



5.8 HAZARDS AND HAZARDOUS MATERIALS

The purpose of this section is to identify the potential for the proposed project to expose the public or the environment to hazards and hazardous materials related to existing conditions or new hazards created as a result of the proposed project. Where significant impacts are identified, mitigation measures are provided to reduce these impacts to the extent feasible. This section is based on available documentation reviewed by RBF Consulting, provided in [Appendix G, Hazardous Materials Documentation](#). This documentation encompasses a review of information provided by Environmental Data Resources, Inc. (EDR), including historical aerial photographs and topographic maps, a City Directory Search Report, and an EDR Database Search, as well as review of available property data and interviews.

For this EIR, the term “hazardous material” includes any material that, because of its quantity, concentration, or physical, chemical, or biological characteristics, poses a considerable present or potential hazard to human health or safety, or to the environment. It refers generally to hazardous chemicals, radioactive materials, and biohazards materials. “Hazardous waste,” a subset of hazardous material, is material that is to be abandoned, discarded, or recycled and includes chemicals, radioactive, and bio-hazardous waste (including medical waste).

5.8.1 REGULATORY SETTING

FEDERAL AND STATE

According to the Federal Environmental Protection Agency (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, but are not limited to, the following:

- Resources 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) – Cleanup of contamination
- Hazardous Materials Transportation Act (HMTA) – Safe transport of hazardous materials

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 EPA and the California Department of Toxic Substances Control (DTSC) have developed and continue to update lists of hazardous wastes subject to regulation. In addition to the EPA



and DTSC, the Regional Water Quality Control Board (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, California Department of Transportation (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, but are not limited to, the following:

- Hazardous Materials Management Act – business plan reporting
- Hazardous Substance Act – cleanup of contamination
- Hazardous Waste Control Act – hazardous waste management
- Safe Drinking Water and Toxic Enforcement Act of 1986 – releases of and exposure to carcinogenic chemicals

Department of Toxic Substances Control

The responsibility for implementation of RCRA was given to California Environmental Protection Agency's (Cal EPA) DTSC in August 1992. The DTSC is also responsible for implementing and enforcing California's own hazardous waste laws, which are known collectively as the Hazardous Waste Control Law. Although similar to RCRA, the California Hazardous Waste Control Law and its associated regulations define hazardous waste more broadly and regulate a larger number of chemicals. Hazardous wastes regulated by California, but not by EPA, are called "non-RCRA hazardous wastes."

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 State Water Resources Control Board's (SWRCB) Brownfield Program are to:

- Expedite and facilitate site cleanups and closures for Brownfields 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 clean-up responsibilities for brownfields primarily reside within four main programs at the SWRCB: the Underground Storage Tank Program, the Site Cleanup Program, the Department of Defense Program, and the Land Disposal Program. These SWRCB cleanup programs are charged with ensuring sites are remediated to protect the State of California's surface and groundwater and return it to beneficial use.

California Air Resources Board

One of the California Air Resources Board's (CARB) 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 (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, 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 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, where the maximum quantity of a regulated substance exceeds 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. 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

Los Angeles Regional Water Quality Control Board

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 Underground Storage Tank (UST) Section directs environmental cleanup activities at leaking underground storage tank 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. 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 Los Angeles County Fire Department is also the designated CUPA serving the City of Duarte.

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 in the regular trash.

CITY OF DUARTE

City of Duarte General Plan

The intent of the *Duarte General Plan Safety Element (General Plan)* is to reduce the potential risk of death, injuries, property damage, and economic and social dislocation resulting from fires, floods, earthquakes, landslides, and other hazards. Other locally relevant safety issues, such as emergency response, hazardous materials spills, and crime reduction, are also included.

SAFETY/HAZARDOUS MITIGATION POLICIES

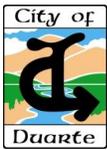
- Safe 6.1.1 Monitor to the greatest extent possible the location of hazardous materials that could adversely impact Duarte residents, and businesses.
- Safe 6.1.2 Regulate the delivery, use, and storage of hazardous materials within the city limits according to regulations and guidelines set forth by the Los Angeles County Fire Department.

Duarte Municipal Code

The intent of *Duarte Municipal Code* Section 19.50.030, Hazardous Materials, is to protect local health, safety, and general welfare by ensuring that the design and operational characteristics of a property does not adversely impact neighboring property owners, neighboring property users, or the general public through the accidental or intentional release or use of hazardous materials.

5.8.2 ENVIRONMENTAL SETTING

The project site (Plan Area) is comprised of three parcels each developed with a single industrial/warehouse structure and associated surface parking. Parcel 1 is located adjacent to Duarte Road within the southern portion of the project site. This parcel is developed a single-story warehouse building (approximately 128,466 square feet) on approximately 6.60 acres. Parcel 2 is located south of Business Center Drive within the central portion of the project site. This parcel is developed a two-story office building and attached single-story warehouse building (totaling an approximate 114,599-square feet on approximately 9.16 acres). Parcel 3 (totaling approximately 3.32 acres) is located adjacent to Evergreen Street within the northern portion of the project site. This parcel is developed with a single-story, tilt-up building (approximately 70,890 square feet).



The following is a detailed description of surrounding land uses:

- *North:* Evergreen Street and the Foothill Freeway (Interstate 210) are located to the north of the northernmost portion of the project site. Single-family residential uses are located to the north across Business Center Drive and to the west of the northern portion of the project site.
- *West:* An approximately 204-unit single-family residential neighborhood (south of Evergreen Street, west of Buena Vista Street, and north of Duarte Road) is located to the west of the project site.
- *South:* The Los Angeles County Metropolitan Transportation Authority (Metro)-owned railroad right-of-way bounds the project site to the south. The City of Hope campus and the Santa Fe Dam Recreational Area, owned by the U.S. Army Corps of Engineers (USACE) and operated by Los Angeles County Department of Parks and Recreation, are located further south of the project site.
- *East:* The Duarte/Lewis Business Center occupies approximately 40 acres and is located to the east across Highland Avenue, south of the Interstate 210, and west of the San Gabriel Freeway (Interstate 605).

CURRENT OPERATIONS

The project site is currently occupied by warehouse/industrial uses. Table 5.8-1, Current On-Site Properties, describes these on-site properties.

Parcel 1 is developed with the Highland Industrial Center, occupied by several industrial uses including Joshua Tree Imports, Grand Value Inc., Quest Diagnostics, Hamlet Paper Co., Ltd Enterprises, San Gabriel Insulation, and Therapak. Other uses that have been reported in association with this on-site structure include, but are not limited to, Tri Star Electronics (2006-2007); Menie Inc. (2007); The People Movers Inc. (1995-2007); Floorscapes Ltd Co (1999-2007); Everfocus Electronics Corp (2007); Goodman Manufacturing Inc. (2007); American Distributors Inc. (2007); Electronics (2006); Amer Tai Trade (1999); Gibson Inc. (1999); Unitd Suntech Craft Inc. (1999); Cal Liquid Corp Production Facility (1995); Holmes Body Shop Inc. (1995); STK Auto Center (1995); Pioneer (1980-1985); Ronson Packaging Corp (1975); and Ellis Geo E Painter Hrear (1924). Of these uses, Holmes Body Shop Inc. and Pioneer have reported the handling/storage of hazardous materials.

Parcel 2 consists of office and warehouse uses, including Woodward-Duarte (formerly GE Aviation) . Other uses that have been reported in association with this on-site structure include, but are not limited to, Smiths Aerospace Actuation Systems (2007); Hydraulic Units Inc (1985-2007); Aerospace Unt (2006); Dowty (1995-2006). Of these uses, Hydraulic Units, Inc. and Woodward-Duarte (formerly GE Aviation) have reported the handling/storage of hazardous materials.

Parcel 3 is developed with industrial/warehousing suites. Reported uses at this property include Mutiny Crossfit, Studio Lilica, Costal Composites, Armstrong Engineering, Plain Truth Ministries, Sprint Telephony PCS LP, EAI Holdings LLC, MPK Co. (food distributor), BIOTAB Nutraceuticals, Inc., Grant Products, and Power Adapter Co. Other uses that have been reported in 2007 in association with this on-site structure include, but are not limited to, Beauty



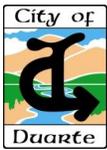
Plus, Element Six, and Armstrong Engineering. No facilities at Parcel 3 have reported the handling/storage or transport of hazardous materials.

**Table 5.8-1
Current On-Site Properties**

Parcel Reference	Parcel Address ¹ Assessor's Parcel Number ¹	Acreage	Number of On-Site Structures Total Square Footage	Reported On-Site Uses ^{2,3}
1	1801 Highland Avenue 8528-011-21	6.60	1 128,466	Joshua Tree Imports Grand Value Inc. Quest Diagnostics Hamlet Paper Co Ltd Enterprises San Gabriel Insulation Therapak Famous Brands Inc. Everfocus Electronics Corp.
2	1700 Business Center Drive 8528-011-20	9.16	1 114,599	Woodward-Duarte (formerly GE Aviation)⁴ UAW Local
3	1716 Evergreen Street 8528-011-22	3.32	1 70,890	Mutiny Crossfit Studio Lilica Costal Composites Armstrong Engineering Plain Truth Ministries Sprint Telephony PCS LP EAI Holdings LLC MPK Co. (food distributor) BIOTAB Nutraceuticals, Inc. Grant Products Power Adapter Co.
Source: Refer to Appendix G, Hazardous Materials Documentation, for sources cited.				
Notes: ¹ First American Real Estate Solutions, <i>Realquest Property Data</i> , accessed June 19, 2013. ² Environmental Data Resources, Inc., <i>EDR City Directory Abstract</i> , dated May 7, 2013. ³ Correspondence with the City of Duarte, July 8, 2013. ⁴ Bold denotes that this use has reported the handling, storage, and/or transport of hazardous substances.				

HISTORICAL USES

The structure on Parcel 2 was constructed on-site in 1964 and the structure on Parcel 1 was constructed in 1966. The structure on Parcel 2 also included an addition of a warehouse onto the two-story structure between 1968 and 1976. The on-site structure located on Parcel 3 was constructed in 1978. Prior to development of these on-site structures, the project site consisted of rural residential and agricultural/grazing-related uses since prior to the 1930s.



CORTESE DATABASE

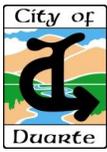
Government Code Section 65962.5 requires the DTSC and SWRCB to compile and update a regulatory sites listing (per the criteria of the Section). The State Department of Health Services is also required to compile and update, as appropriate, a list of all public drinking water wells that contain detectable 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 Section 18051 of Title 14 of the *California Code of Regulations (CCR)*, 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 not listed in a list of hazardous materials sites compiled pursuant to *Government Code* Section 65962.5.¹

ON-SITE REGULATORY PROPERTIES

Based on the EDR Database Search obtained by RBF Consulting for the project site, dated May 7, 2013, the project site has been reported in the following regulatory databases associated with hazardous materials.

- AST – The Aboveground Storage Tank database contains a listing of Petroleum Storage Tank Facilities Registered Aboveground Storage Tanks.
- CA FID UST – The Facility Inventory Database (FID) contains a historical listing of active and inactive UST locations from the SWRCB.
- ENVIROSTOR – The DTSC’s Site Mitigation and Brownfields Reuse Program’s (SMBRP’s) EnviroStor database identifies sites that have known contamination or sites for which there may be reasons to investigate further. The database includes the following site types: Federal Superfund sites (National Priorities List [NPL]); State Response, including Military Facilities and State Superfund; Voluntary Cleanup; and School sites. EnviroStor provides similar information to the information that was available in CalSites, and provides additional site information, including, but not limited to, identification of formerly-contaminated properties that have been released for reuse, properties where environmental deed restrictions have been recorded to prevent inappropriate land uses, and risk characterization information that is used to assess potential impacts to public health and the environment at contaminated sites.
- FINDS – The Facility Index System/Facility Registry System (FINDS) database contains both facility information and ‘pointers’ to other sources that contain more detail. EDR includes the following FINDS databases in their report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

¹ Department of Toxic Substances Control, http://www.envirostor.dtsc.ca.gov/public/mandated_reports.asp, accessed on June 20, 2013.

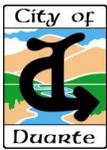


- HIST UST – The HIST UST database contains information on sites where historical underground storage tanks are located.
- LOS ANGELES CO. HMS – The Street Number List (HMS) includes industrial waste and underground storage tank sites in Los Angeles County.
- NPDES – National Pollutant Discharge Elimination System (NPDES) Permits Listing is a listing of NPDES permits, including storm water.
- RCRA LQG – The RCRA – Large Quantity Generator (LQG) database contains selective information on sites which generate, transport, store, treat, and/or dispose of hazardous waste as defined by RCRA. Large quantity generators generate over 1,000 kilograms (kg) of hazardous waste, or over one kg of acutely hazardous waste per month.
- RCRA SQG – The RCRA – Small Quantity Generator (SQG) database contains selective information on sites which generate, transport, store, treat, and/or dispose of hazardous waste as defined by RCRA. Small quantity generators generate less than 1,000 kilograms (kg) of hazardous waste, or over less than one kg of acutely hazardous waste per month. SQGs generate between 100 kg and 1,000 kg of hazardous waste per month.
- SWEEPS UST – The SWEEPS-UST database maintains information on properties where an underground storage tank is located, however, this database is no longer updated.
- TRIS – The Toxic Release Inventory System (TRIS) identifies facilities which release toxic chemicals to the air, water, and land in reportable quantities under SARA Title III Section 313.
- WDS – The Waste Discharge System (WDS) database is a listing of sites which have been issued waste discharge requirements.
- WIP – The Well Investigation Program (WIP) includes cases listed in the San Gabriel and San Fernando Valley area.

Holmes Body Shop (Parcel 1). This property has been reported in the RCRA-SQG, FINDS, and LOS ANGELES CO. HMS regulatory databases. This property has reported the generation of hazardous materials at the project site in 1985 and 1996. No violations are reported in association with these handling activities. This property is listed as an industrial waste and underground storage tank site with the County of Los Angeles.

Pioneer (Parcel 1). This property has been reported in the HIST UST, CA FID UST, SWEEPS UST, and LOS ANGELES CO. HMS regulatory databases. This on-site use has reported the presence of USTs used for waste and product in 1966. This property is also listed as an industrial waste and underground storage tank site with the County of Los Angeles.

Hydraulic Units, Inc. (Parcel 2). This property has been reported in the NPDES, HIST UST, ENVIROSTOR, CA FID UST, SWEEPS UST, WIP, and WDS regulatory databases. This on-site use has reported the presence of USTs used for waste and product associated with



machine shop activities in 1966 and 1987. This property is listed in the WIP and has reported to discharge waste per regulatory requirements.

Woodward-Duarte (formerly GE Aviation) (Parcel 2). This property has been reported in the RCRA-LQG, TRIS, FINDS, and AST regulatory databases. Woodward-Duarte (formerly GE Aviation) has reported the generation of hazardous materials at the project site. No violations are reported in association with these handling activities. This facility is also reported to release toxic chemicals to the air, water, and/or land in reportable quantities under SARA Title III Section 313. An aboveground storage tank (AST) with a capacity of 3,701 gallons is also reported at this location.

POTENTIAL ON-SITE GROUNDWATER CONTAMINATION AS A RESULT OF OFF-SITE PROPERTIES

Off-Site Dry Cleaner Sites

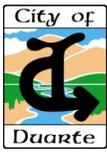
According to the U.S. EPA, dry cleaners are known to use a significant amount of chemicals, such as perchloroethylene (perc), which pose environmental concerns. At the end of the dry cleaning process, the cleaning fluid is separated from waste water by distillation. In the past, the waste water was often poured down floor drains. Perc can seep through the ground and contaminate surface water, groundwater, and potentially drinking water. Since a small amount of perc 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.

Persian Rug Services (1512 Highland Avenue). Based on the EDR Database Search, this facility is associated with dry-cleaning related services and adjoins the project site (Parcel 3) to the east (approximately 120 feet up-gradient of the project site). As discussed above, this facility has a moderate likelihood to impact groundwater underlying the project site.

5.8.3 SIGNIFICANCE THRESHOLD CRITERIA

The issues presented in the Initial Study Environmental Checklist (*CEQA Guidelines* Appendix G) have been utilized as thresholds of significance in this Section. Accordingly, a project may create a significant environmental impact if it causes one or more of the following to occur:

- 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 (refer to Section 8.0, Effects Found Not To Be Significant);



- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would 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 (refer to Section 8.0, Effects Found Not To Be Significant); 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.

5.8.4 PROJECT IMPACTS AND MITIGATION MEASURES

CONSTRUCTION-RELATED ACCIDENTAL RELEASE OF HAZARDOUS MATERIALS

- **SHORT-TERM CONSTRUCTION ACTIVITIES ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED PROJECT COULD CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR ENVIRONMENT THROUGH ACCIDENT CONDITIONS INVOLVING THE RELEASE OF HAZARDOUS MATERIALS.**

Impact Analysis: One of the means through which human exposure to hazardous substances 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/or groundwater, in addition to any toxic fumes that might be generated. Human exposure of 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. Construction activities associated with development of the proposed project could release hazardous materials into the environment through reasonably foreseeable upset and accident conditions.

Implementation of the proposed project is anticipated to result in the demolition of the three existing on-site structures and the construction of new residential and non-residential uses.



Thus, development within the Plan Area may result in the disturbance of existing contaminated building materials, soil, and/or groundwater associated with existing and past on-site uses. Site disturbance, demolition/renovation, and/or construction within these areas could result in the disturbance of existing hazardous materials associated with structures, soil, and/or groundwater.

Structures

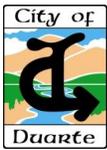
The existing on-site structures were constructed between 1964 and 1978. Thus, the potential for asbestos-containing materials (ACMs) or lead-based paints (LBPs) to be present in association with on-site building materials is likely. Demolition of on-site structures could expose construction personnel and the public to ACMs or LBPs. Federal and State regulations govern the renovation and demolition of structures where ACMs and LBPs are present. All demolition that could result in the release of ACMs or LBPs must be conducted according to Federal and State standards.

The National Emission Standards for Hazardous Air Pollutants (NESHAP) mandates that building owners conduct an asbestos survey to determine the presence of ACMs before the commencement of any remedial work, including demolition (included as Mitigation Measure HAZ-1). If ACM material is found, abatement of asbestos would be required before any demolition activities. If paint is separated from building materials (chemically or physically) during demolition of the structures, the paint waste would be required to be evaluated independently from the building material by a qualified Environmental Professional (included as Mitigation Measure HAZ-2). If LBP is found, abatement would be required to be completed by a qualified Lead Specialist before any demolition activities. Compliance with Mitigation Measures HAZ-1 and HAZ-2, as well as SCAQMD Rule 1403, would reduce these potential impacts to less than significant levels.

Other hazardous substances could also be encountered during demolition/renovation activities in association with on-site building materials. Existing operations within the Plan Area include the use, handling, and storage of hazardous substances. These substances could have contaminated existing drains, flooring, walls, ceiling tiles, etc., and could impact construction worker safety during building disturbance activities. An environmental professional with Phase II/site characterization experience would be required to conduct an inspection of existing structures prior to site disturbance activities in order to determine whether or not hazardous substances and/or heavy metals have the potential to be present in on-site building materials (i.e., sinks, drains, piping, walls, ceiling tiles, etc.) (included as Mitigation Measure HAZ-3). Should the potential exist, prior to disturbance of on-site buildings, a Phase II/site characterization specialist would be required to conduct testing of building materials that have the potential to contain hazardous substances, both currently and historically. Should contamination be present in on-site building materials, those materials would be required to be disposed of at an approved landfill facility. Compliance with Mitigation Measure HAZ-3 would reduce these potential impacts to less than significant levels.

Underground Storage Tanks

Multiple USTs are reported to exist on-site. Future development associated with implementation of the Specific Plan would be required to comply with the Los Angeles County Fire Department Health Hazard Management Division's (HHMD) Underground Storage Tank Program, including obtaining the appropriate permit(s) for UST removal (included as Mitigation



Measure HAZ-4). When a UST is closed, the owner must submit soil/groundwater testing results to rule out the presence of regulated hazardous materials with a closure letter. Upon implementation of Mitigation Measure HAZ-4, the applicant(s) would also be required to confirm that the removed USTs have not contaminated groundwater. If groundwater contamination, as a result of the removed USTs, is present above regulatory thresholds, then the applicant would be required to remediate the groundwater appropriately, as required by the HHMD. Therefore, with implementation of Mitigation Measure HAZ-4, potential accidental conditions during construction, as a result of the removal of on-site USTs, would be reduced to less than significant levels.

Historical Agricultural Activities

The project site has been historically utilized for agricultural purposes. Therefore, a combination of several commonly-used pesticides (i.e., DDD, DDT and DDE), which are now banned, may have been used throughout 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. The primary concern with historical pesticide residues is human health risk from inadvertent ingestion of contaminated soil, particularly by children. The presence of moderately elevated pesticide residuals in soil presents potential health and marketplace concerns.

Development within the Plan Area could expose construction workers during site disturbance activities, and the public during operations to hazardous materials. Future development associated with implementation of the Specific Plan would be required to conduct soil sampling, as determined by a qualified Phase II/site characterization specialist (included as Mitigation Measure HAZ-5). The sampling would determine if pesticide concentrations exceed established regulatory requirements and would identify further site characterization and remedial activities, if necessary. Should further site characterization/remedial activities be required, these activities would be required to be conducted per the applicable regulatory agency requirements, as directed by the HHMD. With implementation of Mitigation Measure HAZ-5, impacts pertaining to historical agricultural uses would be reduced to less than significant levels.

Potential Groundwater Contamination

The existing groundwater underlying the Plan Area has the potential to be contaminated as a result of both on-site and off-site activities. On-site activities that may have compromised on-site groundwater include, but are not limited to, current and past spills, hazardous materials storage area(s), ASTs, and/or USTs. In addition, off-site uses that may have compromised groundwater underlying the Plan Area include the off-site dry cleaning operation (Persian Rug Services located at 1512 Highland Avenue) that adjoins the project site to the east/northeast.

Construction workers could be exposed to hazardous substances during grading/excavation activities, should groundwater be encountered. A Phase II/site characterization specialist would be required to conduct appropriate sampling in order to determine whether or not contaminated groundwater is present. Should contaminated groundwater be present, preparation of a worker safety plan would be required to ensure construction worker safety during grading/excavation activities (included as Mitigation Measure HAZ-6). Compliance with Mitigation Measure HAZ-6 would reduce potential impacts in this regard to less than significant levels.



Transport of Hazardous Materials

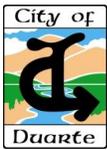
Excavation/grading activities and/or site disturbance of existing building materials may result in the off-site transport and disposal of hazardous substances, in the event that these substances are encountered. Off-site transport and disposal of hazardous substances would be short-term in nature, only 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 HHMD. Future construction contractors would also be subject to the requirements of the 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, implementation of 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.

Railroad Right-of-Way

Parcel 1 adjoins the Metro-owned railroad right-of-way, which trends along the southern boundary of the Plan Area. Active and inactive railroad beds frequently have concentrations of petroleum products and lead elevated above natural background conditions. Petroleum product concentrations and lead concentrations are derived from drippings from rail vehicles and flaked paint, respectively. Wooden railroad ties may contain preservatives (i.e., creosote), some of which may contain hazardous constituents. Track switch locations often have elevated levels of petroleum hydrocarbons. Inorganic and organic herbicides, along with diesel fuel, may have been used for vegetation control. As the proposed project would not involve the disturbance of existing or historical railroad rights-of-way, it is unlikely that the proposed project would involve the disturbance of potential hazardous materials in the soil as a result of off-site railroad activities. However, in order to ensure that no hazardous substances associated with the railroad are located on-site, a Phase II/site characterization specialist would be required to conduct appropriate sampling along the southern boundary of the Plan Area for Parcel 2 in order to determine whether or not contaminated soil is present (included as Mitigation Measure HAZ-7). Should contaminated soil be present, the Phase II/site characterization specialist shall recommend appropriate remediation/safety measures in order to ensure worker safety during construction and public health during proposed project operations. With the implementation of Mitigation Measure HAZ-7, impacts in this regard 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 include proposed construction equipment. Construction equipment may involve 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 the construction phases. The proposed 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.

Impact Conclusion

Site disturbance/demolition activities could expose workers to a variety of potentially hazardous materials. Implementation of Mitigation Measures HAZ-1 through HAZ-7 would reduce potential impacts from site disturbance/demolition activities that would result in accidental conditions at the project site. 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 complete the following (included as Mitigation Measure HAZ-8):

- Immediately stop work in the vicinity of the suspected contaminant, removing workers and the public from the area;
- Notify the City Engineer of the City of Duarte;
- Secure the areas as directed by the City Engineer; and
- Notify the Los Angeles County Fire Department Health Hazard Management Division's (HHMD) Hazardous Waste/Materials Coordinator.

With implementation of Mitigation Measures HAZ-1 through HAZ-8 and compliance with applicable Federal, State, and local regulatory requirements pertaining to hazardous materials, potential impacts would be reduced to less than significant levels.

Mitigation Measures:

- HAZ-1 Prior to demolition activities, an asbestos survey shall be conducted by an Asbestos Hazard Emergency Response Act (AHERA) and Cal OSHA certified building inspector to determine the presence or absence of asbestos containing-materials (ACMs). If ACMs are located, abatement of asbestos shall be completed before any activities that would disturb ACMs or create an airborne asbestos hazard. Asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403.
- HAZ-2 If paint is separated from building materials, chemically or physically, during demolition of the structures, the paint waste shall be evaluated independently from the building material by a qualified Environmental Professional. If lead-based paint is found, abatement shall be completed by a qualified Lead Specialist before any activities that would create lead dust or fume hazard. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the City's Building Department.
- HAZ-3 An environmental professional with Phase II/site characterization experience shall conduct an inspection of existing on-site structures before building renovation/demolition activities. The inspection shall determine whether or not testing is required to confirm the presence or absence of hazardous substances in building materials (i.e., sinks, drains, piping, flooring, walls, ceiling tiles, etc.). Should testing



- be required and results determine that hazardous substances are present in on-site building materials, the Phase II/site characterization specialist shall determine appropriate prevention/remediation measures that are required and/or the methods for proper disposal of hazardous waste at an approved landfill facility, if required.
- HAZ-4 As applicable, each project applicant shall obtain appropriate permits from the Los Angeles County Fire Department Health Hazard Management Division (HHMD), before removing any existing USTs, per the Underground Storage Tank Program. The applicant shall conduct soil/groundwater testing, as requested by the HHMD. Should contamination be present above regulatory thresholds, then the project applicant shall remediate appropriately, as required by the HHMD. Should the HHMD refer the case to any other regulatory agency (e.g., the Department of Toxic Substances Control, or Regional Water Quality Control Board, etc), then the applicant shall comply with that said agency as well.
- HAZ-5 Prior to issuance of a grading permit, soil sampling shall occur within the portions of the project site that have historically been utilized for agricultural purposes and may contain pesticide residues in the soil, as determined by a qualified Phase II/site characterization specialist. The sampling shall determine if pesticide concentrations exceed established regulatory requirements and shall identify further site characterization and remedial activities, if necessary. Should further site characterization/remedial activities be required, these activities shall be conducted per the applicable regulatory agency requirements, as directed by the Los Angeles County Fire Department Health Hazard Management Division (HHMD).
- HAZ-6 Prior to issuance of a grading permit, an environmental consultant with Phase II/site characterization experience shall conduct sampling in order to confirm whether or not contaminated soil/groundwater underlies the project site. Should contamination above established regulatory levels be identified, the environmental consultant shall recommend remedial activities appropriate for the proposed future development at the site, in consultation with the Los Angeles County Fire Department Health Hazard Management Division (HHMD) and/or other applicable agencies.
- HAZ-7 Prior to issuance of a grading permit, a Phase II/site characterization specialist shall conduct appropriate sampling along the southern boundary of the project site (Parcel 1) in order to determine whether or not contaminated soil is present. Should contaminated soil be present, the Phase II/site characterization specialist shall recommend appropriate remediation/safety measures in order to ensure worker safety during construction and public health during proposed project operations.
- HAZ-8 Prior to issuance of a grading permit, the project applicant shall submit a Worker Safety Plan for site disturbance/construction activities, in consultation with California Division of Occupational Safety and Health (Cal/OSHA) and Los Angeles County Fire Department Health Hazard Management Division (HHMD). The Worker Safety Plan shall include safety precautions (e.g., personal protective equipment or other precautions to be taken to minimize exposure to hazardous materials) to be taken by personnel when encountering potential hazardous materials, including potential contaminated groundwater.



HAZ-9 If unknown wastes or suspect materials are discovered during construction by the contractor that are believed to involve hazardous waste or materials, the contractor 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 City Engineer of the City of Duarte;
- Secure the area as directed by the City Engineer; and
- Notify the Los Angeles County Fire Department Health Hazard Management Division's (HHMD) Hazardous Waste/Materials Coordinator (or other appropriate agency specified by the City Engineer). The Hazardous Waste/Materials Coordinator shall advise the responsible party of further actions that shall be taken, if required.

Level of Significance: Less Than Significant With Mitigation Incorporated.

OPERATIONAL-RELATED IMPACTS

■ IMPLEMENTATION OF THE PROPOSED PROJECT COULD CREATE A SIGNIFICANT HAZARD DURING USE OPERATIONS TO THE PUBLIC OR ENVIRONMENT THROUGH THE HANDLING, STORAGE, AND/OR USE OF HAZARDOUS MATERIALS, AS WELL AS ACCIDENT CONDITIONS INVOLVING THE RELEASE OF HAZARDOUS MATERIALS.

Impact Analysis: The Duarte Station Specific Plan proposes the future development of residential, mixed-use retail, office, and park/open space land uses, and 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 agencies with jurisdiction over businesses or areas that routinely use or handle hazardous materials. During operations, it is anticipated that strict standards established by the U.S. EPA, DTSC, and HHMD would be implemented. Thus, compliance with existing Federal, State, and local standards and regulations would reduce potential impacts associated with implementation of the proposed project to a less than significant level in this regard.

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. Based on the moderate potential for contaminated groundwater underlying the project site, vapor intrusion into proposed structures as a result of these contamination plumes could occur.

With implementation of Mitigation Measure HAZ-6, a qualified site characterization specialist would be required to conduct updated site characterization at the project site prior to issuance of building permits, in consultation with the HHMD, with regard to potential on-site contaminated groundwater. Upon completion of site characterization activities, remedial activities, if necessary, would be recommended in consultation with HHMD and/or other applicable



agencies. Also, prior to issuance of building permits, vapor intrusion investigations would be required to be conducted by a qualified Environmental Professional, in consultation with the HHMD (included as Mitigation Measure HAZ-10). Should the Environmental Professional determine that proposed buildings could be impacted by vapor intrusion, the Environmental Professional, in consultation with HHMD, would recommend specific design measures to be incorporated into the buildings' design that would reduce these indoor air quality concentrations to below regulatory thresholds, as directed by HHMD. With implementation of Mitigation Measures HAZ-6 and HAZ-10, impacts to persons at the project site as a result of potential vapor intrusion would be reduced to less than significant levels.

Mitigation Measures:

HAZ-10 Prior to issuance of building permits, vapor intrusion investigations shall be conducted by a qualified Environmental Professional, in consultation with the Los Angeles County Fire Department Health Hazard Management Division (HHMD). Should the Environmental Professional determine that proposed buildings could be impacted by vapor intrusion, the Environmental Professional, in consultation with the HHMD and/or other applicable regulatory agencies, shall recommend specific design measures to be incorporated into the buildings' design that would reduce these indoor air quality concentrations to below regulatory thresholds.

Level of Significance: Less Than Significant With Mitigation Incorporated.

HAZARDOUS MATERIALS SITES

- DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED PROJECT SITE COULD BE LOCATED ON A HAZARDOUS MATERIALS SITE PER GOVERNMENT CODE SECTION 65962.5 AND COULD CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT.

Impact Analysis: The Plan Area is not listed in a list of hazardous materials sites compiled pursuant to *Government Code* Section 65962.5². Thus, no impact would result in this regard.

Mitigation Measures: No mitigation measures are required.

Level of Significance: No Impact.

5.8.5 CUMULATIVE IMPACTS AND MITIGATION MEASURES

- DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED PROJECT AND OTHER RELATED CUMULATIVE PROJECTS COULD INCREASE THE EXPOSURE OF HAZARDOUS SUBSTANCES TO THE PUBLIC OR THE ENVIRONMENT.

Impact Analysis: Cumulative projects may result in a cumulatively considerable hazardous materials impact, as other projects in proximity to the project site, including those associated

² Department of Toxic Substances Control, http://www.envirostor.dtsc.ca.gov/public/mandated_reports.asp, accessed on June 20, 2013.



with the City of Hope, propose the handling/storage/transport of hazardous substances. However, future on-site residential structures would be located greater than 500 feet up-gradient from these uses. Future residential projects proposed in the Plan Area and in the surrounding area could be exposed to contaminated groundwater resulting from the existing project site. With implementation of the recommended Mitigation Measures HAZ-4, HAZ-6 and HAZ-10, impacts in this regard would be reduced to less than significant levels.

The proposed project could also contribute cumulatively, although not significantly, to a hazard involving the transport of hazardous materials during construction and operation. Handling, transport, and disposal of these materials are regulated by the DTSC, CalEPA, CalOSHA, and HHMD. The construction contractor, on a project-by-project basis, would be subject to the requirements of the DTSC 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. Compliance with all applicable Federal and State laws related to the handling/storage/transportation of hazardous materials would reduce the likelihood and severity of accidents during transit, thereby ensuring that a less than significant cumulatively considerable impact would occur as a result of implementation of the proposed project.

Mitigation Measures: Refer to Mitigation Measures HAZ-4, HAZ-6, and HAZ-10. No additional mitigation measures are required.

Level of Significance: Less Than Significant With Mitigation Incorporated.

5.8.6 SIGNIFICANT UNAVOIDABLE IMPACTS

Implementation of the proposed project would result in less than significant project and cumulative impacts related to hazards or hazardous materials during both construction and operation with adherence to the identified mitigation measures and compliance with the applicable Federal, State, and local regulatory requirements. As such, no significant unavoidable impacts would result from implementation of the Duarte Station Specific Plan.

5.8.7 SOURCES CITED

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