

## **4.6 HAZARDS AND HAZARDOUS MATERIALS**

This section addresses the hazards to the public resulting from the use or disposal of hazardous materials in the Project Area, as well as anticipated effects of known or suspected hazardous substance contamination. The analysis is based on a Project Area windshield survey conducted by EEI, a search of the Environmental First Search 2003 data base, and the 65<sup>th</sup> Street Transit Village Project Level I Environmental Assessment prepared by Lush Geosciences (65<sup>th</sup> Street Transit Village Plan EIR, Appendix D).

### **4.6.1 ENVIRONMENTAL SETTING**

#### **EXISTING PROJECT AREA CONDITIONS**

The proposed Project Area is approximately 654 acres, and existing land uses are predominately commercial and industrial, although there are some residential uses along the western and northwestern sides, with some scattered public and institutional land uses along Power Inn Road. Commercial uses are concentrated along Folsom Boulevard, on 65<sup>th</sup> Street, and on Power Inn Road. Industrial uses are concentrated on Power Inn Road, Ramona Avenue, 14<sup>th</sup> Avenue, and 65<sup>th</sup> Street.

The Project Area contains a range of uses, including retail sales, office, warehouse, restaurants, light rail, open storage yards, industrial uses, automotive repair, landscaped areas and vacant areas. Light industrial uses such as glass fabrication, machine shops, compressed gas manufacture and clothing manufacture are also present. Sources of contamination within the Project Area include both commercial and industrial uses. In addition, existing structures for all types of land uses may contain asbestos, lead-based paint and polychlorinated biphenyl oils (PCBs).

Hazardous materials stored at the on-site businesses or used in current on-site activities and operations include fuel in underground storage tanks, oil, waste oil, solvents, paints and thinners, pesticides, propane, welding gases, adhesives, printing materials, swimming pool chemicals, office materials and business and household maintenance materials. In addition, the Project Area contains numerous transformers (both pole-mounted and pad-mounted) that are not anticipated to, but could contain PCBs. Ceiling and floor tile likely to contain asbestos has been observed in several buildings. Areas of older drywall can also be considered likely to contain asbestos in joint and surfacing plasters, but are only considered a hazard when they become friable.

Groundwater in the Project Area is encountered at depths of between 35 to 40 feet below the existing ground surface. The flow of groundwater in the Project Area is toward the south and southwest.

#### **HAZARDOUS MATERIALS**

##### ***Terminology***

Under Title 22 of the California Code of Regulations (CCR), a hazardous material is defined as a substance or combination of substances that may cause or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating illness, or may pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of, or otherwise managed (CCR, Title 22, Chapter 11, Article 2, Section 66261.10).

Hazardous wastes are hazardous substances that no longer have practical use, such as materials that have been discarded, discharged, spilled, or contaminated or are being stored until they can be properly disposed of. According to Title 22 of the California Code of Regulations, hazardous materials and hazardous wastes are classified according to four properties: toxic, ignitable, corrosive, and reactive (CCR, Title 22, Chapter 11, Article 3).

- Toxic substances may cause short-term or long-lasting health effects, ranging from temporary effects to permanent disability or death. Toxic substances can cause eye or skin irritation, disorientation, headache, nausea, allergic reactions, acute poisoning, chronic illness, and other adverse health effects, depending on the level of exposure. Carcinogens (substances known to cause cancer) are a special class of toxic substances. Examples of toxic substances include most heavy metals, pesticides, and benzene (a carcinogenic component of gasoline).
- Ignitable substances, such as gasoline, hexane, and natural gas, are hazardous because of their flammable properties.
- Corrosive substances, such as sulfuric acid (battery acid) and lye, can damage other materials or cause severe burns upon contact.
- Reactive substances, such as explosives, pressurized canisters, and pure sodium metal (which reacts violently when exposed to water), may cause explosions or generate gases or fumes.

Soil that is excavated from a site containing hazardous materials is a hazardous waste if it exceeds specific CCR Title 22 criteria. Remediation (cleanup) of hazardous wastes found at a project site is generally required if those materials are excavated. Cleanup requirements are determined on a case-by-case basis by the agency with lead jurisdiction over the project.

### ***Existing Project Area Contaminated Sites***

The 65th Street Project Area is an extensively developed area containing both commercial and industrial uses. Several sites in this area have been identified by CERCLIS, the California Environmental Protection Agency (Cal/EPA) or the State Water Resources Control Board (SWRCB) as having hazardous substance releases or leaking underground fuel tanks (LUFTs). These sites are identified in Table 4.6-1, Confirmed Contamination Sites. In addition, many sites were identified by State and/or Federal databases as hazardous waste generators, underground storage tank (UST) permit holders, or as responsible parties who had successfully completed cleanup. These sites are identified in Table 4.6-1 as “Potential Contamination Sites.” Finally, several potential sites were identified during an area reconnaissance performed by EEI. These sites are identified in Table 4.6-1 as “Potential Contamination Sites Identified during Drive-By.”

**Table 4.6-1  
Identified Contamination Sites in the Project Area**

<b>Property Description</b>	<b>Property Address</b>	<b>Type of Contamination and Required Action (if known)</b>	<b>Level of Concern</b>
<b>Confirmed Contamination Sites *</b>			
14 <sup>th</sup> Avenue Landfill	North side of 14 <sup>th</sup> Ave	Solid waste disposal site	Moderate to High
A&A Bldg Supply	6700 Folsom Blvd	Gasoline Leak- site not tested for MTBE (methyl-tert-butyl-ether)	Moderate to High
All Signs, Inc.	6505 Folsom Blvd	Heavy metals, waste solvents, and paints disposed of via holes in soil- State Site in 1987, deemed County Health site in 1991	Moderate to High
ARCO #5339	1840 65 <sup>th</sup> St	Gasoline and water in 55 gallon drum dumped affecting soil and water in 1996 -ERNS, Aquifer affected with gasoline release- LUST case date of enforcement 1965 (case #1/2)	Moderate to High
ARCO #6019	2933 65 <sup>th</sup> St	Gasoline Leak-Aquifer affected	Moderate to High
California ERA Lumber Company	6438 Folsom Blvd	Gasoline Leak-Aquifer affected	Moderate to High
Chevron #90812	1906 65 <sup>th</sup> St	Waste oil- Aquifer affected Hazardous waste generator	Moderate to High
Dorris Lumber & Moulding Co.	2600 Redding Ave	No detailed information- Cerclis Site-NFRAP-N*	Moderate to High
Eagle Service Station	6661 Folsom Blvd.	Gasoline Leak-Aquifer affected by gasoline and MTBE	Moderate to High
<b>Potential Contamination Sites*</b>			
S.M.U.D. Main Office	6201 S St	UST permit holder	Moderate
Transco Service of Sacramento	Howe Ave and Folsom Blvd	15 gallons of diesel released	Moderate
Unknown	8101 Alpine Ave	11 gallons of perchloroethylene released	Moderate to High
Unknown	14 <sup>th</sup> Ave and Power Inn	400 gallons of asphalt emulsion released into water; cleaned up by City of Sacramento	Low to Moderate
Unknown	Folsom blvd and Power Inn Road	55 gallons of pennzkut b-5	
Cal Delta Plumbing	7918 Carlton Rd	UST permit holder	Moderate

<b>Property Description</b>	<b>Property Address</b>	<b>Type of Contamination and Required Action (if known)</b>	<b>Level of Concern</b>
American Steel	3000 Power Inn Rd	UST permit holder	Moderate
Sacramento Ford Tractor	3850 Power Inn Rd	UST permit holder	Moderate
Hokanson Block	4751 Power Inn Rd	UST permit holder	Moderate
Simas Floor Coverings Inc.	3550 Power Inn Rd	UST permit holder	Moderate
Unocal #7176	2893 65 <sup>th</sup> St	UST permit holder	Moderate
U-haul	2738 65 <sup>th</sup> St	UST permit holder	Moderate
ARCO	1840 65 <sup>th</sup> St	Unknown amount of gasoline released	Moderate to High
Unknown Service Station	1940 65 <sup>th</sup> St	28 gallons of unleaded gasoline release affecting soil; cleanup completed	Low to Moderate
Kelbro Corporation	3560 Ramona Ave	UST permit holder	Moderate
Geremia Pools	3264 Ramona Ave	UST permit holder Small quantity hazardous waste generator	Moderate
Geremia Pools	1327 65 <sup>th</sup> St.	UST permit holder	Moderate
Econo Lube N Tune	6101 Folsom Blvd	UST permit holder	Moderate
Eagle gas	6661 Folsom Blvd	UST permit holder	Moderate
Chevron Station #90812	1940 65 <sup>th</sup> St.	UST permit holder Small quantity hazardous waste generator	Moderate
ARCO#6019	2933 65 <sup>th</sup> St.	UST permit holder	Moderate
<b>Potential Sites Identified During Drive-By</b>			
Arco Gas Station	1840 65 <sup>th</sup> St.	Potential for petroleum based products and related substances	Moderate to High
Chevron Gas Station	1800 block 65 <sup>th</sup> St.	Potential for petroleum based products and related substances	Moderate to High
CJ Gas Station	6441 Folsom Blvd.	Potential for petroleum based products and related substances	Moderate to High
Shell Gas Station	8090 Folsom Blvd.	Potential for petroleum based products and related substances	Moderate to High
Econo Lube and Tune	6101 Folsom Blvd.	Potential for petroleum based products and related substances	Moderate to High

<b>Property Description</b>	<b>Property Address</b>	<b>Type of Contamination and Required Action (if known)</b>	<b>Level of Concern</b>
Markenbill Automotive	8000 14 <sup>th</sup> Ave. Suite A	Potential for petroleum based products and related substances	Moderate to High
Citadel Press	3300 Business Dr.	Potential for printing chemicals and related substances	Moderate to High
Pinnacle Pest Control	3400 Business Dr. #100	Potential for pest control chemicals and related substances	Moderate to High
Arco Gas Station	2933 65 <sup>th</sup> St.	Potential for petroleum based products and related substances	Moderate to High
Unocal 76 gas station	2893 65 <sup>th</sup> St.	Potential for petroleum based products and related substances	Moderate to High
Top Hat Cleaners	6496 Broadway	Potential for dry cleaning chemicals and related substances	Moderate to High
Select Autobody and Paint Center	4225 Power Inn Rd.	Potential for petroleum based products and related substances	Moderate to High
Chevron Gas Station	8099 Folsom Blvd.	Potential for petroleum based products and related substances	Moderate to High
Otto's Automotive	7900 Hickory Ave.	Potential for petroleum based products and related substances	Moderate to High
Waste Management	3562 Ramona Ave.	Potential for hazardous chemicals and waste	Moderate to High
Rodriguez and Sons Auto Wrecking	7901 18 <sup>th</sup> Ave.	Potential for petroleum based products and related substances	Moderate to High
Best Auto and Towing	7939 14 <sup>th</sup> Ave.	Potential for petroleum based products and related substances	Moderate to High
Sacramento City Unified School District-Transportation Services	3101 Redding Ave.	Potential for petroleum based products and related substances	Moderate to High
M-T Auto Repair	7901 Carlton Rd.	Potential for petroleum based products and related substances	Low to Moderate
Good Guys Automotive	8009 Carlton Rd.	Potential for petroleum based products and related substances	Low to Moderate
Ace Autowork	8030 14 <sup>th</sup> Ave.	Potential for petroleum based products and related substances	Low to Moderate
BAC Motors	8012 Clifton Rd.	Potential for petroleum based products and related substances	Low to Moderate
Alan Garthwaite Industries	4503 East Railroad St.	Potential for hazardous chemicals	Low to Moderate

<b>Property Description</b>	<b>Property Address</b>	<b>Type of Contamination and Required Action (if known)</b>	<b>Level of Concern</b>
T Sell	7941 Butte Suite A/B	Potential for petroleum based products and related substances	Low to Moderate
Rhym's Auto Sales and Service	7937 Amador Ave.	Potential for petroleum based products and related substances	Low to Moderate
Fastenal	7941 Amador Ave. Suite #1	Potential for hazardous chemicals	Low to Moderate
House of Automatic Transmissions	8020 14 <sup>th</sup> Ave.	Potential for petroleum based products and related substances	Low to Moderate
Fong & Fong Printers and Lithographs	3009 65 <sup>th</sup> St.	Potential for printing chemicals and related substances	Low to Moderate
Cal Tech Automotive	1018 64 <sup>th</sup> St.	Potential for petroleum based products and related substances	Low to Moderate
Hi-Performance Auto Service	6000 block Elvas Ave	Potential for petroleum based products and related substances	Low to Moderate
Nor Cal Painting	6317 Folsom Blvd.	Painting chemicals	Low to Moderate
AAA Car Care Plus	300 Block Bicentennial Cir.	Potential for petroleum based products and related substances	Low to Moderate
Sacramento Valley Transmission Exchange	6801 Folsom Blvd.	Potential for petroleum based products and related substances	Low to Moderate
Unknown Industrial	3500 Ramona Ave.	Potential for hazardous chemicals	Low to Moderate
River City Automotive	2945 Ramona Ave.	Potential for petroleum based products and related substances	Low to Moderate
Cozz's Auto Body of Sacramento	3800 Power Inn Rd.	Potential for petroleum based products and related substances	Low to Moderate
Inspire Motorsports	7941 Amador Ave. Suite #2	Potential for petroleum based products and related substances	Low to Moderate
Smog Wizard	7610 Folsom Blvd.	Potential for petroleum based products and related substances	Low to Moderate
Fast Under Gear	8021 Clifton Rd.	Potential for petroleum based products and related substances	Low to Moderate
Coit Carpet Cleaners	3499 Business Dr.	Potential for hazardous chemicals	Low to Moderate
GI Trucking	7551 14 <sup>th</sup> Ave. Suite C	Potential for petroleum based products and related substances	Low to Moderate
JMB Metals	7500 block 14 <sup>th</sup> Ave.	Potential for hazardous chemicals	Low to Moderate

<b>Property Description</b>	<b>Property Address</b>	<b>Type of Contamination and Required Action (if known)</b>	<b>Level of Concern</b>
Dynamic Body Shop	7500 Block 14 <sup>th</sup> Ave.	Potential for hazardous chemicals	Low to Moderate
Steinvick Painting/Finishing	7300 Folsom Blvd.	Potential for hazardous chemicals	Low to Moderate
House of Custom Cars	2900 Block Ramona Ave.	Potential for petroleum based products and related substances	Low to Moderate
Fresh Express Wholesale Catering and Truck Wash	3120 Ramona Ave.	Potential for petroleum based products and related substances	Low to Moderate
Dynamic Body Shop	7500 14 <sup>th</sup> Ave.	Potential for petroleum based products and related substances	Low to Moderate
Capitol Foreign Auto	7928 Carlton Rd.	Potential for petroleum based products and related substances	Low to Moderate
Remarkable Refinishing	7935 Carlton Rd. Suite C	Potential for hazardous chemicals	Low to Moderate
Encore Graphics	8020 19 <sup>th</sup> Ave.	Potential for hazardous chemicals	Low to Moderate
Chimas Towing	8021 19 <sup>th</sup> Ave.	Potential for petroleum based products and related substances	Low to Moderate
Kelly Moore (Pittsburgh) Paints	Folsom Blvd.	Potential for hazardous chemicals	Low to Moderate
Best Pool Supply	6438 Folsom Blvd.	Potential for hazardous chemicals	Low to Moderate
S.M.U.D.	6100 Folsom Blvd.	Potential for petroleum based products and related substances	Low to Moderate
Arena Tow	7820 Cucamonga Ave.	Potential for petroleum based products and related substances	Low to Moderate
United Rentals	6201 Elvas Ave.	Potential for petroleum based products and related substances	Low to Moderate
Road One CVT. Inc. Towing	7602 Folsom Blvd.	Potential for petroleum based products and related substances	Low to Moderate
Cal-State Towing	7606 Folsom Blvd.	Potential for petroleum based products and related substances	Low to Moderate
Camelia City Mill Works	7831 Clifton Rd.	Potential for hazardous chemicals	Low to Moderate
Lane-Aire	7300 block Folsom Blvd	Unknown	Low to Moderate
Napa Auto Center	8000 block 14 <sup>th</sup> Ave.	Potential for petroleum based products and related substances	Low to Moderate

<b>Property Description</b>	<b>Property Address</b>	<b>Type of Contamination and Required Action (if known)</b>	<b>Level of Concern</b>
Langhill's General Machine Inc.	7850 14 <sup>th</sup> Ave.	Potential for hazardous chemicals	Low to Moderate
Alex Engardt Roofing and Siding	7700 14 <sup>th</sup> Ave.	Potential for hazardous chemicals	Low to Moderate
Kaeser Compressors	7571 14 <sup>th</sup> Ave.	Potential for hazardous chemicals	Low to Moderate
Capitol Cabinet	7500 block 14 <sup>th</sup> Ave.	Potential for hazardous chemicals	Low to Moderate
Graphic Center	4000 block Power Inn Rd.	Potential for hazardous chemicals	Low to Moderate
Hilti Fastening Center	3500 Power Inn Rd.	Potential for hazardous chemicals	Low to Moderate
Praxair Industrial Supplies	3100 Power Inn Rd.	Potential for hazardous chemicals	Low to Moderate
Villa Iron	7610 Brighton Ave.	Potential for hazardous chemicals	Low to Moderate
Geremia Pools Inc.	3264 Ramona Ave.	Potential for hazardous chemicals	Low to Moderate
Legacy Roofing	2900 block Ramona Ave.	Potential for petroleum based products and related substances	Low to Moderate
Thunder Machine Works	2940 Ramona Ave.	Potential for hazardous chemicals	Low to Moderate
Limousine Club	2945 Ramona Ave.	Potential for petroleum based products and related substances	Low to Moderate
VV's Cabinet	3351 Business Dr.	Potential for hazardous chemicals	Low to Moderate
A/P Heating and Cooling	6623 Elvas Ave.	Potential for hazardous chemicals	Low to Moderate
T/P Tire and Wheels (Metropolitan Ambulance)	6329 Elvas Ave.	Potential for petroleum based products and related substances	Low to Moderate
Photo Source	6346 Elvas Ave.	Potential for hazardous chemicals	Low to Moderate
The Dark Room	6346 Elvas Ave.	Potential for hazardous chemicals	Low to Moderate
Bytheways Manufacturing Inc.	2750 Redding Ave.	Potential for hazardous chemicals	Low to Moderate

<b>Property Description</b>	<b>Property Address</b>	<b>Type of Contamination and Required Action (if known)</b>	<b>Level of Concern</b>
Urke Plumbing	7917 Carlton Rd.	Potential for hazardous chemicals	Low to Moderate
Robert Olsen's Auto Detailing	6100 block Elvas Ave.	Potential for petroleum based products and cleaning chemicals	Low to Moderate
Spaulding Printing	4181 Power Inn Rd.	Potential for hazardous chemicals	Low to Moderate
Nationwide Apparel	4101 Power Inn Rd. Suite C	Potential for hazardous chemicals	Low to Moderate
Mr. Tint	4101 Power Inn Rd. Suite D	Potential for hazardous chemicals	Low to Moderate
Pittsburgh Paints	4150 Power Inn Rd.	Potential for hazardous chemicals	Low to Moderate
JBZ Trading Company	4150 Power Inn Rd.	Potential for hazardous chemicals	Low to Moderate
Pavestone Cinder Block	4751 Power Inn Rd.	Potential for hazardous chemicals	Low to Moderate
5 Star Towing	4500 20 <sup>th</sup> Ave.	Potential for petroleum based products and related substances	Low to Moderate
Silvas Tire Store	8020 18 <sup>th</sup> Ave.	Potential for petroleum based products and related substances	Low to Moderate
Dunn-Edwards Paint Store	6710 Folsom Blvd.	Potential for hazardous chemicals	Low to Moderate
Carbon Tech	7925 Butte Ave.	Potential for hazardous chemicals	Low to Moderate
S/G Auto Wholesale	6000 block Elvas Ave.	Potential for petroleum based products and related substances	Low to Moderate
Makita	4191 Power Inn Rd.	Potential for petroleum based products and related substances	Low to Moderate
Lawnman Inc.	4191 Power Inn Rd., Suite B	Potential for hazardous chemicals	Low to Moderate
Independent BMW Service	7500 14 <sup>th</sup> Ave.	Potential for petroleum based products and related substances	Low to Moderate
Curtis Roofing	7475 14 <sup>th</sup> Ave.	Potential for petroleum based products and related substances	Low to Moderate
Westech Manufacturing	7500 block 14 <sup>th</sup> Ave.	Potential for petroleum based products and related substances	Low to Moderate

<b>Property Description</b>	<b>Property Address</b>	<b>Type of Contamination and Required Action (if known)</b>	<b>Level of Concern</b>
Sun Country Auto Sales	7942 14 <sup>th</sup> Ave.	Small Potential for petroleum based products and related substances	Low to Moderate
Melody Car Wash	6730 Folsom Blvd.	Potential for petroleum based products and related substances	Low to Moderate
Pauls TV	4101 Power Inn Rd. Suite F	Unknown	Low
Animal Den	4060 Power Inn Rd.	Unknown	Low
Camptown	4024 Power Inn Rd.	Unknown	Low
California Cascade Industries	4000 block Power Inn Rd.	Unknown	Low
City of Sacramento Child Support Services	3701 Power Inn Rd.	Unknown	Low
Recycling Industries	3300 Power Inn Rd.	Unknown	Low
Sutter Health Center	3321 Power Inn Rd. Suite 300	Unknown	Low
Steinvick Painting and Finishing	7830 Cucamonga Ave. Suite 19	Unknown	Low
Chimas Towing	7949 Ramona Way	Unknown	Low
United Rentals	6201 Elvas Ave.	Unknown	Low
Mac the Antique Plumber	6325 Elvas Ave.	Unknown	Low
Adams Plumbing Company	4401 Power Inn Rd.	Unknown	Low

Source: EEI/Environmental First Search 2003

\* CERCLIS-NFRAP (Archive): *Comprehensive Environmental Response Compensation and Liability Information System Archived Sites*. The Archive designation means that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list this site on the National Priorities List (NPL). This decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site.

An additional five sites were identified in the Transit Village Project area that are not listed, but were shown to or suspected of having soil and/or groundwater contamination in the Lush Geosciences Phase I Report:

- 6500 Folsom Boulevard – former Standard service station; no record of tank removals.

- 6620 and 6622 Folsom Boulevard – Monitoring well on site which has shown significant gasoline contamination.
- 6600 and 6800 Folsom Boulevard – no records of removal of historic 12,000 gallon crude oil tank.
- 6727 Folsom Boulevard – Burger Chief Restaurant building – formerly a Brighton Oil service station; no record of tank removals.
- Folsom Boulevard – Melody Car Wash building adjacent to the Eagle Gas Station – formerly a gas station; no record of tank removals. Several monitoring wells place on the site associated with the former Eagle Gas station have show high gasoline concentrations in sample analyses.

### ***Potential Receptors***

The sensitivity of potential receptors in the areas of known or potential hazardous materials contamination is dependent primarily on an individual's potential pathway for exposure. Hazardous materials exposure in the Project Area could occur through exposure to groundwater and/or soil contamination during construction. With respect to this possible form of hazardous materials exposure, construction workers have the highest potential for exposure to groundwater and/or soil contamination. However, other potential receptors in the project area include schools, and residential areas. These receptors are more likely to be exposed to fugitive dust created during demolition and construction.

This analysis assumes that cleanup activities in specific locations at the 65<sup>th</sup> Street Redevelopment area would be complete and appropriate approvals received before any activities would occur in those areas under the Redevelopment Plan.

## **4.6.2 REGULATORY SETTING**

### **HAZARDOUS MATERIALS**

#### ***Federal***

Many agencies regulate hazardous substances. These include federal agencies such as the Environmental Protection Agency (EPA), the Occupational Safety and Health Administration, the Nuclear Regulatory Commission (NRC), the U.S. Department of Transportation (DOT), and the National Institutes of Health (NIH). The following federal laws and guidelines govern hazardous substances:

- Federal Water Pollution Control Act
- Clean Air Act
- Occupational Safety and Health Act
- Federal Insecticide, Fungicide, and Rodenticide Act
- Comprehensive Environmental Response, Compensation, and Liability Act
- Guidelines for Carcinogens and Biohazards

- Superfund Amendments and Reauthorization Act, Title III
- Resource Conservation and Recovery Act
- Safe Drinking Water Act
- Toxic Substances Control Act

At the federal level, the principal agency regulating the generation, transport, and disposal of hazardous substances is the EPA, under the authority of the Resource Conservation and Recovery Act (RCRA). The EPA regulates hazardous substance sites under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Applicable federal regulations are contained primarily in Titles 29, 40, and 49 of the Code of Federal Regulations (CFR).

### **Hazardous Substances Handling Requirements**

The RCRA established an all-encompassing federal regulatory program for hazardous substances that is administered by EPA. Under the RCRA, EPA regulates the generation, transportation, treatment, storage, and disposal of hazardous substances. The RCRA was amended in 1984 by the Hazardous and Solid Waste Act (HSWA), which affirmed and extended the “cradle-to-grave” system of regulating hazardous substances. The HSWA specifically prohibits the use of certain techniques for the disposal of some hazardous substances.

Under the RCRA, individual states may implement their own hazardous substance management programs as long as those programs are consistent with, and at least as strict as, the RCRA. The EPA must approve state programs intended to implement the RCRA requirements.

### **Hazardous Substances Worker Safety Requirements**

The federal Occupational Safety and Health Administration (OSHA) is the agency responsible for ensuring worker safety. OSHA sets federal standards for implementation of training in the workplace, exposure limits, and safety procedures in the handling of hazardous substances (as well as other hazards). OSHA also establishes criteria by which each state can implement its own health and safety program.

### ***State***

Cal/EPA and the Office of Emergency Services (OES) of the State of California establish rules governing the use of hazardous substances in the state. The SWRCB has primary responsibility to protect water quality and supply.

Applicable State laws include the following:

- Porter Cologne Water Quality Act
- Public safety and fire regulations and building codes
- Hazardous Substance Control Law
- Hazardous Substances Information and Training Act

- Hazardous Substances Release Response Plans and Inventory Act
- Air Toxics Hot Spots and Emissions Inventory Law
- Underground Storage of Hazardous Substances Act

Within Cal/EPA, the Department of Toxic Substance Control (DTSC) has primary regulatory responsibility for the generation, transport and disposal of hazardous substances under the authority of the Hazardous Waste Control Law (HWCL). DTSC can delegate this enforcement role to local jurisdictions that enter into agreements with the state agency. State regulations applicable to hazardous substances are indexed in Title 26 of the California Code of Regulations (CCR).

### **Hazardous Substances Handling Requirements**

In California, the Hazardous Waste Management Program (HWMP) regulates hazardous waste through its permitting, enforcement, and Unified Program activities. The HWMP is authorized by EPA to implement the RCRA program in California and develops regulations, policies, guidance, technical assistance, and training to ensure the safe storage, treatment, transportation, and disposal of hazardous wastes.

Regulations implementing the HWCL list 791 hazardous chemicals and 20 or 30 more common substances that may be hazardous; establish criteria for identifying, packaging and labeling hazardous substances; prescribe management of hazardous substances; establish permit requirements for hazardous substances treatment, storage, disposal and transportation; and identify hazardous substances that cannot be deposited in landfills.

Under both the RCRA and the HWCL, the generator of a hazardous substance must complete a manifest that accompanies the waste from the point of generation to the ultimate treatment, storage or disposal location. The manifest describes the waste, its intended destination, and other regulatory information about the waste. Copies must be filed with the DTSC. Generators must also match copies of waste manifests with receipts from the treatment, storage or disposal facility to which it sends waste.

### **Hazardous Substances Worker Safety Requirements**

Cal-OSHA assumes primary responsibility for developing and enforcing workplace safety regulations within California. Cal-OSHA standards are more stringent than federal regulations.

Cal-OSHA regulations concerning the use of hazardous substances include requirements for safety training, availability of safety equipment, hazardous substances exposure warnings, and emergency action and fire prevention plan preparation. Cal-OSHA enforces the hazard communication program regulations, which include provisions for identifying and labeling hazardous substances, describing the hazards of chemicals, and documenting employee-training programs.

Both federal and State laws include special provisions for hazard communication to employees who work with and/or encounter hazardous materials and wastes. The training must include safe methods for handling hazardous substances, an explanation of Material Safety Data Sheets, use of emergency response equipment, implementation of an emergency response plan, and use of personal protective equipment.

## **Groundwater**

The SWRCB and the Regional Water Control Board (RWQCB) are the responsible agencies for implementing regulations designed to protect California waters, including groundwater. The RWQCB is responsible for overseeing groundwater contamination investigations and remedial activities. The RWQCB implements the clean-up standards required for sites of contaminated groundwater and assures site compliance with appropriate state regulations. As described above under the Sacramento River Basin Water Quality Control Plan, the RWQCB is responsible for overseeing the discharge of water (from dewatering during construction activities) to surface waters as described above. The Cal/EPA DTSC and Cal-OSHA are the agencies that are responsible for overseeing that appropriate measures are taken to protect workers from exposure to potential groundwater contaminants.

## **Local Regulations**

Sacramento County as the Local Enforcement Agency (LEA) is responsible for enforcing the state regulations, both in the city and the county, governing hazardous substance generators, hazardous substance storage, and underground storage tanks (including inspections, enforcement, and removals). The Sacramento County Hazardous Materials Division (HMD) regulates the use, storage, and disposal of hazardous substances in Sacramento County by issuing permits, monitoring regulatory compliance, investigating complaints, and other enforcement activities. HMD reviews technical aspects of hazardous substance site cleanup operations and oversees remediation of certain contaminated sites resulting from leaking underground storage tanks. HMD is also responsible for providing technical assistance to public and private entities that seek to minimize the generation of hazardous substance.

Goals and policies have been developed by the City and County of Sacramento concerning the management of hazardous substances to protect human health and the environment (Sacramento County Hazardous Waste Management Plan, 1988; 1986 to 2006 General Plan for Sacramento, 1987).

## **Sacramento City General Plan**

The following are relevant City of Sacramento General Plan goals and policies that apply to the Project Area:

Goal A: Provide for the health and safety of the citizens of Sacramento and for the protection of the environment by reducing exposure to hazardous substances and waste.

- Goal A Policy 1: Work with the County, State, and federal agencies and responsible parties to identify, contain and cleanup sites that contain hazardous substances.
- Goal A Policy 4: Coordinate with Sacramento County, the State and federal governments to ensure compatibility among plans, programs, regulations and safeguards.

## **Polanco Redevelopment Act**

The Polanco Redevelopment Act (AB 3193, Chapter 1113, Statutes of 1990, Polanco), part of the Community Redevelopment Act, was enacted to assist redevelopment agencies in responding to

brownfield properties in their redevelopment areas. It prescribes processes for redevelopment agencies to follow when cleaning up a hazardous substance release in a redevelopment project area. It also provides immunity from liability for redevelopment agencies and subsequent property purchasers for sites cleaned up under a cleanup plan approved by DTSC or a Regional Board.

### **4.6.3 ENVIRONMENTAL IMPACTS**

#### **METHODOLOGY**

This analysis is based on a review of current lists made available by regulatory agencies with jurisdiction over storage, monitoring, and cleanup of hazardous wastes. The boundaries of the proposed Project Area were reviewed to determine existing and planned land use and potential exposure to Hazardous Materials.

#### **THRESHOLDS OF SIGNIFICANCE**

A project would normally have a significant hazards impact if, through construction activities, attracting people to the site, or use of hazardous materials, it would:

- Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil (or associated vapors) during construction activities and after construction;
- Expose people (e.g., residents, pedestrians, construction workers) to existing hazardous substances such as asbestos, lead based paint or PCBs during construction activities and after construction;
- Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated groundwater (or associated vapors) during construction activities and after construction; or
- For a project located within a known or potential contaminated site, the project results in a hazardous substance safety hazard for people residing or working in the Project Area.

#### **IMPACTS OF THE PROPOSED PROJECT**

##### **Impact 4.6-1 Possible Delays to or Interference with Investigation or Remediation Activities Due to Redevelopment Projects.**

Under the direction of local and state agencies, assessment and remediation of soil and water contamination is being conducted at a number of release sites throughout the Project Area, as identified in Table 4.6-1 above. Proposed redevelopment activities could affect these sites through adjustments in cleanup schedules, remedial designs, and remedial actions when determining final cleanup levels. However, these adjustments should not prevent assessment and remediation activities at these sites from continuing in accordance with federal, state, and local regulations to protect human health and the environment. Also, ongoing activities at identified release sites may delay or limit some proposed land uses at or near those sites.

The severity of contamination or level of remediation effort at these sites may, to a certain extent, limit future land uses by the recipients on a site-specific level. Regulatory review will ensure that any

site-specific land use limitations are identified and considered. Based on the results of further review and investigation, the regulatory agencies overseeing these sites may, where appropriate, place limits on land reuse through deed restrictions on conveyances and use restrictions on leases. The responsible parties may also retain right of access to other properties to inspect monitoring wells or conduct other remedial activities. This impact is ***less than significant***.

### ***Mitigation Measures***

None required.

### **Impact 4.6-2 Potential Redevelopment of Previously Identified or Unidentified Contaminated Sites**

Redevelopment activities often involve the demolition, rehabilitation or reuse of older properties that may result in the discovery of previously unidentified contaminated properties, or provide for reuse of identified, but not yet remediated sites. Historical uses which have released hazardous substances or petroleum products may be masked by the present or recent uses of the property. Excavation could damage unidentified underground storage tanks with some remaining petroleum products that could result in the exposure of construction workers and result in associated significant adverse health effects. In addition, construction activity could uncover unknown sites of soil contamination that could result in the exposure of construction workers and result in associated significant adverse health effects. This would be a ***significant impact***

### ***Mitigation Measures***

**4.6.2a** A thorough examination of past property uses shall be required for redevelopment projects involving demolition or reuse of older properties or construction on vacant land, prior to demolition or construction. This examination shall conform to the Phase I Environmental Site Assessment process established by ASTM (E1527-00), and shall include a site reconnaissance, a review of regulatory databases, interviews with persons knowledgeable of the property, and a review of past property uses using appropriate historical sources. A Phase II Environmental Site Assessment shall be conducted if deemed necessary based on the Phase I Environmental Site Assessment results.

**4.6.2b** If discolored soil, vapors or contaminated groundwater are encountered during construction activities, all work shall cease until a qualified environmental professional assesses the situation and appropriate action is taken to ensure the safety of workers and the public.

### ***Significance after Mitigation***

Less than significant.

### **Impact 4.6-3: Potential Asbestos Exposure Hazards during Renovation or Demolition of Existing Structures with ACM**

Renovation, demolition, and excavation of existing structures and facilities with asbestos containing materials (ACM) may occur as a result of redevelopment actions. Disturbance of ACM may result in

asbestos exposure hazards to human health and the environment. Renovation and demolition activities would be subject to all applicable federal, state, and local regulations to minimize potential risks to human health and the environment. ACM in historic properties would be managed in accordance with National Park Service and U.S. Department of Housing and Urban Development (HUD) guidance. This impact would be ***less than significant***.

***Mitigation Measures***

None required.

**Impact 4.6-4: Potential Lead Exposure from Reuse Activities Involving Buildings with Lead-Based Paint (LBP)**

Redevelopment activities may involve the demolition or renovation of existing structures that may contain lead-based paint. Human health or environmental exposure to lead may result if lead-based paint is chipping and then accidentally ingested. Property recipients would be notified of the potential of lead-based paint prior to property disposition and during real estate transactions under State Real Estate law. Lead-based paint in historic properties would be managed in accordance with National Park Service and HUD guidance. Lead-based paint would be removed and disposed of in these facilities in accordance with applicable federal, state, and local regulations to minimize potential risks to human health and the environment, thus this impact would be ***less than significant***.

***Mitigation Measures***

None required.

**4.6.4 REFERENCES – HAZARDS AND HAZARDOUS MATERIALS**

- *65<sup>th</sup> Street Transit Village Project Draft Environmental Impact Report*, December 2001.
- *South 65<sup>th</sup> Street Area Plan*, Initial Study, November 2003
- *Environmental First Search*, 2003