

## 4.7 HAZARDS AND HAZARDOUS MATERIALS

This section addresses potential hazards and hazardous material impacts at the proposed Belmont Pool Revitalization Project (proposed Project) site and in the surrounding area that may result from implementation of the proposed Project. The information contained in this section is based on the *Phase I Hazardous Materials Assessment (HMA)* prepared by Ninyo & Moore for the Belmont Plaza Pool at 4000 East Olympic Plaza, in Long Beach, Los Angeles County, California (June 2013). Updates to the Phase I HMA were provided in the Update to Hazardous Materials Assessment Prepared for Belmont Pool Revitalization Project (February 2015). These reports are included in Appendix F of this Draft Environmental Impact Report (EIR).

### Scoping Process

The City of Long Beach (City) distributed a Notice of Preparation (NOP) for the Draft EIR from April 18 to May 17, 2013. The City received three comment letters in response to the original NOP. No comment letters associated with Hazards or Hazardous Materials were received in response to the original NOP circulated for the proposed Project. Due to revisions in the Project description, the City reissued the NOP for the Draft EIR between April 9, 2014 and May 8, 2014. The City received five comment letters in response to the re-issued NOP during the public review period. No Hazards or Hazardous Materials-related issues were raised in those comment letters.

#### 4.7.1 Methodology

As described above, the information contained in this section is based on the HMA for the Project site prepared by Ninyo & Moore in June 2013. The objective of the HMA was to evaluate existing, potential, or suspect conditions that may pose an environmental liability associated with construction and operation of the proposed Project.

A site reconnaissance was conducted to visually identify areas of possible contamination, improperly stored hazardous materials, possible sources of polychlorinated biphenyls (PCBs), and possible risk of contamination from activities at the site and adjacent properties. In addition, available maps, photographs, reports, and regulatory agency databases and files were reviewed for the Project site and properties located within a 0.25 mile radius of the Project site. The review of the databases included, but were not limited to, identification of locations of known hazardous waste sites; landfills; leaking underground storage tanks (LUSTs); permitted facilities that utilize underground storage tanks (USTs); and facilities that use, store, or dispose of hazardous materials.

Background research included personal interviews of on-site staff and contact with local public agencies to obtain files or records regarding the Project site. The public agencies contacted included the Long Beach Health Department (LBHD)/Environmental Division, the Long Beach Fire Department (LBFD), the Long Beach Department of Health and Human Services (Certified Unified Program Agency [CUPA]), the Long Beach Department of Development Services (LBDDS), the Los Angeles Regional Water Quality Control Board (RWQCB – Region 4), and the South Coast Air Quality Management District (SCAQMD).

The former Belmont Pool was closed to the public on January 13, 2013, as a result of substandard seismic and structural conditions, and was demolished in February 2015, because it was determined

to be an imminent threat to public safety. However, at the time of the original issuance of the NOP, the existing structures were present on the Project site and, therefore, the HMA included a discussion of potential structural environmental and health threats associated with the existing structure. Although not included as a part of this Project, the demolition of the existing structure was required to comply with all applicable health and safety regulations.

#### 4.7.2 Existing Environmental Setting

##### Project Site.

**Historical Use.** Based on review of historical information, the site consisted of commercial properties from 1928 until 1956. By 1968, the site appeared to be redeveloped with the Belmont Pool structure and outdoor pool area; the site remained relatively unchanged from 1968 through February 2015, when the structure demolition was completed.

**Site Surveys.** A site surveillance survey was conducted on May 29, 2012, to visually inspect and assess the potential for on-site Recognized Environmental Concerns (RECs) at the former Belmont Pool facility. The demolition of the former Belmont Pool facility is not a part of the analysis contained in this Draft EIR. However, it should be noted that the site reconnaissance did not identify or observe any RECs associated with any of the following: significant evidence of releases or spills; electrical transformers or PCBs; evidence of staining or release near storage containers; or chlorofluorocarbons (CFCs) or mercury-containing equipment. The HMA did identify the potential for asbestos-containing materials (ACMs) and lead to be present in some building products on site. For informational purposes, a brief discussion of these RECs is included below. As previously stated, the probability of collapse for the existing building on site is higher than acceptable standards and, therefore, the building was scheduled for demolition under an emergency permit (Statutory Exemption SE14-01). Any RECs associated with the building were addressed in conjunction with removal of the structure and in accordance with all health and safety regulations.

The following summarizes the results of the site surveys.

**Aboveground Chemical or Waste Storage.** Two areas where hazardous waste was stored were observed within the Project site. Two 150-gallon aboveground storage tanks (ASTs), one containing hydrochloric acid and the other, sodium hypochlorite, were observed within a storage shed located at the northwest corner of the outdoor pool area. A 100-gallon AST containing hydrochloric acid and a 200-gallon AST with secondary containment containing sodium hypochlorite were observed within the eastern portion of the indoor Olympic pool area. Significant evidence of releases or spills were not observed at these areas; therefore, these chemical storage areas did not appear to constitute an REC in connection with the Project site.

**Electrical Transformers/Polychlorinated Biphenyls.** Electrical transformers, which can be a source of PCBs, were not observed during our site reconnaissance. Therefore, no recognized REC was identified at the Project site.

PCBs were commonly incorporated into light ballasts manufactured prior to 1978. All light ballasts manufactured since 1978 are prohibited from containing PCBs and should be marked by the manufacturer with a statement saying “No PCBs.” All light ballasts without the PCB statement are assumed to contain PCBs. PCBs associated with the light ballasts are not considered to be an REC in connection with the Project site.

**Evidence of Releases or Potential Releases.** Minor staining around the 150-gallon AST containing hydrochloric acid was observed. The floor near the AST was in good condition. Other evidence of chemical releases on the Project site (i.e., odors, stressed vegetation, stains, leaks, pools of liquids, or spills) was not observed during the site reconnaissance. Based on the observations, the minor staining around the 150-gallon AST did not constitute an REC in connection with the Project site.

**Chlorofluorocarbons and Mercury.** Chlorofluorocarbon (CFC)-containing equipment can pose a health threat due to inhalation as well as to the depletion of the Earth’s ozone layer. Mechanic equipment related to the building operations (refrigerators, air conditioning units, walk-in coolers, etc.) that are older than 1994 have the potential to contain R12 gas (Freon). The approximate year of the renovation of the former Belmont Pool facility and subsequent replacement of the building’s operational equipment was shown to be 1996. Additionally, equipment containing mercury (thermostats or other temperature-controlled devices) were not observed during the site survey. Therefore, on-site equipment containing substances that pose a threat to human health were not considered to be an REC.

**Existing Oil Wells.** The presence of subsurface methane gas is common within former oil production areas and other locations where organic material is present in the soil. Methane is generated by the biodegradation of organic matter in the absence of oxygen. Methane is not toxic, however, it is combustible and potentially explosive at concentrations above 50,000 part per million (ppm) in the presence of oxygen.

There are no existing oil wells within the Project site. However, the Project site is located within the Wilmington oil field. A plugged and abandoned oil well, “Core Hole” 6, is located approximately 2,000 feet (ft) southwest, and a plugged and abandoned dry hole, “Core Hole” 8, is located approximately 2,500 ft southeast of the Project site. “Water Source Well” B-1 is located in Island White, approximately 5,000 ft southwest of the Project site. Due to the high level of oil availability and production at the Wilmington Oil Field, the presence of subsurface methane gas is a possibility. However, based on the distance to known oil wells in the vicinity of the Project site, the potential presence of methane at the Project site is low. The low potential for encountering methane during excavation for the pool would be managed through compliance with a Contingency Plan that addresses the potential to encounter unknown hazards or hazardous substances during construction activities.

**Asbestos-Containing Materials.** The use of asbestos in many building products was banned by the United States Environmental Protection Agency (EPA) by the late 1970s. In 1989, the EPA issued a ruling prohibiting the manufacture, importation, processing, and distribution of most ACMs. This rule, known as the Ban and Phase-Out Rule, would have effectively banned the use of nearly 95 percent of all asbestos products used in the United States. However, the United States 5<sup>th</sup> Circuit Court of Appeals vacated and remanded most of the Ban and Phase-Out Rule in October 1991. Due to this court decision, many asbestos-containing product categories not previously banned (prior to 1989) may still be in use today. Among these common material types found in buildings are floor tile and roofing materials. ACMs represent a concern when they are subject to damage that results in the release of fibers. Friable ACMs, which can be crumbled by hand pressure and are, therefore, susceptible to damage, are of particular concern. Nonfriable ACMs are a potential concern if they are damaged by maintenance work, demolition, or other activities.

A visual assessment of the existing structures was conducted during the site survey for ACMs. Based on the construction date of the existing buildings (prior to 1980), ACMs may be present in subsurface building materials at the site. As stated above, the existing structures were demolished due to seismic safety concerns; the ACMs within the building footprint were remediated in association with the demolition. However, there are currently several subsurface structures present on the Project site that may contain ACMs.

**Lead-Based Paint.** Lead has been used in commercial, residential, road, and ceramic paint; in electric batteries and other devices; as a gasoline additive; for weighting; in gunshot; and for other purposes. It is recognized as toxic to human health and the environment and is widely regulated in the United States. Buildings constructed prior to 1978 are presumed to contain lead-based paint (LBP) unless proven otherwise, although buildings constructed after 1978 may also contain LBP. Lead is regulated as a “criteria” pollutant under the federal Clean Air Act (CAA), which has led to its elimination from automotive fuels. Lead is also regulated as a toxic pollutant under the federal Clean Water Act (CWA) and the state Porter-Cologne Water Quality Control Act (Porter-Cologne Act) as well as under the federal and California Safe Drinking Water Acts.

Based on the construction date of the existing buildings (prior to 1980), LBPs may be present in building materials at the site. As stated above, the existing structures were demolished due to seismic safety concerns; the LBPs were remediated in association with the demolition. Currently however, the two outdoor pools present on the Project site have tile liners that may contain lead.

### **Surrounding Properties.**

**Historical Use.** Historical aerial photographs, fire insurance rate maps, and oil and gas maps were reviewed as part of the Phase I HMA for the Project site. In 1928, the surrounding properties consisted of vacant properties north and east of the site and residential properties west of the site. Between 1938 and 1956, commercial properties were developed north of the site; vacant property remained north and east of the site, and residential properties remained west of the site. Between 1968 and 2012, the majority of the adjacent properties remained similar in use to 1956, except a parking lot and an observed maintenance building were

constructed east of the site; and a parking lot was constructed west of the site. Between 1968 and 2012, the site had been developed with the existing structures.

**Schools.** The California Environmental Quality Act (CEQA) analyzes the potential impacts to schools that are within 0.25 mile of the Project site. One private school, Belmont Shore Children’s Center (30 S. Termino Avenue, Long Beach, California 90803) has been identified within 0.25 mile of the Project site. Belmont Shore Children’s Center serves local communities, including Belmont Shore, Belmont Heights, Naples, California State University of Long Beach (CSULB), Long Beach, Downtown Long Beach, and Seal Beach. The private school provides preschool, child care, day care, and early childhood education for children ages 2 to 6 years old.

**Records Searches and Interviews.** A thorough investigation was conducted to establish a baseline of background information by reviewing available maps, photographs, reports, and regulatory agency databases and files within 0.25 mile radius of the Project site.

Regulatory database information was produced by Environmental Data Resources, Inc. (EDR) for the Phase I HMA and is provided in Appendix F. The database report is dated June 6, 2013. The database information was conducted for the Project site as part of the Phase 1 HMA. In addition to the American Society for Testing and Materials (ASTM)-required listings, Ninyo & Moore also reviewed other federal, State, local, and proprietary database provided by EDR. Results of the database searches did not include the Project site. However, the State Leaking Underground Storage Tank List (within a 0.25 mile) resulted in two open listings, as shown in Table 4.7.A.

**Table 4.7.A: Listed Facilities Within 0.25 Mile of the Project Site**

Facility Name and Location	Estimated Distance/Direction/Gradient	Database Listings
ARCO No. 1063 3955 Ocean Boulevard E	0.15 mile/north-northeast/up-gradient	LUST
Unocal No. 5939 76 Termino Avenue	0.16 mile/north/up-gradient	LUST

LUST = Leaking Underground Storage Tank

**ARCO No. 1063.** ARCO No. 1063 is located approximately 0.15 mile north-northeast of the Project site and is in a hydrogeologic up-gradient position relative to the Project site. This facility is listed in the LUST database and the current regulatory status is open. ARCO No. 1063 is currently an active service station with three 12,000-gallon USTs, two dispenser islands, and an AM/PM Food Mart. The potential contaminant of concern was reported to be gasoline, and the potential media affected was reported to be the aquifer used for drinking water supply. A review of the RWQCB’s Geotracker website on February 16, 2015 indicated that the ARCO station is in the process of preparing a closure plan. In addition, based on the latest groundwater sampling on November 25, 2014, no petroleum impact was detected in the monitoring well closest to the Project site.

In July 2014, groundwater sampling was conducted for the demolition activities of the former Belmont Pool facility. Results of the groundwater testing revealed concentrations that exceeded the National Pollutant Discharge Elimination System (NPDES) screening levels for some metals (beryllium, copper mercury, nickel, lead, antimony, and zinc) and for some dissolved metals (cadmium, copper, mercury, nickel, lead, and antimony). However, no detectable constituents of gasoline were reported by the laboratory.

**UNOCAL No. 5939.** UNOCAL No. 5939 is located approximately 0.15 mile north of the Project site and is in a hydrogeologic up-gradient position relative to the Project site. This facility is listed in the LUST database and the current regulatory status is open. This station has an open environmental case associated with it, also overseen by the Los Angeles RWQCB. The facility is currently an active service station with two 10,000-gallon gasoline USTs, one 500-gallon used-oil UST, and three dispenser islands with associated product piping. The potential contaminant of concern was reported to be gasoline, and the potential media affected was reported to be the aquifer used for drinking water supply. The review of the Geotracker website on February 16, 2015 determined that the LUST at the UNOCAL station has a case closed status.

### 4.7.3 Regulatory Setting

Hazardous waste is the used or leftover portion of any hazardous chemicals or materials. Any used or leftover product that is labeled with the words danger, warning, toxic, caution, poison, flammable, corrosive, or reactive is considered a hazardous waste. Universal waste, also considered to be hazardous, includes consumer batteries, light bulbs, light tubes, and mercury-containing items. Regulations govern the collection and management of these widely generated wastes, thus facilitating environmentally sound collection and proper recycling or treatment. These regulations ease the regulatory burden on retail stores and others that wish to collect hazardous wastes and encourage the development of municipal and commercial programs to reduce the quantity of these wastes going to municipal solid waste landfills or combustors. In addition, the regulations also ensure that the wastes subject to this system will go to appropriate treatment or recycling facilities pursuant to the full hazardous waste regulatory controls. Implementation of these regulations 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.

As described below, every hazardous waste generator is required to have an emergency contingency plan (business plan) designed to minimize hazards to human health and the environment from fires, explosions, or an unplanned release of hazardous waste to air, soil, or surface water. The plan is carried out immediately whenever a fire, explosion, or unplanned chemical release occurs.

### Federal and State Policies and Regulations.

**Hazardous Materials.** The federal Toxic Substances Control Act (TSCA) of 1976 regulates chemical substances, which are substances and mixtures that might pose unreasonable risks of injury to human health or the environment. TSCA authorizes the EPA to require manufacturers to test their chemical products to determine their “toxic effects” and provide this information to the EPA for agency review before commercial manufacture is permitted.

Businesses that utilize hazardous materials are subject to Emergency Planning and Community Right-to-Know (Proposition 65) requirements as set forth in Title III of the Superfund Amendments and Reauthorization Act (SARA) and the California Waters Bill. These regulations require worker notification of hazardous substances in the workplace.

The State Waters Bill (Assembly Bill [AB] 2185 et al.), set forth in the California Health and Safety Code Sections 25500–25545, requires businesses that utilize hazardous materials above certain thresholds to prepare on-site “business plans” for possible emergencies involving those materials and to provide copies of the plans to local emergency response agencies. The business plans must include an Inventory List and an Emergency Action Plan. Minimum thresholds are as follows:

- Liquids: 55 gallons
- Solids: 500 pounds
- Compressed gases: 200 cubic feet (measured at standard temperature and pressure)
- Radioactive: Quantities that exceed Nuclear Regulatory Commission thresholds, requiring the preparation of emergency plans (10 Code of Federal Regulations [CFR] Parts 30, 40, and 70)

Exemptions from these thresholds include the following:

- Hazardous materials stored as consumer packages for direct distribution to the general public
- Up to 1,000 cubic feet of oxygen, nitrous oxide, and/or nitrogen stored by physicians, dentists, podiatrists, veterinarians, and pharmacists
- Up to 55 gallons of any lubricating oil and up to 275 gallons of all lubricating oil stored by one business

**Hazardous Waste.** Federal and California laws provide for “cradle-to-grave” regulation of hazardous wastes (i.e., the regulations govern a hazardous waste from its point of generation to its point of disposal at an approved landfill or incinerating facility). The federal hazardous waste law is known as the Resource Conservation and Recovery Act (RCRA; 40 CFR 240 et seq.). California has merged its RCRA authority into ongoing implementation of the State Hazardous Waste Control Law (HWCL), which was initially adopted in 1972 (22 California Code of Regulations [CCR] Section 66260.1 et seq.).

The EPA has primary responsibility for implementing the RCRA, and the California Department of Toxic Substances Control (DTSC) is the State’s Lead Agency in implementing HWCL and RCRA provisions. California allows county and city health departments and other local agencies to implement certain HWCL provisions regulating hazardous waste generators under terms of Memorandums of Understanding (MOUs) with the DTSC.

All RCRA-regulated and California-regulated hazardous waste must be recorded on hazardous waste manifests, with copies sent to the DTSC. The manifest is a way of tracking hazardous waste from its inception to its disposal. The Project site is subject to these requirements for

disposal and transport of hazardous waste. Within its jurisdictional area, the CUPA receives copies of hazardous waste manifests for tracking purposes.

**Occupational Safety and Health.** The federal Occupational Safety and Health Act of 1970 (OSH Act) (40 CFR 1902–1990) is the principal national law providing for worker safety and the right to know. The broad policy goal of the act is “to assure so far as possible every working man and woman in the Nation a safe and healthful working environment.” It is implemented by the United States Occupational Safety and Health Administration (OSHA), whose responsibilities include developing and promulgating occupational safety and health standards and ensuring that these standards are administered and enforced nationwide.

The federal OSH Act allows states to administer OSHA requirements after submitting a state plan. The California Occupational Safety and Health Administration (Cal/OSHA) administers OSHA standards applicable to private employers within the State, along with additional authority provided by the California Occupational Safety and Health Act of 1973 (State OSH Act) (8 CCR Sections 330–8618). Complaints regarding health and safety issues at the Project site would be investigated by Cal/OSHA.

**Asbestos-Containing Materials.** ACM products presently banned are corrugated paper, rollboard, commercial and specialty paper, flooring felt, and new uses of asbestos. Revisions to regulations issued by OSHA (June 30, 1995) require that all thermal system insulation, surfacing materials, and resilient flooring materials installed prior to 1981 be considered “presumed” asbestos-containing materials (PACMs) and treated accordingly. To rebut the designation as PACMs, OSHA requires that these materials be surveyed, sampled, and assessed in accordance with 40 CFR 763 (Asbestos Hazard Emergency Response Act [AHERA]).

All asbestos should be removed from structures and disposed of in accordance with local, state, and federal regulations prior to renovation or demolition activities that would affect structures containing asbestos. Release of asbestos into the environment is a violation of several laws, including the OSH Act, the RCRA, the CAA, and the CWA.

**Lead.** Lead has been used in commercial, residential, roadway, and ceramic paint products; in electric batteries and other devices; as a gasoline additive; for weighting, in gunshot; and for other purposes. It is recognized as toxic to human health and the environment and is widely regulated in the United States. Buildings constructed prior to 1978 are presumed to contain LBP unless proven otherwise, although buildings constructed after 1978 may also contain LBP. Lead is regulated as a “criteria” pollutant under the CAA, which has led to its elimination from automotive fuels. Aerially deposited lead (ADL) from past use of leaded fuels is a concern in unpaved areas adjacent to highly traveled roadways. Lead is also regulated as a toxic pollutant under the CWA and the Porter-Cologne Act, as well as under the federal and California Safe Drinking Water Acts.

All LBP above regulatory thresholds should be removed from structures and disposed of in accordance with local, State, and federal regulations prior to renovation or demolition activities

that would affect structures that contain LBP or soils adjacent to structures that contain LBP. Release of LBP into the environment is a violation of several laws, including the OSH Act, the RCRA, the CAA, and the CWA.

### **Local Policies and Regulations.**

There are no specific goals or policies related to hazardous materials in the City's General Plan. The Public Safety Element lists general protection and remedial action goals for general safety hazards and for emergencies. Transport of hazardous materials is deferred to California Department of Transportation (Caltrans) requirements and is specified along designated truck routes. The Public Safety Element indicates that planning efforts should include a buffer for all uses from truck routes to reduce potential impacts from dangerous materials by way of setbacks or natural barriers.

The Long Beach CUPA is designed to consolidate and administer hazardous material permits, inspections, and enforcement activities, throughout the City's jurisdiction. The goal of this program is to create a more cohesive and efficient system whereas applications and required forms are standardized and consolidated in conjunction with inspection, and annual fees for each program are merged into a single fee system creating a more consistent and efficient Program. CUPA was first created in 1993 under Senate Bill 1082, which administratively consolidated six hazardous materials and waste programs under one agency. The Lbfd and the LBHD share oversight of the Long Beach/Signal Hill CUPA. These Program elements are:

- Uniform Fire Code Plans and Inventory Requirements
- Hazardous Materials Release Response Plans and Inventory Program ("Community-Right-To-Know")
- Aboveground Storage Tank (AST) Spill Prevention Control and Countermeasure Plan (SPCC)
- Underground Storage Tank (UST) Program
- Hazardous Waste Generator and On-site Hazardous Waste Treatment Programs (Tiered Permitting)
- California Accidental Release Prevention Program (CalARP)

The following chapters are included in Title 8, Health and Safety, of the City of Long Beach Municipal Code with regard to hazardous materials:

Chapter 8.85 – *Underground and Aboveground Storage Tanks*. Designates the CUPA with authority to prevent injury or damage to businesses or property due to air pollution.

Chapter 8.86 – *Hazardous Materials Release Response Plans and Inventory*. Designates the Long Beach/Signal Hill CUPA as the local authority for underground and aboveground storage tank compliance.

Chapter 8.87 – *Hazardous Waste Control*. Designates the Long Beach/Signal Hill CUPA as the local authority to enforce Chapter 6.5 of Division 20 of the California Health and Safety Code.

Chapter 8.88 – *Hazardous Materials Clean-Up*. Requires site characterization, site remediation, and initial and final reports for contaminated sites in accordance with state and local laws and regulations.

The City Department of Health and Human Services must prepare a Health and Safety Plan for all workers in accordance with federal, State, and local regulations for use during construction, subject to review and approval by the City of Long Beach Development Services Director. Federal Regulations include the following:

- Occupational Safety and Health, Title 29 CFR, Regulations for General Industry (Part 1910) and Construction (Part 1926)
- EPA, Title 40 CFR, National Emissions Standard for Hazardous Air Pollutants (NESHAPS), (Part 61, Subpart A)
- United States Department of Transportation (USDOT) Regulations, Title 49 CFR
- California State and local regulations that include the following:
  - Title 8 CCR, Cal/OSHA Regulations, Chapter 4, Division of Industrial Relations, General Industry Safety Orders and Construction Safety Orders
  - Title 22 CCR, Social Security, Division 2, Department of Social Services – Department of Health Services, and Division 4, Environmental Health
  - SCAQMD, Rules and Regulations

The Health and Safety Plan must include a summary of all potential risks to construction workers, monitoring program, maximum exposure limits for all site chemicals, and emergency procedures. A Site Health and Safety Officer must be identified in the plan. The plan must specify methods of contact, phone number, office location, and responsibilities of the Site Health and Safety Officer. The Health and Safety Plan is required to be amended as needed if different site conditions are encountered by the Site Health and Safety Officer.

An on-site monitor will be provided to ensure compliance with mitigation related to dust control as addressed in Section 4.2, Air Quality (Mitigation Measures 4.2-1 and 4.2.2). SCAQMD Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. Compliance with SCAQMD Rules 402 and 403 is required in order to ensure that air conditions are safe and acceptable for on-site workers, as well as residents and workers of properties adjacent to the site. The City or the assigned contractor/developer is required by these existing regulations to stop, redirect, or otherwise change during any grading work or other subsurface trenching, drilling, and/or subsurface disturbance in order to avoid the spread of fugitive dust.

#### 4.7.4 Impact Significance Criteria

Thresholds for evaluating impacts related to hazards and hazardous materials are based on Appendix G of the *State CEQA Guidelines*. Impacts resulting from hazards or hazardous conditions in the Project area are considered to be significant if implementation of the proposed Project would:

- Threshold 4.7.1:** Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- Threshold 4.7.2:** 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;
- Threshold 4.7.3:** Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- Threshold 4.7.4:** 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 create a significant hazard to the public or the environment;
- Threshold 4.7.5:** 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 the project result in a safety hazard for people residing or working in the project area;
- Threshold 4.7.6:** 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;
- Threshold 4.7.7:** Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
- Threshold 4.7.8:** 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 residents are intermixed with wildlands.

During the scoping process, it was determined that no safety hazard associated with private airstrips would occur upon implementation of the proposed Project because the proposed Project is not located within 2 miles of a public airport, within the vicinity of a private airstrip, or within an airport land use plan (Thresholds 4.7.5 and 4.4.6). Also, the Project would not result in changes in the circulation system that would adversely affect the ability of the Lbfd to implement an emergency response plan or emergency evacuation plan in this part of the City (Threshold 4.7.7). In addition, since the Project site is not located in a completely urbanized area and does not include brush- and grass-covered areas typically found in areas susceptible to wildfires, no impacts would result related to wildland fires (Threshold 4.7.8). Therefore, these issues are not discussed further in this Draft EIR. Refer to Appendix A, Initial Study (IS)/NOP, for additional discussion.

**CEQA Baseline.** At the time the NOP was issued, the Project site contained both the Belmont Pool facilities and the outdoor temporary pool (opened in December 2013 to provide swimming facilities while the permanent facility was under construction). Although the site contained the former Belmont Pool building at the time of the NOP, the facility was subsequently demolished in February 2015 to alleviate an imminent public safety threat due to the seismically unsafe condition of the building.

The inclusion of the former building in the assessment of hazardous materials impacts is appropriate because several subsurface structures that may contain hazardous building materials are currently present on the Project site. These structures were not removed at the time the pool building was demolished. Therefore, substantial evidence supports the determination that inclusion of the pool facility as part of the baseline existing conditions is appropriate because the subsurface building structures remain on the site.

#### 4.7.5 Project Impacts

**Threshold 4.7.1:** Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

or

**Threshold 4.7.2:** Would the project create a significant hazard to the public or the environment through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

#### Less than Significant Impact with Mitigation Incorporated.

**Construction.** Construction activities would involve the use of potentially hazardous materials, including vehicle fuels, oils, and transmission fluids. All potentially hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with existing federal, State, and local regulations to ensure that the amounts of these materials present during construction would be limited and would not pose a significant adverse hazard to workers or the environment. Furthermore, the construction contractor would be required to implement standard best management practices regarding hazardous materials storage, handling, and disposal during construction in compliance with the State Construction General Permit to protect water quality (refer to Mitigation Measure 4.8.1 in Section 4.8, Hydrology and Water Quality). Any associated risk would be reduced to a level that is less than significant through compliance with these standards and regulations; thus, the limited use and storage of hazardous materials during construction of the proposed Project would not pose a significant hazard to the public or the environment. Accordingly, potential impacts associated with the routine transport, use, or disposal of potentially hazardous materials during construction of the proposed Project would be less than significant.

As discussed in Section 4.7.2, the Project site is located within the Wilmington oil field, and plugged and abandoned oil wells or dry holes are located in the site vicinity. Based on the distance to known oil wells in the vicinity of the Project site, the potential presence of methane at

the Project site is low. The low potential for encountering methane during excavation for the pool would be managed through compliance with a Contingency Plan that addresses the potential to encounter unknown hazards or hazardous substances during construction activities that would be approved by City of Long Beach (City) Fire Department (LBFD). This Contingency Plan requirement is included as Mitigation Measure 4.7.1; therefore, with implementation of Mitigation Measure 4.7.1, impacts related to the potential to encounter methane during construction would be less than significant.

As previously stated, a site reconnaissance survey of the site revealed that ACMs may be present in subsurface building materials at the site. While the majority of the buildings on the site were previously demolished under an emergency permit (Statutory Exemption SE14-01), several subsurface buildings, which may contain ACMs, are currently present on the site. As such, mitigation is required to reduce potentially significant health hazards associated with potential ACMs on the Project site. Mitigation Measure 4.7.2 requires the preparation of predemolition surveys to identify the presence of ACMs in the existing on-site structures and outlines precautions to ensure the materials are properly removed. Therefore, with implementation of Mitigation 4.7.2, potential hazardous impacts associated with ACMs would be reduced to a less than significant level.

In addition to the potential to encounter ACMs in subsurface buildings present on the site, the site reconnaissance survey indicated that the tile liners of the two outdoor pools currently present on the site might contain lead. Because the Project includes the demolition of these existing pools, the proposed Project would be required to implement Mitigation Measure 4.7.2, which requires the preparation of predemolition surveys and appropriate procedures to be followed in the unlikely event that unknown hazardous materials are encountered in order to reduce potentially significant health hazards associated with potential lead on the Project site. Therefore, with implementation of Mitigation Measure 4.7.2, potential hazardous impacts associated with lead would be reduced to a less than significant level.

Two gas stations (ARCO No. 163 and UNOCAL No. 5939) listed on the LUST database included in the Phase I HMA. These facilities are located approximately 0.15 mile northeast and north of the Project site and in a hydrogeologic up-gradient position relative to the site. As of February 16, 2015, the RWQCB Geotracker website reported that the UNOCAL LUST has a case closed status and the ARCO station is preparing a closure plan. Groundwater sampling conducted at the ARCO site in November 2014 did not detect a petroleum impact in the monitoring well closest to the Project site and groundwater sampling conducted at the Project site in July 2014 did not report detectable constituents of gasoline.

Based on groundwater sampling discussed above, there is a potential to encounter dissolved metals levels in groundwater in excess of the allowable limits for discharge to the storm drain system. This will be addressed through compliance with the applicable NPDES permit or the Los Angeles RWQCB's Groundwater Discharge Permit, which would require testing and treatment (as necessary) of groundwater encountered during groundwater dewatering prior to release to the storm drain system. If dewatered groundwater cannot meet the discharge limitations specified in the Groundwater Discharge Permit, groundwater would be disposed of in the sewer system and would have to meet Los Angeles County Sanitation District (LACSD) discharge limits prior to release to the storm drain system.

However, the potential that groundwater impacted by petroleum hydrocarbons beneath the site is low. The low potential for encountering petroleum hydrocarbons in groundwater during excavation for the pool would be managed through compliance with a Contingency Plan that addresses the potential to encounter unknown hazards or hazardous substances during construction activities that would be approved by City of Long Beach (City) Fire Department (LBFD). This Contingency Plan requirement is included as Mitigation Measure 4.7.1; therefore, with implementation of Mitigation Measure 4.7.1, impacts related to the potential to encounter petroleum hydrocarbons in groundwater during construction would be less than significant.

**Operation.** Operation of the proposed Project would not include uses with the potential to generate large quantities of hazardous and/or toxic materials, and would, therefore, have less than significant impacts related to the potential to cause fires or result in serious accidents from hazardous materials and substances. Pool and building maintenance associated with the proposed Project may include the use of chemicals that can be hazardous if not properly used, stored, or disposed. However, the use, storage, and handling of these pool maintenance hazardous materials is regulated by the EPA, the California Building Code, the County of Los Angeles Department of Environmental Health, the LBFD and Cal/OSHA. The operational impact of the proposed Project on the environment through the release of hazardous materials would not be significant with mandatory compliance with applicable rules and regulations concerning hazardous chemicals. Compliance with applicable regulations would ensure that potential hazardous material impacts associated with the operation of the proposed Project would be less than significant. Therefore, no mitigation is required.

**Threshold 4.7.3: Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

**Less than Significant Impact with Mitigation Incorporated.** One private school, Belmont Shore Children's Center, has been identified within 0.25 mile from the Project site, and is located 300 feet to the north. There are no proposed schools within 0.25 mile of the Project site.

**Construction.** As discussed above, construction activities would involve the use of potentially hazardous materials, including vehicle fuels, oils, and transmission fluids. All potentially hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with existing federal, State, and local regulations to ensure that the amounts of these materials present during construction would be limited and would not pose a significant adverse hazard to workers or the environment. Furthermore, the construction contractor would be required to implement standard best management practices regarding hazardous materials storage, handling, and disposal during construction in compliance with the State Construction General Permit to protect water quality (refer to Mitigation Measure 4.8.1 of Section 4.8, Hydrology and Water Quality). The proposed Project would also be required to implement Mitigation 4.7.2, which requires preparation of predemolition surveys to reduce potentially significant impacts associated with the presence of ACMs or lead on the site. Any associated risk would be adequately reduced to a level that is less

than significant through compliance with these mitigation measures and applicable standards and regulations; thus, the limited use and storage of hazardous materials during construction of the proposed Project would not pose a significant hazard to the public or the environment, including the Belmont Shore Children's Center.

**Operation.** As previously stated, operation of the proposed Project would not include uses with the potential to generate large quantities of hazardous and/or toxic materials and, therefore, the potential to cause fires or result in serious accidents from hazardous materials and substances during operations is less than significant. Pool and building maintenance associated with the proposed Project may include the use of chemicals that can be hazardous if not properly used, stored, or disposed. However, the use, storage, and handling of these pool maintenance hazardous materials is regulated by the EPA, the California Building Code, the County of Los Angeles Department of Environmental Health, the CLBFD and Cal/OSHA. Proper routine use of these hazardous products would not result in a significant hazard to the school, residents, or workers in the vicinity of proposed Project. The proposed Project would not produce any significant amounts of hazardous emissions; any hazardous materials on site would be handled in accordance with all applicable regulations, including containment, reporting, and remediation requirements, in the event of a spill or accidental release. Therefore, operation of the proposed Project would not result in a significant impact associated with hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school, and no mitigation is required.

**Threshold 4.7.4:**        **Would the 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?**

**Less than Significant Impact.** The HMA prepared for the Project (Appendix F) determined that the Project site is not included on any hazardous materials sites pursuant to Government Code Section 65962.5, including the Cortese List, and would not create a significant hazard to the public or the environment. No mitigation is required.

#### **4.7.6 Cumulative Impacts**

As defined in Section 15130 of the *State CEQA Guidelines*, cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and probable future projects within the cumulative impact area for hazards and hazardous materials. The assessment of potential cumulative impacts associated with hazards and hazardous materials relates to the potential for impacts to occur off site. The study area for hazardous materials consists of: (1) the area that could be affected by proposed Project activities, such as the release of hazardous materials, and (2) the areas affected by other projects whose activities could directly or indirectly affect the presence or fate of hazardous materials on the Project site. Typically, only projects adjacent to or abutting the Project site are considered because of the limited potential impact area associated with the release of hazardous materials into the environment. There are no known Projects adjacent to or in

the vicinity of the Project site that could be affected by on-site handling of hazardous materials or that could result in significant hazards or hazardous materials impacts on site.

The contribution of hazardous materials use and hazardous waste disposal with implementation of the Project is minimal, and combined hazardous materials effects from past, present, and reasonably foreseeable projects within the City would not be significant. As previously stated, the proposed Project would involve the use of potentially hazardous materials related to pool and building maintenance (e.g., solvents, cleaning agents, paints, pesticides, and diesel and petroleum fuels), but these products would be used in small amounts and any spills that do occur would be cleaned up when they occur. Proper and routine use of these products would not result in a significant hazard to residents or workers in the vicinity of the proposed Project.

Impacts associated with removal of unknown hazardous materials during construction and use of hazardous materials on site would be controlled through application of the procedures set forth in Mitigation Measures 4.7.1 and 4.7.2. There are no known projects adjacent to or in the vicinity of the Project site that could be affected by on-site handling of hazardous materials or that could result in significant hazards or hazardous materials impacts on site. Accordingly, the proposed Project's contribution to hazardous materials cumulative impacts would be less than significant with implementation of mitigation.

#### **4.7.7 Level of Significance Prior to Mitigation**

Operation of the proposed Project would not result in a significant impact associated with hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school, and the proposed Project site is not located a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Potential impacts related to the routine transport, use, or disposal of hazardous materials are less than significant. Prior to the implementation of mitigation measures, the Project could result in a potentially significant impact related to the potential to encounter and the need to dispose of hazardous materials (i.e., ACMs, CFCs, lead, and other contaminated materials/substances) during construction activities.

#### **4.7.8 Mitigation Measures**

**Mitigation Measure 4.7.1:** **Contingency Plan.** Prior to issuance of any excavation or grading permits or activities, the City of Long Beach (City) Fire Department (LBFD), or designee, shall review and approve a contingency plan that addresses the potential to encounter on-site unknown hazards or hazardous substances during construction activities. The plan shall require that if construction workers encounter underground tanks, gases, odors, uncontained spills, or other unidentified substances, the contractor shall stop work, cordon off the affected area, and notify the LBFD. The LBFD responder shall determine the next steps regarding possible site evacuation, sampling, and disposal of the substance consistent with local, State, and federal regulations.

**Mitigation Measure 4.7.2:**

**Predemolition Surveys.** Prior to commencement of demolition and/or construction activities, the City LBFD, or designee, shall verify that predemolition surveys for asbestos-containing materials (ACMs) and lead (including sampling and analysis of all suspected building materials) shall be performed. All inspections, surveys, and analyses shall be performed by appropriately licensed and qualified individuals in accordance with applicable regulations (i.e., American Society for Testing and Materials E 1527-05, and 40 Code of Federal Regulations [CFR], Subchapter R, Toxic Substances Control Act [TSCA], Part 716). If the predemolition surveys do not find ACMs or lead-based pipes (LBPs), the inspectors shall provide documentation of the inspection and its results to the City LBFD, or designee, to confirm that no further abatement actions are required.

If the predemolition surveys find evidence of ACMs or lead, all such materials shall be removed, handled, and properly disposed of by appropriately licensed contractors according to all applicable regulations during demolition of structures (40 CFR, Subchapter R, TSCA, Parts 745, 761, and 763). Air monitoring shall be completed by appropriately licensed and qualified individuals in accordance with applicable regulations both to ensure adherence to applicable regulations (e.g., South Coast Air Quality Management District [SCAQMD]) and to provide safety to workers. The City shall provide documentation (e.g., all required waste manifests, sampling, and air monitoring analytical results) to the LBFD showing that abatement of any ACMs or lead identified in these structures has been completed in full compliance with all applicable regulations and approved by the appropriate regulatory agencies (40 CFR, Subchapter R, TSCA, Parts 716, 745, 761, 763, and 795 and California Code of Regulations Title 8, Article 2.6). An Operating and Maintenance Plan shall be prepared for any ACM or lead to remain in place and shall be reviewed and approved by the LBFD.

**4.7.9 Level of Significance after Mitigation**

Mitigation Measures 4.7.1 and 4.7.2 will reduce potential impacts related to the potential to encounter and the need to dispose of hazardous materials during construction activities to a less than significant level. All other potential Project impacts related to Hazards and Hazardous Materials have been determined to be less than significant.

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