
IV. ENVIRONMENTAL IMPACT ANALYSIS

F. HAZARDS AND HAZARDOUS MATERIALS

INTRODUCTION

This section describes the potential adverse impacts on human health and the environment due to exposure to hazardous materials or conditions that could be encountered as a result of implementation of the proposed project.¹ Hazardous materials include, but are not necessarily limited to, solvents, mercury, lead, asbestos, fuels, oils, paints, cleansers, and pesticides that are used in activities such as building and grounds maintenance. Potential adverse effects include those associated with the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; emitting of hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; and location of the proposed project on a hazardous materials site.

ENVIRONMENTAL SETTING

Existing Project Site

The 8.7-acre project site is located at 14665-14697 W. Roscoe Boulevard within the Panorama City community of the City of Los Angeles. The project site is currently developed with three structures which occupy approximately 172,500 square feet of floor area within project site, and a surface parking lot which occupies the remainder of the project site. The existing structures on the project site include two one-story stucco buildings, formerly occupied by a restaurant and auto repair shop, fronting Roscoe Boulevard along the southern portion of the project site. These one-story structures are approximately 15 to 17 feet in height and 6,000 to 12,500 square feet in area, respectively. The third structure, a former Montgomery Ward, is a two-story structure located at the northeast portion of the project site, fronting Tobias Avenue. The Montgomery Ward building extends to between 20 to 36 feet in height and has an approximate 78,712-square-foot building footprint, providing a total of approximately 154,000 square feet of floor area. All of the existing structures on the project site are currently unoccupied and a chain-link fence surrounds the project site.

¹ See *Phase I Environmental Site Evaluation, Closed Montgomery Ward, 14665 Roscoe Boulevard, Panorama City, California, 91402* (the "August 2006 ESA") prepared by Fero Environmental Engineering, Inc. August 11, 2006. This report and prior reports conducted at the project site are included as Appendix E to this Draft EIR and are incorporated herein by reference. Throughout this Section, these reports are referenced by their respective date of publication.

Existing Surrounding Uses

Generally, the Panorama City area is characterized by low-density residential uses with higher density residential uses and commercial uses concentrated near the transit corridors of Sepulveda Boulevard, Roscoe Boulevard, Van Nuys Boulevard, and Lassen Street. The project site is surrounded by commercial and residential uses. The Panorama Mall, which is part of a Regional Center that provides a central focus of commercial land uses for the area, is located immediately east of the project site across Tobias Avenue. Additionally, surface parking associated with the Panorama Mall is also located directly east of the project site, across Tobias Avenue. Multi-family residences are located adjacent to the northern boundary of the project site on the same block, beyond which is Chase Street. Multi-family residences are also located across Cedros Avenue to the west of the project site, and across Roscoe Boulevard to the south of the project site. No industrial or agricultural uses are located in the project vicinity.

Surrounding uses that would be considered sensitive receptors with respect to hazardous material exposure (i.e., areas with potential to contain children under 14, the elderly over 65, or the sick/disabled) would include the multi-family residences to the north, west, and south of the project site. Other than these residential uses, there are no schools, playgrounds, hospitals, retirement homes, or other areas in the project vicinity which would be likely to contain sensitive receptors. The project site is located within one mile of three existing Los Angeles Unified School District (LAUSD) schools: Cal Burke High School (East Valley New Continuation High School #1), located at 14630 Lanark Street, approximately 0.22 mile south of the project site; Vista Middle School (East Valley Area New Middle School #2), located at 15040 Roscoe Boulevard, approximately 0.34 mile west of the project site; and Panorama High School (East Valley Area New High School #3), which recently opened at 8015 Van Nuys Boulevard, approximately 0.55 mile south of the project site. The project site is also located within approximately 0.60 mile of Valley Region Elementary School #6 site, which is proposed to be built by 2010 at the northeast corner of Rayen Street and Kester Avenue.²

Geology

The project site's topographic elevation is approximately 810 feet above mean sea level (msl). The project site is characterized by relatively flat topography sloping gently toward the south. The project site contains overlays roughly 800 feet of Holocene and Pleistocene age alluvial material consisting of sand, silt, clay, and gravel; and 400 feet of Tertiary and Cretaceous age marine and non-marine sedimentary

² Los Angeles Unified School District, Facilities Services Division, Find a School, website: http://www.laschools.org/project-status/one-project?project_number=56.40027, October 4, 2006.

rocks. These sedimentary rocks rest on crystalline basement rock of Cretaceous to Jurassic age. Near surface soils below the site generally consist of sand and gravel.³

Hydrology

Except where notated otherwise, the hydrologic information regarding the project site is based on the June 21, 1999 Phase I ESA. Water-bearing materials beneath the project site are unconfined, alluvial deposits that consist generally of coarse sand and gravel. Beneath these deposits lies non-watering bearing bedrock. In 2004, depth to groundwater was approximately 349 feet. The closest groundwater well to the project site is Well No. 4847, located approximately 1,500 feet to the west.⁴ The most recent monitoring data from this well indicated a depth to water of 254 feet on June 20, 2006.⁵ Surface drainage on the project site is controlled by curbs, gutters, and drain inlets which discharge into the municipal drainage system. The Pacoima Wash, located roughly 2,000 feet to the west, is the closest major drainage channel to the project site. Subsurface drainage is thought to flow toward the southeast; however, the direction of ground water flow may change seasonally due to ground water spreading or ground water pumping.

Historic Use of Project Site

The August 2006 ESA and the June 1999 ESA each include a review of historic aerial photographs of the project site and surrounding area. According to the earliest aerial photographs, in 1928, the project site was used for agricultural purposes and was developed with a few small structures. The surrounding area also appeared to be agricultural. In 1930, the project site was partly utilized for agricultural purposes. As no evidence of mixing areas (i.e., well heads) or storage facilities (i.e., barns, sheds) for the large-scale use of pesticides was discovered on the project site, former onsite agricultural uses are not considered to be an environmental concern. The 1938 and 1947 photographs showed that the project site and vicinity were still occupied by agricultural uses, as evidenced by the presence of groves of trees. Later aerial photographs, dated 1954, 1955, and 1956, show property east of the project site developed with the Panorama City Mall and parking areas. Areas to the south, west, and north are mainly occupied with residential development.⁶ The 1956 photograph showed that the site was used for agriculture; however, a shopping center was present to the east of the project site. The 1965 photograph showed that the project site had been developed with the Montgomery Ward building the auto service center. This photograph also showed commercial and residential development occurring in the project area. Aerial photographs

³ Local geologic information is based on the July 21, 1999 Phase I ESA for the proposed project (see Appendix E).

⁴ August 11, 2006 Phase I ESA.

⁵ Los Angeles County Department of Public Works, depth to groundwater information.

⁶ The June 21, 1999 Phase I ESA reported that aerial photographs taken in 1946 and 1956 show the project site as occupied primarily by residential uses.

dated 1966 and 1969 show the project site in its current configuration. The aerial photographs from 1976 through 1989 showed the project site and surrounding area as generally similar to the 1965 photo. The 1994 and 2002 photographs were generally similar to the 1989 photograph with the exception that a restaurant building occupied the southeast corner of the project site.

Records Search and Database Review

More than 60 environmental databases were searched in accordance with the American Society for Testing and Materials (ASTM) Standard (E 1527) in an effort to identify sites with potential or existing environmental liabilities. A complete presentation of the results of the database search is provided in Appendix E. The following is a summary list of the environmental databases that identified sites within the required search radius:

- State Water Resources Control Board (SWRCB) Leaking Underground Storage Tank (LUST) list and the Indian LUST list;
- SWRCB Underground Storage Tank (UST) list, the SWRCB Facility Inventory Database (FID) UST list, the Indian UST list, the Proprietary Historical UST list, and Statewide Environmental Evaluation and Planning System (SWEEPS) UST list;
- Environmental Protection Agency (EPA) Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) No Further Remedial Action Planned (NFRAP) list;
- USEPA Corrective Action Report Compensation and Liability Information System (CORRACTS) list;
- USEPA Resource Conservation and Recovery Act (RCRA) database;
- California EPA (CAL EPA) Cortese List;
- California Department of Toxic Substance Control (DTSC) Voluntary Clean Up Program (VCP);
- SWRCB Proposition 65 Notification Records; and
- CAL EPA Hazardous Waste Information System (HAZNET).

Based on the reported status and the locations of the area sites identified by the environmental database search, the identified sites do not represent significant threats to the environmental integrity of the project site.

The project site was listed as a historic UST site and is also listed on the Hazardous Waste Information System (HAZNET). Three 8,000-gallon fuel USTs and two waste oil USTs, of unreported capacity, were associated with the project site. The date of installation for the five USTs was also not reported. A UST

file request was made with the LAFD; however, no files were found. The project site is also listed as a UST under the name "Panorama City" with six 10,000-gallon fuel USTs and one waste oil UST reported. The waste oil UST was installed in 1961 and the fuel USTs were installed in 1962.

Project Site Reconnaissance

Site reconnaissance was conducted on August 8, 2006 as part of the August 2006 ESA. The auto repair building is vacant except for the following materials: eight 55 gallon drums of soil (likely from the July 2001 Phase II Soil Assessment); an approximately 250-gallon aboveground storage tank (AST) containing some waste oil was observed with a small amount of oil around it on the concrete floor; and some shelving and some debris in the office area. Twelve sub-grade hydraulic lifts and two sumps, one larger than the other, were also observed inside the building. The concrete was cored in several locations: next to each of the sub-grade hydraulic lifts, next to the larger sump, and next to the 250-gallon waste oil AST. These areas are assumed to be soil boring locations associated with the July 2001 Phase II Soil Assessment. A former fuel pump island is located just to the south of the auto repair building. A large asphalt patch that appeared to be the location of a former UST pit was present to the east of the former fuel pump island. A second smaller asphalt patch located just to the west of the northern portion of the building appeared to be the location of the former clarifier. Two small concrete patches that may have been the location of the former waste oil UST were located just east of the northern portion of the building. Patched soil borings were observed through out and/or adjacent to all of the above noted asphalt and concrete patches.

The Montgomery Ward store building was empty except for shelving, displays and some debris. Except for a few old paint cans, which do not pose a substantial threat, potentially hazardous materials were not observed inside the department store building.

The restaurant building contained fixtures, tables, chairs, etc. A grease bin and two drums of grease were present in a trash bin enclosure located to the north of the restaurant building. No hazardous materials or waste were observed in the restaurant building.

The parking lot area was generally free of debris and any significant staining. Two large roll-off bins were present in the northwestern portion of the parking lot. The roll-off bins were filled with trash. No hazardous materials or waste were observed in the parking area.

Polychlorinated Biphenyls

Polychlorinated biphenyls (PCBs) are mixtures of chlorinated compounds which can exist as vapor, oily liquids, or solids. PCBs have been used as coolants and lubricants in transformers and other electrical equipment because they do not burn easily and are good insulators. When PCBs leak into the air, water, and soil, they can result in skin rashes and liver damage in humans. PCBs are also likely carcinogens. In 1977 the U.S. government banned the production of PCBs.

The site reconnaissance performed as part of the June 1999 ESA observed one electrical transformer enclosed by a chain-link fence located at the northwest corner of the Montgomery Ward store building. Apparently, the transformer is operated by the Los Angeles Department of Public Works (LADWP) who conducted major repairs on it in 1998. The June 1999 ESA concluded that it is not an environmental concern.

Oil used in the 12 hydraulic lifts located in the auto service bay has the potential to contain PCBs. Though no service records were available, while in operation, auto center personnel performed maintenance checks on the hydraulic lifts and seals were replaced when oil leaks were discovered. The hydraulic lifts were reportedly built in the early 1970s and it is unknown whether the oil contained in the hydraulic lifts was ever replaced. No evidence of problems associated with the hydraulic lifts was found during site reconnaissance, yet, they pose a potential environmental concern due to their age and lack of adequate service records.

Though not specifically analyzed, light ballasts at the site may contain PCBs.⁷

Asbestos-Containing Materials

Asbestos-containing materials (ACMs) are materials that contain asbestos, a naturally-occurring fibrous mineral that has been mined for its useful thermal properties and tensile strength. When left intact and undisturbed, these materials do not pose a health risk to building occupants. There is, however, potential for exposure when the ACM becomes damaged to the extent that asbestos fibers become airborne and are inhaled. These airborne fibers are carcinogenic and can cause lung disease. The principal federal government agencies regulating asbestos are the Occupational Safety and Health Administration (OSHA) and the USEPA. The age of a building is directly related to its potential for containing elevated levels of ACMs. Generally, all untested materials are presumed to contain asbestos in buildings constructed prior to 1981. The USEPA recommends a proactive in-place management program be implemented wherever ACMs are found in a building; ACMs that are not damaged may remain in place. The USEPA also recommends that damaged ACMs be removed, repaired, encapsulated, or enclosed. Prior to any renovation or demolition activities, the EPA recommends that all ACMs be removed.

A preliminary asbestos survey was performed by LAW in June 1999 and a more comprehensive asbestos survey was performed by Integral Engineering Services (IES) in July 2001.⁸ Several types of ACM are present in the former department store and auto repair shop at the project site. These include, but are not limited to, roof felts, parapet flashing, roof mastic, mirror mastic, drywall, flooring, tile, associated

⁷ July, 27, 2001 Summary (see Appendix E)

⁸ Asbestos survey performed by Integral Engineering Services (IES) in July 2001 is summarized in Phase II Soil Assessment, Asbestos Assessment and Geotechnical Engineering Investigation Summary prepared by Twining Laboratories, Inc., July 27, 2001.

mastic, and Transite panels. ACM was also found in the department store's thermal system (piping) insulation.

The asbestos surveys did not include the restaurant building which was apparently built in the early 1990s. Based on the age of the restaurant structure, it is possible that ACM is present in some observed building materials such as flooring, ceiling tiles or roofing materials.⁹

Lead-Based Paint

Lead-based paint (LBP), which can result in lead poisoning when consumed or inhaled, was widely used in the past to coat and decorate buildings. Lead poisoning can cause anemia and damage to the brain and nervous system, particularly in children. Like ACMs, LBP generally does not pose a health risk to building occupants when left undisturbed; however, deterioration, damage, or disturbance will result in hazardous exposure. In 1978, the use of LBP was federally banned by the Consumer Product Safety Commission. Therefore, buildings built before 1978 are likely to contain LBP, as well as buildings built shortly thereafter, as the phase-out of LBP was gradual. Though, the onsite structures were built in 1961, a lead based paint survey was not completed as part of the Phase I ESAs for the project site. The July, 27, 2001 Summary indicated that LBP materials may be present on and in the buildings.

Regulatory Framework

A variety of laws and regulations governing the management and control of hazardous substances have been established at the federal level to protect the environment. These regulations fall under the jurisdiction of the United States Environmental Protection Agency (USEPA) and include the following principal laws:

- The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), or "Superfund," creates national policy and procedures to identify and clean up sites where hazardous substances have been released into the environment and provides the mechanisms by which these remedial actions are financed. Additionally, the Superfund Amendment and Reauthorization Act (SARA), which extended and amended CERCLA, required that due diligence be exercised in the investigation of past and current handling of hazardous substances prior to property sale.
- The Resource Conservation and Recovery Act (RCRA) was enacted in 1974 as the first step in regulating the potential health and environmental problems associated with solid hazardous and non-hazardous waste disposal.

⁹ August 11, 2006 Phase I ESA.

- The Toxic Substances Control Act (TSCA), enacted in 1976, regulates and controls harmful chemicals and toxic substances in commercial use, in particular, polychlorinated biphenyls (PCBs).
- The federal Insecticide, Fungicide, and Rodenticide Act (as amended) controls the manufacture, use, and disposal of pesticides and herbicides.
- The Hazardous and Solid Waste Act (HSWA) includes the 1984 amendments to RCRA to address gaps in the area of highly toxic wastes.
- Title 29 Code of Federal Regulations (CFR), Part 1910 contains the Occupational Safety and Health Administration (OSHA) requirements for workers at hazardous waste sites including emergency response, hazard communication, and personal protective equipment.

At the state level, California has developed hazardous waste regulations that are similar to the federal laws, but that are much more stringent in their application. The basic law established in California, similar to RCRA, is the Hazardous Waste Control Law (HWCL). More detailed information concerning the implementation of these requirements is given in Title 22 of California Code of Regulations (CCR), Chapter 30. The HWCL empowers the DTSC, a division of CAL EPA (formerly part of the Department of Health Services), to administer the State's hazardous waste program and implement the federal program in California. This law includes UST regulation.

Other relevant State laws include the following:

- Proposition 65, which focuses on carcinogenic or teratogenic contaminants and implements the state's community-right-to-know program.
- Underground Tank Law that regulates underground storage to prevent groundwater contamination.
- Porter-Cologne Water Quality Control Act, adopted in 1969, that requires the maintenance of the highest reasonable quality of the State's waters. It authorizes the Regional Water Quality Control Board (RWQCB) to supervise cleanup efforts at spill sites that have affected groundwater.

The DTSC has the primary responsibility for enforcement and implementation of hazardous waste control laws in the State. However, this responsibility is shared with other State and local government agencies, including the SWRCB, RWQCB, and city and county governments.

At the local level, the City of Los Angeles Fire Department (LAFD) administers hazardous materials environmental compliance programs within City jurisdiction. These programs include hazardous materials disclosure and business plan, underground storage tank program, aboveground storage tank spill prevention control and countermeasure, hazardous waste generator program (administered by Los Angeles County Fire Department), and the California Accidental Release Prevention Program.

ENVIRONMENTAL IMPACTS

Methodology

The environmental impacts of the proposed project with respect to hazards and hazardous materials were determined based on the findings of the Phase I ESAs, the Phase II Soil Assessment, the Asbestos Surveys, and related studies conducted at the project site. These reports are included in their entirety in Appendix E.

Thresholds of Significance

The proposed project would have a significant hazards or hazardous materials impact if:

- a) The project would expose people or structures to substantial risk resulting from the release of hazardous material, or from exposure to a health hazard, in excess of regulatory standards;
- b) The project would expose hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; or
- c) The project is 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, would create a significant hazard to the public or the environment.

Project Design Features

The proposed project would include the demolition and removal of the existing three structures, including the Montgomery Ward building, restaurant, and auto repair shop, and the development of commercial/retail uses and multi-family residences throughout the project site. During the construction of the proposed project, all known USTs and ASTs would be removed in accordance with applicable City and State regulations. All suspected and identified USTs and ASTs would be located and removed in accordance with applicable City and State regulations. In addition, any previously unidentified potentially contaminated soils found during construction activities would be investigated and remediated in accordance with applicable City and State regulations. Any asbestos or lead-based paint that is identified would be abated in accordance with applicable City and State regulations.

Project Impacts

Accidental Hazardous Materials Release

Storage Tanks

The 250-gallon AST that was identified and any unknown USTs that may not have been identified or specified in the hazardous materials investigations would be removed prior to the construction of the proposed project. The removal of the AST as well as any other related contamination would be carried

out in accordance with applicable City, State, and federal requirements. The LAFD would be consulted prior to removal to ensure that nearby sensitive receptors would not be adversely affected during the removal process and that any contaminated soil is properly handled and disposed. Mitigation Measures F-1 and F-2 are recommended below to reduce the potential impact associated with the accidental release of hazardous materials into the environment during the proposed removal of the AST.

Polychlorinated Biphenyls

According to the Phase I, the project site formerly operated hydraulic lifts that are still present on site. Older hydraulic lifts commonly contain PCB associated with hydraulic oil. Although no evidence of contamination associated with the hydraulic lifts was found during site reconnaissance, they pose a potential environmental concern due to their age and lack of adequate service records. Light ballasts currently located on the project site may also contain PCBs. Mitigation Measure F-3 is recommended below to reduce any potential impact associated with PCBs during all demolition and construction activities associated with the proposed project.

Asbestos-Containing Materials

Several types of ACM are present in the former department store and auto repair shop at the project site. In addition, based on the age of the restaurant structure, it is possible that ACM are present. The occurrence of ACM at the site does not necessarily require any type of remediation; however, any ACM would have to be handled properly in the event buildings or fixtures containing such materials were demolished or remodeled and certain maintenance activities would be advised if ACM were left in place and the buildings reused. Mitigation Measure F-4 is recommended below to reduce the potential impact associated with ACM during all demolition activities associated with the proposed project.

Lead-Based Paint

LBP materials may be present onsite and may require special handling and disposal in the event the building is demolished. Mitigation Measure F-5 is recommended below to reduce the potential impact associated with LBP during demolition and construction activities associated with the proposed project.

Proximity to a School

As previously discussed, the project site is not located within one-quarter mile of an existing or proposed school. Therefore, no impact would occur with respect to the exposure of hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

Hazardous Materials Sites

Based on the reported status and the locations of the area sites identified by the environmental database search, the identified sites do not represent significant threats to the environmental integrity of the project site. Therefore, no impact would occur with respect to hazardous materials sites.

CUMULATIVE IMPACTS

Development of the proposed project in combination with the related projects has the potential to increase the use, storage, transport, and/or release of hazardous materials. However, Mitigation Measures F-1 through F-7 would reduce the potential impacts associated with the proposed project to a less-than-significant level. With respect to the related projects, each of the related projects would require evaluation for potential threats, including those associated with the release of hazardous materials into the environment, or from exposure to a health hazard, in excess of regulatory standards; exposure of hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; or the location of a listed hazardous materials site. Because hazardous material and risk of upset conditions are largely site-specific, this would occur for each individual project affected, in conjunction with development proposals on these properties. Further, local municipalities are required to follow local, State, and federal laws regarding hazardous materials and other hazards. Therefore, with compliance with local, State and federal laws pertaining to hazards and hazardous materials, cumulative impacts would be reduced to a less-than-significant level.

MITIGATION MEASURES

- (F-1) All required remediation shall be completed in accordance with City and State regulations. Prior to issuance of a building permit, a letter from the appropriate agency (i.e., Los Angeles Fire Department and/or Department of Toxic Substances Control (DTSC)) certifying that all necessary remediation has been completed shall be submitted to the Department of Building and Safety.
- (F-2) All required remediation shall be completed in accordance with City and State regulations.
- (F-3) Prior to demolition activities, an investigation of PCBs shall be conducted and identified PCBs shall be abated in accordance with City and State regulations.
- (F-4) Prior to demolition of all existing onsite structures, all ACM identified in the Asbestos Survey, Montgomery Ward & Co., Panorama City, California, 91402, prepared for The Twining Laboratories, Inc. by Integral Engineering Services, Inc.(IES) in July 2001 shall be abated in accordance with City and State regulations.
- (F-5) Prior to demolition activities, an investigation of LBP materials shall be conducted and identified LBP materials shall be abated in accordance with City and State regulations.
- (F-6) All accumulated waste shall be properly disposed. Appropriately labeled recycling bins shall be utilized for the collection of construction materials including, but not limited to: solvents, water-based paints, vehicular fluids, and broken asphalt, concrete, wood, and vegetation. Non-recyclable materials shall be transported to an appropriate landfill, and toxic waste shall be transported and disposed of at a licensed disposal facility.

- (F-7) If contaminated soils are encountered during construction activities, all construction activities shall be suspended in that particular area. Appropriate health and safety measures shall be implemented and construction will remain suspended until such time that appropriate remediation measures have been completed to the satisfaction of DTSC and/or the Department of Building and Safety.

LEVEL OF SIGNIFICANCE AFTER MITIGATION

With the implementation of Mitigation Measures F-1 through F-4, impacts related to the accidental release of hazardous materials would be reduced to less-than-significant levels. Compliance with applicable regulations and these mitigation measures would reduce the project impact to a less-than-significant level.

UNAVOIDABLE ADVERSE IMPACTS

The proposed project would not have an unavoidable adverse impact with respect to hazards and hazardous materials.