
IV. ENVIRONMENTAL IMPACT ANALYSIS

D. HAZARDS AND HAZARDOUS MATERIALS

This section of the EIR summarizes the findings and conclusions related to hazards and hazardous materials from the *Phase I Environmental Site Assessment Rancho View School Property, Huntington Beach, California*, prepared by Golder Associates, Inc., dated September 1999. The full text of the report is included as Appendix D of this EIR.

The Phase I Environmental Site Assessment (ESA) was conducted for Area A of the project site, located in the central portion of the site. Development associated with Area B1, which consists of the western-most portion of the project site, has not been defined and may result in impacts related to hazards and hazardous materials that are not specifically discussed in this EIR. New development is not proposed within Area B2, the eastern-most portion of the site, therefore impacts related to hazards and hazardous materials are not expected to occur within this area. However, the Phase I ESA included an analysis of the surrounding vicinity, thus the existing conditions of Areas B1 and B2 were analyzed and are discussed below.

Hazardous materials include solids, liquids, or gaseous materials which, because of their quantity, concentration, or physical, chemical, or infectious characteristics, could pose a threat to human health or to the environment. Hazards include the risks associated with potential explosions, fires, or release of hazardous substance in the event of an accident or natural disaster, which may cause or contribute to an increase in mortality or serious illness, or pose substantial harm to human health or the environment.

1. APPLICABLE PLANS AND POLICIES

Federal, state, regional, and local agencies have passed significant legislation related to hazards and hazardous materials. The following is a summary of the major legislation that regulates hazardous materials as well as a discussion of the agencies charged with the administration and enforcement of the legislation.

The Resource Conservation and Recovery Act (RCRA) (42 USC 3251 et. seq.) was the first major federal act regulating the potential health and environmental risks associated with solid hazardous and non-hazardous waste. This Act, which is implemented by the U.S. Environmental Protection Agency (EPA), provides the general framework for the federal hazardous waste management system. Subsequent amendments to the Act have provided a process for eliminating land disposal as the principle method of hazardous waste disposal.

Employees who handle hazardous waste or are potentially exposed to hazardous waste are required under the Federal Occupational Safety and Health Administration (OSHA) and California OSHA to be trained and certified to handle such materials. Material Safety Data Sheets (MSDS), which inform employees of potential hazards at the workplace and the nature of the chemicals they handle, are required to be submitted to the City Fire Department and to be available on-site for review by employees. In addition, California OSHA has established limits of exposure to lead contained in dusts and fumes. This regulation, contained in the California Code of Regulations (CCR), provides for exposure limits, exposure monitoring, respiratory protection, and safe working practices by workers exposed to lead.¹²

The Toxic Substances Control Act (TSCA) of 1976 implemented federal legislation phasing out the use of friable asbestos and asbestos-containing materials (ACMs) in new building material and set requirements for the use, handling, and disposal of these materials. Additionally, the Consumer Product Safety Commission began placing bans on the use of many asbestos containing products in 1977. Banned construction materials include products such as vinyl floor tiles or linoleum, drywall patching compounds, acoustic ceiling coating, spray-on fireproofing, piping insulation, door gaskets, wall and ceiling insulation, roof shingles, siding, and electrical insulation. In California, any facility that is known to contain asbestos is required to have a written asbestos management plan. Removal of ACMs must be conducted in accordance with the requirements of the South Coast Air Quality Management District (SCAQMD) Rule 1403. Rule 1403 requires a survey of the facility prior to issuance of a permit by SCAQMD, notification of SCAQMD prior to construction activity, removal in accordance with prescribed procedures, placement of collected asbestos in leak-tight containers or wrappers, and proper disposal.

The TSCA of 1976 also prohibited, limited, and phased out the manufacture of polychlorinated biphenyls (PCBs). The most common use of PCBs was in electrical equipment such as transformers, large capacitors, and fluorescent light ballasts. Transformers containing PCBs are prohibited in or near buildings, and the use of PCBs in capacitors such as those found in the electrical ballast of fluorescent lighting is also prohibited. In addition, the California Code of Regulation, Title 22, requires that electrical equipment that contains PCBs and is not regulated under TSCA be disposed of in an incinerator approved by the Department of Toxic Substances Control (DTSC) or be placed in a lab pack and disposed of in a hazardous waste landfill.

In 1972 the Consumer Products Safety Commission limited the lead content in paints. Up until that time, lead compounds were used as corrosion inhibitors, pigments, and drying agents. Lead is known to have adverse effects on nearly every system in the human body, with the primary paths of lead exposure in humans being through ingestion and inhalation. Surveys to

¹² *California Code of Regulations, Title 8, Section 11532.1.*

determine the amount of lead-based paint in existing buildings are required by the California OSHA.

The storage of hazardous materials in underground storage tanks (USTs) is regulated by the State of California Water Resources Control Board, which has delegated authority to the Regional Water Quality Control Board (RWQCB). The project area is located within the Santa Ana Region (Region 8). Statewide UST regulations are included in the California Code of Regulations.¹³ Federal regulation of USTs is included under Subtitle 1 of the Resource Conservation and Recovery Act.

The County of Orange Health Care Agency, Environmental Health Division requires yearly reporting of on-site use and storage of hazardous materials. According to the California Health and Safety Code (section 6.95) and the City of Huntington Beach Municipal Code (section 17.58), a Hazardous Materials Disclosure must be obtained from the City Fire Department for any business that handles or stores hazardous materials in a quantity exceeding 55 gallons, 500 pounds, or 200 cubic feet of compressed gas per year. The City of Huntington Beach Fire Department Petroleum/Chemical (PetroChem) Section is responsible for state-mandated hazardous materials disclosure, project development soil investigation and remediation, and a Citywide oil field inspection and enforcement program.

The City of Huntington Beach enforces the Uniform Building Code (UBC), which provides specifications for seismic safety. Refer to Section IV.C, Geology and Soils, of this EIR for discussion of seismic conditions.

In addition, the City's General Plan Hazardous Materials Element defines goals, objectives, policies, and programs related to hazardous materials. The following goal of the Hazardous Materials Element is relevant to the project site and/or proposed project:

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

The following specific policy of the Hazardous Materials Element is relevant to the project site and/or the proposed project:

HM 1.1.4: Implement federal, state, and local regulations for the handling, storage, and disposal of hazardous materials.

¹³ *California Code of Regulations, Title 23, Division 3, Chapter 16.*

2. ENVIRONMENTAL SETTING

a. Existing Conditions

There are eight buildings currently located within Area A. Seven of these buildings (Buildings A through G) are leased to JS Training Institute and are used as a training facility for emergency response agencies. Building H, which is located in the northernmost portion of Area A, is used as a storage facility by the Ocean View School District. The majority of the buildings within Area A of the project site were constructed in the late 1960s and early 1970s for the Rancho View School. Prior to that time, the area appears to have been primarily agricultural in nature. Due to the age of the existing on-site structures, certain potential hazards have been identified. These include the presence of asbestos containing materials, lead based paints, and polychlorinated biphenyls. Storage tanks (above ground and underground) located on-site could also potentially pose a hazards risk.

In order to assess the existing environmental conditions, the scope of work for the Phase I ESA included: (1) review of regulatory agencies' files and state and federal environmental databases; (2) site inspection of Area A; (3) interviews with representatives of the Rancho View Elementary School District regarding current and past land uses that may have impacted the site; and (4) review of aerial photographs, fire insurance maps, and topographic maps. The following sections provide information regarding the existing and potential hazards associated with the site.

(1) Asbestos

Asbestos, which is made up of microscopic bundles of fibers, is a naturally occurring mineral that has been widely used as a building material because of its unique qualities, including strength, fire-resistance, resistance to chemical corrosion, poor conduction of heat, noise, and electricity, and low cost. However, asbestos has been found to be associated with lung diseases caused by inhalation of airborne asbestos fibers. As discussed above, the TSCA of 1976 and the Consumer Product Safety Commission in 1977 banned or phased out the use of friable asbestos and ACMs in new building material and set requirements for the use, handling, and disposal of these materials.

Due to the age of the buildings within Area A, it is possible that friable ACMs were used in the construction. The Ocean View School District conducted an AHERA Inspection Report in August 1988 and an AHERA Reinspection Report in 1998. The original inspection report found five areas with ACMs on the project site. The subsequent inspection report noted the ACMs from four of the areas have since been removed. Approximately nine hundred square feet of vinyl floor tile in Building C still contains ACMs.

Specific studies have not been conducted for the buildings in Areas B1 and B2. However, it can conservatively be assumed that if the structures were built prior to 1976, there is a potential for ACMs to be present.

(2) Lead

The primary sources of lead exposure are lead-based paint and domestic water systems such as water fountains and faucets manufactured with soldered copper fitting and/or brass or bronze components. As discussed above, lead is known to have adverse effects on nearly every system in the human body, and in 1972 the Consumer Products Safety Commission limited the lead content in paints. Based on the age of the structures within Area A, there is the potential for lead-based paints to have been used in these buildings.

While no specific analysis pertaining to the presence of lead or lead-based paint in the buildings within Areas B1 and B2 has been conducted, it is likely that any structures constructed prior to 1972 could potentially contain lead-based paint.

(3) Polychlorinated Biphenyls

PCBs refer to a group of manufactured organic chemicals that contain 209 individual chlorinated chemicals known as congeners. PCBs were widely used throughout the last century for their low electrical and high thermal conductivity, high boiling point, chemical stability, and flame retardant properties. As discussed above, the most common use of PCBs was in electrical equipment such as transformers, large capacitors, and fluorescent light ballasts. The manufacture of PCBs has been prohibited, limited, or phased out as a result of TSCA.

Area A was previously serviced by one pad-mounted transformer located at the north end of the site. This transformer has been removed. There is a potential for PCBs to be present in the dielectric fluid used in on-site electrical equipment. Southern California Edison (SCE) is responsible for the repair and/or cleanup in the event of a spill or leak, although no leakage or staining was observed near the base of the former transformer. Additionally, due to the age of the structures, there is a potential for PCBs to be present in the ballasts of the fluorescent lights that have been observed in Area A.

There has been no analysis of potential PCB containing materials within Areas B1 or B2. However, it can be conservatively assumed that any buildings within these areas that were constructed prior to the regulation of PCBs in 1976 could potentially contain some level of PCBs.

(4) Storage Tanks

One groundwater production well and an associated above ground storage tank have been identified at the northwestern corner of Area A. The school facility previously used the water from this well for drinking water and sanitary purposes. No leakage was observed around the tank. No other storage tanks were observed on Area A.

There are ten USTs located within ¼ mile of Area A that are listed on the statewide database. Additionally, six sites within ¼ mile of Area A are listed on the CA FID database from the State Water Resources Control Board (two of these sites are also included on the statewide database). All of these sites are located cross-gradient or down-gradient to groundwater flow from the project site. Furthermore, listing on these databases does not necessarily indicate environmental violations. Two sites have reported leakage of USTs. The Ocean View School District bus maintenance yard, located in Area B2, experienced the leakage of one or more USTs located at the southwestern corner of the facility. The removal and cleanup of these sites was completed approximately eight years ago. The G and M Oil site within Area B1, discussed further below, has also experienced leakage in a UST.

(5) Records Search

A search of state and federal records performed for the former Rancho View Elementary School showed that the project site is not listed on any state or federal environmental databases.

b. Conditions of the Surrounding Area (Including Area B1 and Area B2)

Land uses surrounding Area A consist of residential, industrial, and commercial buildings, including a Chevron Gas Station located within Area B1. The surrounding area evaluated in the Phase I ESA included Area B1, which consists of the western-most portion of the project site, and Area B2, which consists of the eastern-most portion of the project site. A review of state and federal environmental databases located some sites potentially containing hazardous materials in the surrounding area. These sites are discussed below.

One or two Leaking Underground Storage Tanks (LUSTs) were identified at the bus maintenance facility within Area B2. As previously mentioned, these tanks have been removed and remediated. Additionally, one LUST located at 16990 Beach Boulevard at the G and M Oil site (within Area B1) has also been identified. Ten USTs within ¼ mile of Area A are listed on the statewide database. One of these, which is used to store unleaded gasoline, is located at the bus maintenance facility in Area B2.

HAZNET is a database that tracks sites that have generated hazardous waste manifests. Two HAZNET sites within $\frac{1}{8}$ mile of Area A have been identified, one of which is in Area B2. Additionally, three sites within Area B1 are listed on the HAZNET database. Listing on the database indicates that the sites have generated hazardous waste manifests, but it does not mean that the sites have necessarily committed environmental infractions.

Three Resource Conservation and Recovery Act with Small Quantity Generators (RCRA-SQG) sites within $\frac{1}{4}$ mile of Area A are included on that database, two of which are located in Area B1.¹⁴ One Resource Conservation and Recovery Act with Large Quantity Generators (RCRA-LQG) site is within $\frac{1}{4}$ mile of Area A.¹⁵ No violations were reported at any of these sites.

Finally, one CORTESE site within $\frac{1}{4}$ mile of Area A has been identified. The CORTESE database identifies public drinking water wells with detectable levels of contamination, hazardous substance sites selected for remedial action, sites with known toxic material, sites with USTs having a reportable release, and all solid waste disposal facilities from which there is a known migration. This site, located in Area B1, is described in the discussion of LUSTs above.

The presence of the sites discussed herein does not necessarily indicate environmental violations or environmental concern. Furthermore, the sites that are not within Area B1 or B2 are all located cross-gradient or down-gradient to groundwater flow, presenting minimal potential for groundwater impact to the project site.

3. ENVIRONMENTAL IMPACTS

a. Significance Threshold

A significant impact would be identified if the proposed project is determined to:

- Be inconsistent with adopted plans and policies.
- Result in the use, storage, and disposal of hazardous materials that does not comply with the applicable regulatory requirements.

¹⁴ Small quantity generators produce less than 1,000 kilograms (kg) of hazardous waste per year.

¹⁵ Large quantity generators produce greater than 1,000 kg of hazardous waste per year.

- Result in hazardous materials releases and human and environmental exposure to hazardous materials.

b. Project Level Impacts

(1) Impacts Relative to Existing Conditions

The Phase I ESA did not find any major environmental concerns from the current activities within Area A of the project site. Four minor environmental concerns were identified for this area in the ESA, but are not anticipated to cause high levels of site contamination. These consist of the presence of ACM in Building C of Area A; a groundwater production well and associated storage tank at the northwestern corner of Area A; soil piles left behind Building H in Area A; the possible presence of PCBs in the light ballasts in on-site buildings. As discussed further below, impacts related to asbestos, lead-based paint, or PCBs in existing Area A buildings would be considered significant if demolition of any structures found to contain such materials were to occur prior to appropriate stabilization and/or removal of the material in accordance with applicable regulations. Although the groundwater production well and associated storage tank located at the northwest corner of Area A could remain in operation for future water use, these structures would likely be abandoned pursuant to permit requirements. In addition, any USTs encountered during grading and excavation would be removed in accordance with applicable regulations to prevent any potential risk of upset. As such, potential impacts relative to existing conditions would be less than significant with implementation of Mitigation Measure HZ-1.

(2) Impacts Relative to the Use and Storage of Hazardous Materials

The construction and on-going operation of the Lowe's project may involve the use of hazardous materials in the form of paint, adhesives, surface coatings and other finishing materials, cleaning agents, and pesticides for landscaping purposes. In addition, potentially hazardous products may be stored on-site as store inventory. All finishing products used on-site would meet the regulations of the SCAQMD for solvent content that are applicable at the time of construction. Exposure of construction workers to solvents at potentially toxic levels would be prevented by adherence to the California Health and Safety Code, CCR Title 8. Additionally, hazardous materials would be handled, stored, and transported in accordance with applicable laws and regulations, to ensure potential impacts are less than significant.

(3) Impacts Relative to Hazardous Building Materials

The demolition of existing buildings in Area A that contain asbestos, lead-based paints, and/or PCBs would result in the potential release of these substances into the atmosphere if they

are not properly stabilized or removed prior to demolition activities. All buildings within this area that would be demolished as a result of the proposed project would require an ACM and lead-based paint survey. The removal of such materials would be performed by a certified lead or asbestos containment contractor in accordance with applicable regulations. Any light ballasts that do not include labels indicating that they do not contain PCBs would be assumed to contain PCBs. All such materials would be disposed of according to applicable local, state, and federal regulation, as previously described. The City maintains specific conditions of approval to address demolition of hazardous building materials. These conditions are listed in Section 5, Standard City Policies and Requirements. Therefore, potential impacts related to hazardous building materials are less than significant.

c. Program Level Impacts

(1) Impacts Relative to Existing Conditions

Hazards and hazardous materials impacts related to existing conditions within Areas B1 and B2 were not specifically addressed in the Phase I ESA. However, as discussed above, the ESA did provide an analysis of the project vicinity, which included these areas. The analysis identified one LUST listed on the CORTESE database located within Area B1, as well as one or two LUSTs at the bus maintenance yard in Area B2, which have been removed and remediated. Three HAZNET sites have been identified in Area B1, and one HAZNET site has been identified in Area B2. In addition, two RCRA-SQG sites have been identified in Area B1. Since development is not proposed in Area B2, no impacts would occur in that portion of the project site.

As previously discussed, the identification of these sites does not necessarily mean that environmental infraction has occurred and it does not automatically trigger environmental concern. Each of these existing sites would be dealt with in accordance to applicable local, state, and federal laws and guidelines. Areas requiring structural improvements or the construction of new buildings or structures would require site-specific analysis and, if necessary, a subsequent Phase I ESA as part of the environmental analysis and decision-making process related to those elements. Compliance with applicable regulatory requirements and implementation of project-specific recommendations listed within future hazards studies would insure that impacts would be less than significant.

(2) Impacts Relative to the Use and Storage of Hazardous Materials

The construction and on-going operation of future development within Areas B1 and B2 could involve the use of hazardous materials in the form of paint, adhesives, surface coatings and other finishing materials, cleaning agents, and pesticides for landscaping purposes. All finishing

products used on-site would meet the regulations of the SCAQMD for solvent content that are applicable at the time of construction. Exposure of construction workers to solvents at potentially toxic levels would be prevented by adherence to the California Health and Safety Code, CCR Title 8. As hazardous materials would be handled, stored, and transported in accordance with applicable laws and regulations as outlined above, potential impacts would be less than significant.

(3) Impacts Relative to Hazardous Building Materials

The demolition of existing buildings in Area B1 that may contain asbestos, lead-based paints, and/or PCBs would result in the potential release of these substances into the atmosphere if they are not properly stabilized or removed prior to demolition activities. Any buildings within this area that would be demolished or remodeled as a result of any future development would need to undergo an ACM and lead-based paint survey. The removal of such materials would be performed by a certified lead or asbestos containment contractor in accordance with applicable regulations. Any light ballasts that do not include labels indicating that they do not contain PCBs should be assumed to contain PCBs. All such materials would be disposed of according to applicable local, state, and federal regulation, as previously described. These measures would ensure that potential impacts related to hazardous building materials are less than significant. As previously stated, development is not proposed in Area B2, therefore impacts relative to hazardous building materials would not occur in this portion of the project site.

4. CUMULATIVE IMPACTS

The simultaneous development of the proposed project and related projects would not result in cumulatively significant impacts since all development in the vicinity would be subject to the same local, regional, state, and federal regulations pertaining to hazards and hazardous materials. Therefore, with adherence to such regulations, significant cumulative impacts would not occur.

5. STANDARD CITY POLICIES AND REQUIREMENTS

The project will be required to comply with standard conditions of approval for hazards and hazardous materials as follows:

Prior to Issuance of Demolition Permits

1. The applicant shall follow all procedural requirements and regulations of the South Coast Air Quality Management District (SCAQMD) and any other local, state, or federal, law regarding the removal and disposal of any hazardous material including asbestos, lead, and PCB's. These requirements include but are not limited to: survey, identification of removal methods, containment measures, use and treatment of water, proper truck hauling, disposal procedures, and proper notification to any and all involved parties.
2. Pursuant to the requirements of the SCAQMD, an asbestos survey shall be completed.
3. The applicant shall complete all Notification requirements of the SCAQMD.
4. The City of Huntington Beach shall receive written verification from the SCAQMD that the Notification procedures have been completed.
5. All asbestos shall be removed from all buildings prior to demolition of any portion of any building.
6. A truck hauling and routing plan for all trucks involved in asbestos removal and demolition of the existing structures shall be submitted to the Department of Public Works and approved by the Director of Public Works.
7. The applicant shall disclose the method of demolition on the demolition permit application for review and approval by the Building and Safety Director.

6. LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Impacts related to asbestos, lead-based paint, or PCBs in existing Area A buildings would be considered significant if demolition of any structures found to contain such materials were to occur prior to appropriate stabilization and/or removal of the material in accordance with applicable regulations.

Although the groundwater production well and associated storage tank located at the northwest corner of Area A could remain in operation for future water use, these structures would likely be abandoned pursuant to permit requirements.

7. MITIGATION MEASURES

a. Construction

The following mitigation measure would reduce the potential impacts of the project to a less than significant level.

HZ-1 Prior to the issuance of a grading permit, the groundwater production well and associated storage tank located at the northwest corner of Area A shall be abandoned pursuant to permit requirements, unless they are intended for future use.

b. Operation

With adherence to applicable local, regional, state, and federal laws and regulations as previously discussed, no mitigation measures associated with the handling, use, or storage of hazardous materials during project operation would be required.

8. LEVEL OF SIGNIFICANCE AFTER MITIGATION

With incorporation of the mitigation measure outlined above, potential impacts associated with hazards and hazardous materials would be less than significant.