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## IV. ENVIRONMENTAL IMPACT ANALYSIS

### E. HAZARDOUS MATERIALS

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#### 1. INTRODUCTION

This section provides an analysis of potential hazards and hazardous materials impacts that could occur with implementation of the proposed Project. The analysis is based on the *Phase I and Limited Phase II Environmental Site Assessment (ESA) on the Property Composed of Assessor's Parcel Numbers 5720-001-001, 5720-001-002, 5720-001-003, 5720-001-004 and 5720-001-005 at 590 and 592 South Fair Oaks Avenue and 10 and 28 E. California Boulevard* prepared by Carlin Environmental Consulting, Inc. (CEC) on May 3, 2007. The ESA was prepared in accordance with the "Standard Practice for Environmental Site Assessments, Phase I Environmental Site Assessment Process," presented by the American Society for Testing and Materials (ASTM Standard E 1527-05). The Phase I and Limited Phase II ESA evaluate the presence of known or suspected hazardous materials or wastes on the project site, which may have the potential to adversely impact the site's environmental integrity. In addition, this section incorporates the analysis and findings in the *Report of Limited Environmental Subsurface Investigation, Limited Asbestos-Containing Materials Survey, and Limited Lead-Based Paint Survey, California and Fair Oaks Office Building* prepared by GeoDesign Inc on July 28, 2008. The reports referenced above are included in Appendix F of this EIR.

#### 2. ENVIRONMENTAL SETTING

##### a. Regulatory Framework

##### (1) Hazardous Waste and Hazardous Materials Definitions

The United States Environmental Protection Agency (EPA) defines a hazardous waste as a substance that (1) may cause or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating reversible illness and (2) that poses a substantial present or potential future hazard to human health or the environment when it is improperly treated, stored, transported, disposed of or otherwise managed. Hazardous waste is also ignitable, corrosive, or reactive (explosive) (U.S. EPA 40 260.10). A material that contains defined amounts of toxic chemicals may also be classified as a hazardous material. The EPA has also developed a list of specific hazardous wastes that are in the form of solids, semi-solids, liquids, and gases.

The State of California defines hazardous materials as substances that are toxic, ignitable or flammable, reactive, and corrosive. The State also defines an extremely hazardous material as a substance that shows high acute or chronic toxicity, carcinogenicity (causes cancer), bioaccumulative properties (accumulates in the body's tissues), persistence in the environment, or is water active. Hazardous materials are extensively regulated by federal, State and local laws, and new regulations are constantly being developed as more is learned about the impact these substances have on human health and the environment.

## **(2) Federal, State and Local Regulations**

The Federal Resource Conservation and Recovery Act (RCRA) (42 U.S.C. secs. 6901-6992k) regulates the generation, transportation, treatment, storage, and disposal of hazardous waste. Under RCRA regulations, hazardous wastes must be tracked from the time of generation to the point of disposal. At a minimum, each generator of hazardous waste must register and obtain a hazardous waste activity identification number. If hazardous wastes are stored for more than 90 days or treated or disposed of at a facility, any treatment, storage, or disposal unit must be permitted under RCRA.

RCRA allows individual states to develop their own program for the regulation of hazardous waste as long as it is at least as stringent as RCRA. The State of California has developed the California Hazardous Waste Control Law (HWCL) (Health and Safety Code sec. 25100 et seq. and 22 California Code of Regulations [CCR] sec. 66260.1 et seq.) and the USEPA has authorized RCRA enforcement to the State of California. Primary authority for the statewide administration and enforcement of HWCL rests with California EPA's (Cal-EPA) Department of Toxic Substances Control (DTSC). Thus, the DTSC has primary regulatory responsibility for hazardous waste management. The Office of Emergency Services (OES) also establishes regulations governing the use of hazardous materials in the State. The California Highway Patrol (CHP) and the California Department of Transportation (Caltrans) are the enforcement agencies for hazardous materials transportation regulations. Hazardous materials and waste transporters are responsible for complying with all applicable packaging, labeling, and shipping regulations.

The Federal Occupational Safety and Health Act of 1970, which is implemented by the Federal Occupational Safety and Health Administration (OSHA), contains provisions with respect to hazardous materials handling. Federal OSHA requirements, as set forth in 29 Code of Federal Regulations (CFR) Section 1910, et. seq., are designed to promote worker safety, worker training, and a worker's right-to-know.

The U.S. Department of Labor has delegated the authority to administer OSHA regulations to the State of California. The California OSHA program (Cal-OSHA) (codified in

the CCR, Title 8, or 8 CCR generally and in the Labor Code secs. 6300-6719) is administered and enforced by the Division of Occupational Safety and Health (DOSH). Cal-OSHA is very similar to the Federal OSHA program. For example, both programs contain rules and procedures related to exposure to hazardous materials during demolition and construction activities. In addition, Cal-OSHA requires employers to implement a comprehensive, written Injury and Illness Prevention Program (IIPP). An IIPP is an employee safety program for potential workplace hazards, including those associated with hazardous materials.

Enforcement of regulations has been delegated to local jurisdictions that enter into agreements with DTSC for the generation, transport, and disposal of hazardous materials under the authority of the HWCL. In January 1996, Cal/EPA adopted regulations implementing a “Unified Hazardous Waste and Hazardous Materials Management Regulatory Program” (Unified Program). The program addresses hazardous waste generators and hazardous waste on-site treatment, underground storage tanks (USTs) and above ground storage tanks (ASTs), hazardous material release response plans and inventories, risk management and prevention programs, and Uniform Fire Code (UFC) hazardous materials management plans and inventories. The Unified Program is implemented at the local level by a local agency: the Certified Unified Program Agency (CUPA). The CUPA is responsible for consolidating the administration of the six program elements within its jurisdiction.

The federal government and the State of California require all businesses that handle more than a specified amount of hazardous materials or extremely hazardous materials to submit a business plan to its local CUPA. The Pasadena Fire Department is the local CUPA for the project area. The City of Pasadena requires the preparation, submittal, and implementation of a business plan on a yearly basis if a business uses, stores, or manufactures a hazardous material in any amount. The business plan must include an inventory of the hazardous materials and set forth emergency response plans and procedures to be used in the event of a significant or threatened significant release of a hazardous material. The requirement of business plans is designed to be used by responding agencies, in this case the Pasadena Fire Department, and other supporting agencies, such as the Los Angeles County Fire Department, during a release to allow for a quick and accurate evaluation of each situation for an appropriate response.

The City of Pasadena General Plan, Safety Element identifies a specific goal and program related to hazardous materials that applies to the proposed Project as follows:<sup>1</sup>

- Goal H-1—Reduce the potential for hazardous contamination on the City.

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<sup>1</sup> *Safety Element of the General Plan, City of Pasadena, California, prepared by Earth Consultants International, dated August 2002.*

- Program H-1.1—The City will continue the enforcement of disclosure laws that require all users, producers, and transporters of hazardous materials and wastes to clearly identify the materials that they store, use, or transport, and to notify the appropriate City, County, State and Federal agencies in the event of a violation.

### **(3) Polychlorinated Biphenyls**

Polychlorinated Biphenyls (PCBs) are regulated by the USEPA under the Toxic Substance Control Act (TSCA). These regulations ban the manufacture of PCBs although the continued use of existing PCB-containing equipment is allowed. Transformer oil containing PCBs at a concentration exceeding five parts per million (ppm) is the California-regulated concentration for hazardous waste, though PCBs in transformer oil at a concentration up to 50 ppm are currently allowed in transformers in California. The TSCA also contains provisions controlling the continued use and disposal of existing PCB-containing equipment. In addition to TSCA, provisions relating to PCBs are contained in the HWCL, which lists PCBs as hazardous waste.

### **(4) Underground Storage Tanks**

USTs are regulated under Subtitle I of RCRA and its regulations (40 CFR 280) which establish construction standards for new UST installations (those installed after December 22, 1988), as well as standards for upgrading existing USTs and associated piping. Since 1998, all non-conforming tanks were required to be either upgraded or closed.

The State regulates USTs pursuant to Health and Safety Code, Division 20, Chapter 6.7, and CCR Title 23, Division 3, Chapter 16 and Chapter 18. The State's UST program regulations include among others, permitting USTs, installation of leak detection systems and/or monitoring of USTs for leakage, UST closure requirements, release reporting/corrective action, and enforcement. Oversight of the statewide UST program is assigned to the State Water Resources Control Board (SWRCB) (23 CCR sec. 2610 et seq.), which has delegated authority to the Regional Water Quality Control Board (RWQCB) and typically on the local level, to the fire department. The LAFD administers and enforces Federal and State laws and local ordinances for USTs at the Project site. Plans for the construction/installation, modification, upgrade, and removal of USTs are reviewed by LAFD Inspectors.

### **(5) Asbestos Containing Materials**

Asbestos is a naturally occurring mineral which is made up of microscopic fibers. Asbestos has unique qualities which include its strength, fire resistance, resistance to chemical

corrosion, poor conduction of heat, noise, and electricity, and low cost. Asbestos has been widely used in the building industry for a variety of uses, including acoustic and thermal insulation and fireproofing. It is often found in ceiling and floor tiles, linoleum, and pipes, as well as on structural beams and asphalt. However, asbestos can become a hazard when the fibers separate and become airborne. Asbestos has been linked with lung diseases caused by inhalation of airborne asbestos fibers.

Under the TSCA (40 CFR 763), the USEPA has enacted strict requirements on the use, handling, and disposal of ACM. These regulations include the phase out of friable asbestos and ACM in new construction materials beginning in 1979 (40 CFR 763). Friable asbestos may be found in pre-1979 construction.

California classifies ACM as hazardous waste if it is friable and contains one percent or more asbestos (CCR, Title 22, Section 66261.24). Non-friable bulk asbestos-containing waste is considered non-hazardous regardless of its asbestos content, so it is not subject to regulation under CCR, Title 22, Division 4.5. California, through DTSC, regulates the packaging, on-site accumulation, transportation, and disposal of asbestos when it is a hazardous waste.

The Federal and State OSHA programs regulate asbestos as it relates to employee safety. The Federal OSHA Worker Exposure Rule for Asbestos (29 CFR 1910.1001 and 1926.1101) requires certain actions on the part of any employer whose employees are potentially exposed to asbestos fiber levels above the permissible exposure limit (0.2 fibers per cubic centimeter of air [f/cc], averaged over an 8-hour day). Under Cal-OSHA, employers must begin compliance activities such as notification, employee training, air monitoring and, in some cases, medical surveillance, if employees are exposed to a time-weighted average of 0.1 f/cc over an 8-hour period. In addition to these regulations, contractors involved in asbestos surveys and removal are required to be certified by Cal-OSHA.

The California Connelly Act (Assembly Bill 3713; Health and Safety Code sec. 25915 et seq.) establishes notification requirements for all owners and employees working within any pre-1979 building known to contain ACM. Notification could be based upon a survey of ACM and their locations. The notification requirements of the Connelly Act are enforced by Cal-OSHA.

The USEPA has established National Emission Standards for Hazardous Air Pollutants (NESHAP) (40 CFR 61 Part M) that govern the use, removal, and disposal of ACM as a hazardous air pollutant. The NESHAP regulations mandate the removal of friable ACM before a building is demolished and includes notification requirements prior to demolition. The NESHAP regulations are promulgated and enforced by the USEPA. Responsibility for implementing these requirements has been delegated to the State of California, which in turn has delegated the responsibility to the South Coast Air Quality Management District (SCAQMD).

SCAQMD implements the NESHAP through Rule 1403, Asbestos Emissions from Renovation/Demolition Activities. Rule 1403 regulates asbestos as a toxic material and controls the emissions of asbestos from demolition and renovation activities by specifying agency notifications, appropriate removal procedures, and handling and clean-up procedures. Rule 1403 applies to owners and operators involved in the demolition or renovation of ACM-containing structures, asbestos storage facilities, and waste disposal sites. The requirements under Rule 1403 include: surveying structures for ACM; agency notification of intention to remove asbestos; ACM removal procedures and time schedules; ACM handling and clean-up procedures; ACM storage, disposal, and landfill requirements; and record keeping. In addition, any facility known to contain asbestos is required to have a written asbestos management plan (also known as an Operations and Maintenance Program [O&M Program]).

#### **(6) Lead-Based Paint**

Lead is a naturally occurring element and heavy metal that was widely used as a major ingredient in most interior and exterior oil-based paints prior to 1950. Lead compounds continued to be used as corrosion inhibitors, pigments, and drying agents from the early 1950s to 1972, when the Consumer Products Safety Commission specified limits on lead content in such products. While adults can be affected by excessive exposure to lead, the primary concerns are the adverse health effects on children. The most common paths of lead exposure in humans are through ingestion and inhalation. Lead-based paint is of concern both as a source of exposure and as a major contributor to lead in interior dust and exterior soil.

Cal-OSHA has established limits of exposure to lead contained in dusts and fumes. Specifically, CCR Title 8, Section 1532.1 establishes the rules and procedures for conducting demolition and construction activities and establishes exposure limits, exposure monitoring, and respiratory protection for workers exposed to lead.

#### **b. Historic Site Conditions**

Based on a review of aerial photographs and maps, as summarized in the Phase I and Limited Phase II ESA, the site has been developed with a mix of successive uses since the early 1900s. The site has been improved with various residential, commercial, office space, food service uses, automotive/manufacturing, light industrial and storage uses since the late 1800s-early 1900s. In the early 1900s until approximately the 1920s, there were at least three residential structures on the northern portion of the site. The commercial uses included laundry activities at the site between the 1920s and the 1960s consisting of hand washing of articles of clothing. No records or evidence of dry cleaning activities associated with the laundry activities have been located. The manufacturing/automotive uses include a brick manufacturing facility in the early 1900s and a cable manufacturing building at 28 E. California Boulevard in the 1970s,

which was then used for automotive service-related uses beginning in early- to mid-1980s. The site also contained a junk yard that specialized in plumbing supplies on the southern portion of the property from at the least the 1920s until approximately the 1970s. No known environmental cleanups have occurred at the project site.

### **c. Existing Site Conditions**

The project site is improved with a 6,525 square foot unoccupied building (formerly Monty's Steak House), a 2,720 square foot building formerly occupied by the Grandview Palace Restaurant and the Body Healing Center message therapy facility, and a 3,390 square foot building occupied by M&G Auto Body. The remaining areas of the site are devoted to surface parking.

The site lies within the Raymond Groundwater Basin. Depth to groundwater in the vicinity of the site ranges from 50 to 100 feet below ground surface (bgs). However, groundwater was not encountered at the site during exploratory borings to a depth of 75 feet bgs.<sup>2</sup> Groundwater flow is expected to be generally in a southern direction.

#### **(1) Federal, State and Local Records Review**

Environmental agency databases were reviewed as part of the Phase I and Limited Phase II ESA to ascertain whether the project site or any properties within a one mile radius of the project site were listed on local, State, or Federal databases. Federal and State environmental database records were supplied by Environmental Data Resources, INC. (EDR) in March 2007. The EDR records search consisted of records within a one-mile radius of the project site. Numerous sites did appear on the databases review.<sup>3</sup> However, due to the distance of the identified sites from the project site, their cross- or down-gradient direction relative to the project site, and/or their current status (i.e., permit only, case closed, etc.), none are expected to present a concern to the project site.

The project site is listed on EDR's proprietary Historical Cleaners database. However, there is no evidence or knowledge that suggests dry cleaning operations occurred on the project site. Therefore, the project site's listing on the Historical Cleaners database does not present a concern.

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<sup>2</sup> *Phase I and Limited Phase II Environmental Site Assessment (ESA), prepared by Carlin Environmental Consulting, Inc. (CEC) on May 3, 2007.*

<sup>3</sup> *Please refer to Section 4.0, Records Review, in the Phase I and Limited Phase II ESA for a listing of sites identified in the database review.*

As part of the local agency records search and review, a request was made to the Pasadena Fire Department to review records associated with project site. The Fire Department responded that no records exist for the site with the exception of the address at 28. E. California Boulevard, currently occupied by M&G Auto Body. The most recent records for M&G Auto Body indicate that the facility is in compliance with all applicable regulations conducted as part of the Unified Program Inspection. In addition, an Environmental Liens Search report was conducted for the project site and no environmental liens were reported for the project site. Further, no activity or use limitations were reported for the site.

## **(2) Potential Sources of Hazardous Substances**

### **(a) Underground Storage Tanks**

No physical evidence or documentary evidence indicates USTs have existed on the project site. However, given that the project site has been utilized for commercial, manufacturing and light industrial (i.e., woodworking) uses for over a century, it is possible that undocumented underground storage tanks were used at the site. Due to the extensive redevelopment of the site over the years, it is unlikely that any USTs exist on the project site, but there is nonetheless a small probability that they could exist on the site.

### **(b) Aboveground Storage Tanks and Drums**

No physical evidence or documentary evidence indicates aboveground storage tanks or drums exist on the project site. However, the Phase I and Limited Phase II ESA states that small containers of hazardous chemicals are present at the auto body shop. Fire Department records indicate that the containers of paint and related chemicals do not exceed a volume of one gallon. The southern portion of the site was formerly used as a junk yard and plumbing storage yard prior to the 1970s. Due to these uses, it is possible that buried drums or remnants of such structures may be present in the subsurface.

### **(c) Asbestos**

An asbestos survey was conducted for the two buildings on the western portion of the site (buildings consist of Monty's Steak House, Grandview Palace Restaurant and the Body Healing Center).<sup>4</sup> ACM materials were found in the flooring of the Grandview Palace Restaurant. No other samples tested positive for ACM. However, the roofs of the buildings, which could be potential sources of ACM, were not accessed during the survey. The survey noted that some of

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<sup>4</sup> *Report of Limited Environmental Subsurface Investigation, Limited Asbestos-Containing Materials Survey, and Limited Lead-Based Paint Survey, California and Fair Oaks Office Building prepared by GeoDesign, Inc. on July 28, 2008.*

the exterior fire doors could also be source of ACM insulation. In addition, as the auto body shop building was not surveyed, the survey stated that this building may also contain ACM.

**(d) Lead Based Paint**

A LBP survey was conducted for the two buildings on the western portion of the site (buildings consist of Monty's Steak House, Grandview Palace Restaurant and the Body Healing Center).<sup>5</sup> LBP materials were found on various interior and exterior surfaces in both buildings. In addition, as the auto body shop building was not surveyed, the survey stated that this building may also contain LBP.

**(f) PCBs**

A pole-mounted transformer is located near the southeastern corner of the auto body shop. No stains or other evidence of leaks from this transformer were observed around the transformer. No other known PCB sources are known to occur on the project site. Nonetheless, there is a small probability that unknown PCBs could exist on the site.

**(e) Contaminated Soil**

The site does not contain exposed soil, with the exception of ornamental landscaped planted areas. Only minor oil stains typical of parking lots were noted on the pavement throughout the site. Thus, the current on-site uses are not suspected of contributing to contaminated soils.

A review of aerial photographs dating back to the late 1920s revealed that the site has not been historically utilized for agricultural purposes for at least the last 80 years. Other documentary evidence also revealed that the site was either vacant or improved with urban uses in the 1880s. Further, it appears that surrounding properties were not utilized for agricultural purposes. Thus, it is unlikely that pesticides or herbicides are present in the subsurface soils at the project site.

However, due to the site's historical uses that include commercial, light industrial, manufacturing and storage uses, soil samples were collected on the project site to determine if soil contamination exists on the project site. In April 2007, soil samples from three borings at depths up to approximately 75 feet bgs located throughout the project site were tested for Total Petroleum Hydrocarbons (TPH) in the gasoline, diesel, and oil ranges using EPA Method 8015M.

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<sup>5</sup> *Ibid.*

Additionally, the laboratory was instructed to analyze any soil sample with detectable concentrations of TPH for Volatile Organic Compounds (VOCs). Of the 15 soil samples, only one (Boring Location B-1) taken in the southwestern portion of the site had a detectable concentration of TPH, which was considerably low and below concentrations that are typically considered actionable by regulatory agencies. No VOCs were found in this sample. The findings likely represent a relatively small fuel spill that occurred during development/redevelopment of the site.<sup>6</sup>

**(f) Sources Deemed Not a Potential Concern**

No physical or documentary evidence indicates that any of the following potential concerns occur on the project site:

- On-site solid waste disposal or that the site produced significant amounts of solid hazardous waste.
- On-site sumps, clarifiers, pools or pits.
- Wastewater routinely generated or disposed of on the site. According to interviews with past property owners, wastewater from the past laundry facilities disposed of wastewater through the sanitary sewer.
- Petroleum products associated with current or past manufacturing processes.
- Chemicals associated with existing auto body shop. The quantities of the chemicals have been reported to be relatively low.
- Landfills.
- Oil wells. A review of Map W1-2 published by the California Department of Oil, Gas and Geothermal revealed that no oil well have existed on the project site. The nearest oil is located approximately seven miles to the east of the site and is a plugged and abandoned dry hole.
- Radon. According to the Phase I and Limited Phase II ESA, it is opinioned that the project site and immediate vicinity are situated within a Radon Zone with a level rated at 2, which indicates that the predicted average indoor screening level of radon is most likely to be between 2pCi/L and 4 pCi/L. The EPA level for radon and subsequent possible remediation is 4 pCi/L, thus, no remedial action is not anticipated to be necessary.

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<sup>6</sup> *Ibid.*

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### **3. ENVIRONMENTAL IMPACTS**

#### **a. Methodology**

To support the evaluation of potential impacts associated with hazards and hazardous materials that would occur from construction and/or operation of the proposed Project, various reports, as indicated in Subsection IV.C.1, Introduction, above, were reviewed. Based on the results of the reports, the potential for construction and/or operation of the proposed Project to result in significant impacts associated with hazards and hazardous materials was evaluated.

#### **b. Threshold of Significance**

Appendix G of the CEQA Guidelines provides a checklist of questions to assist in determining whether a project would have a significant impact related to various environmental issues including hazardous materials. According to the CEQA Guidelines, implementation of the proposed Project may have a significant adverse impact on hazards if it would:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; and/or
- 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.

#### **c. Project Features**

Due to the nature and scope of the project, the project does not include any specific design features that relate directly to hazardous materials management.

#### **d. Analysis of Project Impacts**

##### **(1) Hazardous Materials Management**

##### **(a) Construction**

Exposure of construction workers or site attendees to hazardous materials could occur in the following manner: improper handling or use of hazardous materials or hazardous wastes during construction of the project, particularly by untrained personnel; transportation accident; environmentally unsound disposal methods; or fire, explosion or other emergencies. Construction workers and attendees could be exposed to hazards associated with accidental

releases of hazardous materials, which could result in adverse health effects. The types and amounts of hazardous materials would vary according to the nature of the activity. In some cases, it is the type of hazardous material that is potentially hazardous; in others, it is the amount of hazardous material that could present a hazard. The following discusses the hazards of potential concern associated with the various stages of construction of the proposed Project.

### **(b) Demolition**

As discussed above, small quantities of hazardous substances are currently used on-site including common cleaning, maintenance, painting supplies, and automotive-related chemical products. Given that these substances do not pose significant hazards to the public or environment in their limited quantities, less than significant impacts regarding the generation of hazardous waste involving these hazardous substances during demolition activities would occur. Furthermore, these hazardous substances would be removed from the site and to the extent necessary pursuant to applicable regulations prior to demolition activities. In addition, while PCBs are not known to exist on the project site, there is nonetheless the potential that PCS could be discovered on the site prior to demolition of the existing on-site structures. PCBs are regulated under the federal TSCA, and any PCB-containing materials must be disposed of as hazardous waste. In addition to TSCA, provisions relating to PCBs are contained in the HWCL, which lists PCBs as hazardous waste. Should PCBs be discovered prior to or during demolition activities, they would be disposed of in accordance with all applicable regulations.

#### **(i) Asbestos**

Based on a site survey for ACM, the two on-site buildings within the western portion of the site are known to contain ACM. In addition, as the auto body shop building was not surveyed, the survey stated that this building may also contain ACM. Demolition of buildings containing ACM is therefore considered to be a potentially significant impact and mitigation measures are provided below.

#### **(ii) Lead Based Paint**

Based on a site survey for LBP, LBP materials were found on various interior and exterior surfaces in both buildings within the western portion of the site. In addition, as the auto body shop building was not surveyed, the survey stated that this building may also contain LBP. Therefore, demolition of buildings containing LBP is considered to be a potentially significant impact and mitigation measures are provided below.

### **(c) Grading and Excavation**

Grading and excavation of the site could expose construction workers to unknown hazards associated with underground storage tanks or buried former above ground tanks or drums or remnants thereof. In addition, construction workers could be subject to hazards associated with contaminated soils. The following provides an analysis of each of these potential hazards of concern.

#### **(i) Underground Storage Tanks**

No physical evidence or documentary evidence indicates USTs have existed on the project site. However, given that the project site has been utilized for commercial, manufacturing and light industrial (i.e., woodworking) uses for over a century, it is possible that undocumented underground USTs were used at the site and may still exist despite the extensive redevelopment of the site over the years. Unknown USTs discovered during excavation of the site could potentially contain hazardous materials, which may create hazards to construction workers. This is considered to be a potentially significant impact. Thus, mitigation measures are prescribed below in the event underground tanks, or remnants thereof, are encountered in the subsurface.

#### **(ii) Above Ground Storage Tanks**

The southern portion of the site was formerly uses as a junk yard and plumbing storage yard prior to the 1970s. In addition, the site has been developed with a mix of commercial, manufacturing and light industrial (i.e., woodworking) uses for over a century; therefore it is possible that remnants of former above ground tanks or drums may be present in the subsurface. Unknown remnants of former above ground tanks or drums discovered during excavation of the site could potentially contain hazardous materials, which may create hazards to construction workers. This is considered to be a potentially significant impact. Thus, mitigation is prescribed below in the event former above ground tanks or drums, or remnants thereof, are encountered in the subsurface.

#### **(iii) Contaminated Soils**

As discussed in the Existing Site Conditions above, due to the site's historical uses that include commercial, light industrial, manufacturing and storage uses, soil samples were collected on the project site to determine if soil contamination exists. Soil samples collected from borings located throughout the site were tested for total metals and TPH contamination. The results of the chemical testing for metals revealed that concentrations of metals were below levels constituting the need for special handling, treatment or disposal of the soil cuttings. TPH

concentrations were detectable in the southwestern portion of the site at Boring Location B-1, as identified in the Phase I and Limited Phase II ESA, although at levels below the need for special handling or disposal requirements. Nonetheless, it is possible that the soils in this area could yield contamination above and beyond what was identified in the Phase I and Limited Phase II ESA during project construction excavation and/or grading activities. This is considered to be a potentially significant impact. Thus, mitigation is prescribed below to identify and manage contaminated soil that might be found in this area and require special handling or treatment.

Furthermore, given that the site has historically been improved with a mix of uses that potentially utilized and/or handled hazardous materials, the potential for unknown soil contamination on the site does exist. Contaminated soils removed from the site during excavation could create hazards to construction workers. This is considered a potentially significant impact and mitigation is provided below requiring a soils management plan be prepared to ensure that, if warranted, contaminated soil is properly disposed of offsite.

#### **(d) Building Construction**

Construction of the proposed Project would involve the temporary use of hazardous substances in the form of paint, adhesives, surface coatings and other finishing materials, and cleaning agents, fuels, and oils. All materials would be used, stored, and disposed of in accordance with applicable laws and regulations and manufacturers' instructions. Furthermore, any emissions from the use of such materials would be minimal and localized to the project site. Therefore, impacts from the use of these hazardous substances during construction of the proposed Project would be less than significant.

#### **(e) Building Operation**

Operation of office uses such as those proposed typically involve the use and storage of small quantities of potentially hazardous materials in the form of cleaning solvents and pesticides for landscaping. Potentially hazardous materials would be contained, stored, used and disposed in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. Thus, operation of the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Furthermore, the use of such hazardous materials would not create a significant hazard associated with a risk of upset or accident conditions involving the release of hazardous materials during project operations. In particular, all storm water runoff would be filtered through a clarifier system prior to entering dry wells (per Regional Water Quality Control Board standards).

H-1.1—The City will continue the enforcement of disclosure laws that require all users, producers, and transporters of hazardous materials and wastes to clearly identify the materials that they store, use, or transport, and to notify the appropriate City, County, State and Federal agencies in the event of a violation.

## (2) General Plan Consistency Analysis

As stated in the Environmental Setting section above, Goal H-1 in the Safety Element of the City's General Plan seeks to reduce the potential for hazardous contamination in the City. Also, Program H-1.1 of the Safety Element requires that all users, producers, and transporters of hazardous materials and wastes to clearly identify the materials that they store, use, or transport, and to notify the appropriate City, County, State and Federal agencies in the event of a violation. Consistent with Goal 1, during construction of the project, all known and unknown hazardous materials would be properly removed, handled and disposed of in accordance with applicable regulations and implementation of the prescribed mitigation measures. During construction and operation, hazardous materials would be identified in accordance with applicable disclosure laws, as necessary, for storage, use, or transport. The appropriate City, County, State and Federal agencies would be notified in the event of a violation of any applicable hazardous materials disclosure law/regulation in accordance with Goal H-1 and Program H-1.1. As concluded in this section, the project would result in less than significant impacts regarding hazardous materials during construction and operation of the project with implementation of the prescribed mitigation measures and compliance with applicable regulatory requirements. As such, the project would be consistent with the General Plan goal and program regarding hazardous materials.

## 4. MITIGATION MEASURES

### a. Construction

#### (1) Asbestos

**Mitigation Measure E-1:** Prior to the issuance of demolition permits, the Applicant shall submit to the City a comprehensive pre-demolition asbestos survey in accordance with SCAQMD Rule 1403. The survey shall be reviewed and approved by the City of Pasadena Building and Safety Division. All identified ACM shall be removed and disposed of by a registered Cal-OSHA-certified asbestos abatement contractor prior to any disturbance of the material, and the Applicant shall submit documentary proof of such handling to the City.

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**(2) Lead Based Paint**

**Mitigation Measure E-2:** Prior to issuance of demolition permits, the Applicant shall submit to the City of Pasadena Building and Safety Division a lead-based paint survey for all existing buildings located on the project site. All identified lead-based paint shall be handled and disposed of pursuant to OSHA regulations, and the Applicant shall submit documentary proof of such handling to the City.

**(3) Underground and Former Above Ground Storage Tanks**

**Mitigation Measure E-3:** Prior to initiating grading on the site the Applicant shall inform contractor of the potential for discovery of underground storage tanks (USTs), as well as former above ground storage tanks, or remnants thereof, in the subsurface. In the event USTs or former above ground storage tanks are encountered, work in the immediate area shall be halted and the Pasadena Fire Department shall be contacted to ensure that proper procedures are established and followed for their removal. A qualified environmental consultant shall be contacted to evaluate the soil conditions in the area surrounding the tanks. Work in the area shall only continue with authorization from the Pasadena Fire Department.

**(4) Contaminated Soils**

**Mitigation Measure E-4:** Prior to initiation of excavation and grading activities, the Applicant shall retain a qualified environmental consultant to prepare a soils management plan, which will be submitted to the City of Pasadena Building and Safety Division for review and approval. The soils management plan shall be implemented during excavation and grading activities at the site to ensure that any contaminated soil are properly disposed of offsite. The plan shall include but not necessarily be limited to the following:

- A qualified environmental consultant shall be present at all times during digging or grading activities to monitor compliance with the soils management plan and to actively monitor the soils and excavations for evidence of contamination.
- Any soil encountered during future excavation or grading activities that appears to have been affected by hydrocarbon or any other contamination shall be evaluated, based upon appropriate laboratory analysis, by a qualified environmental consultant prior to offsite disposal at a licensed facility.

- Soils in the southwestern corner of the site near Boring Location B-1, as identified in the Phase I and Limited Phase II ESA, shall be segregated and analyzed prior to offsite disposal. Identified contamination shall be removed to the extent practicable. This may require over-excavation in this area and further analysis of this soil to determine the extent of soil contamination.
- All detectable contaminated soils shall be properly handled and transported to an appropriately licensed disposal facility.

### **b. Operation**

Operation of the project would result in less than significant impacts regarding hazardous materials. Thus, no mitigation measures are necessary.

## **5. CUMULATIVE IMPACTS**

This cumulative impact analysis considers development of the proposed Project, in conjunction with other development within a one mile radius of the project. Risks associated with hazardous materials are largely site specific and localized, and are thus limited to the project site. That is particularly true in this case, where the records searches discussed above did not yield any information regarding potentially hazardous materials concerns within a one mile radius of the project site. Additionally, site-specific investigations would be conducted at other project sites where contaminated soils or groundwater could occur to minimize the exposure of workers to hazardous substances. As such, the potential for this project to contribute an incremental effect to a potentially cumulative impact is limited.

Cumulative project development in the City of Pasadena includes a variety of uses, such as office, retail, and residential. Future development could result in the use, storage, and transport of hazardous materials. Development of the related projects could also result in the exposure of construction workers to potentially hazardous materials, due to the previous uses of those sites. If demolition of existing buildings is required, short-term increases in hazardous materials generation, due to the presence of lead-based paints and asbestos-containing materials in existing facilities could also occur. However, compliance with applicable federal, state, and local regulations would occur, which would ensure that the routine transport, use, or disposal of hazardous materials would not result in adverse impacts. All demolition activities that would involve asbestos or lead-based paint would occur in compliance with SCAQMD Rule 1403 and OSHA Construction Safety Orders that would ensure hazardous materials impacts would be less than significant. Additionally, site-specific investigations would be conducted at related project sites where contaminated soils or groundwater could occur to minimize the exposure of workers

to hazardous substances. With adherence to applicable federal, state, and local regulations governing hazards and hazardous materials, and since project implementation would not result in any significant impacts, cumulative impacts would be less than significant.

## **6. LEVEL OF SIGNIFICANCE AFTER MITIGATION**

All potentially significant impacts would be less than significant with implementation of the mitigation measures outlined above.