

## 5.7 Hazards and Hazardous Materials

### 5.7.1 INTRODUCTION

This section considers the nature and range of foreseeable hazardous materials and physical hazards/impacts that would result from implementation of the proposed Project. It identifies the ways that hazardous materials and other types of hazards could expose people and the environment to various health and safety risks during construction activities and operation of proposed Project.

This section also describes routine hazardous materials that are likely to be used, handled, or processed within the Project area, and the potential for upset and accident conditions in which hazardous materials could be released. The impact analysis identifies ways in which hazardous materials might be routinely used, stored, handled, processed, or transported, and evaluates the extent to which existing and future populations could be exposed to hazardous materials. The analysis in this section is based, in part, on the following documents and resources:

- *City of Redlands General Plan 2035, December 5, 2017;*
- *City of Redlands General Plan Update and Climate Action Plan Environmental Impact Report (General Plan EIR), Dyett & Bhatia, July 2017; and*
- *City of Redlands Municipal Code.*

#### Hazards and Hazardous Materials Terminology

- **Hazardous Material.** Hazardous material is defined in the California Health and Safety Code, Chapter 6.95, Section 25501(o) as any material that, because of 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.

### 5.7.2 REGULATORY SETTING

#### 5.7.2.1 Federal Regulations

##### Hazardous Materials Management

The primary federal agencies responsible for hazardous materials management include the U.S. Environmental Protection Agency (USEPA) and the U.S. Department of Labor Occupational Safety and Health Administration (OSHA).

##### Resource Conservation and Recovery Act of 1976

Federal hazardous waste regulations are generally promulgated under the Resource Conservation and Recovery Act (RCRA). Pursuant to RCRA, the USEPA regulates the generation, transportation, treatment, storage, and disposal of hazardous waste in a “cradle to grave” manner. RCRA was designed to protect human health and the environment, reduce/eliminate the generation of hazardous waste, and conserve energy and natural resources.

The Hazardous and Solid Waste Amendments of 1984 both expanded the scope of RCRA and increased the level of detail in many of its provisions, reaffirming the regulation from generation to disposal and to

prohibiting the use of certain techniques for hazardous waste disposal. The USEPA has largely delegated responsibility for implementing the RCRA program in California to the State, which implements this program through the California Hazardous Waste Control Law.

RCRA regulates landfill siting, design, operation, and closure (including identifying liner and capping requirements) for licensed landfills. In California, RCRA landfill requirements are delegated to the California Department of Resources Recycling and Recovery (CalRecycle), which is discussed in detail below.

RCRA allows the USEPA to oversee the closure and post-closure of landfills. Additionally, the federal Safe Drinking Water Act, 40 CFR Part 141, gives the USEPA the power to establish water quality standards and beneficial uses for waters from below- or above-ground sources of contamination. For the Project area, water quality standards are administered by the Regional Water Quality Control Board (RWQCB).

RCRA also allows the USEPA to control risk to human health at contaminated sites. Vapor intrusion presents a significant risk to human populations overlying contaminated soil and groundwater and is considered when conducting human health risk assessments and developing Remedial Action Objectives.

### **Occupational Safety and Health Act of 1970**

Federal and state occupational health and safety regulations also contain provisions regarding hazardous waste management through the Occupational Safety and Health Act of 1970 (amended), which is implemented by OSHA. Title 29 of the Code of Federal Regulations (29 CFR) requires special training of handlers of hazardous materials; notification to employees who work in the vicinity of hazardous materials; acquisition from the manufacturer of material safety data sheets (MSDS), which describe the proper use of hazardous materials; and training of employees to remediate any hazardous material accidental releases. OSHA regulates administration of 29 CFR.

OSHA also establishes standards regarding safe exposure limits for chemicals to which construction workers may be exposed. Safety and Health Regulations for Construction (29 CFR Part 1926.65 Appendix C) contains requirements for construction activities, which include occupational health and environmental controls to protect worker health and safety. The guidelines describe the health and safety plan(s) that must be developed and implemented during construction, including associated training, protective equipment, evacuation plans, chains of command, and emergency response procedures.

Adherence to applicable hazard-specific OSHA standards is required to maintain worker safety. For example, methane is regulated by OSHA under 29 CFR Part 1910.146 with regard to worker exposure to a “hazardous atmosphere” within confined spaces where the presence of flammable gas vapor or mist is in excess of 10 percent of the lower explosive limit. Title 49 of the CFR governs the manufacture of packaging and transport containers, packing and repacking, labeling, and the marking of hazardous material transport. Title 42, Part 82 governs solid waste disposal and resource recovery.

### **Comprehensive Environmental Response, Compensation, and Liability Act**

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 (42 USC § 9601 et seq.), commonly known as the Superfund, protects water, air, and land resources from the risks created by past chemical disposal practices such as abandoned and historical hazardous waste sites. It gave the EPA power to seek out the parties responsible for a release and ensure their cooperation in the cleanup. CERCLA also enabled the revision of the National Contingency Plan, which established the National Priority List (NPL) of sites, known as Superfund sites. CERCLA was amended by the Superfund Amendments and Reauthorization Act (SARA) in 1986 to continue cleanup activities.

### **Hazardous Materials Transportation Act**

The transportation of hazardous materials is regulated by the Hazardous Materials Transportation Act (HMTA), which is administered by the Research and Special Programs Administration (RSPA) of the US Department of Transportation (USDOT). The Hazardous Materials Transportation Act provides USDOT with a broad mandate to regulate the transport of hazardous materials, with the purpose of adequately protecting the nation against risk to life and property, which is inherent in the commercial transportation of hazardous materials. The Hazardous Materials Transportation Act governs the safe transportation of hazardous materials by all modes, excluding bulk transportation by water. The Research and Special Programs Administration carries out these responsibilities by prescribing regulations and managing a user-funded grant program for planning and training grants for states and Indian tribes. USDOT regulations that govern the transportation of hazardous materials are applicable to any person who transports, ships, causes to be transported or shipped, or are involved in any way with the manufacture or testing of hazardous materials packaging or containers. USDOT regulations pertaining to the actual movement govern every aspect of the movement, including packaging, handling, labeling, marking, placarding, operational standards, and highway routing. Additionally, USDOT is responsible for developing curriculum to train for emergency response and administers grants to states and Indian tribes for ensuring the proper training of emergency responders. Hazardous Materials Transportation Act was enacted in 1975 and was amended and reauthorized in 1990, 1994, and 2005.

#### **Title 49 of the Code of Federal Regulations, Chapter I**

Under Code of Federal Regulations (CFR) Title 49, Chapter I, USDOT's Pipeline and Hazardous Materials Safety Administration regulates the transport of hazardous materials. Title 49, Chapter I sets forth regulations for response to hazardous materials spills or incidents during transport and requirements for shipping and packaging of hazardous materials.

#### **Emergency Planning and Community Right-to-Know Act**

Title III of SARA authorized the Emergency Planning and Community Right-to-Know Act (EPCRA)(42 USC § 11001 et seq.) to inform communities and citizens of chemical hazards in their areas by requiring businesses to report the locations and quantities of chemicals stored onsite to state and local agencies; releases to the environment of more than 600 designated toxic chemicals; offsite transfers of waste; and pollution prevention measures and activities and to participate in chemical recycling. The EPA maintains and publishes an online, publicly available, national database of toxic chemical releases and other waste management activities by certain industry groups and federal facilities—the Toxics Release Inventory. To implement EPCRA, each state appointed a state emergency response commission to coordinate planning and implementation activities associated with hazardous materials. The commissions divided their states into emergency planning districts and named a local emergency planning committee for each district. The federal EPCRA program is implemented and administered in California Governor's Office of Emergency Services (Cal OES), a state commission, 6 local committees, and 81 Certified Unified Program agencies. Cal OES coordinates and provides staff support for the commission and local committees.

#### **Toxic Substances Control Act**

The Toxic Substances Control Act (TSCA) of 1976 (15 USC § 2601 et seq.) gave the EPA the ability to track the 75,000 industrial chemicals produced or imported into the United States. The EPA repeatedly screens these chemicals; can require reporting or testing of any that may pose an environmental or human health hazard; and can ban the manufacture and import of chemicals that pose an unreasonable risk. The EPA tracks the thousands of new chemicals each year with unknown or dangerous characteristics. The act supplements other federal statutes, including the Clean Air Act and the Toxics Release Inventory under EPCRA.

#### **Code of Federal Regulations Title 29, Section 1926.62**

CFR Title 29, Section 1926.62 provides federal regulations for construction work where an employee may be occupationally exposed to lead. It includes standards for exposure assessment, worker protection, methods of compliance, biological monitoring, and medical surveillance.

### **Code of Federal Regulations Title 40, Part 761**

CFR Title 40, Part 761 provides federal regulations for the manufacturing, processing, distribution, use, and clean up of polychlorinated biphenyls (PCBs). It provides remediation standards for the clean up of PCB waste in soils.

## **5.7.2.2 State Regulations**

### **Hazardous Materials Management and Waste Handling**

In the regulation of hazardous waste management, California law often mirrors or is more stringent than federal law. The California Environmental Protection Agency (CalEPA) and California Occupational Safety and Health Administration (CalOSHA) are the primary state agencies responsible for hazardous materials management. Additionally, the California Emergency Management Agency (CalEMA) administers the California Accidental Release Prevention (CalARP) program. The California Department of Toxic Substances Control (DTSC), which is a branch of CalEPA, regulates the generation, transportation, treatment, storage, and disposal hazardous waste, as well as the investigation and remediation of hazardous waste sites. The California DTSC program incorporates the provisions of both federal (RCRA) and State hazardous waste laws. The California Department of Pesticide Regulation, which is a branch of CalEPA, regulates the sale, use, and cleanup of pesticides (CCR, Title 3).

Excavated soil containing hazardous substances and hazardous building materials would be classified as a hazardous waste if they exhibit the characteristics of ignitability, corrosivity, reactivity, or toxicity (CCR, Title 22, Division 4.5, Chapter 11, Article 3). State and federal laws require detailed planning to ensure that hazardous materials are properly handled, used, stored, and disposed of, and in the event that such materials are accidentally released, to prevent or to mitigate injury to health or the environment. These laws and regulations are overseen by a variety of state and local agencies. The California Integrated Waste Management Board and the RWQCB specifically address management of hazardous materials and waste handling in their adopted regulations (CCR, Title 14 and CCR, Title 27).

The primary local agency, known as the Certified Unified Program Agency (CUPA), with responsibility for implementing federal and State laws and regulations pertaining to hazardous materials management is the San Bernardino County Fire Department (SBCFD). The Unified Program is the consolidation of six state environmental regulatory programs into one program under the authority of a CUPA. A CUPA is a local agency that has been certified by Cal-EPA to implement the six state environmental programs within the local agency's jurisdiction. This program was established under the amendments to the California Health and Safety Code made by SB 1082 in 1994. The six consolidated programs are:

- Hazardous Materials Release Response Plan and Inventory (Business Plans)
- California Accidental Release Prevention (CalARP)
- Hazardous Waste (including Tiered Permitting)
- Underground Storage Tanks (USTs)
- Above Ground Storage Tanks (Spill Prevention Control and Countermeasures (SPCC) requirements)
- Uniform Fire Code (UFC) Article 80 Hazardous Material Management Program (HMMP) and Hazardous Material Identification System (HMIS)

As CUPA, SBCFD manages six hazardous material and hazardous waste programs, described below. The CUPA program is designed to consolidate, coordinate, and uniformly and consistently administer permits,

inspection activities, and enforcement activities throughout San Bernardino County (with the exception of the City of Victorville). This approach strives to reduce overlapping and sometimes conflicting requirements of different governmental agencies independently managing these programs.

#### *Hazardous Materials Release Response Plans and Inventory (Business Plan)*

This CUPA program provides information to emergency responders and the general public regarding hazardous materials at certain facilities, and coordinates reporting of releases and spill response among businesses and local, state, and federal government authorities. Businesses are required to disclose all hazardous materials and wastes above certain quantities that are used, stored, or handled at their facility. They are also required to train their employees to safely handle chemicals and to take appropriate emergency response actions. Inspections are conducted periodically to verify the inventory and other information on the business emergency/contingency plan.

#### *California Accidental Release Prevention Program*

This program aims to reduce risks involving regulated substances through the evaluation of hazards and consequences and the development of risk management plans and prevention programs. The program requires certain facilities (referred to as "stationary sources") that handle specified chemicals (termed "regulated substances") to take specified actions to prevent and prepare for chemical accidents.

#### *Underground Storage Tank Program*

The Hazardous Materials Division oversees the Underground Storage Tank (UST) Program throughout San Bernardino County, with the exception of the city of Victorville. The purpose of this program is to ensure that hazardous substances are not released into the groundwater and/or the environment from UST systems. Specialists annually inspect tank system components, associated monitoring equipment, and inventory records to ensure that the UST systems comply with applicable laws and regulations.

#### *Aboveground Petroleum Storage Act /Spill Prevention, Control, and Countermeasure Plan*

Facilities that have cumulative aboveground storage capacities of petroleum products at or exceeding 1,320 gallons are subject to the Aboveground Petroleum Storage Act. Facilities that are subject to this act must prepare a Spill Prevention, Control, and Countermeasure Plan. Facilities handling petroleum or any other hazardous material require a business emergency/contingency plan. Both petroleum and nonpetroleum aboveground storage tanks are subject to the fire code requirements of the authority having fire code jurisdiction.

#### *Hazardous Waste Generation and Onsite Treatment*

The Hazardous Waste Inspection Program works to ensure that all hazardous wastes generated by San Bernardino County facilities are properly managed. Specialists in this program inspect facilities that generate hazardous waste, investigate complaints of unlawful hazardous waste disposal, and participate in public education. These programs are designed to provide information about laws and regulations relating to safe management of hazardous waste.

#### *Hazardous Materials Management Plans (HMMPs) and Hazardous Materials Inventory Statements (HMISs)*

The Uniform Fire Code has a provision for the local fire agency to collect information regarding hazardous materials at facilities for purposes of fire code implementation. A fire chief may require additional information to a Business Plan to meet the California Fire Code HMMP/HMIS requirements.

### **Hazardous Waste Control Act**

The Hazardous Waste Control Act was passed in 1972 and established the California Hazardous Waste Control Program within the Department of Health Services. California's hazardous waste regulatory effort

became the model for the federal Resource Conservation and Recovery Act (RCRA). California's program, however, was broader and more comprehensive than the federal system, regulating wastes and activities not covered by the federal program. California's Hazardous Waste Control Law was followed by emergency regulations in 1973 that clarified and defined the hazardous waste program, as follows:

- Included definitions of what was a waste and what was hazardous as well as what was necessary for appropriate handling, processing, and disposal of hazardous and extremely hazardous waste in a manner that would protect the public, livestock, and wildlife from hazards to health and safety.
- The early regulations also established a tracking system for the handling and transportation of hazardous waste from the point of waste generation to the point of ultimate disposition, as well as a system of fees to cover the costs of operating the hazardous waste management program.
- Advancing the newly developing awareness of hazardous waste management issues, the program established a technical reference center for public and private use dealing with all aspects of hazardous waste management.

### **California Government Code Section 65962.5 (a), Cortese List**

The Hazardous Waste and Substance Sites List (Cortese List) is a planning document used by the State, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. Government Code Section 65962.5 requires the California Environmental Protection Agency (CalEPA) to develop at least annually an updated Cortese List. The Department of Toxic Substances Control is responsible for a portion of the information contained in the Cortese List. Other state and local government agencies are required to provide additional hazardous material release information for the Cortese List.

### **Title 22 of the California Code of Regulations and Hazardous Waste Control Law, Chapter 6.5**

The Department of Toxic Substances Control regulates the generation, transportation, treatment, storage, and disposal of hazardous waste under RCRA and the California Hazardous Waste Control Law. Both laws impose "cradle-to-grave" regulatory systems for handling hazardous waste in a manner that protects human health and the environment. CalEPA has delegated some of its authority under the Hazardous Waste Control Law to county health departments and other Certified Unified Program Agencies.

### **Title 23, Division 3, Chapter 16 of the California Code of Regulations, Underground Storage Tank Regulations**

The Title 23, Division 3, Chapter 16 regulations are intended to protect waters of the state from discharges of hazardous substances from underground storage tanks. These regulations establish construction requirements for new underground storage tanks; establish separate monitoring requirements for new and existing underground storage tanks; establish uniform requirements for unauthorized release reporting, and for repair, upgrade, and closure of underground storage tanks.

### **California Human Health Screening Levels**

The California Human Health Screening Levels (CHHSLs or "Chisels") are concentrations of 54 hazardous chemicals in soil or soil gas that CalEPA considers to be below thresholds of concern for risks to human health. The CHHSLs were developed by the Office of Environmental Health Hazard Assessment on behalf of CalEPA. The CHHSLs were developed using standard exposure assumptions and chemical toxicity values published by the EPA and CalEPA. The CHHSLs can be used to screen sites for potential human health concerns where releases of hazardous chemicals to soils have occurred. Under most circumstances, the presence of a chemical in soil, soil gas, or indoor air at concentrations below the corresponding CHHSL can be assumed to not pose

a significant health risk to people who may live or work at the site. There are separate CHHSLs for residential and commercial/industrial sites.

### **Occupational Safety: Title 8 – CalOSHA**

CalOSHA administers federal occupational safety requirements and additional state requirements in accordance with California Code of Regulations Title 8. CalOSHA requires preparation of an Injury and Illness Prevention Program (IIPP), which is an employee safety program of inspections, procedures to correct unsafe conditions, employee training, and occupational safety communication. This program is administered via inspections by the local CalOSHA enforcement unit.

CalOSHA regulates lead exposure during construction activities under CCR Title 8, Section 1532.1, Lead, which establishes the rules and procedures for conducting demolition and construction activities such that worker exposure to lead contamination is minimized or avoided.

Compliance with CalOSHA regulations and associated programs would be required for the proposed Project due to the potential hazards posed by onsite construction activities and contamination from former uses.

### **Emergency Response to Hazardous Materials Incidents**

California has developed an emergency response plan to coordinate emergency services provided by federal, state, and local government, and private agencies. The plan is administered by the California Emergency Management Agency and includes response to hazardous materials incidents. The California Emergency Management Agency coordinates the response of other agencies, including CalEPA, California Highway Patrol, California Department of Fish and Wildlife, Regional Water Quality Control Board, South Coast Air Quality Management District, County Fire Department, and the County Health Department.

### **Hazardous Materials in Structures: Asbestos-Containing Materials and Lead-Based Paint**

Several regulations and guidelines pertain to abatement of and protection from exposure to asbestos-containing materials (ACM) and lead-based paint (LBP), including Construction Safety Orders 1529 (pertaining to ACM) and Section 1532.1 (pertaining to LBP) from Title 8 of the California Code of Regulations, and Part 61, Subpart M, of the Code of Federal Regulations (pertaining to ACM). California Health and Safety Code Section 39650 et seq. provides further regulations on airborne toxic control measures. In California, ACM and LBP abatement must be performed and monitored by contractors with appropriate certification from the California Department of Health Services. Asbestos is also regulated as a hazardous air pollutant under the Clean Air Act and a potential worker safety hazard under the authority of Cal/OSHA. Requirements for limiting asbestos emissions from building demolition and renovation are specified in SCAQMD Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities). California Government Code Sections 1529 and 1532.1 provide for exposure limits, exposure monitoring, respiratory protection and good working practice by workers exposed to lead and ACMs.

## **5.7.2.3 Regional Regulations**

### **Santa Ana RWQCB**

The Santa Ana RWQCB issued a Municipal Stormwater (MS4) Permit for the part of the Santa Ana Basin in San Bernardino County in 2010 (Order No. R8-2010-0036). The principal permittee of the MS4 Permit is the San Bernardino County Flood Control District. Priority projects—generally, redevelopment projects that add or replace 5,000 or more square feet of impervious surfaces, and new development projects that create

10,000 or more square feet of impervious surfaces—must implement LID BMPs to the maximum extent practicable. The MS4 Permit requires individual priority projects to prepare and implement a water quality management plan (WQMPs) that may include source control BMPs, mitigation measures, and treatment control BMPs.

### **South Coast Air Quality Management District Rule 1403**

SCAQMD Rule 1403 governs the demolition of buildings containing asbestos materials. Rule 1403 specifies work practices to minimize asbestos emissions during building demolition and renovation activities, including the removal and associated disturbance of asbestos containing materials. The requirements for demolition and renovation activities include asbestos surveying, notification, asbestos containing materials removal procedures and time schedules, handling and cleanup procedures, storage, and disposal requirements for asbestos containing waste materials.

## **5.7.2.4 Local Regulations**

### **County of San Bernardino Emergency Plan**

County Fire's Office of Emergency Services (OES) is responsible for countywide emergency planning, mitigation, response and recovery activities, including planning for the City of Redlands. OES manages the County's emergency operations center and develops and maintains the County's emergency operations plan and hazard mitigation plan. The current emergency operations plan, adopted by the County Board of Supervisors in 2013, specifies roles and responsibilities of various County and other local agencies in each of the four phases of emergency management: preparedness/planning, response, recovery, and mitigation. The San Bernardino County Multi-Jurisdictional Hazard Mitigation Plan, approved by FEMA in July 2017, includes risk assessments for many types of hazards, both natural and man-made; an assessment of community capabilities for hazard mitigation; and mitigation strategies. County-identified evacuation routes consist of major and secondary highways.

San Bernardino County implements an extensive emergency preparedness system that adheres to the National Incident Management System (NIMS), which provides a comprehensive and standardized incident management system. Because San Bernardino County is NIMS compliant, it is eligible for federal preparedness grants. The County also follows the Standardized Emergency Management System (SEMS) adopted by California, which makes it eligible for reimbursement of response-related costs under state disaster assistance programs.

### **San Bernardino County Multi-Jurisdictional Hazard Mitigation Plan**

The San Bernardino County Multi-Jurisdictional Hazard Mitigation Plan documents plans for reducing and/or eliminating risk in the unincorporated area of the County and its five Special Districts, including the San Bernardino County Fire Protection District, the San Bernardino County Flood Control District, Big Bear Valley Recreation and Parks District, Bloomington Recreation and Parks District (Districts), and those Board-governed Special Districts administered by the San Bernardino County Special Districts Department.

### **City of Redlands Hazard Mitigation Plan (HMP)**

The City of Redlands adopted a Hazard Mitigation Plan (HMP) in 2015 in accordance with 44 CFR. The purpose of the HMP is to demonstrate the plan for reducing and/or eliminating risk in the city. The HMP assesses risks associated with flooding, earthquake, wildfire, hazardous material, and drought hazards, and identifies mitigation goals, objectives, and projects to reduce the risk.

### City of Redlands General Plan 2035

The City General Plan 2035 includes the following policies related to hazards that are relevant to the proposed Project:

**Action 7-A.123** Regulate development on sites with known contamination of soil and groundwater to ensure that construction workers, future occupants, the public, and the environment are adequately protected from hazards associated with contamination. Work with State and local agencies to encourage cleanup of such sites.

**Action 7-A.127** Use the City of Redlands Local Hazard Mitigation Plan as the guide for identifying hazard risks and vulnerabilities, identifying and prioritizing mitigation actions, encouraging the development of local mitigation, and providing technical support for these efforts.

### City of Redlands Municipal Code

**Chapter 2.52: Emergency Organization.** The City of Redlands adopted the standardized emergency management system (SEMS). Under Chapter 2.52 of the Municipal Code, the City provides for the preparation of and carrying out of plans for the protection of persons and property within the city in the event of an emergency. The chapter provides for the direction of the emergency organization and the coordination of emergency functions of the City with all other public agencies, corporations, organizations, and affected private persons.

## 5.7.3 ENVIRONMENTAL SETTING

In the 2015 Redlands Hazard Mitigation Plan, the probability of future hazardous materials release within the city was determined to be High, with Medium Impact. The California Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB) track and identify sites with known or potential contamination. The DTSC Envirostor hazardous waste facility and cleanup sites database identifies sites that have known contamination or potentially contaminated sites requiring further investigation, as well as facilities permitted to treat, store, or dispose of hazardous waste. The SWRCB GeoTracker database tracks hazardous materials sites that impact groundwater or have the potential to impact groundwater.

Data for the analysis was downloaded from Envirostor and GeoTracker databases on February 22, 2022. A total of 25 sites were identified as permitted hazardous waste facilities, land disposal sites, or USTs by DTSC, the EPA, or SWRCB. Three sites were identified by DTSC as cleanup sites having known or potential hazardous substance release; 23 were identified as such by SWRCB. Sites within the TVSP area are listed below in Table 5.7-1.

**Table 5.7-1: Hazardous Materials Sites**

Site Name	Site Type	Database	Status	Location
Teledyne Battery Products	HAZ WASTE - RCRA, LUST Cleanup Site	DTSC, SWRCB	Closed	840 W Brockton Ave
So Cal Gas/Redlands I	Voluntary Cleanup	DTSC	Active	501-525 W. Redlands Blvd
Edison/Redlands II	Voluntary Cleanup	DTSC	Active	501-525 W. Redlands Blvd
California Target ENTP. #943	LUST Cleanup Site	SWRCB	Closed	1580 Redlands Blvd

Redlands Corporate Yard	LUST Cleanup Site	SWRCB	Closed	1270 Park Ave
Argon Fuel	Cleanup Program Site	SWRCB	Open	1205/1255 Redlands Blvd
Redlands Oil Company (former)	Cleanup Program Site	SWRCB	Closed	395 Texas Street
Stop N' Go	LUST Cleanup Site	SWRCB	Closed	765 W Redlands Blvd
Redlands Redevelopment Agency	LUST Cleanup Site	SWRCB	Closed	325 N Eureka St
Redlands Battery	LUST Cleanup Site	SWRCB	Closed	305 W Colton Ave
City of Redlands 31 and 205 West Stuart Ave Property	LUST Cleanup Site	SWRCB	Open	31 W. Stuart Ave
GTE	LUST Cleanup Site	SWRCB	Closed	11 4 <sup>th</sup> St
9 West Colton Avenue Property	Cleanup Program Site	SWRCB	Open	9 W. Colton Ave
Chevron #9-7222	LUST Cleanup Site	SWRCB	Closed	1256 Orange St
Rich Oil Co., Inc	LUST Cleanup Site	SWRCB	Closed	1029 Orange St
Arco Petroleum Products #9716	LUST Cleanup Site	SWRCB	Closed	902 Orange St
Thrifty Oil #346	LUST Cleanup Site	SWRCB	Closed	902 Orange St
Tosco/76 Station #6019	LUST Cleanup Site	SWRCB	Closed	901 N. Orange Ave
Stater Bros. Site	Cleanup Program Site	SWRCB	Closed	11 E. Colton Ave
Mobil #08-EV5	LUST Cleanup Site	SWRCB	Closed	604 Orange St
Orange Plaza Cleaners	Cleanup Program Site	SWRCB	Closed	450 Orange St
Redlands Shell	LUST Cleanup Site	SWRCB	Closed	127 Redlands Blvd East
Conoco Phillips	LUST Cleanup Site	SWRCB	Closed	201 Redlands Blvd East
Performance Auto	LUST Cleanup Site	SWRCB	Closed	520 E. State St
Arco #6052	LUST Cleanup Site	SWRCB	Closed	539 E. Redlands Blvd

Sources: DTSC, 2022; SWRCB 2022

Two active hazardous waste sites were identified through Envirostor, meaning that an investigation, remediation, and/or site monitoring is currently in progress and that DTSC is actively involved in a lead or support capacity. An additional permitted hazardous waste facility related to Teledyne Battery Products, received a closed case in 2007 and is cleared for unrestricted, residential land use. Of the 23 sites identified through Geotracker, five are Cleanup Program sites and 18 are LUST Cleanup sites. As shown on Table 5.7-1, of the five Cleanup Program sites, two sites remain open. Of the 18 LUST Cleanup sites, one remains open. These open designations mean that an investigation, remediation, and/or site monitoring is currently in progress and SWRCB is actively involved in a lead or support capacity.

The Site Cleanup Program regulates and oversees the investigation and cleanup of non-federally owned sites where recent or historical unauthorized releases of pollutants have occurred. These releases are

generally not from USTs and pollutants encountered at these sites can include solvents, pesticides, heavy metals, and fuel constituents.

Leaking underground storage tanks (LUSTs) are a significant source of petroleum impacts on groundwater. Cleanup is conducted under the direction of the lead regulatory agency and could include product removal, vapor extraction, or soil excavation and disposal.

## 5.7.4 THRESHOLDS OF SIGNIFICANCE

Appendix G of State CEQA Guidelines indicates that a project could have a significant effect if it were to:

- HAZ-1 Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials;
- HAZ-2 Create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment;
- HAZ-3 Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school;
- HAZ-4 Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment;
- HAZ-5 For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
- HAZ-6 Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan; or
- HAZ-7 Expose people or structures either directly or indirectly to a significant risk of loss, injury, or death involving wildland fires.

The initial study established that the proposed Project would result in less than significant impacts related to Threshold HAZ-1 through HAZ-3 and HAZ-5 through HAZ-7; no further assessment of these impacts is required in this Draft EIR.

## 5.7.5 METHODOLOGY

This evaluation of the significance of potential impacts related to hazards and hazardous materials considers both direct effects to the resource and indirect effects in a local or regional context. Potentially significant impacts would generally result in the loss or degradation of public health and safety or conflict with local, state, or federal agency regulations. Information for this section was obtained, in part, from the DTSC's EnviroStor database and the SWRCB's GeoTracker database.

## 5.7.6 ENVIRONMENTAL IMPACTS

**IMPACT HAZ-4: THE PROJECT WOULD NOT BE LOCATED ON A SITE WHICH IS INCLUDED ON A LIST OF HAZARDOUS MATERIALS SITES COMPILED PURSUANT TO**

**GOVERNMENT CODE SECTION 65962.5 AND, AS A RESULT, WOULD CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT.**

**Less than Significant Impact.** As discussed above in Section 5.7.3, *Environmental Setting*, there are numerous sites in the TVSP area that are included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 or that need further investigation (See Table 5.7-1). Several of the sites have reported releases to the ground resulting in soil and groundwater contamination and which are subject to various State and federal laws and regulators, including the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Environmental Protection Agency (EPA), DTSC, and the Regional Water Quality Control Board (RWQCB), and are in various stages of the cleanup process as stipulated by the relevant agencies. Redevelopment of sites with existing soil or groundwater contamination in accordance with the TVSP could potentially pose a significant hazard to the public or the environment through releases of hazardous materials into the environment. However, these sites are being regulated by existing federal and state policies and have been or in the process of being investigated and remediated pursuant to existing regulation. Existing regulations (such as CFR, Title 49, Chapter I; CCR, Title 8; CCR, Title 22; CFR, Title 40, Part 263 that are enforced by the USEPA, USDOT, CalEPA, CalOSHA, DTSC, and the City of Redlands) and CUPA programs would also help by ensuring the reporting and documentation of any hazardous materials incidents in the TVSP area such that property owners could be aware of potential hazards. For future projects, CEQA requires developers to reference the Cortese List and discuss if the project would be located on a listed site. Additionally, the City's development review process would require preparation of Phase I Environmental Site Assessments (ESAs) for future projects that would identify potential hazardous materials onsite. If future redevelopment is proposed on listed sites, potential contamination at these sites, if not already remediated, would be addressed through the City's development review requirements and in compliance with applicable state and federal regulations. Compliance with these policies, regulations, and programs would reduce the impact to less than significant.

## 5.7.7 CUMULATIVE IMPACTS

Cumulative land use changes within the city would have the potential to expose future area residents, employees, and visitors to chemical hazards through redevelopment of sites and structures that may be contaminated from either historic or ongoing uses. The severity of potential hazards for individual projects would depend upon the location, type, and size of development and the specific hazards associated with individual sites. All hazardous material users and transporters, as well as hazardous waste generators and disposers, are subject to regulations that require proper transport, handling, use, storage, and disposal of such materials to ensure public safety. Thus, if hazardous materials are found to be present on present or future project sites appropriate remediation activities would be required pursuant to standard federal, state, and regional regulations. Compliance with the relevant federal, state, and local regulations during the construction and operation of related projects would ensure that cumulative impacts from hazardous materials would be less than significant.

## 5.7.8 EXISTING REGULATIONS, STANDARD CONDITIONS, AND PLANS, PROGRAMS, OR POLICIES

### Existing Regulations

#### Federal

- United States Code of Federal Regulations Title 42, Sections 6901 et seq.: Resource Conservation and Recovery Act
- United States Code of Federal Regulations Title 42, Sections 11001 et seq.: Emergency Planning & Community Right to Know Act
- United States Code of Federal Regulations Title 49, Parts 101 et seq.: Regulations implementing the Hazardous Materials Transportation Act (United States Code of Federal Regulations Title 49 Sections 5101 et seq.)
- United States Code of Federal Regulations Title 15, Sections 2601 et seq.: Toxic Substances Control Act
- US Environmental Protection Agency Asbestos Hazard Emergency Response Act, 40 United States Code of Regulations Section 763
- United States Code of Federal Regulations Title 49, Chapter I
- United States Code of Federal Regulations Title 29, Section 1926.62
- United States Code of Federal Regulations Title 40, Part 761
- United States Code of Federal Regulations Title 29, Section 1910.120

**State**

- California Occupational Safety and Health Administration Regulation 29, CFR Standard 1926.62
- California Code of Regulations Title 24, Part 2: California Building Code
- California Code of Regulations Title 24, Part 9: California Fire Code
- California Code of Regulations Title 8, Section 1532.1: Lead in Construction Standard
- California Code of Regulations Title 23, Chapter 16: Underground Storage Tanks
- California Code of Regulations Title 8, Section 1529: Asbestos
- California Health and Safety Code Division 20, Chapter 6.9.1, Sections 25400.10 through 25400.47
- California Health and Safety Code Section 39650 et seq.

**Regional**

- South Coast Air Quality Management District Rule 1403: Asbestos

**Local**

- *Municipal Code Chapter 2.52: Emergency Organization.*

**Standard Conditions**

None.

**Plans, Programs, or Policies**

None

## 5.7.9 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Without mitigation, Impact HAZ-4 would be **less than significant**.

## 5.7.9 MITIGATION MEASURES

None.

## 5.7.10 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Existing regulatory programs described previously would reduce potential impacts associated with hazardous materials for Impact HAZ-4 to a level that is less than significant. Therefore, no significant unavoidable adverse impacts related to hazards and hazardous materials would occur.

## REFERENCES

City of Redlands General Plan 2035. Accessed: <https://www.cityofredlands.org/post/planning-division-general-plan>

City of Redlands General Plan Update and Climate Action Plan Environmental Impact Report. Accessed: [https://www.cityofredlands.org/sites/main/files/file-attachments/redlands\\_deir\\_compiled\\_lo\\_071917\\_0.pdf?1554321669](https://www.cityofredlands.org/sites/main/files/file-attachments/redlands_deir_compiled_lo_071917_0.pdf?1554321669)

City of Redlands Municipal Code. Accessed: [https://codelibrary.amlegal.com/codes/redlandsca/latest/redlands\\_ca/0-0-0-1](https://codelibrary.amlegal.com/codes/redlandsca/latest/redlands_ca/0-0-0-1)

Department of Toxic Substances Control. EnviroStor. Accessed: <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Redlands>

State Water Resources Control Board. GeoTracker. Accessed: <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=redlands>