

## 8 HAZARDOUS MATERIALS

### INTRODUCTION

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This chapter addresses potential hazards associated with the Barrett Ranch East project construction and operation. Specifically, this section evaluates the potential hazards created by the site's prior use as agricultural land and the potential residual contaminants that could occur on the site from local and regional sources within the project vicinity. In addition, this section addresses the potential for known contaminants to occur beneath the site due to the site's proximity to the McClellan Air Force Base (AFB), a Superfund site on the National Priorities List. The potential hazards include the potential to encounter groundwater contamination during construction and operation.

The section has been prepared based on the Phase I Environmental Site Assessment (ESA) Report prepared by Farshad T. Vakili dated July 20, 2013 (Note any other documents/letters from regulatory agencies). 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 ESA evaluated 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. A copy of the report is provided in Appendix E of this EIR.

### BACKGROUND

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The term "hazardous substances" refers to both hazardous materials and hazardous wastes. A material is defined as hazardous if it appears on a list of hazardous materials prepared by a federal, state or local regulatory agency, or if it has characteristics defined as hazardous by such an agency.

Sacramento County uses the definition of "hazardous materials" in the California Health and Safety Code, Division 20, Chapter 6.95, Section 23301, which states:

- (a) "Hazardous material" means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous wastes, and any material which a handler or the administering agency has a reasonable basis for believing that would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment.

This definition is not limited to just those chemicals with long-term detrimental effects. It also includes materials that present a hazard because of their physical nature (explosive, corrosive, flammable).

The definition of a hazardous waste, as regulated by the California Environmental Protection Agency, Department of Toxic Substances Control (CAL-EPA, DTSC), is found in the California Health and Safety Code Section 25141 (b), as follows:

“...as hazardous waste because of its quantity, concentration, or physical, chemical, or infectious characteristics: (1) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; (2) pose a substantial present or potential hazard to human health or the environment, due to factors including, but not limited to, carcinogenicity, acute toxicity, chronic toxicity, bio-accumulative properties, or persistence in the environment, when improperly treated, stored, transported, or disposed of, or otherwise managed.”

## HAZARDOUS MATERIALS ENVIRONMENTAL SETTING

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### HISTORIC PROJECT SITE CHARACTERISTICS

Based on a review of aerial photographs and maps, as summarized in the Phase I ESA, the site had been in use as agricultural land since 1937 until the early 2000s when active cultivation ceased. Since 1981 to the present, aerial photographs show that a residential structure was built on the property as the surrounding land became developed with residential uses. An interview with the property owner has suggested that prior agricultural use existed on the property since the early 1900s as a family farm and noted that the existing residential structure on the property was built in 1978.

### EXISTING PROJECT SITE CHARACTERISTICS

The existing project site is comprised of vacant land with non-native grasses and other groundcover vegetation covering most of the site. Some trees are scattered along the periphery of the site with groupings of trees located near Barrett Ranch Elementary School and within the wetland areas at the northwest corner of the property and the southeastern portion of the site. The only structure previously located on the site was an abandoned two-story 2,200 square foot single-family residence located at the “T” intersection of Poker Lane and Don Julio Boulevard. The Phase I ESA prepared for the project addressed the possibility of this structure having asbestos-containing materials and lead-based paint. However, this structure was demolished and any such materials have been removed from the property.

Surrounding uses include mostly low-density residential uses with Barrett Ranch Elementary School and Antelope High School located along the western project boundary. In addition, a Kohl’s department store is located at the southwest corner of Don Julio Boulevard and Antelope Road. Other sensitive uses within a one-mile radius

of the project site include three elementary schools, one middle school and one senior housing apartment complex.

The site lies within the North American Groundwater Subbasin. Depth to groundwater in the vicinity of the site ranges from 135 to 150 feet below ground surface (bgs). Groundwater flow is expected to be in a west-southwest direction.

#### GENERAL VICINITY PROJECT CHARACTERISTICS

As noted above, the project area contains a mix of uses including residential, commercial and institutional uses. One of the significant uses within the project vicinity is the former McClellan AFB. This site is a Superfund site on the National Priorities List and is currently undergoing remediation due to significant groundwater contamination. In addition to McClellan AFB, there is one additional site in the vicinity that is listed due to contamination from a leaking underground fuel tank.

#### KNOWN HAZARDOUS SUBSTANCES IN SACRAMENTO COUNTY

Sacramento County has a variety of hazardous substances associated with many uses. These include known contaminated properties; businesses that handle (use and/or collect) contaminants; household contaminants; landfills; lead-based paint; asbestos (in buildings predating 1970); and pesticides, fertilizers, and petrochemicals associated with agriculture. These sources can contaminate soil, ground and/or surface water, and buildings.

Table HM-1, below, lists the databases used to determine the presence or absence of known contaminated sites, a description of the information they contain, and the authority charged with maintenance of these databases. The setting sections, above and below, describe, in general, the known or potential hazardous materials and/or sites in the vicinity of the Project. The more specific descriptions of these hazards and their potential impacts to the Project are contained in the Impacts and Analysis section.

#### *LEAD*

Lead is commonly found in paint, dust, and soil. In 1978 the Federal government banned the use of lead-based paint in housing. Many homes built before 1978 have lead-based paint. If the paint is in good condition it is usually not a hazard. However, if lead-based paint is dry scrapped, dry sanded, or heated, lead dust can form. This lead dust can get on surfaces and objects that people touch and settled lead dust can re-enter the air when people vacuum, sweep, or walk through it. Lead can also settle in soil from flaking or chipped exterior lead-based paint. This can be tracked into a house by children playing in bare soil, causing a possible hazard. Lead poisoning, especially in children, can cause damage to the brain and nervous system, behavior and learning problems, hearing problems and headaches. Adults are also susceptible and can have difficulties during pregnancy, high blood pressure, nerve disorders, muscle and joint pain, and memory and concentration problems, to name a few (United States EPA, 2015).

**Table HM-1: Federal, State, and Local Databases & Lists for Hazardous Materials**

| Database  | Description   |
|---|---|
| <b>Federal</b>  |   |
| National Priorities List (NPL)  | This list is maintained by the Environmental Protection Agency (EPA) and includes the most severe hazardous waste sites as identified by Superfund. Sites are put on the NPL after they have been scored using the Hazard Ranking System, as well as having been subjected to public comment. Any site on the NPL is eligible for cleanup using Superfund Trust money. The NPL is primarily an informational resource that identifies sites that may warrant cleanup. |
| <b>State</b>  |   |
| Geo Tracker   | This database is maintained by the State Water Resources Control Board and tracks regulatory information about leaking underground fuel tanks (LUFTs), fuel pipelines, and public drinking water supplies.  |
| Envirostor  | This database is maintained by the State Department of Toxic Substances Control (DTSC) and holds information on investigation, cleanup, permitting, and corrective actions that are planned, are being conducted, or have been completed under the DTSCs oversight.   |
| <b>Local</b>  |   |
| Master List of Facilities within Sacramento County with Potentially Hazardous Materials (Master List) | This list is maintained by the Sacramento County Environmental Management Department  |
| Toxic Site Clean-Up Site Specific Report  | This list is maintained by the Sacramento County Environmental Management Department and lists where unauthorized releases of potentially hazardous materials have occurred.  |

*ASBESTOS*

Asbestos is a naturally occurring, fibrous silicate mineral mined for its useful properties, such as thermal insulation, chemical and thermal stability, and high tensile strength (greater resistance to longitudinal stress before rupturing).

Asbestos is classified as a known human carcinogen by state, federal, and international agencies and was identified as a toxic air contaminant by the California Air Resources Board (ARB) in 1986. Asbestos poses a health risk only when it becomes friable, such as through disturbance or damage. Once airborne, asbestos fibers may be inhaled into the lungs where they can cause serious health problems (United States EPA, 2016). All types of asbestos are hazardous and may cause lung disease and cancer.

Asbestos was commonly used as an acoustic insulator and in thermal insulation (fire proofing and other building materials). The United States EPA issued a final rule

banning most asbestos-containing products in July 1989; however, this regulation was overturned in 1991, by the Fifth Circuit Court of Appeals in New Orleans. The Courts ruled that the United States EPA ban shall remain for specific asbestos-containing products. These banned products are flooring felt; rollboard; and corrugated, commercial, or specialty paper. The regulation continues to ban the use of asbestos in products that have not historically contained asbestos, otherwise referred to as "new uses" of asbestos.

In ARB's Final Regulation Order for Asbestos Airborne Toxic Control Measure For Construction, Grading, Quarrying and Surface Mining Operations (California Code of Regulations Title 17, Section 93105), specific mitigation measures were developed for asbestos. ARB's staff has the data and expertise necessary to determine appropriate control measures, and is the regulatory agency responsible for establishing controls.

#### *KNOWN SMALL CONTAMINATED SITES*

There are many types of businesses that handle hazardous wastes or materials, including automotive businesses, gas stations, buildings supplies (concrete, painting, lumber, etc), and dry cleaners. For many of these businesses, the contamination source is an above-ground or underground storage tank that has developed a leak. The contaminants may be contained solely within the surrounding soils, or they may pass into groundwater and cause a migrating contamination plume. The databases noted in Table HM-1 maintain lists of these known contamination sites, the source of contamination, and the status of cleanup efforts.

#### *KNOWN LARGE CONTAMINATED SITES*

### **LANDFILLS**

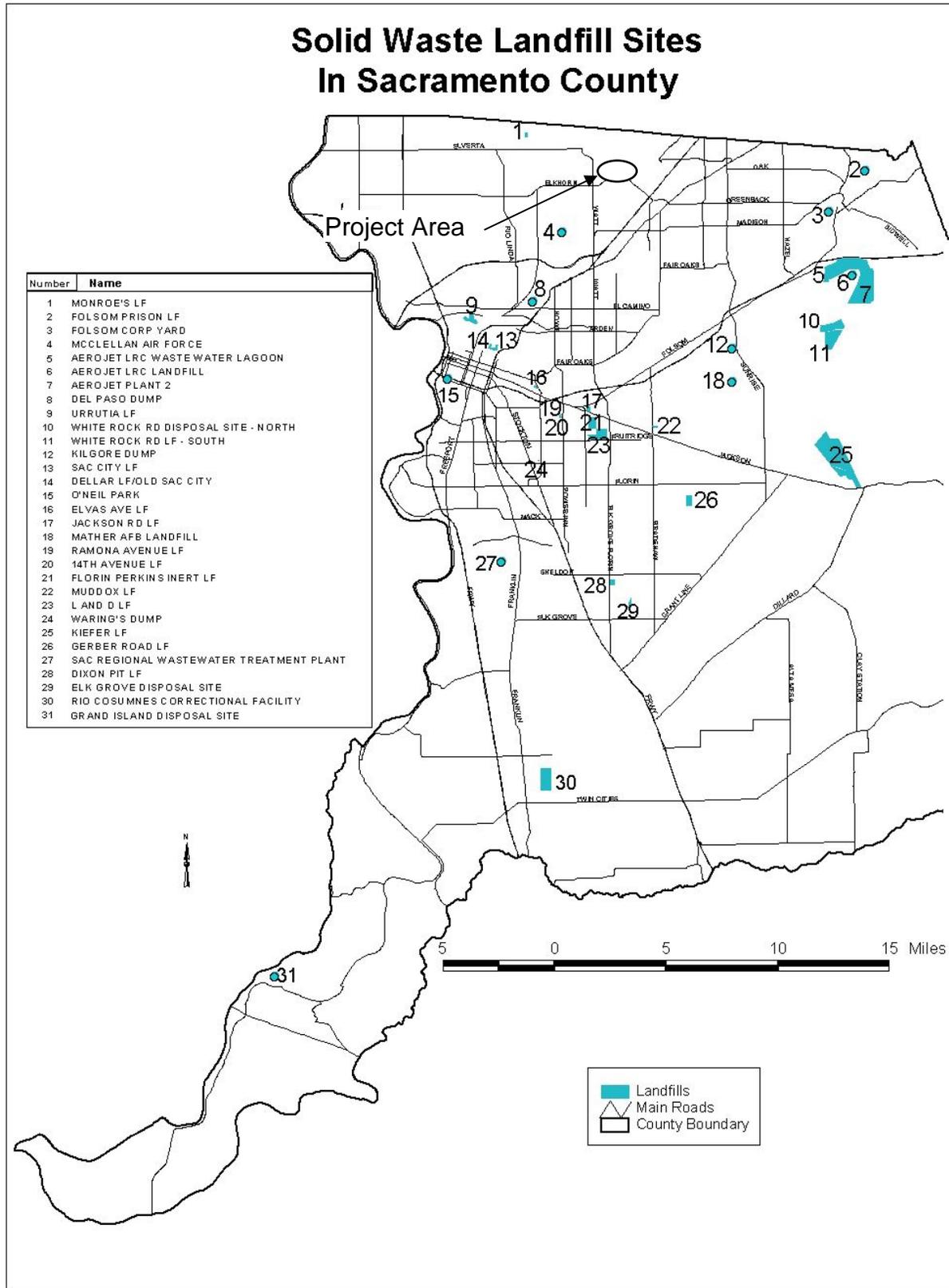
Potential hazards to public health and safety can be associated with landfill operations. These hazards include spread of disease, risk of fire or explosion, exposure of humans to air-borne toxics, degradation of water quality, and human exposure to locally-confined hazardous or infectious wastes. Kiefer Landfill and other landfill sites within Sacramento County are fully permitted through California Department of Resources Recycling and Recovery (CalRecycle) and have plans in place to mitigate these dangers. Modern landfill design includes the placement of a several liners separating waste lifts (layers where any waste material having seeped through is pumped to the surface to treatment tanks).

There are ten landfills in Sacramento County, though not all of these are active. Plate HM-1 presents a map of the landfills in Sacramento County. The only landfill in the vicinity of the project area is at the former McClellan AFB, located ~2.7+ miles southwest of the Project Site.

### **MCCLELLAN AIR FORCE BASE**

The former McClellan Air Force Base (Base) is a highly contaminated Superfund site on the National Priorities List approximately 2.5 to five miles southwest of the project site. The following background information, including a site description, general information

Plate HM-1: Solid Waste Landfill Sites in Sacramento County



on contaminants present, affected media and potential risks, is from the U.S. Environmental Protection Agency's website on Superfund sites, specifically related to the McClellan site (EPA website 2010):

The 3,452-acre McClellan Air Force Base (AFB) site was established in 1936 and operated as an Air Force Logistics Command Base with a primary mission of management, maintenance, and repair of aircraft, electronics, and communication equipment. The operation and maintenance of aircraft have involved the use, storage, and disposal of hazardous materials including industrial solvents, caustic cleansers, paints, metal plating wastes, low-level radioactive wastes, and a variety of fuel oils and lubricants. The Air Force has identified 326 waste areas of known and suspected contamination.

Contaminated media includes: groundwater, surface water, soil and sludges. The primary contaminants in groundwater are volatile organic compounds (VOCs). Contaminants detected in soil include PCBs, heavy metals, and several non-VOCs. Radionuclides have also been identified in surface soil and in former disposal pits. People may face a health risk if they accidentally ingest or come into direct contact with contaminants. People also may be at risk if they eat foods containing accumulated contaminants or if they inhale contaminated dust or soil vapors. Risks to wildlife and their habitat may occur on and adjacent to the former Base in some areas of the creeks, vernal pools, and other parts of the flood plain.

The Base was proposed for listing on the National Priorities List on October 15, 1984 and its listing became final on July 22, 1987. The National Priorities List (NPL) is the list of the most hazardous sites across the U.S. and its territories. The names of some of the contaminants found on site include: trichloroethane, acetone, arsenic, chloroform, ethylbenzene, mercury, lead, and selenium. The United States Air Force along with a variety of other organizations and parties are engaged in active remediation of the contamination. Given the wide variety of contaminants and associated affected media, this process is highly complicated and lengthy but work is being conducted with the intent of cleaning up and redeveloping the former base.

#### *SPILLS AND LEAKS*

Spills and leaks can originate from aboveground and underground sources. Aboveground sources include aboveground storage tanks (ASTs) and pipelines. Aboveground spills and leaks are listed on the Regional Water Quality Control Board's (Regional Water Board) Geo Tracker as a SLIC site. There are currently no SLIC sites located within one mile of the Project Site.

Spills and leaks originating from underground sources are from underground tanks, such as underground storage tanks (USTs) and underground fuel tanks (UFTs). USTs and UFTs are essentially the same since it is rare that underground tanks store something other than fuel. Geo Tracker groups leaking underground tanks with leaking underground fuel tanks in the Leaking Underground Storage Tank category. There is

one closed LUFT site located 0.50 miles from the project site at 5026 Don Julio Boulevard.

## REGULATORY SETTING

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### *FEDERAL REGULATIONS*

Federal agencies that regulate hazardous materials include the Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), the Department of Transportation (DOT), and the National Institute of Health (NIH). The following federal laws and guidelines govern hazardous materials.

- Federal Water Pollution Control Act
- Clean Air Act
- Clean Water 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
- Toxic Substances Control Act
- Safe Drinking Water Act
- Hazardous Materials Transportation Act
- Emergency Planning and Community Right-to-Know Act

Together, these regulations serve as guiding principles governing the storage, use, and transportation of hazardous and other regulated materials from their time of origin to their ultimate disposal. The cleanup and remediation of environmental contamination resulting from the accidental or unlawful release of these materials and substances are also governed by these regulations. Solid wastes that are not classifiable as hazardous are regulated under RCRA and pollution prevention is also regulated under the Clean Air, Clean Water, and Safe Drinking Water acts.

### *STATE REGULATIONS*

The California Environmental Protection Agency (Cal-EPA) and the State Water Resources Control Board establish rules governing the use of hazardous materials and the management of hazardous waste. Applicable state laws include the following:

- Public Safety/Fire Regulations/Building Codes
- Hazardous Substances Information and Training Act
- Air Toxics Hot Spots and Emissions Inventory Law
- Underground Storage of Hazardous Substances Act
- Porter Cologne Water Quality Control Act

Within Cal-EPA, DTSC has primary regulatory responsibility, with delegation of enforcement to local jurisdictions that enter into agreements with the state agency, for the management of hazardous materials and the generation, transport and disposal of hazardous waste. Cal EPA's Office of Environmental Health Hazard Assessment (OEHHA) is involved in the evaluation of risks to public health and the environment posed by hazardous materials and environmental contamination. Cal EPA delegates much of the permitting, inspection, and enforcement responsibility for hazardous materials, hazardous waste, ASTs, USTs, and other related state programs to local governments under the Certified Unified Program Agency (CUPA) program.

#### *LOCAL REGULATIONS*

County EMD is both the local Environmental Health regulatory agency and the County-wide Certified Unified Program Agency. County EMD is also the Local Oversight Program for UST site investigation, cleanup, and closure, and the Local Enforcement Agency (LEA) for landfills. The Central Valley Regional Water Quality Control Board (CVRWQCB) also has jurisdiction over the management of surface and groundwater contamination such as the cleanup of spill sites. The Sacramento Metropolitan Air Quality Management District (SMAQMD) is involved in the assessment of health and environmental hazards associated with both "criteria" and toxic (or hazardous) air pollutants.

#### **2030 SACRAMENTO COUNTY GENERAL PLAN POLICIES**

The Sacramento County General Plan Hazardous Materials Element provides a hazardous materials policy plan to manage hazardous materials and minimize their effects on humans and the environment. The General Plan policies include measures to educate and inform the public about hazardous waste management, implement public health and safety programs, and coordinate with other agencies to enforce hazardous materials regulations. The General Plan also provides details on emergency response plans for responding to hazardous material spills and other emergency actions.

The Sacramento County General Plan policies that are pertinent to Hazardous Materials are policies HM-1 through HM-15. These policies are intended to support the stated objectives of the Hazardous Materials Element of the General Plan. As presented in the element the objectives are as follows:

- County-wide public awareness of all available hazardous material informational and disposal programs;
- Protect the residents of Sacramento County from the effects of a hazardous material incident via the implementation of various public health and safety programs;
- Coordinated efforts by the applicable regulatory agencies, thereby facilitating effective long-term hazardous materials management;
- Enforce all federal, state, and local regulations and if necessary prosecute those cases involving the mismanagement of hazardous materials; and

- The availability of reliable and solvent funding sources to augment hazardous materials management

The policies in the Hazardous Materials Element most applicable to the Project are as follows:

HM-4. The handling, storage, and transport of hazardous materials shall be conducted in a manner so as not to compromise public health and safety standards.

HM-8. Continue the effort to prevent ground water and soil contamination.

HM-9. Continue the effort to prevent surface water contamination.

## METHODOLOGY

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An Environmental Site Assessment (ESA) report was prepared by prepared by Farshad T. Vakili dated July 20, 2013 (Appendix HM-1, within Appendix E of this EIR). As part of the ESA, databases administered by the following agencies were reviewed: United States EPA, California EPA, California Department of Toxic Substances Control, California Office of Environmental Health Hazard Assessment, Central Valley Regional Water Quality Control Board, Department of Resources Recycling and Recovery (formerly Integrated Waste Management Board), California State Water Resources Control Board, California Department of Health Services, California Office of Drinking Water, and Sacramento County Environmental Management Department.

## SIGNIFICANCE CRITERIA

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Pursuant to the CEQA Guidelines, the County of Sacramento considers impacts to hazards and hazardous materials to be significant if a project would:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
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. Specific conditions include:
  - a. Location within 1,000 feet of a known contamination site
  - b. Location within 2,000 feet of a known "border zone property" (i.e., "Superfund" site) or a hazardous waste property subject to corrective action pursuant to applicable health and safety codes
  - c. Involve excavation at a Department of Toxic Substances Control closed site that could disturb contaminated soils
  - d. Location on or near an active or former landfill

- e. Properties historically developed with industrial or commercial uses that involve dewatering in association with major excavation in an area of high groundwater
- f. Emissions of hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school
- g. Location on a site that is included on a list of hazardous materials sites compiled pursuant to California Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment

The analyses to follow focus on the proximity of proposed development areas to known hazardous sites or conditions.

## IMPACTS AND ANALYSIS – PREFERRED PROJECT SCENARIO

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IMPACT: ACCIDENTAL RELEASE DUE TO TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS

LEVEL OF IMPACT: LESS THAN SIGNIFICANT

Standard construction activities would require the use of hazardous materials such as fuels, oils, lubricants, glues, paints, paint thinners, soaps, bleach, and solvents. These are common household and commercial materials routinely used by both businesses and average members of the public alike. The materials would only pose a hazard if they are improperly used, stored, or transported either through upset conditions (e.g. an explosion) or mishandling. All persons involved in the handling of these hazardous materials are required to use, store, and transport hazardous materials in compliance with local, state, and federal regulations during project construction.

In addition to hazardous materials used during construction, the operational Project would result in the use, transport, and storage of materials that are considered hazardous. Increased transport would occur in response to commercial demand for the products within the Project development, and both residential and non-residential areas would use and store materials considered to be hazardous. Household hazardous materials include cleaners, pesticides, paints, lubricants, and similar items.

Regulations pertaining to transport of hazardous materials are codified in 49 CFR 171 – 180. These regulations provide definitions for hazardous materials, including a “hazard class” that requires the listing of each material type according to its major property (e.g. flammable solid). There are separate requirements for each stage of the transport process, including preparation of shipping paperwork, the appropriate labeling of shipping containers, the requirements specific to the shippers of the material, and the requirements specific to the carriers of the material. There are also categories of materials and packages that are prohibited from being shipped.

Specifications for storage on a construction site are contained in various regulations and codes, including the California Code of Regulations, the Uniform Fire Code, and the California Health and Safety Code. Some of the relevant standards are:

- all reserve fuel supplies and hazardous materials must be stored within the confines of a designated construction area,
- equipment refueling and maintenance must take place only within the staging area,
- construction vehicles shall be inspected daily for leaks, and
- a Spill Prevention, Control, and Countermeasure plan shall be prepared and implemented.

In addition to the above regulations pertinent to storage and spill prevention requirements, workplace rules administered by the California Occupational Safety and Health Administration (enacted by the California Code of Regulations) ensure that the hazards of all chemicals are evaluated and that information concerning chemical hazards is transmitted to employees. This is accomplished by:

- container labeling and other warnings,
- Material Safety Data Sheets, and
- employee training.

All regulations and codes must be implemented, as appropriate, and are monitored by the agencies described above. Such compliance would reduce the potential for accidental release of hazardous materials during construction and operation of the proposed Project. As a result, it would lessen the risk of exposure of construction workers and employees to accidental release of hazardous materials, as well as the demand for incident emergency response.

The Environmental Compliance Division of EMD has been designated by the California Environmental Protection Agency as the Certified Unified Program Agency for Sacramento County. The role of the Certified Unified Program Agency is to implement six statewide environmental programs:

- underground storage of hazardous substances
- aboveground storage tanks (spill prevention and countermeasures)
- hazardous materials business plan requirements
- hazardous waste generator requirements
- California accidental release prevention program
- Uniform fire code hazardous materials management plan

Implementing the above includes the permitting and inspection of regulated facilities, providing educational guidance and notice of changing requirements, investigations of complaints regarding spills or unauthorized releases, and administrative enforcement actions levied against facilities that have violated applicable laws and regulations. Compliance with the above requirements, as monitored and enforced by EMD, lessens the risk of exposure of the general public to accidental release of hazardous materials.

For household materials use, all products offered for sale are required to be labeled appropriately to ensure safe use, storage, and disposal, and residents are required to use these materials consistent with labeling requirements. Laws regarding the safe disposal of hazardous materials apply to residents, just as they apply to businesses. The Sacramento County Department of Waste Management and Recycling operates multiple household hazardous waste drop-off locations, and also transports garbage collected from bins to the North Area Recovery Station, where household hazardous waste is separated for proper disposal.

Because construction and operation of the Project would implement and comply with federal, state, and local hazardous materials regulations and codes monitored by the state (e.g., California Occupational Safety and Health Administration, Department of Toxic Substances Control, California Highway Patrol, California Department of Transportation) and/or local jurisdictions (e.g., Sacramento Metropolitan Fire District and Sacramento County Environmental Management Department), impacts related to creation of significant hazards for construction workers, employees within the Project area, and the general public through routine transport, use, and disposal of hazardous materials would be unlikely; this impact is **less than significant**.

#### MITIGATION MEASURES:

None required.

#### IMPACT: PROXIMITY TO KNOWN CONTAMINATED SITES

LEVEL OF IMPACT: LESS THAN SIGNIFICANT

#### *LEAKING UNDERGROUND FUEL TANK (LUFT)*

There is one recorded site that has been contaminated due to a LUFT within approximately ½-mile of the Project. This site is a closed case (November 26, 2002) and has been deemed to be safe for human health and the environment for the particular land use currently occupying the listed site. Former or closed cases near the site do not pose a significant hazard to the Project site. Thus, this LUST case closure will not impact the Project. Impacts related to known leaking underground storage tanks are **less than significant**.

#### *MCCLELLAN AIR FORCE BASE (FORMER)*

The project site is between 2.5 and five miles northeast of the eastern boundary of the former McClellan Air Force Base and its Superfund sites, and is not within 2,000 feet of a known "border zone property." As noted above in the "Significance Criteria" section,

one of the criteria of significance states that a project could have a significant impact related to hazardous materials if it would:

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.

The Significance Criteria goes on to qualify that a project could create a significant hazard to the public or environment if it is:

Located within 2,000 feet of a known “border zone property” (i.e., “Superfund” site) or a hazardous waste property subject to corrective action pursuant to applicable health and safety codes.

The term “border zone property” actually refers to a property-specific determination made by the State of California Department of Toxic Substance Control (DTSC) for certain properties in proximity to a Superfund site. Health and Safety Code sections 25221, 25222.1, 25233, and 25234 require developers of properties within 2,000 feet of a Superfund site to send a “request for determination” to the DTSC – if the project involves a sensitive use such as a daycare or hospital. Pursuant to Title 22 Section 67390.2, DTSC is then required to determine if there is sufficient evidence that the neighboring Superfund site would impact the property through exposure, directly or indirectly, such that a land use covenant imposing appropriate land use limitations is required. An impact would thus only be expected to occur if the site were designated a border zone property, and if the associated land use covenants were not followed.

The Project site is not impacted by the groundwater contamination from the Superfund site because it would be served by a public water system whose water sources are upstream of the contamination plume. The site is also not within a floodplain area associated with McClellan AFB, and therefore would not be subject to transport of contaminated materials onto the site. Soil and other contamination is restricted to the boundaries of the designated Superfund site, and therefore residents, employees and patrons would not be at risk of eating foods containing accumulated contaminants, or inhalation of contaminated dust or soil vapors. Accordingly, project impacts related to former McClellan Air Force Base contamination are ***less than significant***.

#### MITIGATION MEASURES:

None required.

#### IMPACT: ASBESTOS OR LEAD EXPOSURE THROUGH RENOVATION OR DEMOLITION OF STRUCTURES

#### LEVEL OF IMPACT: LESS THAN SIGNIFICANT

In 1989 the federal government banned nearly all uses of friable asbestos in building materials. Therefore, existing structures within the project area built subsequent to 1989 are considerably less likely to contain asbestos in their building materials.

Similarly, lead based paint was banned from use in housing in 1978, so structures built after 1978 are not likely to contain lead based paint. In either case, all structures that were once on the project site have been demolished and removed; therefore, impacts are **less than significant** and no mitigation is required.

MITIGATION MEASURES:

None required.

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IMPACTS AND ANALYSIS – COMMERCIAL PROJECT ALTERNATIVE

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IMPACT: ACCIDENTAL RELEASE DUE TO TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS

LEVEL OF IMPACT: LESS THAN SIGNIFICANT

Because this alternative results in construction of the same mix of uses as the preferred project scenario; the commercial project alternative would result in the same impacts related to accidental release of hazardous materials due to transport, use or disposal as the preferred project scenario. No mitigation is required and impacts are considered **less than significant**.

MITIGATION MEASURES:

None required.

IMPACT: PROXIMITY TO KNOWN CONTAMINATED SITES

LEVEL OF IMPACT: LESS THAN SIGNIFICANT

*LEAKING UNDERGROUND FUEL TANK (LUFT) AND McCLELLAN AIR FORCE BASE*

Under either scenario the project is in proximity to the same known contaminated sites. As noted, impacts related to known contaminated sites, including one leaking underground fuel tank and the McClellan Air Force Base, are considered less than significant. As the project area does not change with the commercial project alternative, impacts mirror those disclosed for the preferred project scenario. Accordingly, project impacts related to known contaminated sites do not require mitigation and are **less than significant**.

MITIGATION MEASURES:

None required.

IMPACT: ASBESTOS OR LEAD EXPOSURE THROUGH RENOVATION OR  
DEMOLITION OF STRUCTURES

LEVEL OF IMPACT: LESS THAN SIGNIFICANT

In either project scenario, all structures that were once on the project site have been demolished and removed; therefore, impacts are ***less than significant*** and no mitigation is required.

MITIGATION MEASURES:

None required.