERIALS**

Asbestos is a strong, incombustible, and corrosion resistant material, which was used in many commercial products since prior to the 1940s and up until the early 1970s. Under federal and state law, asbestos containing-materials (ACMs) are building materials and utility components containing more than one percent (1%) asbestos. California regulates construction materials containing one-tenth of one percent (0.1%) as asbestos-containing construction materials (ACCMs). As noted above, the Project site contains buildings constructed prior to 1978. Thus, the potential for ACMs and ACCMs to be present in association with on-site building materials and underground utility piping is likely.

#### **ORGANOCHLORINE PESTICIDES**

Pesticides could have been applied to the on-site building structures for use as a termiticide. Organochlorine pesticides (OCPs) were detected in soil samples collected around all of the assessed buildings. According to hazardous materials documentation prepared for the Project,



concentrations of OCPs in soil samples around four of the six sampled buildings were detected above risk-based screening levels for residential uses. Based on the soil sample results in the hazardous materials documentation, it is likely that the soils surrounding the remaining buildings on the Project site are of environmental concern pertaining to potential OCPs.

### **Former Agricultural Areas**

According to hazardous materials documentation prepared for the Project, the Project site had been utilized for agricultural purposes on the western and southwestern portions of the site from 1928 until sometime prior to 1968. Based on the Supplemental Site Investigation, no OCPs exist within the soils in the former agricultural areas. However, elevated levels of arsenic were detected in these soils above background levels for Southern California and are an area of potential concern.

### **Polychlorinated Biphenyls in Electrical and Hydraulic Equipment**

According to hazardous materials documentation prepared for the Project, the historical and current electrical equipment used on-site (i.e., electrical transformers, capacitors, electrical equipment, light ballasts, and machinery with hydraulic systems) are potential sources of polychlorinated biphenyl (PCB)-containing oil. According to hazardous materials documentation prepared for the Project, a hydraulic lift and a drain pit are located within the Former Maintenance Garage that may have used PCB-containing oil during operations. The hydraulic lift and drain pit were likely installed when the building was constructed in 1931. Based on the Supplemental Site Investigation, 30 of the 46 on-site transformers are presumed to have PCB-containing oil. Of these 30 transformers, at least four of the transformer foundation surfaces were cracked or damaged and were stained with transformer oil. As a result, at least four of these transformers have the potential for PCB impacts in soil beneath the transformer pad that would require mitigation. PCBs on the Project site are considered an area of potential concern.

### **Former Incinerator**

According to hazardous materials documentation prepared for the Project, a natural gas fired incinerator was located in the vicinity of the former Facilities Planning Complex on the Project site. The incinerator is estimated to have been in operation between 1952 and 1968. During the Supplemental Site Investigation, the former incinerator was not observed. Further, soil sampling performed around the perimeter of the former Facilities Planning Complex did not reveal the presence of lead (which is often present in incineration waste) above the residential screening level. Based on the findings to date, the impacts associated with the former incinerator do not appear to be significant. However, the former incinerator is considered an area of potential concern.

### **AUTOMOTIVE RECYCLING BUSINESS**

M & S Auto Salvage, the auto recycling business located on the eastern corner of the Project site (adjoining Whittier Boulevard), maintains hundreds of repairable cars and thousands of used automotive parts, including a variety of makes and models including foreign and domestic cars, sport utility vehicles (SUVs), and light trucks. According to hazardous materials documentation prepared for the Project, the M & S Auto Salvage facility has not been identified in any hazardous materials databases. However, due to the nature of activities on this property (automotive repair, storing of vehicles and parts, etc.), elevated levels of petroleum products



could potentially be present within the soils on the property. This is considered an area of potential concern for the Project site.

## **FORMER RAILWAY LINE**

Southern Pacific Railroad (SPRR) right-of-way (ROW) bounds the eastern portion of the Project site, and trends through the Future Expansion Area to the east (adjacent to Whittier Boulevard). According to the hazardous materials documentation, the railway line is no longer present; however, the former railway grade and ROW are still present. According to the Supplemental Site Investigation, soil sampling indicated that arsenic was present in soil adjacent to the ROW at concentrations within the background range for Southern California soils. As a result, the ROW of the former railway line is not considered to be an area of potential concern.

## **AERIALY DEPOSITED LEAD**

Due to the Project site's proximity to Whittier Boulevard (State Route 72), aerially deposited lead (ADL) may be present in near-surface soil on the Project site, immediately adjacent to Whittier Boulevard. ADL is associated with the deposition of airborne particles and surface water runoff from vehicle tailpipe emissions prior to the time lead was phased out of vehicle fuels (in 1992). Caltrans studies suggest significant levels of lead are generally found in soils approximately 30 feet from the edge of major roadways (California Department of Toxic Substances Control, 2000, *Sheet, Variance for Caltrans Districts 4, 6, 7, 8, 10, 11, 12 For Reuse of Lead Contaminated Soils*). Therefore, due to the Project site's proximity to Whittier Boulevard, ADL within soils along the small portion of the Project site adjacent to Whittier Boulevard is considered an area of potential concern.

## **GROUNDWATER CONCERNS FROM ADJACENT PROPERTIES**

Two adjacent properties, the Modine Manufacturing Company (12252 E. Whittier Boulevard), and Leggett and Platt, Inc. (12352 E. Whittier Boulevard), have documented groundwater contamination in the vicinity of the Project site. These properties are described in additional detail below.

### **Modine Manufacturing Company**

The Modine Manufacturing Company has documented groundwater contamination associated with manufacturing of automobile radiators. This location is identified by the RWQCB as a spill, leak, investigation, and clean-up (SLIC) site that has impacted the groundwater. Based on the initial groundwater monitoring, there have been detected levels of perchloroethylene (PCE) and trichloroethylene (TCE) in the groundwater. Soil and groundwater investigations concluded that the TCE identified in the groundwater is not from Modine, but rather from an off-site source that is upgradient (northeast) of the Modine property. Because Modine Manufacturing borders the site on the east and due to the documented soil and groundwater contamination, this location was considered a recognized environmental condition in the hazardous materials documentation. The Supplemental Site Investigation included a soil vapor analysis at the Modine Manufacturing Company site. Soil vapor results indicated no substantial migration of hazardous substances onto the Project site has occurred.



## Leggett & Platt, Inc.

Based on the hazardous materials documentation, the Leggett & Platt property was reported as a LUST that has impacted groundwater. Because Leggett & Platt borders the Project site on the east, this location was considered a recognized environmental condition. However, further subsurface field investigation, completed in July 2005, found no evidence of impact to groundwater on the site near the boundary of the Leggett & Platt property. Further, the Supplemental Site Investigation indicated that substantial migration of hazardous substances, including soil vapor, from the Leggett & Platt property onto the Project site has not occurred.

## CORTESE DATABASE

Government Code Section 65962.5 requires the Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board (SWRCB) to compile and update a regulatory sites listing (per the Code Section's criteria). Additionally, the State Department of Health Services is also required to compile and update, as appropriate, a list of all public drinking water wells that contain detectable levels of organic contaminants and are subject to water analysis pursuant to Health and Safety Code Section 116395. Government Code Section 65962.5 requires the local enforcement agency, as designated pursuant to CCR Title 14 Section 18051 to compile, as appropriate, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste. According to the State of California Cortese List, the Project site is listed as a closed LUST cleanup site; refer to the historical on-site operations discussion above.

## OFF-SITE DRY CLEANER SITES

According to the U.S. Environmental Protection Agency (EPA), dry cleaners are known to use a significant amount of chemicals, such as PCE, which pose environmental concerns. At the end of the dry cleaning process, the cleaning fluid is separated from wastewater by distillation. In the past, the wastewater was often poured down floor drains. PCE can seep through the ground and contaminate surface water, groundwater, and potentially drinking water. Since a small amount of PCE can contaminate a large amount of water, properties within a close proximity to dry cleaners or past dry cleaner sites have been found to potentially have subsurface contamination. According to hazardous materials documentation prepared for the Project, there are no dry cleaning facilities within the vicinity of the Project site. However, it should be noted that Marketplace Cleaners (11847 Whittier Boulevard) is located approximately 560 feet up-gradient from the Project site. Based on the hazardous materials documentation, and the recent establishment of a dry cleaner at this off-site location (within the past four years), this dry cleaner facility is not anticipated to have impacted groundwater underlying the Project site.

## EMERGENCY RESPONSE

The Public Safety Element of the General Plan states that it is the City's goal to update the City's *Emergency Response Plan* regularly to determine the adequacy of emergency services and to improve coordination and response programs. Designated emergency evacuation routes include Whittier Boulevard, Colima Road, Norwalk Boulevard, Beverly Boulevard, Lambert Road, and Santa Fe Springs Road. These roads are arterial roadways that lead out of Whittier and into adjacent communities. The closest evacuation routes to the Project site are Whittier Boulevard (adjacent to the east), and Santa Fe Springs Road (approximately 0.60-mile south of the Project site).



## 5.7.2 EXISTING REGULATORY SETTING

### FEDERAL AND STATE

According to the EPA, a “hazardous” waste is defined as one “which because of its quantity, concentrations, or physiochemical or infectious properties, may either increase mortality or produce irreversible or incapacitating illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed” (U.S. Public Health and Welfare Code Section 6903). Special handling and management are required for materials and wastes that exhibit hazardous properties. Treatment, storage, transport, and disposal of these materials are highly regulated at both the Federal and State levels. Compliance with Federal and State hazardous materials laws and regulations minimizes the potential risks to the public and the environment presented by these potential hazards, which include the following, among others:

- Resource Conservation and Recovery Act (RCRA) – hazardous waste management;
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) – cleanup of contamination;
- Superfund Amendment and Reauthorization Act (SARA) (which amended CERCLA) – cleanup of contamination;
- Hazardous Materials Transportation Act (HMTA) – safe transport of hazardous materials; and
- Clean Air Act.

These laws provide the “cradle to grave” regulation of hazardous wastes. Businesses, institutions, and other entities that generate hazardous waste are required to identify and track their hazardous waste from the point of generation until it is recycled, reused, or disposed of. The primary responsibility for implementing RCRA is assigned to the EPA, although individual states are encouraged to seek authorization to implement some or all RCRA provisions.

The federal EPA and the DTSC have developed and continue to update lists of hazardous wastes subject to regulation. In addition to the EPA and DTSC, the RWQCB, Los Angeles Region (Region 4), is the enforcing agency for the protection and restoration of water resources, including remediation of unauthorized releases of hazardous substances in soil and groundwater. Other State agencies involved in hazardous materials management include the Office of Emergency Services, Caltrans, California Highway Patrol (CHP), California Air Resources Board (CARB), and California Department of Resources Recycling and Recovery (CalRecycle). California hazardous materials management laws include the following, among others:

- California Health & Safety Code, Chapter 6.95: Hazardous Materials Management – hazardous materials inventory, business plans, emergency response;
- California Health & Safety Code, Chapter 6.8: Hazardous Substance Account Act – cleanup of contamination;



- California Health & Safety Code Chapter 6.5: Hazardous Waste Control Act – hazardous waste regulation; and
- California Health & Safety Code, Chapter 6.6: Safe Drinking Water and Toxic Enforcement Act of 1986 – releases of and exposure to carcinogenic chemicals.

Further, through the Clean Air Act, the EPA uses the National Emission Standards for Hazardous Air Pollutants (NESHAPS) to ensure air quality. NESHAPS are stationary source standards for hazardous air pollutants and hazardous air pollutants (HAPs) are those pollutants that are known or suspected to cause cancer or other serious health effects, such as reproductive effects or birth defects, or adverse environmental effects. Asbestos is one of seven hazardous air pollutants that are regulated through NESHAPS.

### **Department of Toxic Substances Control**

The responsibility for implementation of RCRA was delegated to California Environmental Protection Agency's (Cal/EPA's) DTSC in August 1992. The DTSC is also responsible for implementing and enforcing California's Hazardous Waste Control Act, which is analogous to RCRA, and the Hazardous Substance Account Act, which is analogous to CERCLA. California's hazardous waste laws and associated regulations define hazardous waste more broadly and regulate a larger number of chemicals. DTSC often serves as the lead agency for the characterization, remediation, and/or mitigation of soil contamination that may pose a risk to human health or the environment. For the Project site, DTSC will serve as the oversight agency for these remedial activities pursuant to a California Land Reuse and Revitalization Act (CLRRA) Agreement, (authorized by California Health & Safety Code, Section 25395.60 et seq). The program includes the preparation of comprehensive remedial response plan which is approved by DTSC and subject to public participation and public comment prior to implementation.<sup>3</sup>

### **State Water Resources Control Board**

Brownfields are underutilized properties where reuse is hindered by the actual or suspected presence of pollution or contamination. The goals of the SWRCB Brownfield Program are to:

- Expedite and facilitate site cleanups and closures for Brownfield sites to support reuse of those sites;
- Preserve open space and greenfields;
- Protect groundwater and surface water resources, safeguard public health, and promote environmental justice; and
- Streamline site assessment, clean up, monitoring, and closure requirements and procedures within the various SWRCB site cleanup programs.

Site cleanup responsibilities for brownfields primarily reside within four main programs at the SWRCB, which are administered by the RWQCBs: the Underground Storage Tank Program; Site Cleanup Program; Department of Defense Program; and the Land Disposal Program.

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<sup>3</sup> California Department of Toxic Substances Control, *California Land Reuse and Revitalization Act of 2004*, <https://dtsc.ca.gov/SiteCleanup/Brownfields/BrownLandReuse.cfm>, Accessed July 17, 2014.



These SWRCB cleanup programs are charged with ensuring sites are remediated to protect California's surface and groundwater and return it to beneficial use.

## **California Air Resources Board**

One of CARB's major goals is to protect the public from exposure to toxic air contaminants. The California Air Toxics Program establishes the process for the identification and control of toxic air contaminants and includes provisions to make the public aware of significant toxic exposures and for reducing risk.

The Toxic Air Contaminant Identification and Control Act (Assembly Bill [AB] 1807, Tanner 1983) created California's program to reduce exposure to air toxics. The Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, Connelly 1987) supplements the AB 1807 program, by requiring a statewide air toxics inventory, notification of people exposed to a significant health risk, and facility plans to reduce these risks.

Under AB 1807, CARB is required to use certain criteria in the prioritization for the identification and control of air toxics. In selecting substances for review, the CARB must consider criteria relating to "the risk of harm to public health, amount or potential amount of emissions, manner of, and exposure to, usage of the substance in California, persistence in the atmosphere, and ambient concentrations in the community." AB 1807 also requires CARB to use available information gathered from the AB 2588 program to include in the prioritization of compounds. This report includes available information on each of the above factors required under the mandates of the AB 1807 program. AB 2588 air toxics "Hot Spots" program requires facilities to report their air toxics emissions, ascertain health risks, and to notify nearby residents of significant risks. In September 1992, the "Hot Spots" Act was amended by Senate Bill 1731 which required facilities that pose a significant health risk to the community to reduce their risk through a risk management plan.

## **Accidental Release Prevention Law**

The State's Accidental Release Prevention Law provides for consistency with Federal laws (i.e., the Emergency Preparedness and Community Right-to-Know Act and the Clean Air Act) regarding accidental chemical releases and allows local oversight of both the State and Federal programs. State and Federal laws are similar in their requirements; however, the California threshold planning quantities for regulated substances are lower (stricter) than the Federal quantities. Local agencies may set lower reporting thresholds or add additional chemicals to the program. The Accidental Release Prevention Law is implemented by the Certified Unified Program Agencies (CUPAs) and requires that any business utilizing a greater quantity of a regulated substance than the specified threshold quantity, register with the responsible CUPA as a manager of regulated substances and prepare a Risk Management Plan. A Risk Management Plan must contain an off-site consequence analysis, a five-year accident history, an accident prevention program, an emergency response program, and a certification of the truth and accuracy of the submitted information. Businesses submit their plans to the CUPA, which makes the plans available to emergency response personnel. The Business Plan must identify the type of business, location, emergency contacts, emergency procedures, mitigation plans, and chemical inventory at each location.



## **Transportation of Hazardous Materials/Wastes**

Transportation of hazardous materials/wastes is regulated by California Code of Regulations (CCR) Title 26. The United States Department of Transportation (DOT) is the primary regulatory authority for the interstate transport of hazardous materials. The DOT establishes regulations for safe handling procedures (i.e., packaging, marking, labeling and routing). The CHP and Caltrans enforce Federal and State regulations and respond to hazardous materials transportation emergencies. Emergency responses are coordinated as necessary between Federal, State and local governmental authorities and private persons through a State mandated Emergency Management Plan.

## **Worker and Workplace Hazardous Materials Safety**

Occupational safety standards exist to minimize worker safety risks from both physical and chemical hazards in the workplace. The California Division of Occupational Safety and Health (Cal/OSHA) is responsible for developing and enforcing workplace safety standards and assuring worker safety in the handling and use of hazardous materials, including the Asbestos Hazard Emergency Response Act (AHERA). Among other requirements, Cal/OSHA requires many businesses to prepare Injury and Illness Prevention Plans and Chemical Hygiene Plans. The Hazard Communication Standard requires that workers be informed of the hazards associated with the materials they handle.

## **REGIONAL**

### **California Regional Water Quality Control Board – Los Angeles Region**

The Los Angeles RWQCB is the enforcing agency for the protection and restoration of water resources, including remediation of unauthorized releases of hazardous substances in soil and groundwater. The UST Section directs environmental cleanup activities at leaking UST sites. Such sites include active and inactive gasoline stations, agricultural sites, brownfield redevelopment sites, airports, bulk petrochemical storage terminals, pipeline facilities, and various chemical and industrial facilities. The Site Cleanup Section oversees activities at non-UST sites where soil or groundwater contamination have occurred. Many of these sites are former industrial facilities and dry cleaners, where chlorinated solvents were spilled, or have leaked into the soil or groundwater.

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

The South Coast Air Quality Management District (SCAQMD) works with CARB and is responsible for developing and implementing rules and regulations regarding air toxics on a local level (including Rule 1403 pertaining to ACMs and ACCMs). The SCAQMD establishes permitting requirements, inspects emission sources, and enforces measures through educational programs and/or fines.

## **County of Los Angeles**

### **LOS ANGELES COUNTY FIRE DEPARTMENT**

In May 1982, the Los Angeles County Board of Supervisors established the Hazardous Materials Control Program within the Department of Health Services. Originally, the Program



focused on the inspection of businesses that generate hazardous waste, but has since expanded to include hazardous materials inspections, criminal investigations, site mitigation oversight, and emergency response operations. On July 1, 1991, the Program was transferred to the Los Angeles County Fire Department (LACFD) and its name changed to the Health Hazardous Materials Division (HHMD).

The HHMD's mission is to protect the public health and the environment throughout Los Angeles County from accidental releases and improper handling, storage, transportation, and disposal of hazardous materials and wastes through coordinated efforts of inspections, emergency response, enforcement, and site mitigation oversight. The Hazardous Materials Specialists are environmental health professionals dedicated to preventing pollution by serving both the public and business communities in Los Angeles County. The LACFD is also the designated CUPA serving the City of Whittier.

## HOUSEHOLD HAZARDOUS AND E-WASTE PROGRAM

The Los Angeles County Sanitation District, in cooperation with the Los Angeles County Department of Health Services, has established the Household Hazardous and E-Waste (electronic waste) Roundup Program. The Household Hazardous Waste Collection Program provides Los Angeles County residents a legal and cost-free way to dispose of unwanted household chemicals that cannot be disposed of as typical household waste.

## CITY OF WHITTIER

### City of Whittier General Plan

Public Safety Element. The intent of the General Plan Public Safety Element is to prevent the creation of hazards in the City and for minimizing the potential for injury, damage, and disruption by catastrophes and emergencies. The Public Safety Element addresses natural and manmade hazards such as earthquakes, flooding, landslides, fire, crime and hazardous materials/wastes contamination. This element establishes safety standards and programs that protect life and property. Relevant hazards and hazardous materials-related Goals and Policies include the following:

**Goal 1:** Promote an environment that is reasonably safe from hazards so that Whittier residents may conduct their daily lives free from fear and apprehension.

Policy 1.1: Continue to work for the highest quality of fire, police, and health protection possible for all Whittier residents.

Policy 1.2: Continue to cooperate with public agencies and support service providers to develop emergency preparedness programs to reduce injury, loss of life, and property damage.

Policy 1.3: Continue to provide fast, efficient, and reliable assistance to disaster victims and to areas where conditions warrant evacuation of people and property.

Policy 1.4: Promote emergency preparedness through public education and awareness programs on safety, earthquake preparedness, crime prevention, and fire and hazard prevention.



Policy 1.5: Promote the study, adoption, and review of regulations designed to assure appropriate and safe development in hazardous areas.

**Goal 3:** Maintain and enhance safety and emergency services in the City.

Policy 3.1: Coordinate fire protection services with the County Fire Department.

Policy 3.2: Maintain an adequate emergency response system.

**Goal 4:** Develop programs to protect residents and businesses from hazardous materials contamination.

Policy 4.1: Support the enforcement of state and federal environmental and pollution control laws. The City should work with the Fire Department to require hazardous materials users and generators to prepare procedures for responding to accidental spills and emergencies.

Policy 4.2: Promote the proper disposal of hazardous materials and prohibit the disposal of hazardous materials at the Savage Canyon Landfill. Random checks of incoming trucks to the landfill shall be continued. At the same time, develop programs to dispose of small quantities of household hazardous wastes.

Policy 4.3: Designate routes for trucks carrying hazardous materials and preventing trucks from using residential and local streets.

Policy 4.4: Work with the County Fire Department and adjacent cities on emergency response plans for hazardous material accidents.

Public Safety Plan. The General Plan goals and policies listed above serve as the foundation for the City's Public Safety Plan. The Public Safety Plan provides for maximum protection in the face of any hazard. The priority for public safety, health, and security is the protection of human life. The protection of life and property and the prevention of social and economic disruption are the primary objectives of the Public Safety Plan for the City of Whittier. Applicable hazards and hazardous materials-related standards relate to land use standards for development projects. The City regulates land uses to avoid the creation of hazards or prevent exposure to hazards. This would include the regulation of uses with hazardous materials use and disposal, uses with high fire risks, and uses attracting crime and accidents. Low density development in hazard areas also reduces risk exposure.

## Whittier Municipal Code

The *City of Whittier Municipal Code* (WMC) includes Chapter 10.44, *Vehicles Transporting Hazardous Materials*. The intent of this Chapter is to avoid hazardous materials spills and accidents within the vicinity of a school or residence.

## CITY OF WHITTIER NATURAL HAZARDS MITIGATION PLAN

The *City of Whittier Natural Hazards Mitigation Plan* (Mitigation Plan) includes resources and information to assist City residents, public and private sector organizations, and others interested in participating in planning for natural hazards and emergency preparedness. The Mitigation Plan provides a list of activities that may assist the City in reducing risk and



preventing loss from future natural hazard events and emergency situations. The action items address multi-hazard issues, as well as activities for earthquake, flood, and wildfires.

## EMERGENCY RESPONSE

The Public Safety Element of the General Plan contains safety programs to ensure the health and protection of Whittier residents in the case of an emergency. The City's *Emergency Response Plan* includes the provision of emergency medical facilities, temporary shelter, communications equipment, and emergency water and food supplies. Hazardous material incidents, crime, and accidents are handled as disasters. Emergency services respond to these situations in much the same way as they respond to earthquake events, fire or floods.

### 5.7.3 IMPACT THRESHOLDS AND SIGNIFICANCE CRITERIA

#### CEQA SIGNIFICANCE CRITERIA

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by CEQA Guidelines Appendix G, as amended, and used by the City of Whittier in its environmental review process; refer to [Appendix 11.1](#). The Initial Study includes questions relating to hazards and hazardous materials. The issues presented in the Initial Study Checklist have been utilized as thresholds of significance in this section. Accordingly, a project may create a significant adverse environmental impact if it would:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- 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;
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment;
- 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 for people residing or working the in the project area (refer to [Section 8.0, \*Effects Found Not To Be Significant\*](#));
- For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working the project area (refer to [Section 8.0, \*Effects Found Not To Be Significant\*](#));
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or



- Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands (refer to Section 8.0, *Effects Found Not To Be Significant*).

Based on these standards, the effects of the proposed Project have been categorized as either a “less than significant impact” or a “potentially significant impact.” Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant unavoidable impact.

## 5.7.4 IMPACTS AND MITIGATION MEASURES

### CONSTRUCTION-RELATED ACCIDENTAL RELEASE OF HAZARDOUS MATERIALS

- **SHORT-TERM CONSTRUCTION ACTIVITIES COULD CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR ENVIRONMENT THROUGH ACCIDENTAL CONDITIONS INVOLVING THE RELEASE OF HAZARDOUS MATERIALS.**

**Impact Analysis:** One of the means through which human exposure to hazardous substance could occur is through accidental release. Incidents that result in an accidental release of hazardous substances into the environment can cause contamination of soil, surface water, and groundwater, in addition to any toxic fumes that might be generated. Human exposure to contaminated soil or water can have potential health effects based on a variety of factors, such as the nature of the contaminant and the degree of exposure.

### Historical Activities

#### FORMER UNDERGROUND STORAGE TANKS

##### Former Maintenance Garage

Based on the hazardous materials documentation provided in Appendix 11.8, the USTs at the former Maintenance Garage may have resulted in soil/groundwater contamination at the Project site that is above the residential screening levels. As such, construction activities at the Project site (i.e., demolition, trenching, excavation, grading, etc.) could expose construction workers to on-site contaminated soils near the former Maintenance Garage. Implementation of the Mitigation Measure HAZ-1 would require the Project Applicant to enter into an agreement with the DTSC under the CLRRRA program, which would include the implementation of a Remedial Response Plan and a Soil Management and Contingency Plan (SMCP) for the Project site to remediate, to the satisfaction of the DTSC, soil contamination near the former Maintenance Garage. It should be noted that the Project Applicant has initiated this agreement process with DTSC, and the DTSC has notified the City of its intent to enter into the CLRRRA agreement for the Project site.<sup>4</sup> Soil remediation would be required to be completed and approved by the DTSC in accordance with the provisions established in the Response Plan and SMCP. Further, Mitigation Measure HAZ-1 would require an environmental contractor under the direction of a

<sup>4</sup> Written Correspondence between Amit Pathak, California Department of Toxic Substances Control and Jeff Collier, City of Whittier, dated July 25, 2014.



state-licensed geologist to verify through soil sampling that no residual contamination above applicable regulatory thresholds has resulted from the historical USTs at the former Maintenance Garage location. With implementation of Mitigation Measure HAZ-1, impacts involving potential soil contamination from the former Maintenance Garage would be reduced to less than significant levels.

### **Former Boiler Room**

The former Boiler Room on the Project site historically contained a 30,000-gallon diesel UST that was abandoned in-place and filled with slurry in 1973. According to the hazardous materials documentation, VOCs sampled in the on-site soils at depths of 20 and 30 feet bgs exceeded residential screening levels and required further investigation. The Supplemental Site Investigation confirmed that VOCs were not present in soils from 0 to 10 feet bgs. However, disturbance of soils at depths greater than 10 feet bgs (if applicable) could expose construction workers to hazardous substances near the former Boiler Room. As discussed above, implementation of the recommended Mitigation Measure HAZ-1 would require soil remediation (and tank removal, if required) to be completed and approved by the DTSC which would prevent exposure to impacted soil by construction workers and future site residents.

Thus, with implementation of Mitigation Measure HAZ-1, impacts involving soil contamination from the former UST at the former Boiler Room area would be reduced to less than significant levels.

## **ON-SITE STRUCTURES**

### **Lead Based Paints**

As noted above, the Project site has 34 buildings on-site that were constructed prior to 1978. Based on the hazardous materials documentation, these buildings are anticipated to contain LBP and the soils surrounding the buildings are likely to be contaminated with lead. The Supplemental Site Investigation concluded that 26 of the 36 soil samples collected around five of the six sampled on-site buildings contained lead above residential screening levels. The soil impacts related to LBP would be addressed under DTSC oversight as described in Mitigation Measure HAZ-1. Prior to demolition, the Project Applicant would be required to retain a consultant who holds the appropriate certifications from Cal/OSHA to survey building materials for the potential presence of LBP. Any painted surfaces in poor condition (where paint is flaking, crumbling or separated from the base material) would be abated by a state-licensed abatement contractor prior to demolition. For any on-site building proposed for adaptive reuse as part of the project, completion of LBP abatement would be required prior to the City's issuance of a Certificate of Occupancy for the affected structure. If paint is separated from building materials (chemically or physically) during demolition or renovation of the structures, the paint waste would be required to be evaluated independently from the building material by a qualified Environmental Professional (refer to Mitigation Measure HAZ-2). Compliance with Mitigation Measure HAZ-2 would reduce potential impacts in this regard to less than significant levels.

### **Asbestos Containing Materials**

As noted above, many of the buildings and utility components on the Project site were constructed prior to 1978. As such, it is likely that these buildings and underground utility piping contain ACMs and ACCMs (such as transite pipeline). The NESHAP mandates that building owners conduct an asbestos survey to determine the presence of ACMs before the



commencement of any remedial work, including demolition (refer to Mitigation Measure HAZ-3). Prior to demolition, the Project Applicant would be required to retain a consultant who holds the appropriate certifications from Cal/OSHA to survey building materials for the potential presence of asbestos. If ACMs or ACCMs are determined to be present, a state-licensed abatement contractor shall make the notifications required under SCAQMD Rule 1403 and perform any required abatement of asbestos before commencement of any demolition activities. For any on-site building proposed for adaptive reuse as part of the project, completion of ACM/ACCM abatement would be required prior to the City's issuance of a Certificate of Occupancy for the affected structure. Compliance with Mitigation Measure HAZ-3 would reduce potential impacts from ACMs and ACCMs to less than significant levels.

### **Organochlorine Pesticides**

According to hazardous materials documentation prepared for the Project, OCPs (likely from termiticide application) in concentrations exceeding risk-based screening levels for residential use are located in the soils around four of the six sampled on-site buildings, as well as within the on-site building structures. Based on these results, it is likely that the on-site soils surrounding the remaining buildings (for those structures constructed prior to 1989) have potential OCP-related concerns. Implementation of Mitigation Measure HAZ-1 would require the removal of OCP-contaminated soils under the direction of a qualified environmental professional and under DTSC oversight prior to earthwork at and surrounding buildings constructed prior to 1989, including the Future Expansion Area. With implementation of Mitigation Measure HAZ-1, potential impacts associated with OCPs in soil, would be reduced to less than significant levels.

### **FORMER AGRICULTURAL ACTIVITIES**

The western and southwestern portions of the Project site were utilized for agricultural purposes between 1928 until sometime prior to 1968. Therefore, a combination of several commonly-used pesticides, which are now banned, may have been used on the Project site (particularly from the 1940s through the 1960s). The historical use of agricultural pesticides may have resulted in pesticide residues of certain persistence in soil at concentrations that are considered to be hazardous based on established Federal regulatory levels.

Based on the Supplemental Site Investigation, no OCPs exist within the soils in the former agricultural areas. However, elevated levels of arsenic were detected in these soils above the background level for Southern California soils. As such, development at the Project site could expose construction workers and the public to elevated levels of arsenic during site disturbance activities. However, as noted above, the Project Applicant would be required to enter into an agreement with the DTSC under the state's CLRRRA program to implement remediation of soil as part of Mitigation Measure HAZ-1. The DTSC requires remedial considerations for historical agricultural uses under this program. With implementation of Mitigation Measure HAZ-1, impacts pertaining to historical agricultural uses would be reduced to less than significant levels.

### **POLYCHLORINATED BIPHENYLS IN ELECTRICAL AND HYDRAULIC EQUIPMENT**

According to hazardous materials documentation prepared for the Project, the electrical equipment used on-site (i.e., electrical transformers, capacitors, electrical equipment, light ballasts, and machinery with hydraulic systems) are potential sources of PCB-containing oil. The former Maintenance Garage also contains a hydraulic lift that may have used PCB-containing oil during operations. Construction activities (i.e., demolition, grading, construction, etc.) could expose construction workers and the public to elevated levels of PCBs on the Project site from leaking PCB-containing oil in electrical equipment, and the hydraulic lift at the former



Maintenance Garage. Based on the Supplemental Site Investigation, 30 of the 46 on-site transformers are presumed to have PCB-containing oil. Of these 30 transformers, at least four of the transformer foundation surfaces were cracked or damaged and were stained with transformer oil. As a result, at least four of these locations have potential PCB impacts in soil beneath the transformer pad that would require mitigation. Prior to demolition, any oil within the transformer should be analyzed for PCBs, removed by a qualified professional and transported to a facility licensed to accept such waste. Inspection of the concrete surfaces beneath the 30 transformers of concern is warranted during demolition to confirm that they are not impacted with PCB-containing oil. Implementation of Mitigation Measure HAZ-1 would require a PCB investigation at the electrical and hydraulic equipment areas on the Project site. Compliance with Mitigation Measure HAZ-1 would reduce potential impacts pertaining to PCBs to less than significant levels.

### **FORMER INCINERATOR**

A natural gas fired incinerator was located in the vicinity of the former Facilities Planning Complex on the Project site. The incinerator was estimated to have been in operation between 1952 and 1968. During the Supplemental Site Investigation, the former incinerator was not observed, and soil sampling performed around the perimeter of the former Facilities Planning Complex did not reveal the presence of lead in soil (commonly associated with incineration) above the residential screening level. However, due to the unknown uses of this on-site incinerator and the potential for hazardous materials in the surrounding soils, site disturbance (in the vicinity of the incinerator associated with the former Facilities Planning Complex) could expose construction workers and the public to a human health threat. As noted above, the Project Applicant would be required to enter into an agreement with the DTSC for remedial oversight at the Project site as part of Mitigation Measure HAZ-1. The Remedial Response Plan required under the CLRRRA program would include remedial considerations for soils near the former incinerator (as required by DTSC). With implementation of Mitigation Measure HAZ-1, impacts pertaining to the former incinerator would be reduced to less than significant levels.

### **Automotive Recycling Business**

An auto recycling business (M & S Auto Salvage) is located on the eastern corner of the Project site (adjoining Whittier Boulevard). This property is included in the proposed Project's Future Expansion Area, and could be developed with commercial uses a later time. According to hazardous materials documentation prepared for the Project, the M & S Auto Salvage facility has not been identified in any hazardous materials databases that would suggest a release of hazardous materials has occurred. However, due to the nature of ongoing activities on this property (automotive repair, storing of vehicles and parts, etc.), hazardous materials or petroleum products could be present (or become present) within the on-site soils. Therefore, an updated environmental site assessment for the M & S Auto Salvage property must be completed prior to development activities as part of Mitigation Measure HAZ-4. If the environmental site assessment reveals any recognized environmental conditions associated with the M & S Auto Salvage property, additional investigation, including soil, soil vapor, and groundwater sampling, as applicable, shall be conducted, and remediation activities, if necessary, would be required under DTSC oversight or other regulatory agency, as applicable. Compliance with Mitigation Measure HAZ-4 would ensure any potential hazardous materials concerns associated with the M & S Auto Salvage would be reduced to less than significant levels.



## Groundwater Concerns from Adjacent Properties

### MODINE MANUFACTURING COMPANY

The Modine Manufacturing Company has documented groundwater contamination associated with manufacturing of automobile radiators. This location is identified by RWQCB as a SLIC site that has impacted the groundwater. The Supplemental Site Investigation, however, included a soil vapor analysis in locations near the Modine site, which concluded that no significant migration of hazardous substances onto the Project site has occurred. Therefore, there is no evidence that the groundwater contamination from the adjacent Modine property has impacted the Project site. Thus, impacts in this regard are less than significant.

### LEGGETT & PLATT, INC.

Based on hazardous materials documentation, the Leggett & Platt property was reported as a LUST that has impacted groundwater. This release may have impacted groundwater underlying the Project site. A Phase II subsurface field investigation, completed in July 2005, found no evidence of impact to groundwater on the site near the boundary of the Leggett & Platt property. VOCs were not detected above their respective residential screening levels. Further, the Supplemental Site Investigation indicated that significant migration of hazardous substances, including soil vapor, from the Leggett & Platt property onto the Project site has not occurred. Therefore, this property is not anticipated to significantly impact groundwater underlying the Project site. A less than significant impact would occur in this regard.

### Adjacent Railroad

SPRR ROW is located in the easternmost portion of the Project site adjacent to the M & S Auto Salvage property. This area is part of the Future Expansion Area of the Project site, and would be developed with commercial uses. The railroad line is no longer present; however, the former railroad grade and ROW remnants remain. According to the Supplemental Site Investigation arsenic was present in soil adjacent to the ROW at concentrations within the background range for Southern California soils. As a result, the ROW of the former railway line is not considered to be an area of potential concern and a less than significant impact would occur in this area.

### Aerially Deposited Lead

As noted above, ADL may be present in near-surface soil on the Project site due to its proximity to Whittier Boulevard. ADL soil samples were not taken as part of the hazardous materials documentation or the Supplemental Site Investigation. Therefore, the potential for ADL to be present on the Project site along Whittier Boulevard is likely. It should be noted that due to the low number of vehicles traveling along Sorenson Avenue (compared to Whittier Boulevard), ADL is not anticipated in this area of the Project site. Implementation of Mitigation Measure HAZ-5 would require soil sampling in the vicinity of Whittier Boulevard to confirm whether or not ADL is present in soil. If present, appropriate remedial activities would be required to ensure public health and the environment. Compliance with Mitigation Measure HAZ-5 would reduce this impact to a less than significant level.

### Transport of Hazardous Materials

Excavation/grading activities and/or site disturbance of existing building materials may result in the off-site transport and disposal of hazardous substances, in the event that these substances



are encountered. Off-site transport and disposal of hazardous substances would be short-term in nature, only occurring during demolition/renovation or grading/excavation activities, and would be subject to Federal, State, and local health and safety regulations that protect public safety. Handling, transport, and disposal of these substances are regulated by the DTSC, CalEPA, CalOSHA, and Los Angeles County HHMD. The proposed Project construction contractor would also be subject to the requirements of the DTSC, CalOSHA and HHMD governing removal actions. DTSC regulations require specific hazardous materials handling methods, truck haul routes, and schedules to minimize potential exposure during hazardous materials removal actions. With adherence to the requirements of affected regulatory agencies regarding the handling, transport, and disposal of hazardous materials during demolition/grading/construction, the proposed Project would not create a significant hazard to the public or the environment. As such, impacts related to the temporary off-site hauling and disposal of hazardous building materials during demolition would be less than significant.

## Conclusions

Site disturbance/demolition activities could expose workers to a variety of potentially hazardous materials. Implementation of Mitigation Measures HAZ-1 through HAZ-6 would reduce potential impacts from site disturbance/demolition activities that would result in accidental conditions at the Project site. HAZ-1 requires preparation of a SMCP that sets forth procedures when hazardous materials are encountered during site development activities. The SMCP will require that a state-licensed environmental professional be retained to provide environmental oversight during site development. Further, if unknown wastes or suspect materials are discovered during construction by the contractor, which he/she believes may involve hazardous wastes/materials, the contractor would be required to comply with Mitigation Measure HAZ-6, which requires the contractors to immediately stop work in the vicinity of the suspected contaminant, removing workers and the public from the area, secure the areas, and notify the environmental oversight consultant for the Project who will determine if notification to DTSC, City of Whittier, and/or LACFD's Hazardous Waste/Materials Coordinator is required. With implementation of Mitigation Measures HAZ-1 through HAZ-6 and compliance with applicable Federal, State, and local regulatory requirements, potential impacts through accident conditions involving the release of hazardous materials would be reduced to less than significant levels.

## Other Construction Related Impacts

Other means by which accidental spills could result during construction of future development involve the use of construction equipment that may result in petroleum-based fuel spills. The level of risk associated with this type of spill is not considered significant due to the small volume and low concentration of hazardous materials utilized during construction. The Project contractor would be required to use standard construction controls and safety procedures that would avoid and minimize the potential for accidental release of such substances into the environment in the event of a spill. Standard construction practices would be observed such that any materials released would be appropriately contained and remediated as required by local, State, and Federal law. Impacts in this regard would be less than significant.

### *Mitigation Measures:*

HAZ-1 The Project Applicant shall complete the following remedial activities, for the review and approval by DTSC:



- Enter into DTSC California Land Reuse and Revitalization Act (CLRRRA) Program. DTSC shall provide regulatory oversight of this Project through the state's CLRRRA program. The anticipated components of the program will include the following:
  - Supplemental Site Investigation Follow-up. Pursuant to the requirements set forth in the CLRRRA Agreement, a scope of work shall be prepared to further delineate the soil impacts identified in the Supplemental Site Investigation that exceeded screening thresholds (as defined below): arsenic-impacted soil in the former agricultural area exceeding the upper bound background range for Southern California soil; lead-impacted soil in the UST area; and lead/OCP-impacted soil around the periphery of all buildings. The Supplemental Site Investigation follow-up scope of work shall be reviewed and approved by DTSC prior to implementation.
  - Remedial Action Workplan (termed a "Response Plan" under CLRRRA). The findings of the Supplemental Site Investigation and Supplemental Site Investigation follow-up soil delineation shall be used to prepare a remedial Response Plan. The Response Plan shall include a detailed engineering plan for conducting the proposed removal/response action and shall include a discussion of the basis for selecting the proposed removal/response action. The content of the Response Plan shall be subject to public participation and comment prior to DTSC's approval. The Response Plan will be approved by DTSC prior to the commencement of demolition or grading activities.
- Response Plan Implementation. The approved Response Plan shall be implemented under the oversight of DTSC. Soil containing lead, arsenic and OCPs above cleanup goals for residential or commercial land uses, as applicable based on the anticipated land use for that portion of the Project, shall be addressed during the response actions. Risk-based concentrations (RBCs) for future residential site occupants, future commercial site occupants, and construction workers shall be used as cleanup goals unless otherwise directed by DTSC. Confirmation sampling will be conducted during the response actions to verify that soil concentrations do not exceed the cleanup goals established in the Response Plan for the selected residential or commercial land use.
- Prepare a Completion Report. The results of the Response Plan implementation shall be summarized in a Completion Report that shall be submitted to DTSC. The Project applicant shall obtain DTSC's certification of the successful completion of the Response Plan.
- Prepare Soil Management and Contingency Plan. Prior to demolition or grading, a Soil Management and Contingency Plan (SMCP) shall be prepared by a qualified environmental professional and approved by DTSC that sets forth protocols for responding to soil impacted by hazardous substances that may be encountered during demolition and grading activities. The approved SMCP shall be provided to the contractors responsible for demolition, grading and environmental oversight for the redevelopment.



- HAZ-2 Prior to demolition, the Project Applicant shall retain a consultant who holds the appropriate certifications from the California Division of Occupational Safety and Health (Cal/OSHA) required to survey building materials for the potential presence of lead-based paint (LBP). Any LBP in poor condition (peeling, flaking) shall be abated, including removal or stabilization by a state-licensed abatement contractor prior to demolition. If paint is separated from building materials (chemically or physically) during demolition or renovation of the structures, the paint waste shall be evaluated independently from the building material by a qualified Environmental Professional to determine appropriate disposal procedures. For any existing building proposed for adaptive reuse, abatement shall be completed prior to the City of Whittier's issuance of a Building Permit for the affected structure. LBP removal and disposal shall be performed in accordance with California Code of Regulation Title 8 Section 1532.1, which specifies a permissible exposure limit of 50 micrograms per cubic meter, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing LBP removal shall provide evidence of abatement activities to the City Engineer.
- HAZ-3 Before issuance of a Demolition Permit (or Building Permit for any building to be retained on-site), an asbestos survey shall be conducted by an Asbestos Hazard Emergency Response Act (AHERA) and the Division of Occupational Safety and Health (Cal/OSHA) certified inspector to determine the presence or absence of asbestos containing-materials (ACMs) and asbestos-containing construction materials (ACCMs). If ACMs or ACCMs are identified, abatement of asbestos shall be completed before any activities that would disturb ACMs/ACCMs or create an airborne asbestos hazard. For any existing building and associated underground utility components proposed for adaptive reuse, abatement shall be completed prior to the City of Whittier's issuance of a Building Permit for the affected structure. Asbestos removal shall be performed by a State certified asbestos abatement contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403.
- HAZ-4 Before issuance of a Demolition or Grading Permit at the M & S Auto Salvage property (Future Expansion Area of the Specific Plan), a Phase I ESA shall be conducted to determine the potential for hazardous materials on-site. If the Phase I ESA identifies recognized environmental conditions requiring further investigation, a Phase II ESA shall be subsequently conducted for the M & S Auto Salvage property. The Phase II ESA shall identify recommendation for remedial activities, if necessary. If recommended, remedial activities shall occur prior to site disturbance activities, as applicable.
- HAZ-5 Before issuance of a Demolition or Grading Permit, a qualified environmental professional shall conduct aerially deposited lead (ADL) soil sampling on-site in the vicinity of Whittier Boulevard. If ADL levels are above allowable thresholds for the ultimate use (80 mg/kg for residential land use or 320 mg/kg for commercial land use), as determined by the environmental professional, the soils shall be remediated, as necessary. These activities shall be conducted in compliance with the California Department of Transportation (Caltrans) Standard Special Provision 14-11.03, which provides regulations for the safe remediation and disposal of ADL-affected soils.
- HAZ-6 An environmental professional shall be retained by the Project applicant to provide oversight during demolition and site development activities. Prior to commencement of site development activities, the environmental oversight consultant shall confer



with the general contractor and earthwork contractor for the Project regarding the requirements of the SMCP. If unknown wastes or suspect materials are discovered by site development contractors during demolition, earthwork or other activities that are believed to involve hazardous waste or materials, the contractor making the discovery shall comply with the following:

- Immediately cease work in the vicinity of the suspected contaminant, and remove workers and the public from the area;
- Notify the environmental oversight consultant;
- Comply with the procedures in the SMCP;
- Notify the appropriate regulatory authorities, as required, including the City Engineer of the City of Whittier, DTSC, or LACFD Hazardous Waste/Materials Coordinator; and
- Secure the area as directed by the environmental oversight consultant or any applicable government authority.

***Level of Significance:*** Less Than Significant Impact With Mitigation Incorporated.

## OPERATIONS

- **PROJECT OPERATIONS COULD CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR ENVIRONMENT THROUGH THE HANDLING, STORAGE, AND/OR USE OF HAZARDOUS MATERIALS, AS WELL AS ACCIDENTAL RELEASE OF HAZARDOUS MATERIALS.**

***Impact Analysis:*** The proposed operation of commercial, residential, and park/open space land uses would not involve the routine transport, use, or disposal of substantial quantities of hazardous materials. Although herbicides, pesticides, and fertilizers would be utilized on-site for landscape maintenance, they would only be utilized periodically and in small quantities. Future commercial uses that may store, handle, and/or transport hazardous materials would be required to procure business plans and adhere to strict procedures enforced by HHMD. During operations, strict standards enforced by the EPA, DTSC, and HHMD would be required. Thus, implementation of the existing Federal, State, and local standards and regulations, routine use and/or accidental conditions involving hazardous materials as a result of the proposed Project would be less than significant.

## Vapor Intrusion

The intrusion of subsurface vapors into buildings is one of many exposure pathways that must be considered in assessing the risk posed by releases of hazardous chemicals into the environment. The Supplemental Site Investigation indicated that human health risks associated with the soil vapor to indoor air pathway were negligible. However, the discovery of any on-site soil contamination during construction activities, including vapors, would be addressed by implementing the SMCP and would be mitigated to less than significant levels in accordance with DTSC requirements.



Off-site properties have also reported releases to the soil and groundwater, which could present a vapor encroachment concern for future residents at the Project site. However, based on the hazardous materials documentation and the Supplemental Site Investigation, soil gas samples indicate that there is no vapor migration concern on-site as a result of these off-site releases.

Thus, with implementation of the recommended Mitigation Measure HAZ-1, vapor migration impacts would be reduced to less than significant levels.

## School Facilities

Two existing schools are located within one-quarter mile of the Project site (Hadley Preschool located approximately 0.20 mile to the northwest, and Whittier High School located approximately 0.21 mile to the northeast). The Project involves the development of commercial uses on the property, which could result in the handling of minor amounts of hazardous materials, substances, or wastes on-site. Future on-site commercial uses on-site are not anticipated to result in the future release of hazardous materials such that off-site school facilities would be impacted. Compliance with measures established by Federal, State, and local regulatory agencies is considered adequate to offset the negative effects related to the use, handling, and/or storage of hazardous materials associated with future development on-site. A less than significant impact would occur in this regard following compliance with applicable Federal, State, and local regulations.

**Mitigation Measures:** Refer to Mitigation Measure HAZ-1.

**Level of Significance:** Less Than Significant Impact With Mitigation Incorporated.

## HAZARDOUS MATERIALS SITES

- **THE ANTICIPATED DEVELOPMENT COULD BE LOCATED ON A HAZARDOUS MATERIALS SITE PER SECTION 65962.5 AND COULD CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT.**

**Impact Analysis:** Government Code Section 65962.5 requires the DTSC and SWRCB to compile and update a regulatory sites listing (per the criteria of the Section). The State Department of Health Services is also required to compile and update, as appropriate, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis pursuant to Health and Safety Code Section 116395. Government Code Section 65962.5 requires the local enforcement agency, as designated pursuant to CCR Title 14 Section 18051, to compile, as appropriate, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste.

The Project site is listed in the GeoTracker database (maintained by the SWRCB) pursuant to Government Code Section 65962.5. The Project site is reported as a former LUST cleanup site. The LUST case originated due to the contamination of petroleum hydrocarbons to the soil from the USTs at the former Maintenance Garage. The case status is reported to be case closed as of March 10, 2004. As discussed above, this former LUST site presents a concern for future development at the Project site. However, with implementation of Mitigation Measures HAZ-1, impacts in this regard would be reduced to less than significant levels.



**Mitigation Measures:** Refer to Mitigation Measure HAZ-1.

**Level of Significance:** Less Than Significant Impact With Mitigation Incorporated.

## **INTERFERENCE WITH AN ADOPTED EMERGENCY RESPONSE OR EVACUATION PLAN**

- **PROJECT OPERATIONS COULD CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR ENVIRONMENT THROUGH INTERFERENCE WITH AN ADOPTED EMERGENCY RESPONSE OR EVACUATION PLAN.**

**Impact Analysis:**

### **Off-Site Emergency/Evacuation Roadways**

Based on the General Plan Public Safety Element, Whittier Boulevard and Santa Fe Springs Road are the closest emergency evacuation routes to the Project site. Project implementation could affect access along Whittier Boulevard during construction of the proposed roadway improvements, as short-term, temporary lane closures could occur. However, Whittier Boulevard would remain open and accessible at all times during roadway improvements. Although the Project is not anticipated to significantly impede movement along Whittier Boulevard, implementation of Mitigation Measures HAZ-7 and HAZ-8 would ensure that these activities would not impede emergency access. Implementation of Mitigation Measures HAZ-7 and HAZ-8 would reduce potential impacts in this regard, to less than significant levels.

### **On-Site Emergency Roadways**

The proposed on-site roadways would be required to comply with the City of Whittier Police Department's access standards, LACFD's emergency access standards (e.g., roadway widths and fire truck access routes), and all other City emergency service standards. The City and LACFD would perform Final Design Review for the Project's site plans for each future development on a project-by-project basis, which would ensure that emergency access is adequate. Therefore, compliance with existing City and LACFD requirements would reduce impacts related to emergency response to less than significant levels.

**Mitigation Measures:**

- HAZ-7 Prior to commencement of any off-site roadway construction activities, the Project Applicant shall prepare a Traffic Management Plan (TMP) to address temporary traffic impacts. At a minimum, the TMP shall include plans clearly denoting any proposed lane closures, proposed vehicle/bicyclist/pedestrian rerouting plans, and a traffic signage plan to ensure adequate circulation during the short-term construction process. The TMP shall be subject to review and approval by the City of Whittier City Engineer.
- HAZ-8 At least three business days before any off-site roadway improvements, the construction contractor shall notify the LACFD and Whittier Police Department of construction activities that could impede movement (such as lane closures) along roadways, to allow for uninterrupted emergency access.



*Level of Significance:* Less Than Significant Impact With Mitigation Incorporated.

## 5.7.5 CUMULATIVE IMPACTS

- **THE PROJECT, COMBINED WITH OTHER CUMULATIVE DEVELOPMENT, COULD INCREASE THE EXPOSURE OF HAZARDOUS SUBSTANCES TO THE PUBLIC OR THE ENVIRONMENT.**

*Impact Analysis:*

### **Construction-Related Accidental Release of Hazardous Materials**

As noted above, the proposed Project is anticipated to involve hazardous materials during construction. With implementation of Mitigation Measures HAZ-1 through HAZ-6, short-term construction impacts from on-site hazardous materials would be reduced to less than significant levels. These impacts are anticipated to be project-specific and not cumulatively considerable. Thus, cumulative impacts in this regard are less than significant.

### **Transport of Hazardous Materials**

Excavation/grading activities and/or site disturbance of existing building materials may result in the off-site transport and disposal of hazardous substances, in the event that these substances are encountered. However, the handling, transport, and disposal of these substances are regulated by the DTSC, CalEPA, Caltrans, CalOSHA, and HHMDA. Adherence to the requirements of affected regulatory agencies regarding the handling, transport, and disposal of hazardous materials during demolition/grading/construction, the proposed Project would result in less than significant impacts.

Site disturbance, demolition/renovation, and/or construction associated with the cumulative projects could require the off-site transport and disposal of hazardous substances. As discussed above, the Project could similarly require the off-site transport and disposal of hazardous substances. Therefore, the Project's potential incremental effects involving the transport of hazardous materials during construction are cumulatively considerable. However, the handling, transport, and disposal of these materials are regulated by the DTSC, CalEPA, Caltrans, CalOSHA, HHMD, and LACFD. The construction contractor would be subject to the requirements of the DTSC governing removal actions. State regulations require specific hazardous materials handling methods, truck haul routes, and schedules to minimize potential exposure during hazardous materials removal actions. To reduce the likelihood and severity of accidents during transit, compliance with all applicable Federal and State laws related to the transportation of hazardous materials would be required. Therefore, the Project's incremental effects to cumulative impacts due to the transportation of hazardous materials would not be considered significant.

### **Operations**

The proposed commercial, residential, and park/open space land uses would not involve the routine transport, use, or disposal of substantial quantities of hazardous materials. Future commercial uses that may store, handle, and/or transport hazardous materials would be required to procure business plans and adhere to strict procedures enforced by the HHMD,



EPA, and DTSC. The nearest cumulative project is located approximately 0.25-mile to the east/southeast of the Project site, which consists of a 57-unit condominium development. This cumulative project is not anticipated to regularly involve the handling or transport of hazardous materials in reportable quantities. As such, a less than significant cumulative impact would occur and the Project's incremental impact would not be significant on a cumulative basis.

## Hazardous Materials Sites

The Project site is listed as a LUST in the GeoTracker database (maintained by the SWRCB) pursuant to Government Code Section 65962.5. The case status is reported to be case closed as of March 10, 2004. This former LUST site presents a potential concern for future development at the Project site, however, with implementation of Mitigation Measure HAZ-1, impacts in this regard would be reduced to less than significant levels.

The nearest cumulative project is located approximately 0.25-mile to the east/southeast of the Project site. According to the GeoTracker database, this cumulative project is not listed per Government Code Section 65962.5. Further, this cumulative project is situated up-gradient from the project site (i.e., should contaminated groundwater be present at the Project site, it is not anticipated to flow toward this cumulative project site). Thus, a less than significant cumulative impact would occur and the Project's incremental impact would not be significantly cumulatively considerable with implementation of the recommended Mitigation Measure HAZ-1.

## Interference With An Adopted Emergency Response or Evacuation Plan

Whittier Boulevard would remain open and accessible at all times during the proposed roadway improvements as part of the Project. Implementation of Mitigation Measures HAZ-7 and HAZ-8 would ensure that these activities would not impede emergency access. Further, the proposed on-site roadways would be required to comply with the City of Whittier Police Department's access standards, LACFD's emergency access standards, and each future development on-site would be subject to Final Design review on a project-by-project basis. The nearest cumulative project is located approximately 0.25-mile to the east/southeast of the Project site, east of Whittier Boulevard, which includes the construction of 57 condominium units. This cumulative project would also be required to comply with the City of Whittier Police Department's access standards, LACFD's emergency access standards, and would be subject to Final Design review. As such, a less than significant cumulative impact would occur.

**Mitigation Measures:** Refer to Mitigation Measures HAZ-1 through HAZ-8.

**Level of Significance:** Less Than Significant Impact With Mitigation Incorporated.

## 5.7.6 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant impacts related to hazards and hazardous materials have been identified following implementation of the recommended mitigation measures.

## 5.7.7 SOURCES CITED

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Written Correspondence between Amit Pathak, California Department of Toxic Substances Control and Jeff Collier, City of Whittier, dated July 25, 2014.



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