5.7 HAZARDS AND HAZARDOUS MATERIALS

This section of the Draft Environmental Impact Report (DEIR) evaluates the potential safety hazards of the City of Industry General Plan Update in the City and its Sphere of Influence (SOI) (together referred to as the City), specifically environmental hazards associated with hazardous materials, hazardous waste disposal, emergency preparedness, and wildland fire. Background information on these safety hazards provides a basis for the siting of land uses that would reduce unreasonable risks and protect public health and welfare. Various federal and state programs that regulate the use, storage, and transportation of hazardous materials are also discussed in this section. The analysis in this section is based, in part, upon the following source:

- *Environmental Data Resources (EDR) DataMap Environmental Atlas, Inquiry Number 02917910.1r*, prepared for the City of Industry, November 11, 2010

A complete copy of the EDR report is included in Appendix D of this DEIR.

Geologic hazards and flood hazards are addressed separately in Sections 5.7, *Geology and Soils*, and 5.9, *Hydrology and Water Quality*, respectively. Water quality and pollutant discharge are also addressed in Section 5.9.

5.7.1 Environmental Setting

Hazardous Materials and Waste

Hazardous materials refer generally to hazardous substances that exhibit corrosive, toxic, flammable, and/or reactive properties and have the potential to harm human health and/or the environment. Hazardous materials are components of products (household cleaners, industrial solvents, paint, pesticides, etc.) and are used in the manufacturing of products (e.g., electronics, newspapers, plastic products). Hazardous materials can include petroleum products, natural and synthetic gases, acutely toxic chemicals, and other toxic chemicals that are used in agriculture, commercial, and industrial uses; businesses; hospitals; and households. Accidental releases of hazardous materials can occur from a variety of causes, including highway incidents, warehouse fires, train derailments, shipping accidents, and industrial incidents.

Regulatory Setting

There are several federal, state, and local programs that regulate the use, storage, and transportation, and disposal of hazardous materials and hazardous waste. Federal and state statutes, as well as local ordinances and plans regulate hazardous waste management. These regulations can reduce the risk that hazardous substances may pose to people and businesses under normal daily circumstances and as a result of emergencies and disasters. Potentially relevant federal, state, and local laws, regulations, programs, and plans applicable to the proposed project are summarized below.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) of 1976 is the principal federal law that regulates the generation, management, transportation, and disposal of hazardous waste. Hazardous waste management includes the treatment, storage, and disposal of hazardous waste. Treatment is any process that changes the physical, chemical, or biological character of the waste to reduce its potential as an environmental threat. Treatment can include neutralizing the waste, recovering energy or material resources from the waste, rendering the waste less hazardous, or making the waste safer to transport, dispose of, or store.

The RCRA gave the US Environmental Protection Agency (EPA) the authority to control hazardous waste from "cradle to grave," that is, from generation to ultimate disposal. The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances. It should be noted that RCRA focuses only on active and future facilities and does not address abandoned or historical sites.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, commonly known as Superfund, was enacted to protect water, air, and land resources from the risks created by past chemical disposal practices such as abandoned and historical hazardous wastes sites. Through the act, EPA was given power to seek out those parties responsible for any release and to compel appropriate cleanup activities. This federal law created a tax on the chemical and petroleum industries that went to a trust fund for cleaning up abandoned or uncontrolled hazardous waste sites. CERCLA also enabled the revision of the National Contingency Plan, which provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The National Contingency Plan also established the National Priority List (NPL) of sites, which are known as Superfund sites.

Superfund Amendments and Reauthorization Act

CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986. Title 5 of this regulation requires that each community establish a local emergency planning committee to develop an emergency plan for preparing for and responding to a chemical emergency. The emergency plan is reviewed by the State Emergency Response Commission and publicized throughout the community. The Certified Unified Program Agency (CUPA) is responsible for coordinating hazardous material and disaster preparedness planning and appropriate response efforts with city departments as well as local and state agencies. The CUPA with responsibility for the project site is the Los Angeles County Fire Department (LACFD). The goal is to improve public- and private-sector readiness and to mitigate local impacts resulting from natural or man-made emergencies.

Emergency Planning & Community Right-to-Know Act

EPCRA was enacted by Congress as the national legislation on community safety. This law helps local communities protect public health, safety, and the environment from chemical hazards. The primary purpose of EPCRA is 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. These reports help communities prepare to respond to chemical spills and similar emergencies. Section 3131 of EPCRA requires manufacturers to report releases to the environment (air, soil, and water) of more than 600 designated toxic chemicals; report offsite transfers of waste for treatment or disposal at separate facilities; pollution prevention measures and activities; and participate in chemical recycling. These annual reports are submitted to the EPA and state agencies. The EPA maintains and publishes a database that contains information on toxic chemical releases and other waste management activities by certain industry groups and federal facilities. This online, publicly available, national digital database is called the Toxics Release Inventory, and was expanded by the Pollution Prevention Act of 1990.

Toxic Substances Control Act

The Toxic Substances Control Act of 1976 was enacted by Congress to give the EPA the ability to track the 75,000 industrial chemicals currently produced or imported into the United States. The EPA repeatedly screens these chemicals and can require reporting or testing of any that may pose an environmental or human health hazard. It can ban the manufacture and import of chemicals that pose an unreasonable risk. Also, the EPA has mechanisms in place to track the thousands of new chemicals that industry develops each year with either unknown or dangerous characteristics. It then can control these chemicals as necessary to protect human health and the environment. The act supplements other federal statutes, including the Clean Air Act and the Toxic Release Inventory under EPCRA.

Occupational Safety and Health Administration Regulation 29 CFR Standard 1926.62

The Occupational Safety and Health Administration (OSHA) Regulation 29 CFR Standard 1926.62 regulates the demolition, renovation, or construction of buildings involving lead materials. It includes requirements for the safe removal and disposal of lead and the safe demolition of buildings containing lead-based paint or other lead materials.

Responsible agencies that regulate hazardous materials and waste include:

United States Environmental Protection Agency: EPA is the primary federal agency that regulates hazardous materials and waste. In general, EPA works to develop and enforce regulations that implement environmental laws enacted by congress. The agency is responsible for researching and setting national standards for a variety of environmental programs, and delegates to states and tribes the responsibility for issuing permits and for monitoring and enforcing compliance. EPA programs promote handling hazardous wastes safely, cleaning up contaminated land, and reducing trash. Under the authority of the RCRA and in cooperation with state and tribal partners, the Waste Management Division manages a hazardous waste program, an underground storage tank program, and a solid waste program that includes development of waste reduction strategies such as recycling.

California Environmental Protection Agency: Cal/EPA was created in 1991 by Governor's Executive Order. The six boards, departments, and offices were placed under the Cal/EPA umbrella to create a cabinet-level voice for the protection of human health and the environment and to assure the coordinated deployment of state resources. Cal/EPA oversees hazardous materials and hazardous waste compliance throughout California.

California Department of Toxic Substances Control: DTSC is a department of Cal/EPA, which carries out the RCRA and CERCLA programs in California to protect people from exposure to hazardous substances and wastes. The department regulates hazardous waste, cleans up existing contamination, and looks for ways to control and reduce the hazardous waste produced in California primarily under the authority of RCRA and in accordance with the California Hazardous Waste Control Law (California Health and Safety Code Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (Title 22, California Code of Regulations, Divisions 4 and 4.5). Permitting, inspection, compliance, and corrective action programs ensure that people who manage hazardous waste follow state and federal requirements and other laws that affect hazardous waste specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning.

Under DTSC, the Statewide Compliance Division (SCD) administers the technical implementation of the state's Unified Program, a consolidation of six environmental programs at the local level. This program was established under the amendments to the California Health and Safety Code made by Senate Bill 1082 in 1994. The six programs that make up the Unified Program are:

- Hazardous Materials Business Plan/Emergency Response Plan
- Hazardous Waste/Tiered Permitting
- Underground Storage Tanks
- Aboveground Storage Tanks Spill Prevention Control and Countermeasures
- California Accidental Release Prevention Program (CalARP)
- Uniform Fire Code Hazardous Materials Management Plan

SCD also conducts triennial reviews of Unified Program agencies to ensure their programs are consistent statewide, conform to standards, and deliver quality environmental protection at the local level. SCD carries out the inspections, enforcement, and complaint response at the state's hazardous waste generators, facilities, and transporters and oversees the hazardous waste generator and onsite waste treatment surveillance and enforcement programs carried out by local Unified Programs.

Certified Unified Program Agency: A CUPA is a local agency that has been certified by Cal/EPA to implement the local Unified Program. The CUPA can be a county, city, or joint powers authority. A participating agency is a local agency that has been designated by the local CUPA to administer one or more Unified Programs within their jurisdiction on behalf of the CUPA. A designated agency is a local agency that has not been certified by Cal/EPA to become a CUPA but is the responsible local agency that would implement the six Unified Programs outlined above until they are certified.

The LACFD Hazardous Materials Management Division (HMMD) is designated by the state as the CUPA for the County of Los Angeles. The fire department focuses on the management of specific environmental programs at the local government level to address the disposal, handling, processing, storage, and treatment of local hazardous materials and waste products. The CUPAs are also responsible for implementing the leak prevention element of the Underground Storage Tank (UST) Program.

Programs that regulate hazardous materials and waste include:

UST Program*:* Releases of petroleum and other products from USTs are the leading source of groundwater contamination in the United States. The RCRA Subtitle I established regulations governing the storage of petroleum products and hazardous substances in USTs and the prevention and cleanup of leaks. In EPA Region 9 (California, Arizona, Hawaii, Nevada, Pacific Islands, and over 140 tribal nations) the UST program operates primarily through state agency programs with EPA oversight. In California, the State Water Resources Control Board (SWRCB), under the umbrella of Cal/EPA, provides assistance to local agencies enforcing UST requirements. The purpose of the UST program is to protect public health and safety and the environment from releases of petroleum and other hazardous substances. The program consists of four elements: leak prevention, cleanup, enforcement, and tank tester licensing. In September 2004, SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs, including groundwater analytical data, the surveyed locations of monitoring wells, and other data. The SWRCB's Geotracker system currently has information submitted by responsible parties for over 10,000 leaking UST (LUST) sites statewide and has been extended to include all SWRCB groundwater cleanup programs, including the LUST, non-LUST (Spill, Leaks, Investigation, and Cleanup), Department of Defense, and landfill programs.

The LACFD HMMD is charged with the responsibility of conducting compliance inspections of regulated facilities in Los Angeles County. Regulated facilities are those that handle hazardous materials, generate or treat hazardous waste, and/or operate an underground storage tank. All new installations of underground storage tanks require an inspection, along with the removal, under strict chain-of-custody protocol, of the old tanks.

Hazardous Materials Disclosure Programs: Both the federal government (Code of Federal Regulations, EPA, SARA, and Title III) and the State of California (California State Health and Safety Code, Division 20, Chapter 6.95, Sections 25500–25520; Title 19 California Code of Regulations, Chapter 2, Sub-Chapter 3, Article 4, Sections 2729–2734) require all businesses that handle more than a specified amount of hazardous materials or extremely hazardous materials, termed a reporting quantity, to submit a Hazardous Materials Business Plan to their local CUPA.

According to the LACFD HMMD guidelines, the preparation, submittal, and implementation of a business plan is required by any business that handles a hazardous material or a mixture containing a hazardous material in quantities equal to or greater than those outlined in the LACFD HMMD guidelines.

Businesses are required to update their business plan with the LACFD HMMD annually. The entire plan must be reviewed and recertified every three years. In addition, the plan must be revised within 30 days of change of owner, business address, business name, emergency contact information, inventory, or other site conditions that may significantly impact emergency response.

Hazardous Materials Incident Response

Hazardous Material Spill/Release Notification Guidance

All significant spills, releases, or threatened releases of hazardous materials must be immediately reported. Federal and state emergency notification is required for all significant releases of hazardous materials. Requirements for immediate notification of all significant spills or threatened releases cover owners, operators, persons in charge, and employers. Notification is required regarding significant releases from facilities, vehicles, vessels, pipelines, and railroads. Many state statutes require emergency notification of a hazardous chemical release:

- Health and Safety Codes Sections 25270.7, 25270.8, and 25507
- Vehicle Code Section 23112.5
- Public Utilities Code Section 7673, (PUC General Orders #22-B, 161)
- Government Code Sections 51018, 8670.25.5 (a)
- Water Code Sections 13271, 13272
- California Labor Code Section 6409.1 (b)10

In addition, all releases that result in injuries or workers harmfully exposed must be immediately reported to the California Occupational Safety and Health Administration (California Labor Code Section 6409.1 [b]).

CalARP became effective on January 1, 1997, in response to Senate Bill 1889. CalARP replaced the California Risk Management and Prevention Program. Under the CalARP, the Governor's OES must adopt implementing regulations and seek delegation of the program from the EPA. CalARP aims to be proactive and therefore requires businesses to prepare risk management plans, which are detailed engineering analyses of the potential accident factors present at a business, and the mitigation measures that can be implemented to reduce this accident potential. In most cases, local governments will have the lead role for working directly with businesses in this program. The LACFD HMMD is the CUPA designated as the administering agency for CalARP.

Emergency Preparedness

Los Angeles County Office of Emergency Management

The Office of Emergency Management (OEM) is also a division of LACFD and is responsible for disaster planning and emergency services coordination throughout the County, including the City of Industry. The goal of the OEM is to improve public and private sector readiness, and to mitigate local impacts resulting from natural or man-made emergencies through disaster preparedness planning and appropriate response efforts with city departments and local and state agencies. While OEM does not directly manage field operations, it manages an Incident Command Post to ensure coordination of disaster response and recovery efforts through its day-to-day program management and during an incident/disaster. The division also manages and operates the Emergency Operations Center (EOC), which is the primary coordination point for disasters and major emergencies.

In the event of a disaster or an incident requiring complex coordination, preselected and trained responders report to the Los Angeles County Operational Area EOC. The 100-plus responders have been trained to perform specific functions designated under the Standardized Emergency Management System to coordinate emergency management of disasters. These responders are available 24 hours a day 7 days a week. OEM conducts annual exercises in the EOC to test the readiness for various types of disasters and large-scale emergencies.

OEM is also responsible for the countywide Emergency Management Plan (EMP), which is currently under revision. The plan identifies hazards and response, roles and responsibilities, and other key activities of government during a disaster. The office also maintains copies of the EMPs for the cities/towns in the operational area. OEM assists unincorporated county communities and residents by assigning an OEM Officer to assist in meeting their local planning goals and needs. These mostly isolated areas of the county may have the need for special considerations in a disaster.

Fire Safety

California Department of Forestry and Fire Protection

The California Department of Forestry and Fire Protection (CAL FIRE) is dedicated to the fire protection and stewardship of over 31 million acres of California's wildlands. The Office of the State Fire Marshal (OSFM) supports CAL FIRE's mission to protect life and property through fire prevention engineering programs, law and code enforcement, and education. OSFM provides for fire prevention by enforcing fire-related laws in stateowned or -operated buildings; investigating arson fires in California; licensing those who inspect and service fire protection systems; approving fireworks for use in California; regulating the use of chemical flame retardants; evaluating building materials against fire safety standards; regulating hazardous liquid pipelines; and tracking incident statistics for local and state government emergency response agencies.

California Fire Plan

The California Fire Plan is the state's road map for reducing the risk of wildfire through planning and prevention to reduce fire fighting costs and property losses, increase firefighter safety, and to contribute to ecosystem health. The California Fire Plan is a cooperative effort between the State Board of Forestry and Fire Protection and CAL FIRE.

California Fire Code

The California Fire Code (Title 24 California Code of Regulations, Part 9) is based on the 2000 Uniform Fire Code and includes amendments from the State of California fully integrated into the code. The California Fire Code contains fire-safety-related building standards that are referenced in other parts of Title 24 of the California Code of Regulations.

Local Setting

The project area encompasses the entire City, which comprises approximately 7,706 acres, or 12 square miles, in East San Gabriel Valley between the Puente Hills on the south and the San Jose Hills to the north, and is almost completely built out. The City consists mostly of commercial-industrial uses and can be divided into generalized areas (Eastern Industry, Central Industry, Industry Hills, Western Industry, Northern Finger, Southern Finger, and Sphere of Influence), as described in detail in Section 4.3, *Local Environmental Setting*, of Chapter 4, *Environmental Setting*, and shown in Figure 3-2, *Aerial Photograph*. Individual land uses found in the City are shown in Figure 3-3, *Existing Land Uses*.

Existing Hazards Setting

Hazardous Materials Transport, Use, or Disposal

The routine transport, use, or disposal of hazardous materials for the proposed project would primarily be associated with future development, redevelopment, and demolition activities that would be accommodated by the General Plan Update. Future development under the General Plan Update may involve the demolition of existing structures and buildings. Additionally, parking areas, drive aisles, and other hardscape and landscape may require removal. Debris from the structures and buildings would require an evaluation for lead-based paint and asbestos-containing materials (ACM). These materials would be characterized and classified for disposal purposes. It is anticipated that ACMs may be transported to a local landfill such as the Azusa Land Reclamation Landfill in Azusa. This facility is permitted for direct land filling of ACM, both friable and nonfriable, into a fully lined, RCRA Subpart D landfill unit. Lead waste that is classified as hazardous waste may be transported to a facility such as the Chemical Waste Management facility in Kettleman Hills, California. This facility is a CERCLA-approved, TSCA and RCRA–permitted, Class I, II, and III landfill. Based on the type and age of the buildings, there is a potential for hazards involving the release of ACM and lead-based paint as a result of the demolition of these structures. Without proper monitoring, removal, and disposal, lead-based paint chips and friable asbestos may be released to the environment, causing potential exposure to humans.

Other project operations may involve the use of commercial or household hazardous materials (e.g., solvents, cleaning agents, paints, pesticides) typical of these facilities, and in compliance with existing laws and regulations.

Hazardous Materials Risk of Upset

LACFD conducts Uniform Fire Code inspections and assists in reducing risks associated with the use of hazardous materials in the community. LACFD has a dedicated hazardous materials response team. The hazardous materials control and safety programs and available emergency response resources of LACFD, along with its periodic inspections to ensure regulatory compliance, reduce the potential risk associated with commercial and industrial businesses.

LACFD administers the CalARP Program, which includes the federal Accidental Release Prevention Program (Title 40, CFR Part 68) with certain additions specific to the state pursuant to Article 2, Chapter 6.95, of the Health and Safety Code. The purpose of the CalARP Program is to prevent accidental releases of regulated hazardous substances. Listed stationary-regulated substances with more than a threshold quantity of a regulated substance are evaluated to determine the potential for and impacts of accidental releases from business operations. The owner or operator of a stationary source is required to develop and submit a risk management plan (RMP) to prevent such accidental releases to the environment.

The CalARP regulations require that:

- Stationary sources develop and implement an accidental release prevention program and maintain documentation of the program at the business location. The accidental release prevention program includes an analysis of the potential offsite consequences should an accidental release occur, a five-year record of business accidents, prevention program for releases of hazardous substances, and an emergency response program.

- Stationary sources develop and submit an RMP to LACFD. The RMP provides a summary of the accidental release prevention program, and is made available to government agencies and the public.

- Stationary sources implement the accidental release prevention program and update the RMP within five years of the initial submission, when processes change, or as required by CalARP regulations.

Based on a review of LACFD records, there are four businesses in the City that have developed and submitted RMPs.

Hazardous Air Emissions

The South Coast Air Quality Management District (SCAQMD) maintains a web tool to search for public information about SCAQMD-regulated facilities that are required to have a permit to operate equipment that release pollutants into the air. The system is called the Facility Information Detail (FIND). The FIND database provides nonconfidential facility information, including facility name, address, facility status (active, out-of-business, etc.); standard industrial classification code; application and permit number; permit and application issue dates and status; equipment type and description; history of notices of violation and recent notices to comply (from January 2003 to present); reported criteria and toxic emissions by year; and pollutant type for the years that data are currently available in the database.

Based on the FIND database query, there are approximately 791 “active” regulated facilities in or in the immediate vicinity of the City. Of these, 13 are identified as “active” Title V facilities (see Figure 5.6-1). Title V is a federal program designed to standardize air quality permits and the permitting process for major sources of emissions across the United States. The name "Title V" refers to Title V of the 1990 federal Clean Air Act Amendments, which requires the EPA to establish a national operating permit program. To fulfill this requirement, EPA adopted regulations (Title 40 of the Code of Federal Regulations, Chapter 1, Part 70 [Part 70]) that require states and local permitting authorities to develop and submit federally enforceable operating permit programs for EPA approval. The SCAQMD adopted Regulation XXX – Title V Permits in 1993 to interface the federal permitting requirements with the submitted Title V permit program. Title V applies to major sources. EPA defines a major source as a facility that emits or has the potential to emit any criteria pollutant or hazardous air pollutant at levels equal to or greater than the major source thresholds.

Listed Hazardous Substance Releases

Based on a review of the Environmental Data Resources database report (see Appendix D), the proposed project encompasses an area that includes numerous businesses that have had historical releases of hazardous substances to the environment and\or are undergoing environmental investigation or remediation. Database searches identified the following types of sites in the City, and its general vicinity. Listing does not imply that sites are contaminated or require remediation. Some sites may have been granted site closure by a regulatory agency.

- One NPL site was listed. Portions of the San Gabriel Valley Superfund site (Areas 2 and 4) are located under much of the City. The Superfund site consists of groundwater contaminated with volatile organic compounds. This site is under the jurisdiction and oversight of EPA.

- Nineteen sites were listed by the EPA Toxic Chemical Release Inventory System. These sites are identified due to operational releases of toxic substances to the air, water, and land in reportable quantities specified in the Superfund Amendments and Reauthorization Act Title III, Section 313.

- One Toxic Pits Cleanup Act site (Quemetco) was listed at 720 South Seventh Avenue. However, the site was reported as having obtained regulatory closure on August 30, 1991.

- Ninety-three sites were listed on the Cortese list, which is maintained by the SWRCB, Integrated Waste Board, and DTSC. These sites are listed due to a release of hazardous substances.

- One hundred and fourteen sites were listed on the California Regional Water Quality Control Board (RWQCB) LUST list.

- Eighty-two sites were listed on the California RWQCB Spills Leaks Investigation and Cleanup list.

- Sixteen sites were listed on the DTSC Envirostor database. These sites are listed due to agency involvement with respect to investigation and/or remediation of hazardous substance contamination.

Potential Hazards to People and Structures on the Ground

The City has three heliports: the Recreation and Conference Center Heliport, the Los Angeles County Sherriff's Department Heliport, and Haddick's Heliport. These facilities are not in the general vicinity of schools, large day care centers, hospitals, nursing homes, or other sensitive land uses. In addition, the current and proposed land use designations in the immediate vicinity of the heliports do not include these sensitive uses.

Emergency Plans

The City relies on the County of Los Angeles EMP to provide guidance for the City's response to emergency situations, such as natural disasters, technological incidents, and national security emergencies. Technological incidents include those ranging from failure of major computer systems managing backbone infrastructure and vital services to spills of hazardous materials used in technology or manufacturing processes. The EMP does not address day-to-day emergencies or design of development projects, or land use planning efforts such as general plan amendments and zone changes. Instead, it focuses on potential large-scale disasters that would require unusual emergency responses such as mass evacuations.

Fire Hazards

Fire hazards threaten lives, property, and natural resources, including vegetation and wildlife habitat. Urban fires are generally limited to specific sites and structures. Typical calls for service include structure, vehicle, trash, and vacant lot field fires, as well as emergency medical assistance and response to traffic accidents. The availability of fire-fighting services is essential to minimizing loss. Effective fire protection in urban areas is based on several factors, such as the age of structures, efficiency of circulation routes, and availability of water resources.

Due to its weather, topography, and native vegetation, nearly all of southern California is at risk from wildland fires. Legislative mandates passed in 1981 (Senate Bill 81, Ayala) and 1982 (Senate Bill 1916, Ayala) require CAL FIRE to develop and implement a system to rank fire hazards in California. Areas are identified as either Local Responsibility Areas (LRA) or State Responsibility Areas (Public Resources Code Section 4125). Since Industry is incorporated, it is in an LRA.

California Fire Plan

The 1996 California Fire Plan is a cooperative effort between the State Board of Forestry and Fire Protection and CAL FIRE (CAL FIRE 20011b). This system ranks the fire hazard of all wildland areas of the state as moderate, high, or very high using four main criteria: fuels, weather, assets at risk, and level of service (a measure of the fire department's success in initial-attack fire suppression). There are some areas of high or very high fire threat in southern California, usually areas of high-density residential subdivisions at the urban-wildland interface.

Under the California Fire Plan, the City has three areas where high or very high wildfire threats have been identified (CAL FIRE 2011a), which are replicated in Figure 5.7-1, *Fire Hazard Severity Zones*. As shown in Figure 5.7-1, the far eastern end of the city, generally located east of Brea Canyon Road, is s a high fire hazard area. The second area identified as a high to very high fire hazard area is in the south-central part of the City, north of Colima Road, east of Azusa Avenue, and west of Walnut Hall Road. The third area is at the City's far western edge along its southern border, from approximately Mission Mill Road to 7th Avenue.

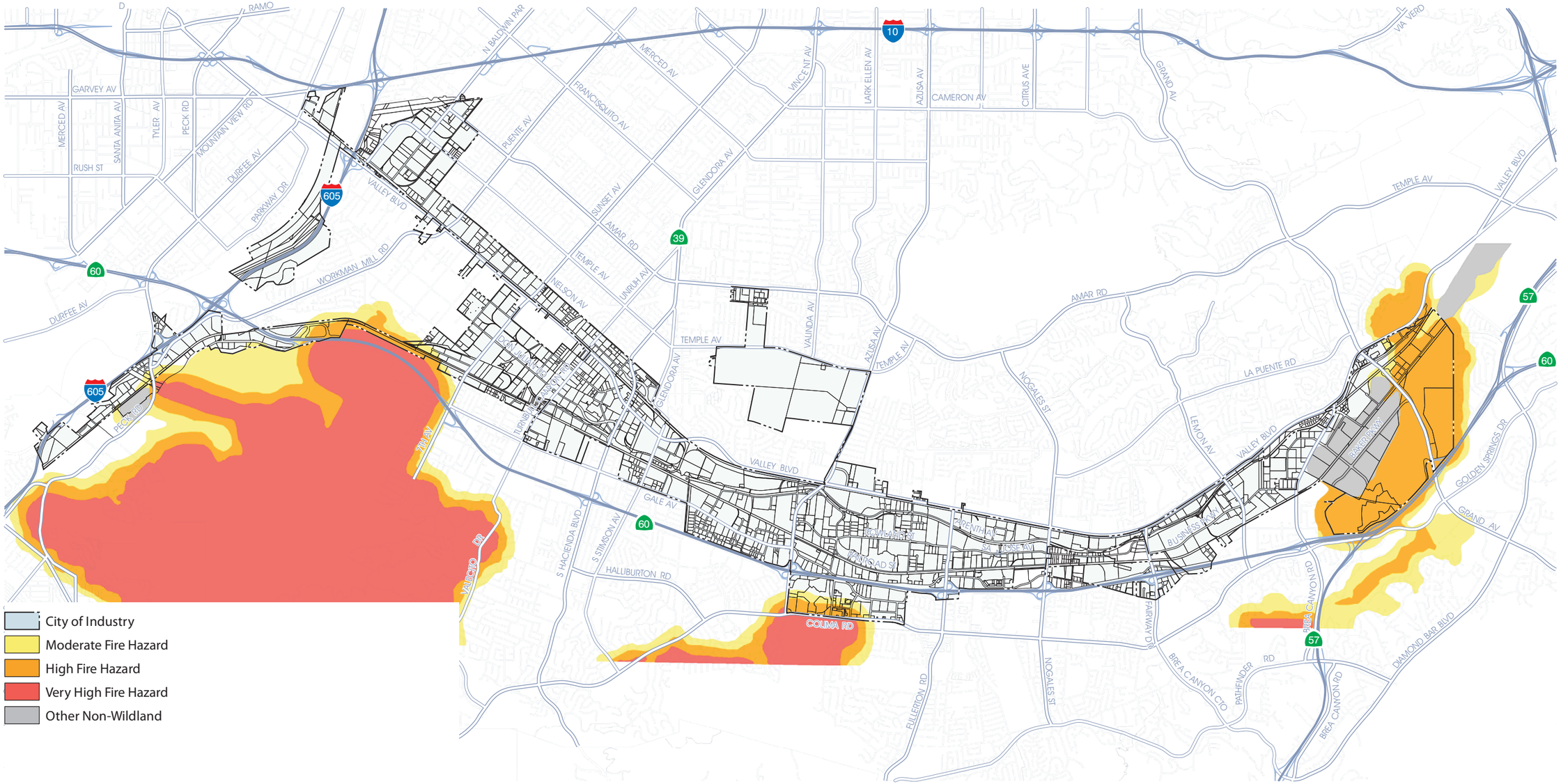
Fire Hazard Management

In areas identified as susceptible to wildland fire, land development is governed by special state, county, and local codes, and property owners are required to follow maintenance guidelines aimed at reducing the amount and continuity of the fuel (vegetation) available. The International Fire Code Institute formed a committee to develop an Urban-Wildland Interface (UWI) Code under the direction of OSFM. The 2010 California Building Code contains standards that reflect the UWI Code (CAL FIRE 2011c). Hazard reduction and fuel modification are the two methods that communities most often employ to reduce the risk of fire at the UWI.

The County of Los Angeles Fire Code (Fire Code) contains fuel modification and defensible space requirements, limitations on activities in hazardous fire areas, and vegetation setbacks for structures (LACFD 2010a). The Fire Code incorporates the requirements of the International Fire Code and the California Fire Code by reference, and requires buildings and structures located in Very High Fire Hazard Severity Zones to maintain defensible space, as outlined in California Government Code Sections 51175–51189.

As shown in Figure 5.7-1, *Fire Hazard Severity Zones*, the City has three areas where high or very high wildfire threats. Owners of property within areas designated as Wildland Area That May Contain Substantial Forest Fire Risks and Hazards and areas designated Very High Fire Hazard Severity Zone are also subject to maintenance requirements of Section 4291 of the Public Resources Code and Section 51182 of the Government Code, respectively.

Fire Hazard Severity Zones



Source: California Department of Forestry and Fire Protection, 2009.

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The availability of water is also critical to effective fire protection. The City is well supplied with water sources, both for present needs and for the future. Water is supplied by five companies: San Gabriel Valley Water, Suburban Water Systems, Rowland Water Systems, La Puente Valley Water District, City of Industry Water Works, and Walnut Valley Water District.

5.7.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

H-1 Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

H-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.

H-3 Emit hazardous emissions or handle hazardous or acutely hazardous materials, substance, or waste within one-quarter mile of an existing or proposed school.

H-4 Be located on a site which is included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.

H-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 result in a safety hazard for people residing or working in the project area.

H-6 For a project in the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area.

H-7 Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

H-8 Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to the urbanized areas or where residences are intermixed with wildlands.

The Initial Study, included as Appendix A, substantiates that impacts associated with the following thresholds would be less than significant: H-5. This impact will not be addressed in the following analysis.

5.7.3 Environmental Impacts

The following impact analysis addresses thresholds of significance for potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

IMPACT 5.7.1: FUTURE CONSTRUCTION AND/OR OPERATION ACTIVITIES OF DEVELOPMENT PROJECTS THAT WOULD BE ACCOMODATED BY THE GENERAL PLAN UPDATE WOULD INVOLVE THE TRANSPORT, USE, AND/OR DISPOSAL OF HAZARDOUS MATERIALS. [THRESHOLDS H-1, H-2, AND H-3]

Impact Analysis:

Hazardous Materials Transport, Use, or Disposal

The routine transport, use, or disposal of hazardous materials would be associated with new development, redevelopment, and demolition activities that would be accommodated by the General Plan Update. Commercial project operations would involve the use of hazardous materials (e.g., solvents, cleaning agents, paints, pesticides) typical of commercial facilities that, when used correctly, would not result in a significant hazard to residents in the proposed project area. In addition, industrial-grade chemicals would continue to be transported, used, and disposed of consistent with current industrial operations throughout the City. Implementation of the General Plan Update would not increase the use of hazardous materials, or increase industrial or commercial operations in the City. Existing regulations with respect to hazardous materials transportation, management, and disposal are designed to be protective of human health; therefore, a no significant hazards impacts to the public or environment through the routine transport, use, or disposal of hazardous waste/materials is anticipated as a result of the proposed project.

Hazardous Materials Risk of Upset

Implementation of the General Plan Update may result in the future development of facilities that handle, store, or transport hazardous materials. Compliance with local, state and federal regulations regarding hazardous materials is expected to reduce the risk posed by hazardous materials use and management to a less than significant level. Site-specific uses within the City would be subject to existing regulatory requirements that are designed to reduce the risks associated with hazardous materials management. One such regulatory requirement is the preparation of an RMP, which is designed to prevent or minimize a release of hazardous materials to the environment at facilities that handle acutely hazardous materials by developing and following an accident prevention program.

Additionally, LACFD conducts Uniform Fire Code inspections and assists in reducing risks associated with the use of hazardous materials in the community. LACFD also has a dedicated hazardous materials response team. The hazardous materials control and safety programs and available emergency response resources of LACFD, along with LACFD periodic inspections to ensure regulatory compliance, would reduce the potential risk associated with nearby commercial and industrial businesses. Compliance with existing regulations, along with regulatory oversight by LACFD, would continue to reduce the potential risk of upset impact to a less than significant level.

Hazardous Air Emissions

Based on the FIND database query, there are approximately 791 “Active” regulated facilities in or in the immediate vicinity of the City; of these, 13 are identified as Title V facilities. Toxic air pollutants emitted from commercial or industrial facilities that are otherwise at acceptable health risk levels based on their existing land use may exceed health risk criteria in a mixed-use environment. The introduction of residential land uses near industrial uses could create an impact on the residential uses from toxic air pollutants emitted from existing facilities. However, the General Plan Update would not introduce new residential land uses that would result in compatibility issues within areas that are impacted by existing facility emissions. The efforts of the General Plan Update call for the allowance of a variety of nonresidential land uses, including industrial-, commercial-, professional-, and business-oriented employment uses.

In addition, there are two public K–12 schools in the City (William Workman High School and Torch Middle School) and pockets of residential areas exist in Industry Hills and others are scattered in various locations throughout the City (see Figure 3-3, *Existing Land Uses*). However, implementation of the General Plan Update would not increase the intensity of industrial land use in the vicinity of these sensitive land uses whereby they may be impacted by increased facility emissions. Additionally, emissions from industrial business are regulated by various federal, state and local laws, including those outlined by SCAQMD and DTSC. Therefore, hazardous emissions impacts on schools and residences would not be significant.

IMPACT 5.7-2: CERTAIN AREAS OF THE CITY ARE INCLUDED ON A LIST OF HAZARDOUS MATERIALS SITES. [THRESHOLD H-4]

Impact Analysis: Based on a review of the Environmental Data Resources database report (see Appendix D), the City encompasses an area that includes numerous businesses that have had historical releases of hazardous substances to the environment and\or are undergoing environmental investigation or remediation. Database searches identified the following types of sites in the City and its general vicinity. Listing does not imply that sites are contaminated or require remediation. Some sites listed may have been granted site closure by a regulatory agency.

- One NPL site was listed. Portions of the San Gabriel Valley Superfund site (Areas 2 and 4) are located under much of the City. The Superfund site consists of groundwater contaminated with volatile organic compounds. This site is under the jurisdiction and oversight of EPA.
- Nineteen sites were listed by the EPA Toxic Chemical Release Inventory System. These sites are identified due to operational releases of toxic substances to the air, water, and land in reportable quantities specified in the Superfund Amendments and Reauthorization Act Title III, Section 313.
- One Toxic Pits Cleanup Act site (Quemetco) was listed at 720 South Seventh Avenue. However, the site was reported as having obtained regulatory closure on August 30, 1991.
- Ninety-three sites were listed on the Cortese list, which is maintained by the SWRCB, Integrated Waste Board, and DTSC. These sites are listed due to a release of hazardous substances.
- One hundred fourteen sites were listed on the California Regional Water Quality Control Board (RWQCB) LUST list.
- Eighty-two sites were listed on the California RWQCB Spills Leaks Investigation and Cleanup list.
- Sixteen sites were listed on the DTSC Envirostor database. These sites are listed due to agency involvement with respect to investigation and/or remediation of hazardous substance contamination.

Due to the fact that there are numerous sites undergoing investigation and/or remediation within and adjacent to the City, the potential for impacts exists from hazardous substance contamination on or adjacent to specific project developments in the City. Future developments in the City in accordance with implementation of the General Plan Update may be impacted by hazardous substance contamination remaining from historical operations on a particular site that may pose a significant health risk. Hazardous substance contaminated properties are regulated at the local, state, and federal level, and are subject to compliance with stringent laws and regulations for investigation and remediation. For example, compliance with the CERCLA, RCRA, California Code of Regulations, Title 22, and related requirements would remedy any potential impacts caused by hazardous substance contamination. Therefore, future development that would be accommodated by the General Plan Update would result in a less than significant impact upon compliance with existing laws and regulations.

IMPACT 5.7-3: THE CITY IS LOCATED IN THE VICINITY OF A FEW PRIVATE AIRSTRIPS. [THRESHOLD H-6]

Impact Analysis: Based on a review of the AirNav aviation information database, the closest airports to the City are the El Monte Airport, located in the City of El Monte, and Brackett Field Airport, located in the City of La Verne (AirNav 2011). The centerlines of the runways of both airports are a minimum of two nautical miles from the boundaries of the City of Industry. No impacts from these airports would occur.

The City of Industry has three heliports: the Recreation and Conference Center Heliport, the Los Angeles County Sherriff's Department Heliport, and Haddick's Heliport. These facilities are not located in the general vicinity of schools, large day care centers, hospitals, nursing homes, or other sensitive land uses. In addition, the current and proposed land use designations in the immediate vicinity of the heliports do not include these sensitive uses. Therefore, impacts from operation activities at these private heliports would not be significant.

IMPACT 5.7-4: FUTURE DEVELOPMENT THAT WOULD BE ACCOMMODATED BY THE GENERAL PLAN UPDATE COULD AFFECT THE IMPLEMENTATION OF AN EMERGENCY RESPONSE OR EVACUATION PLAN. [THRESHOLD H-7]

Impact Analysis: The City relies on the County of Los Angeles EMP to provide guidance for the City's response to emergency situations such as natural disasters, technological incidents, and national security emergencies. All new development that would be accommodated by the General Plan Update would be required to follow the City's emergency response and evacuation guidelines and be compatible with emergency evacuation routes. Additionally, all construction activities associated with development in accordance with the General Plan Update would be performed per City and LACFD standards and codes, thereby avoiding any interference with emergency response or evacuation plans. Therefore, implementation of the General Plan Update is not expected to interfere with an adopted emergency response or evacuation plan and no significant impacts are anticipated.

IMPACT 5.7-5: PORTIONS OF THE CITY ARE WITHIN A DESIGNATED FIRE HAZARD ZONE AND COULD EXPOSE FUTURE DEVELOPMENT THAT WOULD BE ACCOMMODATED BY THE GENERAL PLAN UPDATE TO FIRE DANGER. [THRESHOLD H-8]

Impact Analysis: Under the California Fire Plan, the City has three areas where high or very high wildfire threats have been identified (CAL FIRE 2011a), which are replicated in Figure 5.7-1, *Fire Hazard Severity Zones*. As shown in Figure 5.7-1, the far eastern end of the city, generally located east of Brea Canyon Road, is identified as a high fire hazard area. The second area is in the south-central part of the City, north of Colima Road, east of Azusa Avenue, and west of Walnut Hall Road. The third area is at the City's far western edge along its southern border, from approximately Mission Mill Road to 7th Avenue.

Development projects in the City are required to comply with the Fire Code, which incorporates the International Fire Code and California Fire Code by reference. All building plans in the City must undergo a plan review by LACFD to ensure compliance with the Fire Code. Using fire-resistant building materials, implementing fuel modification zones, and maintaining vegetation clearance around structures can help protect developed lands from fires, thereby reducing the potential loss of life and property. Because the State of California and the County of Los Angeles require adherence to the abovementioned codes and review by LACFD to reduce fire hazards, impacts from fire hazards would not be significant.

5.7.4 Relevant General Plan Policies

Land Use Element

- Minimize impacts (including noxious fumes, air pollutants, excessive noise, and hazardous materials) to non-business uses through the use of land use regulations, site planning, and design controls (LU3-1).

Circulation Element

- Continue to coordinate with the rail companies to provide for efficient rail service that minimizes impacts on the local street system (C4-2).

- Continue to pursue grade separation for railroad crossings on designated streets (C4-3).

Resource Management Element

- Support efforts to reduce pollutants to meet State and Federal Clean Air Standards (RM2-2).

- Collaborate with the CARB and other agencies within the South Coast Air Basin to improve regional air quality and achieve GHG reduction targets (RM2-3).

- Prohibit siting of sensitive land uses within distances defined by CARB unless sufficient mitigation is provided (RM2-4).

- Prohibit the disposal of hazardous and electronic waste into the municipal waste stream (RM4-2).

Safety Element

- Comply with state and federal law and do not permit facilities using, storing, or otherwise involved with substantial quantities of onsite hazardous materials to be located in the 100-year flood zone unless all standards of elevation, flood proofing, and storage have been implemented to the satisfaction of the Engineering and Planning Departments (S2-3).

- Comply with and enforce applicable building codes when reviewing plans and issuing building permits (S3-1).

- Cooperate with the County of Los Angeles to conduct long-range fire safety planning, including enforcement of stringent building, fire, subdivision, and other municipal code standards (S3-2).

- Support area-wide mutual aid agreements and communication links with Los Angeles County authorities and other participating jurisdictions (S3-3).

- Coordinate with the LACFD to identify and enforce 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 (S4-1).

- Require that the users of hazardous materials be adequately prepared to prevent and mitigate hazardous materials releases (S4-2).

- Discourage new sensitive land uses from locating near existing sites that use, store, or generate large quantities of hazardous materials (S4-3).

- Coordinate with and support the County OEM in preparing and implementing the OAERP (S5-1).

5.7.5 Existing Regulations

- Hazardous Materials Release Notification
- Health and Safety Codes Sections 25270.7, 25270.8, and 25507
- Vehicle Code Section 23112.5
- Public Utilities Code Section 7673 (PUC General Orders #22-B, 161)
- Government Code Sections 51018, 8670.25.5 (a)
- Water Codes Sections 13271, 13272
- California Labor Code Section 6409.1(b)10
- Hazardous Materials Disclosure Programs
- Hazardous Materials Business Plans
- California Accidental Release Prevention Program
- South Coast Air Quality Management District Rule 1403
- OSHA Rule 29 and Code of Federal Regulations Part 1926
- California Code of Regulations Title 22, Division 4.5
- California Fire Code
- Los Angeles County Fire Code

5.7.6 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and compliance with the General Plan Update policies, the following impacts would be less than significant: 5.7-1, 5.7-2, 5.7-3, 5.7-4, and 5.7.5.

5.7.7 Mitigation Measures

No significant impacts were identified and no mitigation measures are necessary.

5.7.8 Level of Significance After Mitigation

Compliance with regulatory requirements identified above would reduce potential impacts associated with hazards and hazardous materials to less than significant. Therefore, no significant unavoidable adverse impacts relating hazards have been identified.