

4.6 HAZARDS AND HAZARDOUS MATERIALS

This EIR section describes the existing physical setting of the project site related to hazards and hazardous materials, provides a summary of the hazardous materials records search performed for the project site, and assesses the potential for adverse impacts on human health and the environment from exposure to hazardous materials. Issues scoped out from detailed analysis in the EIR include: the routine transport, use, or disposal of hazardous materials; the possible safety hazard resulting from hazardous emissions or hazardous material handling in proximity to a school or airport; location on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; impairment of emergency response plan implementation; and exposure of people or structures to a significant risk of loss, injury, or death involving wildland fires.

Data used to prepare this section were taken from a Radius Map Report (records search) prepared by Environmental Data Resources, Inc. (EDR) for the project site and surrounding area in July 2011 (Appendix 7) as well as background information from the EIR for the Master Plan of Recreational Uses for Central Park (Central Park Master Plan EIR). Due to the nature of hazardous soil and groundwater contamination and the time required for remediation, an EDR for the project vicinity was run to identify current hazardous conditions within the vicinity of the project site. This information has been incorporated into this section and the alternatives analysis. No new information was available for the project site. Full bibliographic entries for all reference materials are provided in Section 4.6.5 (References) at the end of this section.

All comments received in response to the Initial Study/Notice of Preparation (IS/NOP) circulated for the proposed project were taken in to consideration during preparation of this Environmental Impact Report, and if relevant, have been addressed in this section or others within this document.

4.6.1 Environmental Setting

■ Definitions

Chapter 6.5 of the California Health and Safety Code sets forth definitions and regulations related to hazardous materials management and disposal. This EIR uses the definition given in this chapter, which defines a hazardous material 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. “Hazardous Materials” include but are not limited to, hazardous substances, hazardous waste, and any material which the handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment of released into the workplace or environment.

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

Hazard versus Risk

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

The risk to human health is determined by the probability of exposure to a hazardous material and the severity of harm such exposure would pose. That is to say, the likelihood and means of exposure, in addition to the inherent toxicity of a material, are used to determine the degree of risk to human health. For example, a high probability of exposure to a low toxicity chemical would not necessarily pose an unacceptable human health or ecological risk, whereas a low probability of exposure to a very high toxicity chemical might. Various regulatory agencies, such as the Environmental Protection Agency (EPA), State Water Resources Control Board (SWRCB), the California Department of Toxic Substances Control (DTSC), and state and federal Occupational Safety and Health Administrations (OSHA) are responsible for developing and/or enforcing risk-based standards to protect the public and the environment.

■ On-Site and Adjacent Uses

The 5-acre project site is currently vacant, located southwest of the intersection of Goldenwest Street and Talbert Avenue, located within the southern portion of a larger 14-acre undeveloped area within the 343-acre Huntington Beach Central Park. The project site is void of all structural development, and is surrounded in its entirety by Central Park lands and facilities.

According to the Central Park Master Plan EIR, prior usage of Central Park (before 1974) generally included mining of peat and sandy soils as well as disposal of solid wastes and inert debris. However, solid waste disposal did not occur on the project site. Rather, a portion of the area that is now occupied by the Sports Complex was previously operated as the Gothard Landfill until its closure in 1962.²⁹ Although the former landfill operated across Goldenwest Street to the east of the site, the Central Park Master Plan EIR did not identify any particular hazardous materials incidents or potentially hazardous materials in the area of the proposed project site.

A cursory walk-through of the project site was performed in April 2007 and August 2011. The project site is comprised of dirt and ruderal vegetation. No apparent signs of adverse hazardous materials or evidence of any such activity in the past was observed at the project site. There was no evidence of above

²⁹ City of Huntington Beach, *Draft Master Environmental Impact Report for Master Plan of Recreation Uses for Central Park* (1999).

ground storage tanks, major transformers, drums, or other storage devices of potentially hazardous materials at the project site. Site conditions have not changed substantially since this site walk was conducted.

Adjacent surrounding uses are as follows:

- **East (across Goldenwest Street):** Surface parking lots/Sports Complex and Central Library
- **North:** Undeveloped area/ShIPLEY Nature Center
- **West:** Passive parkland
- **South:** Huntington Beach Disc Golf Course/Equestrian Center

■ Records Search

A government agency database records search was conducted by EDR on July 26, 2011. The records search identifies properties that may have contributed to a release of hazardous substances to the soil and/or groundwater within the general vicinity of the proposed project area (e.g., spills, leaks, incidents, etc.). The records search is designed to meet the search requirements of the Environmental Protection Agency's (EPA) Standards and Practices for All Appropriate Inquiries (40 CFR Part 312) and the American Society for Testing of Materials (ASTM) Standard Practice for Environmental Site Assessments (E 1527-05).

The search radius (distance from project site) is dependent upon the respective applicable standards for each database and is identified below within the respective database listings. However, as shown in Table 4.6-1 (Database Search Results), there are a variety of identified sites within the vicinity of the project site that are listed on the databases. Many sites are listed in multiple databases.

Although the site itself is not listed in any of the governmental agency environmental listings reviewed, the site is surrounded by listed sites within an approximate 1-mile radius. For example, there are four LUST sites within 0.5 mile of the proposed project site. These include, the Arco Station is located on 17502 Goldenwest Street, approximately 0.45 mile north of the project site. The status of the Arco station is "Open -Remediation" indicating that remedial action is in process. The Arco Station is potentially contaminated with gasoline that could have affected the groundwater and is currently under monitoring by the local regulatory agency. The Chevron Station is located on 17881 Gothard Street approximately 0.36 mile northeast of the project site; the Steverson Brothers is located on 18062 Gothard Street, approximately 0.39 mile east of the project site; and the Oceanview Mushroom Growers is located on 18196 Goldenwest Street, approximately 0.25 mile south of the project site. The status of these three LUST cases are reported as "case closed" indicating that remedial action is completed, or was deemed unnecessary, by the local regulatory agency. There are no Cortese sites located within 0.5 mile of the proposed project site.

Table 4.6-1 Database Search Results

<i>Database</i>	<i>Number of Sites</i>	<i>Radius for database search (miles)</i>
CERCLIS—Comprehensive Environmental Response, Compensation and Liability Information System)	1	0.5
CERCLIS-NFRAP—CERCLIS sites designated as No Further Remedial Action Planned)	0	0.5
RCRA-LQG—Resource Conservation and Recovery Act-Large quantity generators	0	0.250
RCRA-SQG—Resource Conservation and Recovery Act-Small quantity generators	0	0.250
ERNS—Emergency Response Notification System	0	Project Site
TRIS—Toxic Chemical Release Inventory System	0	Project Site
FINDS—Facility Index System/Facility Identification Initiative Program Summary Report	0	Project Site
SWF/LF—Solid Waste Facilities/Landfill Sites	1	0.5
WDS—Water Resources Control Board-Waste Discharge System	0	Project Site
WMUDS/SWAT—Waste Management Unit Database System	3	0.5
CORTESE—Hazardous Materials Sites compiled through the Cal EPA	0	0.5
HIST CORTESE— Historical Hazardous Materials Sites compiled through the Cal EPA	4	0.5
SWRCY—Listing of recycling facilities in California	0	0.5
LUST—Leaking Underground Storage Tank	4	0.5
CA FID—California Facility Inventory Database	0	0.25
UST—California Underground Storage Tank	0	0.25
HIST UST—Historical registered USTs	1	0.25
AST—Aboveground Storage Tank	0	0.25
SWEEPS—Statewide Environmental Evaluation and Planning System	0	0.25
CHMIRS—California Hazardous Material Incident Report System	0	Project Site
NOTIFY 65—State Water Resources Control Board's Prop 65 database	0	1
OC Industrial Site List	0	Project Site
VCP—Low level threat properties with either confirmed or unconfirmed releases	0	0.5
Dry Cleaners	0	0.25
HAZNET—Hazardous waste manifests received each year by the DTSC	0	Project Site
EMI—Emissions Inventory Data	0	Project Site
ENVIROSTOR—DTSC's site mitigation and Brownfield's reuse program	7	1

SOURCE: EDR Inc., The EDR Radius Map Report, Senior Center, Goldenwest St and Talbert Ave. (July 26, 2011).

The previous EDR database search conducted in 2007 identified more sites on various database listings. The updated EDR database search conducted in 2011 reflects the updated database listings and case

statuses.³⁰ The updated EDR database search shows that the project site is a clean site and does not have hazardous materials environmental issues that would preclude development or require remediation. In addition to the EDR database searches, previous environmental documentation for new improvements at the park (as identified within the Central Park Master Plan EIR) did not indicate hazardous material impacts in the area of the proposed senior center site.

■ Methane Gas

The majority of the southern and southwestern portion of the City, including the project site, is entirely within a methane gas overlay district designated by the City. As such, methane gas, commonly known as natural gas, may underlay the site. Potential hazards associated with methane include fire or explosion due to methane gas accumulations, since it is a highly flammable substance, and human health risks associated with natural gas poisoning. Special development regulations, including the City's Methane Hazard Mitigation Plan, apply to projects located in methane overlay districts.

4.6.2 Regulatory Framework

A number of federal, state, and local laws have been enacted to regulate the management of hazardous materials. Implementation of these laws and the management of hazardous materials are regulated independently of the CEQA process through programs administered by various agencies at the federal, state, and local levels. An overview of the key hazardous materials laws and regulations that could apply to the proposed project is provided below.

■ Federal

Several federal agencies regulate hazardous materials. These include the Environmental Protection Agency (EPA), Department of Labor (Federal Occupational Health and Safety Administration [OSHA]), and the Department of Transportation (DOT). Applicable federal regulations are contained primarily in Titles 10, 29, 40, and 49 of the Code of Federal Regulations (CFR). In particular, Title 49 of the CFR governs the manufacture of packaging and transport containers, packing and repacking, labeling, and the marking of hazardous material transport. Some of the major federal laws and issue areas include the following statutes (and regulations promulgated there under):

- Resources Conservation and Recovery Act (RCRA)—hazardous waste management
- Hazardous and Solid Waste Amendments Act (HSWA)—hazardous waste management
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)—cleanup of contamination
- Superfund Amendments and Reauthorization Act (SARA)—cleanup of contamination
- Emergency Planning and Community Right-to-Know (SARA Title III)—business inventories and emergency response planning

³⁰ The EDR Radius Map Report conducted on July 26, 2011, was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-05)

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

■ State

Primary state agencies with jurisdiction over hazardous chemical materials management are the Department of Toxic Substances Control (DTSC) and the Regional Water Quality Control Board (RWQCB). Other state agencies involved in hazardous materials management are the Department of Industrial Relations (state OSHA implementation), state Office of Emergency Services (OES—California Accidental Release Prevention implementation), Department of Fish and Game (DFG), Air Resources Board (ARB), Department of Transportation (Caltrans), state Office of Environmental Health Hazard Assessment (OEHHA—Proposition 65 implementation), and the Department of Resources Recycling and Recovery (CalRecycle). The enforcement agencies for hazardous materials transportation regulations are the CHP and Caltrans. Hazardous materials waste transporters are responsible for complying with all applicable packaging, labeling, and shipping regulations.

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

- Hazardous Materials Management Act—business plan reporting
- Hazardous Waste Control Act—hazardous waste management
- Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65)—releases of and exposure to carcinogenic chemicals
- Hazardous Substances Act—cleanup of contamination
- Hazardous Waste Management Planning and Facility Siting (Tanner Act)
- Hazardous Materials Storage and Emergency Response
- California Medical Waste Management Act—medical and biohazardous wastes

State regulations and agencies that are specifically applicable to the project site include the Hazardous Materials Management Act and the OSHA, which are further described below.

California Environmental Protection Agency

The California Environmental Protection Agency (Cal/EPA) has broad jurisdiction over hazardous materials management in the state. Within Cal/EPA, the DTSC has primary regulatory responsibility for hazardous waste management and cleanup. Enforcement of state regulations has been delegated to local jurisdictions that enter into agreements with DTSC for the generation, transport, and disposal of hazardous materials under the authority of the Hazardous Waste Control Law. Along with the DTSC, the RWQCB, which operates under the jurisdiction of Cal/EPA, is responsible for implementing regulations pertaining to management of soil and groundwater investigation and cleanup. RWQCB regulations are contained in Title 27 of the California Code of Regulations (CCR). Additional state regulations applicable to hazardous materials are contained in Title 22 of the CCR. Title 26 of the CCR is a compilation of those sections or titles of the CCR that are applicable to hazardous materials.

Department of Toxic Substances Control (DTSC)

The DTSC regulates hazardous waste in California under the authority granted to it by the federal RCRA of 1976, and the California Health and Safety Code. Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. In addition, DTSC reviews and monitors relevant pending legislation to ensure that it reflects the goals of the DTSC. Once legislation is adopted, the DTSC's major program areas develop implementing regulations and consistent program policies and procedures. The implementing regulations spell out what hazardous waste handlers must do to comply with the law. Under the provisions of RCRA, DTSC has the authority to implement permitting, inspection, compliance, and corrective action programs to ensure that people who manage hazardous waste follow state and federal requirements.

California's Hazardous Waste Control Law (HWCL), adopted in 1972, provides the general framework for the regulation of hazardous wastes within the state. The DTSC is the state's lead agency charged with the responsibility for implementing the HWCL. The HWCL provides for state regulation of existing hazardous waste facilities, which include "any structure, other appurtenances, and improvements on the land, used for treatment, transfer, storage, resource recovery, disposal, or recycling of hazardous wastes," and requires permit for, and inspection of, facilities involved in the generation and/or treatment, storage and disposal of hazardous wastes.

Tanner Act

Although there are numerous state policies that deal with hazardous waste materials, the most comprehensive is the Tanner Act (AB 2948) adopted in 1986. The Tanner Act governs the preparation of hazardous waste management plans and the siting of hazardous waste facilities within the state of California. The act also mandates the adoption of a Hazardous Waste Management Plan by every county in the state, which must include provisions to define (1) the planning process for waste management, (2) the permit process for new and expanded facilities, and (3) the appeal process to the state available for certain local decision.

Hazardous Materials Management Plans

In January 1996, Cal/EPA adopted regulations implementing a "Unified Hazardous Waste and Hazardous Materials Management Regulatory Program" (Unified Program). The six program elements of the Unified Program are hazardous waste generators and hazardous waste on-site treatment, underground storage tanks, above-ground storage tanks, hazardous material release response plans and inventories, risk management and prevention program, and Uniform Fire Code hazardous materials management plans and inventories. The program is implemented at the local level by a local agency—the Certified Unified Program Agency (CUPA). The CUPA is responsible for consolidating the administration of the six program elements within its jurisdiction. The CUPA that has jurisdiction in the City of Huntington Beach is the Orange County CUPA.

State and federal laws require detailed planning to ensure that hazardous materials are properly handled, used, stored, and disposed of, and, in the event that such materials are accidentally released, to prevent or to mitigate injury to health or the environment. California's Hazardous Materials Release Response Plans and Inventory Law, sometimes called the "Business Plan Act," aims to minimize the potential for

accidents involving hazardous materials and to facilitate an appropriate response to possible hazardous materials emergencies. The law requires businesses that use hazardous materials to provide inventories of those materials to designated emergency response agencies, to illustrate on a diagram where the materials are stored on site, to prepare an emergency response plan, and to train employees to use the materials safely.

California Accidental Release Prevention Program (CalARP)

The CalARP program (CCR Title 19, Division 2, Chapter 4.5) covers certain businesses that store or handle more than a certain volume of specific regulated substances at their facilities. The CalARP program regulations became effective on January 1, 1997, and include the provisions of the federal Accidental Release Prevention Program (Title 40, CFR Part 68) with certain additions specific to the state pursuant to Division 20, Chapter 6.95 of the California Health and Safety Code.

The list of regulated substances is found in Article 8, Section 2770.5 of the CalARP program regulations. The businesses which store or handle a regulated substance in quantities exceeding the regulatory threshold are required to implement an Accidental Release Prevention Program. In addition, some businesses may be required to complete a Risk Management Plan (RMP).

An RMP is a detailed engineering analysis of the potential accident factors present at a business site and the mitigation measures that can be implemented to reduce this accident potential. The purpose of an RMP is to decrease the risk of an off-site release of a regulated substance that might harm the surrounding environment and community. An RMP includes the following components: safety information, hazard review, operating procedures, training, maintenance, compliance audits, and incident investigation. The RMP must consider the proximity of the site to sensitive populations located in schools, residential areas, general acute care hospitals, long-term health care facilities, and child day-care facilities, and must also consider the potential impact of external events such as seismic activity.

Worker and Workplace Hazardous Materials Safety

Federal and state Occupational Safety Standards are intended to enhance worker safety by reducing 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 obligates 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. Cal/OSHA rules require provision of Material Safety Data Sheets that must be available in the workplace, and the training of employee in the proper handling of materials.

Hazardous Materials Transportation

The California Highway Patrol (CHP) and California Department of Transportation (Caltrans) enforce hazardous materials transportation regulations. Transporters of hazardous materials and waste are responsible for complying with all applicable packaging, labeling, and shipping regulations. The OES also provides emergency response services involving hazardous materials incidents.

Investigation and Cleanup of Contaminated Sites

The oversight of hazardous materials release sites often involves several different agencies with often overlapping authority and jurisdiction. The DTSC and RWQCB are the two primary state agencies responsible for the regulation, investigation, and cleanup of hazardous materials release sites. Air quality issues related to remediation and construction at contaminated sites are also subject to federal and state laws and regulations that are administered at the local level.

Investigation and remediation activities that have the potential for disturbing or releasing hazardous materials must comply with applicable federal, state, and local hazardous materials laws and regulations. DTSC has developed standards for the investigation of sites where hazardous materials contamination has either been identified or could exist based on current or past uses. The standards identify approaches to determine if a release of hazardous wastes/substances exists at a site and delineates the general extent of contamination; estimates the potential threat to public health and/or the environment from the release and provides an indicator of relative risk; determines if an expedited response action is required to reduce an existing or potential threat; and completes preliminary project scoping activities to determine data gaps and identifies possible remedial action strategies to form the basis for development of a site strategy.

Siting of Schools

The California Education Code (Sections 17210 et seq.) outlines the requirements of siting school facilities near or on known or suspected hazardous materials sites, or near facilities that emit hazardous air emissions, or handle hazardous or acutely hazardous materials, substances, or waste. The code requires that, prior to commencing the acquisition of property for a new school site, an environmental site investigation must be completed to determine the health and safety risks (if any) associated with a site. Recent legislation and changes to the Education Code identify DTSC's role in the assessment, investigation, and cleanup of proposed school sites. All proposed school sites that will receive state funding for acquisition and/or construction must go through a comprehensive investigation and cleanup process under DTSC oversight. DTSC is required to be involved in the environmental review process to ensure that selected properties are free of contamination, or if the property is contaminated, that it is cleaned up to a level that is protective of students and faculty who will occupy the new school. All proposed school sites must be suitable for residential land use, which is DTSC's most protective standard for children.

■ Local

General Plan Hazardous Materials Element

The City of Huntington Beach General Plan Hazardous Materials Element identifies various policies and programs addressing hazards from hazardous materials and hazardous waste, and the potential methods to reduce risks associated with those hazards. The key goal of the Hazardous Materials Element is to “reduce, to the greatest degree possible, the potential for harm to life, property and the environment from hazardous materials and hazardous waste.” The site would not use substantial quantities of hazardous materials or generate hazardous waste; however, the following goals and policies could apply to the proposed project:

Goal HM 1 Reduce, to the greatest degree possible, the potential for harm to life, property, and the environment from hazardous materials and hazardous waste.

Objective HM 1.2 Avoid, to the extent feasible, risks from hazardous materials to sensitive uses such as hospitals, schools, residences, and environmentally friendly areas.

Policy HM 1.2.1 Support land use patterns that avoid development of hazardous waste generators adjacent to sensitive uses.

Policy HM 1.2.2 Ensure that hazardous waste transportation activities are conducted in a manner that will minimize risks to sensitive uses.

Policy HM 1.2.3 Support land use or developments adjacent to or within close proximity of sensitive uses, which do not utilize, store, handle, or contain hazardous materials and/or waste, and which would create an unsafe, unhealthy, or hazardous condition for adjacent uses.

Objective HM 1.3 Reduce the amount of hazardous waste in the City.

Policy HM 1.3.1 Encourage practices and technologies which will reduce the generation of hazardous waste at their source.

Policy HM 1.3.2 Promote the recovery and recycling of hazardous materials.

Objective HM 1.4 Promote the identification and remediation of existing hazardous waste sites.

Policy 1.4.2 Require containment of the hazardous waste site, thereby ensuring the contaminated waste does not migrate or contaminate an adjacent site, nor contaminate the groundwater.

Consistency Analysis

Implementation of the proposed project would result in the development of a new senior center facility within an undeveloped area of the Huntington Central Park. As discussed in detail under Impact 4.6-1, the project site is not located on any lists identifying known hazardous waste sites. Construction and operation of the senior center facility would not include the use of large quantities of hazardous materials, and any commonly used hazardous materials would be used and stored in accordance with applicable regulations. Implementation of the proposed project would not utilize hazardous materials or waste and would not create an unsafe or hazardous condition for adjacent uses. As such, the proposed project would not conflict with the applicable goals and policies of this element.

General Plan Environmental Hazards Element

The Environmental Hazards Element identifies various policies addressing natural and human-related hazards and the potential methods to reduce risks associated with those hazards. The discussion below identifies goals and objectives presented in the Environmental Hazards Element of the General Plan related to hazards that are potentially relevant to the proposed project.

Goal EH 3 Ensure the safety of the City’s businesses and residents from methane hazards.

Objective EH 3.2 Minimize methane hazards in the identified Methane Overlay District, and other areas outside the Methane Overlay Districts as may later be defined, through the regulation of construction and adherence to the City’s Methane Hazard Mitigation Plan.

Policy EH 3.2.2 Establish, enforce, and periodically update testing requirements for sites proposed for new construction within the identified Methane Overlay District.

Objective EH 3.3 Maintain knowledge of methane levels and preparedness for the provision of emergency services.

Policy EH 3.3.1 Monitor methane levels in the identified Methane Overlay District.

Consistency Analysis

The proposed project is located within an identified Methane Overlay District. The City has set minimum requirements for new building construction within the methane overlay districts in order to reduce the hazards presented from accumulations of methane gas by requiring the appropriate testing and mitigation measures for all new buildings within the methane districts. As discussed in Impact 4.6-1, implementation of mitigation measure MM4.6-1(c) would be required to address the potential hazards of the accumulation of methane and hydrogen sulfide gas at the project site by ensuring appropriate testing and methods of gas reduction, as required by the Huntington Beach Fire Department (HBFD). Consequently, implementation of the proposed project would not conflict with the applicable policies.

City Specification 431-92

The City of Huntington Beach Specification 431-92, Soil Clean-Up Standard (City Specification 431-92), dated July 30, 1992, governs investigation and remedial efforts of contaminated soils. The HBFD is the local oversight agency for soil remediation.

4.6.3 Project Impacts and Mitigation

■ Analytic Method

The analysis in this section focuses on the potential for construction and operation of the proposed project to result in the release of hazardous materials into the environment. The information in this section is based upon reviews of previously prepared reports documenting environmental investigations at the project site, including but not limited to, the Central Park Master Plan EIR and the EDR report. In

determining the level of significance, the analysis assumes that construction and operation of the proposed project would comply with all applicable federal, state, and local laws and regulations.

■ Thresholds of Significance

The following thresholds of significance are based on Appendix G to the 2011 CEQA Guidelines. For purposes of this EIR, implementation of the proposed project may have a significant adverse impact if it would do any of the following:

- Create 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 0.25 mile of an existing or proposed school
- 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 create a significant hazard to the public or the environment
- Located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport and as a result in a safety hazard for people residing or working in the project area
- Located within the vicinity of a private airstrip and as a result in a safety hazard for people residing or working in the project area
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan
- 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

■ Effects Not Found to Be Significant

The following issue areas were determined to result in less than significant or no impacts according to the Initial Study prepared for the project.

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

The proposed project includes a GPA to accommodate the development of a new senior center. The GPA itself would not result in direct impacts due to hazardous materials. Further, long-term operation of the project would not involve the introduction nor the routine transport, use, or disposal of hazardous materials. Proposed construction of the project would comply with CalOSHA (California Occupational Safety and Health Administration) requirements, the Hazardous Materials Management Act (HMMA), and other state and local requirements. Compliance with local, state, and federal regulations would minimize risks associated with accident conditions involving the release of hazardous materials into the

environment during construction activities. Therefore, impacts would be less than significant, and no further analysis of this issue is required in the EIR.

Threshold	Would the proposed project emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within 0.25 mile of an existing or proposed school?
-----------	---

No schools are located within 0.25 mile of the project site. The nearest school to the project site is Mesa View Middle School within the Ocean View School District, located at 17601 Avilla Lane, which is approximately 0.5 mile to the northwest of the site. No impact would occur, and no further analysis of this issue is required in the EIR.

Threshold	Would the proposed project 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?
-----------	--

As previously discussed, there are four LUST sites within 0.5 mile of the proposed project site with one status reported as “Open -Remediation” and three cases reported as “case closed.” However, the project site does not appear to have hazardous materials environmental issues that would preclude development or require remediation. The project site is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, no impact would occur, and no further analysis of this issue is required in the EIR.

Threshold	For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
-----------	---

The closest airport to the project site is the Los Alamitos Army Airfield located on 4442 Doolittle Avenue in the City of Los Alamitos, approximately 6.3 miles northwest of the proposed project site. The project site is not located within 2 miles of any known public or private airstrip. Additionally, the proposed senior center structure would not exceed heights that require review and approval by the Federal Aviation Administration (FAA) or Airport Land Use Commission (ALUC). Therefore, the project would not result in a safety hazard for people in the project area. No impact would occur, and no further analysis of this issue is required in the EIR.

Threshold	Would the proposed project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
-----------	---

Implementation of the proposed project would not result in the increased likelihood of hazardous materials incidents. With regard to emergency response plans, the project site does not currently and would not in the future serve a function in any emergency response or evacuation plan (schools are typically employed for this purpose). The proposed driveway access would be constructed per City codes to allow adequate emergency vehicle access. Implementation of the proposed project would not pose any

constraints to the City's existing Emergency Management Plan. No further analysis is required in the EIR.

Threshold	Would the proposed project 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?
-----------	---

The project site is located within the City's Central Park. Although the majority of Central Park is developed with landscaped open space park areas, the proposed project site is not considered at risk for wildland fires. Vegetation throughout Central Park is dominated by turf grasses and manicured ornamental landscaping. Due to the ongoing park landscape maintenance, there are sparse fuels for a wildland fire. There is no large fire history in Central Park, and fire protection is provided by the City of Huntington Beach Fire Department. In addition, the proposed project would provide ingress and egress points that are designed to accommodate fire trucks. The proposed development would be required to adhere to applicable fire-related building codes. Implementation of the aforementioned procedures, coupled with the existing park maintenance would ensure that implementation of the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. No further analysis of this issue is required in the EIR.

■ Impacts and Mitigation Measures

Threshold	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
-----------	---

Impact 4.6-1 Implementation of the proposed project could 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.

The following discussion analyzes the risks to construction workers and the public from exposure to accidental releases of hazardous materials contained in soil and groundwater contamination during construction, and exposure of the project site to employees and visitors to hazardous materials through reasonably foreseeable upset and accident conditions during operation of the project.

Construction Effects

No known hazardous materials or wastes are present within the proposed project site. According to the Preliminary Geotechnical Investigation prepared for the proposed project (Appendix 6), the project site is located at the northwest margin of the Huntington Beach Oil Field. However, no oil wells are known to be present within the site boundaries. According to the Cultural Resources Survey and Testing Report (Appendix 5), the site has been periodically used as a dump for fill and spoil soil from other projects in the City.

Although the site itself is not listed in any of the governmental agency environmental listings reviewed, the site is surrounded by various listed sites within an approximate 1-mile radius. In addition, the former Gothard Landfill (now the Sports Complex) was located to the east of the site across Goldenwest Street.

Thus, although not expected, grading and excavation activities for the proposed project could result in the exposure of construction personnel and the public to previously unidentified hazardous substances in the soil. Exposure to unanticipated hazardous substances could occur from previously unidentified soil contamination resulting from adjacent listed properties in the surrounding area, solid waste and inert debris from the former Gothard Landfill, or from other unknown landfills or wells. Exposure to hazardous materials during construction activities could occur through any of the following:

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

If any unidentified sources of contamination are encountered during grading or excavation, the removal activities required could pose health and safety risks, such as the exposure of workers, materials handling personnel, and the public, to hazardous materials or vapors. Such contamination could cause various short-term or long-term adverse health effects in persons exposed to the hazardous substances. If exposed to hazardous substances, this would result in a potentially significant hazard to the public.

In order to address the potential for encountering identified and unidentified contamination, mitigation measures MM4.6-1(a), MM4.6-1(b), and MM4.6-1(c) shall be implemented to reduce this impact to a less than significant level. Mitigation measures MM4.2-2(a) and MM4.2-2(c) also satisfy certain measures identified in the Central Park Master Plan EIR. The language in these measures has been modified to reflect project-specific components of the proposed senior center where necessary, although their intent remains the same. The original measures from the Central Park Master Plan EIR appear in Table 4-1 (Mitigation Measures Incorporated from Master Plan of Recreation Uses MMP) of this EIR.

For the purposes of this document, the City shall implement mitigation measures MM4.6-1(a), MM4.6-1(b), and MM4.6-1(c) to address potential impacts associated with the release of hazardous materials and ensure that measures set forth in the Central Park Master Plan EIR are carried over:

MM4.6-1(a) (This mitigation measure incorporates Measure Hazards-15 from the Central Park Master Plan EIR.)

In the event that previously unknown soil contamination that could present a threat to human health or the environment is encountered during construction, construction activities in the immediate vicinity of the contamination shall cease immediately. A risk management plan shall be prepared and implemented that (1) identifies the contaminants of concern and the potential risk each contaminant would pose to human health and the environment during construction and post-development and (2) describes measures to be taken to protect workers and the public from exposure to potential site hazards. Such measures could include a range of options, including, but not limited to, physical site controls during construction, remediation, long-term monitoring, post-development maintenance or access limitations, or some combination thereof. Depending on the nature of contamination, if any, appropriate agencies shall be notified (e.g., City of Huntington Beach Fire Department). A site health and safety plan that meets OSHA requirements shall be prepared and in place prior to the commencement of work in any contaminated area. The developer shall ensure proper implementation of the health and safety plan. If required, contamination shall be remediated in accordance with mitigation measure MM4.6-1(b).

MM4.6-1(b) *Closure reports or other reports acceptable to the Hbfd that document the successful completion of required remediation activities, if any, for contaminated soils, in accordance with City Specification 431-92, shall be submitted and approved by the Hbfd prior to issuance of grading permits for site development. No construction shall occur in the affected area until reports have been accepted by the City.*

MM4.6-1(c) *(This mitigation measure is Measure Hazards-9 from the Central Park Master Plan EIR.)*

Any unrecorded or unknown wells uncovered during the excavation or grading process shall be immediately reported to and coordinated with the City and Division of Oil, Gas and Geothermal Resources (DOGGR). In addition, should any known and unexpected landfills be excavated and discovered during the construction phase of the proposed project, construction work will be immediately halted and Local Enforcement Agency (LEA) will be notified. Further construction operations will resume at the discretion of LEA and upon work approval by LEA.

Implementation of mitigation measures MM4.6-1(a), MM4.6-1(b), and MM4.6-1(c) would reduce all potentially significant effects associated with the potential exposure of unknown hazardous materials through project construction activities to a **less than significant** level by ensuring remediation of contaminated soils containing hazardous materials prior to development of the proposed project and by providing supplemental procedures in the event of unanticipated discoveries of contaminants.

Operational Effects

It is anticipated that operation of the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment, this operational analysis presents the potential possibilities of such a risk. Implementation of the proposed project would include a GPA to re-designate the use of the project site from low intensity to high intensity, and to accommodate the development of the proposed senior center on the project site. Implementation of the proposed GPA would result in a departure from the anticipated low-intensity, passive recreational uses and instead would result in a high-intensity use on the site. Under both designations, the existing undeveloped conditions of the project site would not remain. While the GPA itself would not result in direct physical environmental impacts due to hazardous materials, the development of the senior center would result in physical changes to the project site, the operational effects of which are discussed below.

As discussed above, the GPA itself would not result in any exposure of hazardous materials to the public. However, the proposed project also includes a multi-purpose senior center that would include the use of and storage of common hazardous materials such as paints, solvents, and cleaning products. Additionally, grounds and landscape maintenance could also use a variety of products formulated with hazardous materials, including fuels, cleaners, lubricants, adhesives, sealers, and pesticides/herbicides. The properties and health effects of different chemicals are unique to each chemical and depend on the extent to which an individual is exposed. The extent and exposure of individuals to hazardous materials would be limited by the relatively small quantities of these materials that would be stored and used on the project site. As common maintenance products and chemicals would be consumed by use and with adherence to warning labels and storage recommendations from the individual manufacturers, these hazardous materials would not pose any greater risk than at any other similar public development.

With implementation of the proposed project, hazardous materials could be stored within the project site area, but the materials would generally be in the form of routinely used common chemicals. Therefore, the probability of a major hazardous materials incident would be remote. Minor incidents would be more likely, but the consequences of such accidents would likely not be severe due to the types of common chemicals anticipated to be used at the site.

As discussed previously, the project site is located within a designated methane gas overlay district. The City has set minimum requirements for new building construction within the methane overlay districts in order to reduce the hazards presented from accumulations of methane gas by requiring the appropriate testing and mitigation measures for all new buildings within the methane districts. Therefore, implementation of the following mitigation measure would be required to address the potential for methane gas accumulation in order to reduce this impact to a less than significant level.

MM4.6-1(d) Prior to the issuance of grading permits and during construction, the project shall comply with all provisions of the HBMC Section 17.04.085 and HBFD City Specification 429, Methane District Building Permit Requirements. A plan for the testing of soils for the presence of methane gas shall be prepared. If necessary, measures to reduce levels of gases to within levels determined acceptable by the HBFD (such as vent systems) shall be implemented, if required by the HBFD.

Implementation of mitigation measure MM4.6-1(d) would reduce all potentially significant effects associated with the accumulation of hazardous gases resulting from operation of the proposed project to a **less than significant** level by ensuring appropriate testing and methods of gas reduction, as required by the HBFD.

4.6.4 Cumulative Impacts

The geographic context for the cumulative analysis of hazards and hazardous materials is Orange County, based on the geographic area that could be affected by accidental release into the environment. The cumulative context for the hazards analysis includes future development under the proposed project in combination with the development projects listed in Table 3-4 (Cumulative Projects) in Chapter 3 (Project Description) of this EIR.

Cumulative projects in the City and surrounding area could result in construction activities that could potentially involve the release of hazardous materials into the environment. In particular, cumulative development could occur on properties listed on hazardous materials sites or that were previously used for oil production activities, and/or the demolition of existing structures, which may contain hazardous materials. However, the individual workers potentially affected would vary from project to project. For example, if demolition of existing buildings is required, short-term increases in hazardous materials generation, due to the potential presence of lead-based paints and asbestos-containing materials in existing facilities could occur. However, projects would be required to comply with applicable federal, state, and local regulations. Adherence to applicable regulations and guidelines pertaining to abatement of, and protection from, exposure to oil, pesticides, asbestos, lead, and other hazardous materials would ensure that cumulative impacts from those activities would be less than significant. Site-specific investigations would be conducted at sites where contaminated soils could occur to minimize the exposure of workers to hazardous substances. Additionally, because the proposed project would also be required to comply with applicable statutes and regulations, which would ensure that the project would

not result in significant public hazards as a result of the accidental release of hazardous materials, the project's contribution would not be cumulatively considerable and the cumulative impact of the project would be *less than significant*.

In addition to cumulative construction impacts, cumulative development could potentially involve the operation of future uses that could release hazardous materials into the environment. However, similar to potential construction impacts, the transportation, storage, and use of hazardous materials which could result in reasonably foreseeable upset and accident conditions is strictly regulated by existing statutes. It is anticipated that future development projects will adhere to the applicable federal, state, and local requirements that regulate the release of hazardous materials into the environment, resulting from operational activities. As a result, cumulative impacts would be less than significant. Additionally, because the proposed project would also be required to comply with applicable statutes and regulations, which would ensure that the project would not result in significant public hazards as a result of the accidental release of hazardous materials, the project's contribution would not be cumulatively considerable and the cumulative impact of the project would be *less than significant*.

4.6.5 References

- Environmental Data Resources, Inc. *The EDR Radius Map Report: Shipley Senior Center Goldenwest St/Talbert Ave, Huntington Beach, CA 92648, Inquiry Number: 3133265.1s*, June 26, 2011.
- Huntington Beach, City of. *General Plan Update Draft Environmental Impact Report*. State Clearinghouse No. 94091018. Prepared by Envicom Corporation, 1995.
- . *General Plan*. Prepared by Envicom Corporation, May 13, 1996.
- . *Draft Master Environmental Impact Report for Master Plan of Recreation Uses for Central Park*. Prepared by Sapphos Environmental. February 26, 1999.
- Ninyo & Moore. *Preliminary Geotechnical Evaluation for the Huntington Beach Senior Center*, July 31, 2007.