

5. Environmental Analysis

5.6 HAZARDS AND HAZARDOUS MATERIALS

This section evaluates the potential impacts of the CollegeTown Specific Plan (proposed project) on human health and the environment due to exposure to hazardous materials or conditions associated with the project site, project construction, and project operations. The analysis in this section is based, in part, upon the following source:

- *Phase 0 Environmental Records Review, CollegeTown Specific Plan*, The Planning Center | DC&E, March 2013.

A complete copy of this study is included in the Technical Appendices to this Draft EIR (Appendix F).

5.6.1 Environmental Setting

5.6.1.1 REGULATORY BACKGROUND

Hazardous materials refer generally to hazardous substances that exhibit corrosive, poisonous, flammable, and/or reactive properties and have the potential to harm human health and/or the environment. Hazardous materials are used in products (household cleaners, industrial solvents, paint, pesticides, etc.) and in the manufacturing of products (e.g., electronics, newspapers, plastic products). Hazardous materials can include petroleum, natural gas, synthetic gas, acutely toxic chemicals, and other toxic chemicals that are used in agriculture, commercial, and industrial uses; businesses; hospitals; and households. Accidental releases of hazardous materials have a variety of causes, including highway incidents, warehouse fires, train derailments, shipping accidents, and industrial incidents.

Hazardous Materials and Waste Regulation

There are many federal, state, and local programs that regulate the use, storage, and transportation of hazardous materials and hazardous waste, and they are constantly changing. Federal and state statutes, as well as local ordinances and plans, regulate hazardous waste management. These regulations can reduce the danger that hazardous substances may pose to people and businesses under normal daily circumstances and as a result of emergencies and disasters.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) of 1976 is the principal federal law that regulates the generation, management, and transportation of waste. Hazardous waste management includes the treatment, storage, or disposal of hazardous waste. Treatment is any process that changes the physical, chemical, or biological character of the waste to reduce its potential as an environmental threat. Treatment can include neutralizing the waste, recovering energy or material resources from the waste, rendering the waste less hazardous, or making the waste safer to transport, dispose of, or store.

The RCRA gave the US Environmental Protection Agency (EPA) the authority to control hazardous waste from “cradle to grave,” that is, from generation to transportation, treatment, storage, and disposal. The RCRA also set up a framework for the management of nonhazardous wastes. The 1986 amendments to RCRA enabled the EPA to address environmental problems that could result from underground tanks storing

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petroleum and other hazardous substances. It should be noted that RCRA focuses only on active and future facilities and does not address abandoned or historical sites. The federal Hazardous and Solid Waste Amendments are the 1984 amendments to RCRA that required phasing out land disposal of hazardous waste. Some of the other mandates of this strict law include increased enforcement authority for the EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, commonly known as the Superfund, was enacted to protect the water, air, and land resources from the risks created by past chemical disposal practices such as abandoned and historical hazardous wastes sites. Through the act, the EPA was given power to seek out the parties responsible for any release and assure their cooperation in the cleanup. This federal law created a tax on the chemical and petroleum industries that went to a trust fund for cleaning up abandoned or uncontrolled hazardous waste sites. CERCLA also enabled the revision of the National Contingency Plan, which provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The National Contingency Plan established the National Priority List (NPL) of sites, known as Superfund sites. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.

Superfund Amendments and Reauthorization Act

The Superfund Amendments and Reauthorization Act (SARA) reauthorized CERCLA to continue cleanup activities around the country. Several site-specific amendments, clarifications, and technical requirements were added to the legislation, including additional enforcement authorities. Title III of SARA authorized the Emergency Planning and Community Right-to-Know Act.

Emergency Planning & Community Right to Know Act

The Emergency Planning and Community Right to Know Act (EPCRA) was enacted by Congress as the national legislation on community safety. This law was designated to help local communities protect public health, safety, and the environment from chemical hazards. The primary purpose of EPCRA is to inform communities and citizens of chemical hazards in their areas by requiring businesses to report the locations and quantities of chemicals stored onsite to state and local agencies. These reports help communities prepare to respond to chemical spills and similar emergencies. Section 3131 of EPCRA requires manufacturers to report releases to the environment (air, soil, and water) of more than 600 designated toxic chemicals; report offsite transfers of waste for treatment or disposal at separate facilities; implement pollution prevention measures and activities; and participate in chemical recycling. These annual reports are submitted to the EPA and state agencies. The EPA maintains and publishes a database that contains information on toxic chemical releases and other waste management activities by certain industry groups and federal facilities. This online, publicly available, national digital database is called the Toxics Release Inventory (TRI) and was expanded by the Pollution Prevention Act of 1990.

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To implement EPCRA, Congress required each state to appoint a State Emergency Response Commission (SERC) to coordinate planning and implementation activities associated with hazardous materials. The SERCs were required to divide their states into emergency planning districts and to name a local emergency planning committee (LEPC) for each district. The federal EPCRA program is implemented and administered in California by the California Emergency Management Agency (CalEMA), a SERC, 6 LEPCs, and 83 certified unified program agencies (CUPAs). CalEMA provides staff support to the SERC and the LEPCs. The Governor's Office of Emergency Services (OES) coordinates and provides staff support for the SERC and LEPCs. Broad representation by fire fighters, health officials, government and media representatives, community groups, industrial facilities, and emergency managers ensures that all necessary elements of the planning process are represented.

Toxic Substances Control Act

The Toxic Substances Control Act of 1976 was enacted by Congress to give the EPA the ability to track the 75,000 industrial chemicals currently produced or imported into the United States. The EPA repeatedly screens these chemicals and can require reporting or testing of any that may pose an environmental or human health hazard. It can ban the manufacture and import of chemicals that pose an unreasonable risk. Also, the EPA has mechanisms in place to track the thousands of new chemicals that industry develops each year with either unknown or dangerous characteristics. It then can control these chemicals as necessary to protect human health and the environment. The act supplements other federal statutes, including the Clean Air Act and the TRI under EPCRA.

Regulatory Agencies

U.S. EPA

The EPA is the primary federal agency that regulates hazardous materials and waste. In general, the EPA works to develop and enforce regulations that implement environmental laws enacted by Congress. The agency is responsible for researching and setting national standards for a variety of environmental programs and delegates to states and tribes the responsibility for issuing permits and for monitoring and enforcing compliance. EPA programs promote handling hazardous wastes safely, cleaning up contaminated land, and reducing trash. Under the authority of the RCRA and in cooperation with state and tribal partners, the Waste Management Division manages a hazardous waste program, an underground storage tank program, and a solid waste program that includes development of waste reduction strategies such as recycling.

California EPA (Cal/EPA)

Cal/EPA was created in 1991 by Governor's Executive Order. The six boards, departments, and office were placed under the Cal/EPA umbrella to create a cabinet-level voice for the protection of human health and the environment and to assure the coordinated deployment of state resources. Cal/EPA oversees the unified hazardous waste and hazardous materials management regulatory program. Currently, there are 83 CUPAs in California.

The Unified Program consolidates, coordinates, and makes consistent the following six programs:

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- Underground Storage Tank
- Aboveground Petroleum Storage Tank
- Hazardous Waste
- Hazardous Materials Disclosure
- Business Emergency Plan
- California Accidental Release Prevention

California Department of Toxic Substances Control

The DTSC is a department of Cal/EPA, which authorizes DTSC to carry out the RCRA program in California to protect people from exposure to hazardous wastes. The department regulates hazardous waste, cleans up existing contamination, and looks for ways to control and reduce the hazardous waste produced in California, primarily under the authority of RCRA and in accordance with the California Hazardous Waste Control Law (California Health and Safety Code Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (Title 22, California Code of Regulations, Divisions 4 and 4.5). Permitting, inspection, compliance, and corrective action programs ensure that people who manage hazardous waste follow state and federal requirements and other laws that affect hazardous waste specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. Orange County, including the City of Fullerton, is in DTSC's Southern California region.

Certified Unified Program Agency

A CUPA is a local agency that has been certified by Cal/EPA to implement the local Unified Program. The CUPA can be a county, city, or joint powers authority. A participating agency is a local agency that has been designated by the local CUPA to administer one or more Unified Programs within their jurisdiction on behalf of the CUPA. A designated agency is a local agency that has not been certified by Cal/EPA to become a CUPA but is the responsible local agency that would implement the six Unified Programs until they are certified.

The Orange County Environmental Health Division (OC Environmental Health) is the designated CUPA for the City of Fullerton. OC Environmental Health was designated the CUPA for the County of Orange by the State Secretary for Environmental Protection on January 1, 1997. The CUPA is the local administrative agency that coordinates the regulation of hazardous materials and hazardous wastes in Orange County for six programs: Hazardous Waste, Underground Storage Tank, Aboveground Petroleum Storage Tank, Hazardous Materials disclosure, Business Emergency Plan, and the California Accidental Release Prevention (CalARP). County and City Fire Agencies within Orange County have joined in partnership with the CUPA as Participating Agencies (PAs). In Fullerton, OC Environmental Health administers the Hazardous Waste and Aboveground Petroleum Storage Tank Programs, while the City of Fullerton Fire Department (FFD) administers the Underground Storage Tank, Hazardous Materials Disclosure, Business Emergency Plan, and CalARP Programs (Fullerton 2012).

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The FFD Operations/Training Division is responsible for providing emergency response for controlling Hazardous Materials Incidents. Operations/Training is also responsible for providing state and federally mandated training, and ongoing continuing education related to hazardous materials. The FFD Fire Prevention Division conducts ongoing inspections for the purpose of life safety, and the enforcement of federal, state, and local fire regulations, among other responsibilities. The Fire Prevention Division also conducts inspections related to hazardous materials and underground storage tank regulations (Fullerton 2012).

Regulatory Programs

Underground Storage Tank Program

Releases of petroleum and other products from USTs are the leading source of groundwater contamination in the United States. The RCRA Subtitle I established regulations governing the storage of petroleum products and hazardous substances in USTs and the prevention and cleanup of leaks. In EPA Region 9 (California, Arizona, Hawaii, Nevada, Pacific Islands, and over 140 tribal nations), the UST program operates primarily through state agency programs with EPA oversight. In California, the State Water Resources Control Board (SWRCB), under the umbrella of Cal/EPA, provides assistance to local agencies enforcing UST requirements. The purpose of the UST program is to protect public health and safety and the environment from releases of petroleum and other hazardous substances. The SWRCB's Geotracker system currently has information submitted by responsible parties for leaking UST (LUST) sites statewide and has been extended to include all SWRCB groundwater cleanup programs, including the LUST, non-LUST (Spill, Leaks, Investigation, and Cleanup), Department of Defense, and landfill programs. The FFD is tasked with implementing and enforcing the underground storage tank codes. To this end, the FFD inspect underground storage tanks, and monitor equipment and compliance documents of UST systems to ensure that these systems are in compliance with the applicable laws and regulations. The FFD also serves to educate and assist tank owners and operators with regulatory requirements (Fullerton 2012).

Aboveground Petroleum Storage Tank Program

Effective January 1st, 2008, Assembly Bill 1130 (AB 1130) gave authority for the administration and implementation of the APST Program to the local CUPA. The SWRCB is no longer the regulating agency for APSTs in Orange County. The APST Program has been delegated to the Orange County CUPA throughout the county, consolidating the environmental programs, fees, and inspection authority into one single regulating agency. The Aboveground Petroleum Storage Act of 1990 requires owners or operations of APST facilities to file a tank facility statement, to develop and implement a spill prevention control and countermeasure plan. The purpose of this program is to protect the state's people and natural resources from APST spills or releases.

Hazardous Waste Program

The CUPA implements the Hazardous Waste Inspection Program throughout Orange County. The purpose of this program is to ensure that all hazardous wastes generated by Orange County businesses are properly handled, recycled, treated, stored, and disposed of. Facilities that generate hazardous waste are inspected. The

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program investigates reports of illegal hazardous waste disposal and responds to emergency spills of hazardous chemicals. Specialists also participate in public education programs designed to inform industries and residents about the laws and regulations relating to safe disposal of hazardous waste.

Business Emergency Plan

The FFD oversees the BEPs required under Chapter 6.95 of the California Health and Safety code for businesses that use, store, or handle hazardous materials. The BEP lists preparations for and actions in an emergency. The information is also shared with emergency response personnel to mitigate a release and minimize harm or damage to human life, the environment, and property.

CalARP

OC Environmental Health implements the CalARP program for the City of Fullerton. CalARP was adapted from the federal accidental release program established by the Clean Air Act Section 112 (r) and modified to meet California's needs. This program requires any business that handles more than threshold quantities of a regulated substance to develop a risk management plan, which is implemented by the business to prevent or mitigate releases of regulated substances that could have offsite consequences.

Emergency Preparedness

City of Fullerton Emergency Operations Plan

The City of Fullerton adopted their Emergency Operations Plan (EOP) in March 2004. The EOP is intended to provide guidance for the City's planned response to extraordinary emergency situations, associated with natural disasters, terrorism, technological incidents, and nuclear defense operations. The EOP concentrates on the management, and concepts and response procedures relative to large-scale disasters. Such disasters pose major threats to life, the environment, and property and can impact the wellbeing of large numbers of people. The EOP addresses the City of Fullerton's planned response to all natural and technological emergencies, including both peacetime and wartime nuclear defense operations. It provides an overview of operational concepts, identifies components of the City Emergency Management Organization, and describes the overall responsibilities of Federal, State, Region, Operational Area, and City entities (Fullerton 2012). The FFD maintains the City's EOP, which sets forth roles and responsibilities of various City departments in emergency preparation and emergency response. The FFD maintains an Emergency Operations Center to coordinate responses of various City and County departments in the event of a disaster or major emergency in the City.

The City of Fullerton adopted the Standardized Emergency Management System (SEMS) concept (SB 1841) in November 1995. SEMS incorporates the use of:

- The Incident Command System (ICS);
- Multi-Agency/Inter-Agency Coordination System (MACS);
- Mutual Aid;

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- Operational Area Concept; and
- Operational Area Satellite Information System (OASIS) (Fullerton 2012).

5.6.1.2 EXISTING CONDITIONS

Existing Uses of the Site

The project site is developed and consists of a mix of residential, commercial, office, and institutional uses (see Figure 3-5, *Existing Land Uses*). Existing residential development consists of six multifamily residential complexes, including the Hope International University (HIU) dormitories. Existing commercial development consists of three neighborhood commercial centers. Existing office development consists of three office business parks. Existing institutional uses include HIU's main campus and the California State University Fullerton (CSUF), building that houses CSUF's academic and administrative uses. The commercial center at the northeast corner of the intersection of Chapman Avenue and State College Boulevard has a Mobil gasoline service station. Sayomi's Tailoring and Cleaners is in the shopping center at the southeast corner of the intersection of Chapman Avenue and State College Boulevard.

Past Uses of the Site

Past usage of the site was assessed through a review of historical aerial photographs (see Appendix G of the EIR). The majority of the project site was used for agricultural purposes, primarily citrus orchards with scattered rural residential in the late 1920s through the 1950s. The shopping center south of Chapman Avenue was developed in the early 1960s. The orchards were gone by 1968 when development started with the private university, apartments, and shopping center.

Groundwater

The project site is over the Main Orange County Groundwater Basin. Groundwater was found at 94 feet below ground surface in a geotechnical investigation for the University House project next to the south Specific Plan boundary (Fusco 2013).

Environmental Database Listings

Onsite Listings

The hazardous materials sites described in Table 5.6-1 were identified in the project area by the Phase 0 Environmental Site Assessment.

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Table 5.6-1 Hazardous Materials Database Listings

Address and Location	Database	Reason for Listing and Regulatory Status
Onsite¹		
Pink Tiger Cleaners 2466 Chapman Avenue	RCRA Small Quantity Generator (SQG) of hazardous waste (generates between 100 and 1,000 kg of hazardous wastes per month)	Formerly listed; now an Asian restaurant. May have been a dry cleaners not listed on DTSC Cleaners Facility database.
Exxon Mobil Station 506 N. State College Boulevard	RCRA SQG	No violations reported.
	Registered UST	
Five Plants Association College Park 2501 College Place on the HIU campus next to the southeast side of the Lawson Student Center	RCRA Large Quantity Generator (LQG) (generates 1,000 kg or more of hazardous wastes per month) and SQG	No violations reported.
	Registered UST	
Sayomi's Tailoring and Cleaners 2460 Chapman Avenue	Not listed	The site was not inspected on the inside to evaluate if dry cleaning is done onsite. However, based on a phone interview, dry cleaning is done at another location, and the site is used primarily for alterations.
Offsite		
Distance and Direction from Site		
Trent Tube Division Fullerton Operations 2100 E. Orangethorpe Avenue 0.9 mile south	RCRA Corrective Action Report (CORRACTS)	Potential contaminants of concern: metals, nitric acid, volatile organics. Affected soil, soil vapor. DTSC issued No Further Action in 2009. Not expected to affect site due to distance and regulatory status.
Globe-Union 1550 Kimberly Avenue 0.92 mile southwest	RCRA CORRACTS	LQG of hazardous wastes.
Chevron Service Station No. 9 2950 Nutwood Avenue 0.161 mile east-northeast	RCRA SQG	SQG
Sevans Shell 351 N. Placentia Avenue 0.165 mile east	RCRA SQG	SQG
Award Radiator 2319 Commonwealth Avenue 0.173 mile southwest	SQG	SQG
Globe-Union 1550 Kimberly Avenue 0.92 mile southwest	LQG	LQG
La Vista High School 909 N State College Blvd 0.03 mile northwest	EnviroStor	No further action, 2006.
Troy High School 2200 East Dorothy Lane 0.12 mile northwest	EnviroStor	No further action, 2006.
USF/Reddaway 300 S State College Blvd 0.34 mile south	EnviroStor	Active site with preliminary site screening and evaluation under the oversight of the DTSC.

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Table 5.6-1 Hazardous Materials Database Listings

Address and Location	Database	Reason for Listing and Regulatory Status
Hi-Cone 500 S State College Blvd 0.4 mile south	EnviroStor	Active site with preliminary site screening and evaluation under the oversight of the DTSC.
MDC Center 601 S. Placentia Avenue 0.606 mile south-southeast	EnviroStor	
Omni Optical Product 360 S. Acacia 0.6 mile south	EnviroStor	Active site with preliminary site screening and evaluation under the oversight of the DTSC.
Guest Distribution 190 W Crowther 0.6 mile south	EnviroStor	Inactive site.
ST Hart Container 1901 E Rossllyn Avenue 0.64 mile southwest	EnviroStor	Active site under the oversight of the DTSC.
Yokohama Tire Corporation 601 S Acacia Ave 0.76 miles southwest	EnviroStor	Active site with preliminary site screening and evaluation under the oversight of the DTSC.
Kraft Foods Inc. 1500 E Walnut 0.77 mile southwest	EnviroStor	Active site with preliminary site screening and evaluation under the oversight of the DTSC.
PCA Metal Finishing 1726 E. Rossllyn Avenue 0.77 mile southwest	EnviroStor	Inactive site with the DTSC; was referred to the RWQCB.
Orange County Paint 1710 E. Rossllyn Avenue 0.78 mile southwest	EnviroStor	Screened by the DTSC in 2011. DTSC recommended investigation of the site.
HiTech Solder 700 Monroe Way 0.8 mile southeast	EnviroStor	Inactive site.
Orange Co. Metal Pro 1711 Kimberly 0.8 mile southwest	EnviroStor	The site is being investigated, and remediation is being evaluated for volatile organic compounds (VOC) in the subsurface.
National Technical 1536 Valencia Drive 0.82 mile southwest	EnviroStor	Inactive site.
Specialty Extrusion 801 S Acacia Avenue 0.84 mile southwest	EnviroStor	Active site with preliminary screening.
Trent Tube 2100 Orangethrope 0.894 mile south	EnviroStor	DTSC oversight for corrective action.
Inland Products Inc. 1410 E. Walnut Avenue 0.9 mile southwest	EnviroStor	Active site being evaluated by the DTSC.

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Table 5.6-1 Hazardous Materials Database Listings

Address and Location	Database	Reason for Listing and Regulatory Status
Johnson Controls located at 1550 E. Kimberly Avenue 0.92 mile southwest	EnviroStor	Corrective action site with land use restrictions.
Shell gas station 2340 East Chapman Avenue 500 feet west	LUST	Case closed 1993.
Arco Service Station 401 N. Placentia 650 feet southeast	LUST	The site is being monitored, and groundwater flow is to the southeast, away from the project site.
Shell Service Station 351 N. Placentia 700 feet southeast	LUST	The site is being monitored and groundwater flow is to the southeast, away from the project site.
M&J Equipment 450 Placentia 780 feet east	LUST	The site received regulatory closure following remediation.
Unocal Service Station 820 W Chapman 788 feet east	LUST	Site is outside ½- mile radius for LUST search. The site was erroneously listed on East Chapman Avenue in the database but is located on West Chapman Avenue.
Exxon Service Station 901 N Placentia Ave 989 feet east northeast	LUST	Active site with monitoring and remediation. Groundwater flow is to the south, cross-gradient of the site.
Plugged and abandoned oil well 250 feet south of Chapman Avenue between Commonwealth Avenue and Derek Drive	Oil Well Map, Division of Oil, Gas, and Geothermal Resources	Plugged and abandoned oil well

5.6.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- H-1 Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- H-2 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.
- H-3 Emit hazardous emissions or handle hazardous or acutely hazardous materials, substance, or waste within one-quarter mile of an existing or proposed school.
- H-4 Be located on a site which is included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.

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- H-5 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 result in a safety hazard for people residing or working in the project area.
- H-6 For a project in the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area.
- H-7 Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- H-8 Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to the urbanized areas or where residences are intermixed with wildlands.

The Initial Study, included as Appendix A, substantiates that impacts associated with the following thresholds would be less than significant:

- Threshold H-5
- Threshold H-6
- Threshold H-8

These impacts will not be addressed in the following analysis.

5.6.3 Environmental Impacts

The following impact analysis addresses thresholds of significance for potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.6.1: Construction and operation of projects developed pursuant to the Specific Plan would involve the transport, use, and/or disposal of hazardous materials. [THRESHOLDS H-1, H-2, and H-3]

Impact Analysis:

The project would permit net increases of up to 3,400 residential units and 670,520 square feet of nonresidential buildings, and it is estimated to accommodate a net increase of 12,071 residents and 1,666 employees.

Routine Use

Operations

The Specific Plan would permit development of commercial, office, and institutional uses in addition to residential uses. Operations of commercial, office, and institutional uses would involve use and transport of some hazardous materials, and disposal of some hazardous wastes. Specific types of commercial uses that

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would be developed onsite are currently unknown; therefore, specific types and amounts of hazardous materials and hazardous wastes that would be used, transported, and/or disposed of are also unknown. Many office and retail uses use only small amounts of hazardous materials, mainly for cleaning and maintenance purposes, such as cleansers, solvents, fertilizers, pesticides, and paints.

Use, transport, and disposal of hazardous materials by projects developed under the Specific Plan would be governed by existing regulations of several agencies, including the EPA, US Department of Transportation (DOT), Occupational Safety and Health Administration (OSHA), California Division of Occupational Safety and Health (Cal/OSHA), and OC Environmental Health. Consequently, no significant impacts would occur.

Construction

Construction of projects developed in accordance with the Specific Plan would use hazardous materials including fuels, lubricants, solvents and degreasers, and coatings including paints. Use, transport, and disposal of hazardous materials would be governed by the same regulations that would apply during operations of projects. Consequently, use of small amounts of hazards materials during construction activities would be less than significant.

Suspect Environmental Conditions

A suspect environmental condition is the suspected presence or likely presence of hazardous materials or petroleum products under conditions indicating an existing or past release or a material threat of a release, into structures, soil, groundwater, or surface water, even under conditions in compliance with laws.

Pesticides

The site remained in agricultural use for about 10 years after organochlorine pesticides came into wide use. Based on the amount of grading in the area for road construction and construction of buildings and parking lots, the possibility of residual pesticides above levels of concern is considered minimal and is not a substantial hazard of the project site.

Asbestos-Containing Materials

Asbestos is the name of a group of silicate minerals that are heat resistant, and thus were commonly used as insulation and fire retardant. Inhaling asbestos fibers has been shown to cause lung disease (asbestosis) and lung cancer (mesothelioma) (DTSC 2010). Beginning in the early 1970s, a series of bans on the use of certain asbestos-containing materials (ACMs) in construction were established by the EPA and the Consumer Product Safety Commission. Most US manufacturers voluntarily discontinued the use of asbestos in certain building products during the 1980s. Requirements for limiting asbestos emissions from building demolition and renovation activities are specified in South Coast Air Quality Management District (SCAQMD) Rule 1403, Asbestos Emissions from Demolition/Renovation Activities. California Government Code Sections 1529 and 1532.1 regulate exposure limits, exposure monitoring, respiratory protection, and good working practice for workers exposed to lead and ACM.

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Based on the age of the structures onsite, some could contain ACM. With adherence to existing regulations, including SCAQMD Rule 1403 and the California Government Code, demolition of onsite structures would not expose workers, the public, or the environment to substantial hazards through exposure to ACM.

Lead-Based Paint

Lead was formerly used as an ingredient in paint (before 1978) and as a gasoline additive; both of these uses have been banned. Lead is listed as a reproductive toxin and a cancer-causing substance; it also impairs the development of the nervous system and blood cells in children (DTSC 2010). Those demolishing pre-1978 structures may assume that the buildings contain lead-based paint (LBP) without an inspection. Lead must be contained during demolition activities (California Health and Safety Code Sections 17920.10 and 105255).

Title 29 Code of Federal Regulations (CFR) Part 1926 establishes standards for occupational health and environmental controls for lead exposure. The standard also includes requirements addressing exposure assessment, methods of compliance, respiratory protection, protective clothing and equipment, hygiene facilities and practices, medical surveillance, medical removal protection, employee information and training, signs, recordkeeping, and observation or monitoring.

Based on the age of the structures onsite, some could contain LBP. With adherence to these existing regulations, including the California Health and Safety Code, demolition of onsite structures would not expose workers, the public, or the environment to substantial hazards from LBP.

Accidental Release

Workers demolishing existing structures onsite and building structures developed in accordance with the Specific Plan would be trained in containment and cleanup of hazardous materials. Projects developed pursuant to the Specific Plan would maintain supplies for containing and cleaning up hazardous materials spills onsite. Workers in project construction or project operation would notify the appropriate authorities immediately in the event of a hazardous materials release. Releases must be reported to OC Environmental Health, the CalEMA, and/or the National Response Center depending on the substance and amount released.

Facilities using and handling hazardous materials in amounts over certain thresholds would be regulated under CalARP, which requires regulated business to develop a risk management plan to prevent or mitigate releases of regulated substances that could have offsite consequences. Threshold quantities of hazardous materials regulated under CalARP vary by substance and by the level of risk a facility poses to the public. With adherence to these existing regulations, construction and operation of projects pursuant to the Specific Plan would not expose the public or the environment to substantial hazards through accidental release of hazardous materials.

Emissions within 0.25 Mile of Schools

The following K–12 schools are within 0.25 mile of the project site:

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- La Vista Continuation High School and La Sierra Alternative High School, 909 N State College Boulevard, 0.03 mile northwest
- Troy High School, 2200 East Dorothy Lane, 0.12 mile northwest
- Ladera Vista Junior High School, 1700 E Wilshire Avenue, 0.25 mile southwest
- Commonwealth Elementary School, 2200 E. Commonwealth Avenue, 0.25 mile southwest

The Specific Plan would not permit industrial land uses that could emit toxic air contaminants in concentrations that could be hazardous to persons at schools within 0.25 mile of the site. The Specific Plan would permit development of residential, office, and commercial uses that would use relatively small amounts of hazardous materials. Emissions from project-generated traffic would not result in carbonmonoxide hotspots that could be hazardous to persons at nearby schools (project air quality impacts are discussed in Section 5.2, *Air Quality*). Hazards resulting from routine use of hazardous materials and accidental releases of hazardous materials through Specific Plan buildout would be less than significant.

Impact 5.6-2: The project site is included on a list of hazardous materials sites, and further review would be required for potential environmental conditions. [THRESHOLD H-4]

Impact Analysis: The project site is listed on the following environmental databases:

- RCRA SQG of hazardous waste
 - Pink Tiger Cleaners, 2466 Chapman Avenue (closed, now an Asian restaurant)
 - ExxonMobil station, 506 N. State College Boulevard
- RCRA LQG of hazardous waste
 - Five Plants Association College Park, 2501 College Place on the HIU campus next to the southeast side of the Lawson Student Center
- Registered UST
 - ExxonMobil station, 506 N. State College Boulevard

Potential Environmental Conditions

A potential environmental condition is the possible presence of any hazardous substances or petroleum products on a property under conditions that indicate the possibility of an existing release, a past release, or a threat of release into structures on the property or into the ground, groundwater, or surface water of the property. Two properties onsite may pose potential environmental conditions because they are listed on environmental databases:

- Possible former dry cleaner, 2466 Chapman Avenue

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- Five Plants Association College Park at 2501 College Place on the HIU campus is listed as a RCRA-SQG and RCRA-LQG and as having a registered underground storage tank.

No other potential environmental conditions or suspect environmental conditions were identified among the listed sites.

Pink Tiger Cleaners and Five Plants Association College Park

A Phase I Environmental Site Assessment (ESA) is necessary for the former Pink Tiger Cleaners (within APN No. 033-420-05) to determine whether it was a dry cleaner and if hazardous materials were released. Likewise, a Phase I ESA is necessary for the Five Plants Association College Park (APN No. 338-111-01) to determine the type of operations and chemicals used. Potential environmental conditions may be present at these locations. In the event these properties are redeveloped, the ESAs would determine what hazardous materials may be present and would identify if hazardous conditions exist. Consequently, impacts are potentially significant at these locations.

Impact 5.6-3: Project development would not affect the implementation of an emergency response or evacuation plan. [THRESHOLD H-7]

Impact Analysis: The FFD is responsible for emergency response planning for the City; maintains the City's EOP; and operates the City's Emergency Operations Center. The City's EOP anticipates that all major streets within the City would serve as evacuation routes. Highways and arterial streets that connect to the major freeways, including SR-57, would serve as potential evacuation routes, in the event of an extraordinary emergency situation (Fullerton 2012). The proposed project would ensure that the minimum right-of-way widths on City streets would be maintained (e.g., Chapman Avenue), which would continue to ensure that various evacuation routes are accessible to residents. Individual project review of subsequent projects within the CollegeTown Specific Plan by the City and the FFD is also required. The project would incorporate all applicable design and safety requirements in the California Building and Fire Codes.

The project would close a segment of Nutwood Avenue within the project site, from Folino Drive on the east to Titan Drive on the west. Nutwood Avenue would remain open from Folino Drive eastward, and from Titan Drive westward (see Figure 3-9, *Mobility Plan*). None of the existing vehicular evacuation routes from the CSUF campus use the segment of Nutwood Drive that would be closed and vacated by development of the CollegeTown Specific Plan, as shown on Figure 5.6-1, *Vehicle Evacuation Map, CSUF* (Fisher 2013). Existing emergency service vehicle access roads and service response times would not be impeded or affected by the closure of a segment of Nutwood Avenue or implementation of the proposed project. Adequate emergency evacuation routes would remain for the project site, the CSUF campus, and surrounding neighborhoods.

5.6.4 Cumulative Impacts

The area for which cumulative hazards and hazardous materials impacts are considered is the project vicinity. Other projects in the City would use hazardous materials during operation and during construction activities. Use, transport, storage, and disposal of hazardous materials by other projects in the City would be governed

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by the same regulations and agencies governing such use by the proposed project. Implementation of existing regulations would minimize potential hazards from accidental release of hazardous materials. Other projects would be subject to independent CEQA review; projects that could expose persons at schools within 0.25 mile of a project's site to substantial hazards through emissions of hazardous substances would be required to implement feasible mitigation measures to reduce those hazards.

Other projects may be proposed on sites listed on environmental databases. CEQA review for such projects would include environmental site assessments. Where contaminated soil, soil vapor, or water were discovered on a site, cleanup to appropriate regulatory levels would be required before proposed land uses could be approved where people could come into contact with the contaminated material.

Other projects would not interfere with implementation of emergency response plans by the Emergency Management Division or other emergency response agencies. Project impacts would not combine with impacts of other projects to result in substantial cumulative impacts.

5.6.5 Existing Regulations and Standard Conditions

Federal

- United States Code Title 42 Sections 9601 et seq.: Comprehensive Environmental Response, Compensation and Liability Act and Superfund Amendments and Reauthorization Act
- United States Code Title 42, Sections 6901 et seq.: Resource Conservation and Recovery Act
- United States Code Title 42 Sections 11001 et seq: Emergency Planning & Community Right to Know Act

5.6.6 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.6-1 and 5.6-3.

Without mitigation, the following impacts would be **potentially significant**:

- Impact 5.6-2: The project site is listed on hazardous materials sites databases.

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5.6.7 Mitigation Measures

Impact 5.6-2

6-1 Project applicants that redevelop 2466 Chapman Avenue or the Five Plants Association College Park at 2501 College Place shall submit a Phase I Environmental Site Assessment (Phase I ESA) to the City of Fullerton in conformance with ASTM E-1527 prior to issuance of grading permits. The Phase I ESA shall be signed and stamped by a qualified environmental assessor. If the Phase I ESA concludes that recognized environmental conditions (RECs) or potential RECs are present, and therefore recommends preparation of a Phase II ESA (sampling and testing of soil, soil vapor, and/or groundwater, and health risk assessment), the project applicant shall also submit a Phase II ESA to the City of Fullerton prior to issuance of grading permits. If the Phase 2 ESA recommends cleanup of soil, soil vapor, and/or groundwater, the project applicant shall have cleanup completed before approval of occupancy permits. The Phase II ESA shall also be signed and stamped by a qualified environmental assessor. Before issuance of building permits for redevelopment projects at the aforementioned sites, the appropriate response/remedial measures will be implemented in accordance with the directives of the City of Fullerton Fire Department (FFD), Orange County Health Care Agency (OCHCA), Department of Toxic Substances Control (DTSC), and/or the Regional Water Quality Control Board (RWQCB), as appropriate. If soils are encountered during site development that are suspected of being impacted by hazardous materials, work will be halted and site conditions will be evaluated by a qualified environmental professional. The results of the evaluation will be submitted to FFD, OCHCA, DTSC, and/or RWQCB, and the appropriate response/remedial measures will be implemented as directed by FFD, OCHCA, DTSC, RWQCB, or other applicable oversight agencies, until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained.

5.6.8 Level of Significance After Mitigation

Impact 5.6-2

Preparation of an ESA and, if necessary, remediation at 2466 Chapman Avenue and the Five Plants Association College Park at 2501 College Place would reduce hazards arising from hazardous materials at these locations. Consequently, the mitigation measure would reduce project-level and cumulative impacts identified under Impact 5.6-2 to less than significant levels.

5.6.9 References

Department of Toxic Substances Control (DTSC). 2010, September 13. Glossary of Environmental Terms. http://www.dtsc.ca.gov/InformationResources/Glossary_of_Environmental_Terms.cfm.

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Fuscoe Engineering. 2013, August 30. CollegeTown Specific Plan Infrastructure Technical Report for Hydrology, Sewer, Water, and Water Quality.