4.7 HAZARDS AND HAZARDOUS MATERIALS

This chapter describes the regulatory framework and existing conditions related to hazards and hazardous materials within the Project site, and the potential resulting impacts from development of the Project.

4.7.1 ENVIRONMENTAL SETTING

4.7.1.1 REGULATORY FRAMEWORK

Hazardous materials refer generally to hazardous substances, hazardous waste, and other materials that exhibit corrosive, poisonous, flammable, and/or reactive properties and have the potential to harm human health and/or the environment. Hazardous materials are used in products (e.g., household cleaners, industrial solvents, paint, pesticides, etc.) and in the manufacturing of products (e.g., electronics, newspapers, plastic products, etc.). Hazardous materials can include petroleum, natural gas, synthetic gas, 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 have a variety of causes, including highway incidents, warehouse fires, train derailments, shipping accidents, and industrial incidents.

The term "hazardous materials" as used in this section includes all materials defined in the California Health and Safety Code (H&SC Section 25501(m)):

> "A material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. 'Hazardous materials' include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the unified program agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment."

The term includes chemicals regulated by the United States Department of Transportation (USDOT), the United States Environmental Protection Agency (USEPA), the California Department of Toxic Substances Control (DTSC), the California Governor's Office of Emergency Services (CalOES), and other agencies as hazardous materials, wastes, or substances. "Hazardous waste" is any hazardous material that has been discarded, except those materials specifically excluded by regulation. Hazardous materials that have been intentionally disposed of or inadvertently released fall within the definition of "discarded" materials and can result in the creation of hazardous waste. Hazardous wastes are broadly characterized by their ignitability, toxicity, corrosivity, reactivity, radioactivity, or bioactivity. Federal and State hazardous waste definitions are similar, but contain enough distinctions that separate classifications are in place for federal Resource Conservation and Recovery Act (RCRA) hazardous wastes and State non-RCRA hazardous wastes. Hazardous wastes require special handling and disposal because of their potential to impact public health and the environment. Some materials are designated "acutely" or "extremely" hazardous under relevant statutes and regulations.

Hazardous materials and wastes can pose a significant actual or potential hazard to human health and the environment when improperly treated, stored, transported, disposed of, or otherwise managed. Many federal, State, and local programs that regulate the use, storage, and transportation of hazardous

materials and hazardous waste are in place to prevent these unwanted consequences. These regulatory programs are designed to reduce the danger that hazardous substances may pose to people and businesses under normal daily circumstances and as a result of emergencies and disasters.

Federal Agencies and Regulations

United States Environmental Protection Agency

The USEPA laws and regulations ensure the safe production, handling, disposal, and transportation of hazardous materials. Laws and regulations established by the USEPA are enforced in Alameda County by the California Environmental Protection Agency (CalEPA).

United States Department of Transportation

The USDOT has the regulatory responsibility for the safe transportation of hazardous materials between states and to foreign countries. The USDOT regulations govern all means of transportation, except for those packages shipped by mail, which are covered by United States Postal Service (USPS) regulations. The federal Resource Conservation and Recovery Act of 1976 imposes additional standards for the transport of hazardous wastes.

Occupational Safety and Health Administration

The Occupational Safety and Health Administration (OSHA) oversees the administration of the Occupational Safety and Health Act, which requires specific training for hazardous materials handlers, provision of information to employees who may be exposed to hazardous materials, and acquisition of material safety data sheets (MSDS) from materials manufacturers. The MSDS describe the risks, as well as proper handling and procedures, related to particular hazardous materials. Employee training must include response and remediation procedures for hazardous materials releases and exposures.

State Agencies and Regulations

California Health and Safety Code and Code of Regulations

California Health and Safety Code Chapter 6.95 and California Code of Regulations, Title 19, Section 2729 set out the minimum requirements for business emergency plans and chemical inventory reporting. These regulations require businesses to provide emergency response plans and procedures, training program information, and a hazardous material chemical inventory disclosing hazardous materials stored, used, or handled on-site. A business which uses hazardous materials or a mixture containing hazardous materials must establish and implement a business plan if the hazardous material is handled in certain quantities.

California Environmental Protection Agency

One of the primary agencies that regulate hazardous materials is the CalEPA. The State, through CalEPA, is authorized by the USEPA to enforce and implement certain federal hazardous materials laws and regulations. The California DTSC, a department of the CalEPA, protects California and Californians from exposure to hazardous waste, primarily under the authority of the RCRA and the California Health and

Safety Code.[1] The DTSC requirements include the need for written programs and response plans, such as Hazardous Materials Business Plans (HMBPs). The DTSC programs include dealing with aftermath clean-ups of improper hazardous waste management, evaluation of samples taken from sites, enforcement of regulations regarding use, storage, and disposal of hazardous materials, and encouragement of pollution prevention.

California Division of Occupational Safety and Health

Like OSHA at the federal level, the California Division of Occupational Safety and Health (CalOSHA) is the responsible state-level agency for ensuring workplace safety. The CalOSHA assumes primary responsibility for the adoption and enforcement of standards regarding workplace safety and safety practices. In the event that a site is contaminated, a Site Safety Plan must be crafted and implemented to protect the safety of workers. Site Safety Plans establish policies, practices, and procedures to prevent the exposure of workers and members of the public to hazardous materials originating from the contaminated site or building.

California Building Code

The State of California provided a minimum standard for building design through the California Building Code (CBC), which is located in Part 2 of Title 24 of the California Code of Regulations (CCR). The 2013 CBC is based on the 2012 International Building Code (IBC), but has been modified for California conditions. The CBC is updated every three years, and the current CBC went into effect in January 2014. It is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. Commercial and residential buildings are plan-checked by local city and county building officials for compliance with the CBC typical fire safety requirements of the CBC; the installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildlife hazard areas.

California Emergency Management Agency

The California Emergency Management Agency (CalEMA) was established as part of the Governor's Office on January 1, 2009 – created by Assembly Bill 38 (Nava), which merged the duties, powers, purposes, and responsibilities of the former Governor's Office of Emergency Services with those of the Governor's Office of Homeland Security. The CalEMA is responsible for the coordination of overall State agency response to major disasters in support of local government. The agency is responsible for assuring the State's readiness to respond to and recover from all hazards—natural, manmade, emergencies, and disasters—and for assisting local governments in their emergency preparedness, response, recovery, and hazard mitigation efforts.

[1] Hazardous Substance Account, Chapter 6.5 (Section 25100 et seq.) and the Hazardous Waste Control Law, Chapter 6.8 (Section 25300 et seq.) of the Health and Safety Code.

California Department of Forestry and Fire Protection

The California Department of Forestry and Fire Protection (CAL FIRE) has mapped fire threat potential throughout California.[2] The CAL FIRE ranks fire threat based on the availability of fuel and the likelihood of an area burning (based on topography, fire history, and climate). The rankings include no fire threat, moderate, high, and very high fire threat. Additionally, the CAL FIRE produced the *2010 Strategic Fire Plan for California*, which contains goals, objectives, and policies to prepare for and mitigate for the effects of fire on California's natural and built environments.[3]

California Fire Code

California Code of Regulations, Title 24, also known as the California Building Standards Code, contains the California Fire Code (CFC), included as Part 9 of that Title. Updated every three years, the CFC includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution. Similar to the CBC, the CFC is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions.

California Department of Transportation and California Highway Patrol

Two State agencies have primary responsibility for enforcing federal and State regulations and responding to hazardous materials transportation emergencies: the California Highway Patrol (CHP) and the California Department of Transportation (Caltrans). Caltrans manages more than 50,000 miles of California's highway and freeway lanes, provides intercity rail services, permits more than 400 public-use airports and special-use hospital heliports, and works with local agencies. Caltrans is also the first responder for hazardous material spills and releases that occur on those highway and freeway lanes and intercity rail services.

The CHP enforces hazardous materials and hazardous waste labeling and packing regulations designed to prevent leakage and spills of materials in transit and to provide detailed information to cleanup crews in the event of an accident. Vehicle and equipment inspection, shipment preparation, container identification, and shipping documentation are all part of the responsibility of the CHP, which conducts regular inspections of licensed transporters to assure regulatory compliance. In addition, the State of California regulates the transportation of hazardous waste originating or passing through the State.

Common carriers are licensed by the CHP, pursuant to the California Vehicle Code, Section 32000. This section requires licensing every motor (common) carrier who transports, for a fee, in excess of 500 pounds of hazardous materials at one time and every carrier, if not for hire, who carries more than 1,000 pounds of hazardous material of the type requiring placards. Common carriers conduct a large portion of the business in the delivery of hazardous materials.

[2] CAL FIRE, http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_zones_development.php, accessed on April 15, 2014.

[3] CAL FIRE, *2010 Strategic Fire Plan for California,* http://cdfdata.fire.ca.gov/pub/fireplan/fpupload/fpppdf668.pdf, accessed on April 15, 2014.

Federal and State Hazardous Materials-Specific Programs and Regulations

Asbestos-Containing Materials Regulations

Asbestos-containing materials (ACM) are materials that contain asbestos, a naturally occurring fibrous mineral that has been mined for its useful thermal properties and tensile strength. ACM is generally defined as either friable or non-friable. Friable ACM is defined as any material containing more than one percent asbestos. Friable ACM is more likely to produce airborne fibers than non-friable ACM, and can be crumpled, pulverized, or reduced to powder by hand pressure. Non-friable ACM is defined as any material containing one percent or less asbestos. Non-friable ACM cannot be crumpled, pulverized, or reduced to powder by hand pressure. When left intact and undisturbed, ACM does not pose a health risk to building occupants. Potential for human exposure occurs when ACM becomes damaged to the extent that asbestos fibers become airborne and are inhaled. Inhalation of asbestos airborne fibers can lead to various health problems, the most serious of which includes lung disease.

State-level agencies, in conjunction with the USEPA and OSHA, regulate removal, abatement, and transport procedures for ACMs. Releases of asbestos from industrial, demolition, or construction activities are prohibited by these regulations and medical evaluation and monitoring is required for employees performing activities that could expose them to asbestos. Additionally, the regulations include warnings that must be heeded and practices that must be followed to reduce the risk for asbestos emissions and exposure. Finally, federal, State, and local agencies must be notified prior to the onset of demolition or construction activities with the potential to release asbestos Specifically, BAAQMD Regulation 11, Rule 2, requires a written plan or notification of intent to demolish or renovate be provided to the District at least ten working days prior to commencement of demolition or renovation.

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 ACM, 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, only buildings built before 1978 are presumed to contain LBP, as well as buildings built shortly thereafter, as the phase-out of LBP was gradual.

Polychlorinated Biphenyls

The USEPA prohibited the use of polychlorinated biphenyls (PCBs) in the majority of new electrical equipment starting in 1979, and initiated a phase-out for much of the existing PCB-containing equipment. The inclusion of PCBs in electrical equipment and the handling of those PCBs are regulated by the provisions of the Toxic Substances Control Act (TSCA), 15 United States Code Section 2601 et seq. Relevant regulations include labeling and periodic inspection requirements for certain types of PCB-containing equipment and outline highly specific safety procedures for their disposal. The State of California likewise regulates PCB-laden electrical equipment and materials contaminated above a certain threshold as hazardous waste; these regulations require that such materials be treated, transported, and disposed accordingly. At lower concentrations for non-liquids, regional water quality control boards may exercise discretion over the classification of such wastes.

CalOSHA's Lead in Construction Standard is contained in Title 8, Section 1532.1 of the California Code of Regulations. The regulations address all of the following areas: permissible exposure limits (PELs); exposure assessment; compliance methods; respiratory protection; protective clothing and equipment; housekeeping; medical surveillance; medical removal protection (MRP); employee information, training, and certification; signage; record keeping; monitoring; and agency notification.

Regional Agencies and Regulations

San Francisco Bay Regional Water Quality Control Board

The Porter-Cologne Water Quality Act[4] established the State Water Resources Control Board (SWRCB) and divided the state into nine regional basins, each under the jurisdiction of a Regional Water Quality Control Board (RWQCB). The San Francisco Bay Region (Region 2) is the Regional Water Quality Control Board (San Francisco Bay RWQCB) which regulates water quality in the vicinity of the Project and Project site itself. The San Francisco Bay RWQCB has the authority to require groundwater investigations when the quality of groundwater or surface waters of the state is threatened, and to require remediation actions, if necessary.

Bay Area Air Quality Management District

The Bay Area Air Quality Management District (BAAQMD) has primary responsibility for control of air pollution from sources other than motor vehicles and consumer products (which are the responsibility of CalEPA and California Air Resources Board [CARB]). The BAAQMD is responsible for preparing attainment plans for non-attainment criteria pollutants, control of stationary air pollutant sources, and the issuance of permits for activities including demolition and renovation activities affecting asbestos containing materials (District Regulation 11, Rule 2) and lead (District Regulation 11, Rule 1).

Alameda County Fire Department

The Alameda County Fire Department, (ACFD) through a contract for services, provides service to the City of San Leandro. These services include fire suppression, urban search and rescue, fire prevention and public education. The nearest fire stations to the Project site are ACFD Station 10 located less than one mile to the northeast and ACFD Station 11 located just over one mile to the southeast.

Airport Land Use Commission

Alameda County established an airport land use commission (ALUC), in accordance with State law, and subsequently adopted an Airport Land Use Compatibility Plan (ALUCP) for the Oakland International Airport (OAK). The ALUCP is the primary document used by the Alameda County ALUC to help promote compatibility between OAK and its environs. More specifically, the ALUCP acts as a guide for the ALUC and local jurisdictions in safeguarding the general welfare of the public as OAK and the areas surrounding the airport grow. This document also serves as a tool for the Alameda County ALUC in fulfilling its duty to review airport and land use development proposals within the airport influence area (AIA) or referral area associated with the airport. The Project site is within the AIA.

[4] California Water Code Sections 13000 et seq.

Local Agencies and Regulations

City of San Leandro Environmental Services Section

The State of California transferred administration and enforcement of major environmental programs to local agencies in 1996 in accordance with Senate Bill 1082 (Health and Safety Code 25404). The local agencies under this legislation are known as Certified Unified Program Agencies (CUPAs). The purpose of this legislation was to simplify environmental reporting by streamlining the number of regulatory agency contacts a facility must maintain, and by requiring the use of more standardized forms and reports.

The City of San Leandro Environmental Services Section (ESS) is the CUPA for San Leandro. As such, this section regulates the storage, use, treatment, and disposal of hazardous materials and wastes within the City. State CUPA programs for which the Environmental Services Division is responsible include the:

- Hazardous Materials Business Plan (HMBP) program;
- Hazardous waste generator program;
- California Accidental Release Program (CalARP);
- Above ground petroleum storage tank program;
- Underground tank program; and
- Tiered Permitting for on-site hazardous waste treatment.

In addition, the ESS is responsible for:

- Enforcement of the hazardous materials requirements of the Uniform Fire Code;
- Response to citizen's complaints; and
- Technical, investigative, and site cleanup services for hazardous materials incidents.

City of San Leandro General Plan 2002 (Updated 2011)

The City of San Leandro's General Plan was adopted by the San Leandro City Council in May 2002. The Plan was updated in 2011 with the certification of the city's new Housing Element. Chapter 6 of the San Leandro General Plan addresses environmental hazards in the City, including wildfire, hazardous materials, and emergency preparedness. Chapter 6 also establishes goals, policies, and actions, which are listed in Table 4.7-1, to reduce identified hazards to acceptable levels.

City of San Leandro Hazard Mitigation Master Plan

The City of San Leandro's Hazard Mitigation Master Plan (Hazard Plan) is intended to prepare the community for potential life threatening emergencies, such as fire, flood, and earthquakes. The Hazard Plan is essentially a "road map" for action involving hazard mitigation and emergency preparedness. In general, the Hazard Plan includes guiding principles, such as community education, establishing early warning systems for notifying the community of emergencies, and continuing training and updating of emergency preparedness.

HAZARDS AND HAZARDOUS MATERIALS

TABLE 4.7-1 GOALS, POLICIES AND ACTIONS OF THE SAN LEANDRO GENERAL PLAN RELATING TO HAZARDS AND HAZARDOUS MATERIALS, EMERGENCY PREPAREDNESS, AND AIRPORT IMPACTS

Goal/Policy Number	Goal/Policy/Action Text
Goal 30	WILDFIRE HAZARDS: Minimize urban wildfire hazards, both within the City and throughout the East Bay Hills.
Policy 30.01	Fire Prevention: Adopt and enforce building and fire prevention codes that require property owners to reduce wildfire hazards on their properties. Action 30.01-A: Creekside Vegetation Manage vegetation along San Leandro Creek to reduce wildfire hazards.
Policy 30.02	Fire Prevention: Ensure that the planning and design of development in high fire hazard areas minimizes the risks of wildfire and includes adequate provisions for vegetation management, emergency access, and firefighting.
Policy 30.03	Mutual Aid: Work collaboratively with other jurisdictions and agencies to reduce wildfire hazards in San Leandro, with an emphasis on effective vegetation management and mutual aid agreements. Action 30.03-A: Task Force Participation Continue to participate in multi-jurisdictional task forces and programs that address wildfire hazards in the East Bay Hills.
Goal 33	HAZARDOUS MATERIALS: Protect local residents and workers from the risks associated with hazardous materials.
Policy 33.01	Regulatory Compliance: Work with the appropriate county, regional, state, and federal agencies to develop and implement programs for hazardous waste reduction, hazardous material facility siting, hazardous waste handling and disposal, public education, and regulatory compliance. Action 33.01-A: CUPA Programs Continue to implement State programs as required by the City's Certified Unified Program Agency (CUPA) designation. Action 33.01-B: Implementation of County Hazardous Waste Management Plan Support Alameda County in the implementation and enforcement of the County Hazardous Waste Management Plan. Periodically review the Plan to ensure that it meets acceptable safety standards. Action 33.01-C: Review of Groundwater Reports Regularly review monitoring reports and other data published by state, federal, and regional agencies to track the condition of groundwater plumes and environmental cases in the City.
Policy 33.02	Clean-Up Of Contaminated Sites: Ensure that the necessary steps are taken to clean up residual hazardous wastes on any contaminated sites proposed for redevelopment or reuse. Require soil evaluations as needed to ensure that risks are assessed and appropriate remediation is provided.
Policy 33.03	Design Of Storage And Handling Areas: Require that all hazardous material storage and handling areas are designed to minimize the possibility of environmental contamination and adverse off-site impacts. Enforce and implement relevant state and federal codes regarding spill containment facilities around storage tanks. Action 33.03-A: Implement Fire Code Administer appropriate sections of the Uniform Fire Code to ensure that buildings comply with hazardous materials policies.
Policy 33.04	Separation From Sensitive Uses: Provide adequate and safe separation between areas where hazardous materials are present and sensitive uses such as schools, residences, and public facilities. Action 33.04-A: Zoning Review Consider zoning standards that ensure that new housing is not developed in areas where relatively large quantities of hazardous materials are handled or stored, and that limit the use of hazardous materials by new businesses located in or near residential areas.
Policy 33.05	Incident Response: Maintain the capacity to respond immediately and effectively to hazardous materials incidents. Provide ongoing training for hazardous materials enforcement and response personnel.

TABLE 4.7-1 GOALS, POLICIES AND ACTIONS OF THE SAN LEANDRO GENERAL PLAN RELATING TO HAZARDS AND HAZARDOUS MATERIALS, EMERGENCY PREPAREDNESS, AND AIRPORT IMPACTS

Goal/Policy Number	Goal/Policy/Action Text
Policy 33.06	**Household Hazardous Wastes:** Promote public education about the safe disposal of household hazardous waste, such as motor oil and batteries, including the locations of designated household hazardous waste disposal sites.
	Action 33.06-A: Publicity of Household Hazardous Waste Information Work with Alameda County and ACI to publicize household hazardous waste collection events and provide each household with information on the location and operating hours of the nearest household hazardous waste collection facilities.
Policy 33.07	**Hazardous Building Materials:** Ensure the safe and proper handling of hazardous building materials, such as friable asbestos and lead based paint. If such materials are disturbed during building renovation or demolition, they should be handled and disposed of in a manner that protects human health and the environment.
Policy 33.08	**Public Awareness:** Increase public awareness of hazardous material use and storage in the City, the relative degree of potential health hazards, and the appropriate channels for reporting odor problems and other nuisances.
	Action 33.08-A: Disclosure to Property Owners Pursuant to the California Health and Safety Code, enforce community disclosure laws (e.g., Right-to-Know laws) that inform property owners of the presence of hazardous materials nearby.
Policy 33.09	**Community Preparedness:** Ensure that the City's Emergency Preparedness programs include provisions for hazardous materials incidents, as well as measures to quickly alert the community and ensure the safety of residents and employees following an incident.
	Action 33.09-A: Automated Dialing System Develop and implement an automated telephone dialing system to notify residents in the event of a disaster such as a chemical spill or other hazardous materials incident.
Goal 34	**EMERGENCY PREPAREDNESS: Attain—and sustain—comprehensive and highly effective emergency preparedness and recovery programs.**
Policy 34.01	**Preparedness As A Top Priority:** Establish emergency preparedness as a top City priority. Staffing and funding levels for local preparedness programs should be sufficient to keep all residents and business well informed and prepared in the event of a major earthquake or similar disaster.
	Action 34.01-A: Development of Emergency Operations Center Develop a dedicated Emergency Operations Center, possibly as a component of another new community facility such as a Senior Center.
	Action 34.01-B: Siting of Arks: Complete the siting of emergency supply cargo containers or "arks" at locations around the City by the end of 2002. Ensure that each ark is properly maintained and that the contents are periodically inspected and updated.
	Action 34.01-C: Essential Service Facility Upgrades Complete the seismic upgrades of the City's essential service facilities, including fire stations.
Policy 34.02	**SEMS Planning:** Use the Standard Emergency Management System (SEMS) as the basis for the City's Emergency Preparedness programs. The City should maintain and periodically update a SEMS-based emergency preparedness plan that provides direction and identifies responsibilities following a disaster.
	Action 34.02-A: Management Operations Plan Update Expand the City's Emergency Preparedness Plan (the Management Operations Plan) to address hazard assessment, mitigation, evacuation routes, and post-disaster recovery.
Policy 34.03	**Public Education And Awareness:** Promote public education and awareness on all aspects of emergency preparedness, including the type and extent of hazards in the community, measures to reduce the likelihood of damage and injury, provisions for emergency supplies, steps to take immediately after a disaster, and the locations of shelters and medical facilities.
	Action 34.03-A: Educational Materials Prepare printed guides, handbooks, and other mass media that can be distributed to students, neighborhood groups and homeowners to improve emergency preparedness.

HAZARDS AND HAZARDOUS MATERIALS

TABLE 4.7-1 GOALS, POLICIES AND ACTIONS OF THE SAN LEANDRO GENERAL PLAN RELATING TO HAZARDS AND HAZARDOUS MATERIALS, EMERGENCY PREPAREDNESS, AND AIRPORT IMPACTS

Goal/Policy Number	Goal/Policy/Action Text
	Action 34.03-B: Staffing Levels Restore local Emergency Preparedness staffing to the level that existed before the transfer of community outreach services to the Alameda County Fire Department. Either the City or County should maintain a staff position that is dedicated solely to preparedness training and education within the City of San Leandro, and liaison to public and private schools in San Leandro. The establishment of an additional position dedicated to preparedness training for the City's business community also should be considered.
Policy 34.04	**Drills:** Conduct periodic emergency response exercises to test the effectiveness of local preparedness procedures. Maintain SEMS training programs to ensure that City personnel are sufficiently prepared to respond to an emergency and staff an Emergency Operations Center. **Action 34.04-A: Radio 1610** Maintain and upgrade Radio 1610 AM. Implement a program with the school districts to increase resident and student awareness of this broadcasting band, so that it may provide information as effectively as possible in the event of an emergency. **Action 34.04-B: Siren Testing** Conduct periodic testing of the City's emergency warning sirens, and educate the public and school children about the procedures to follow in the event the sirens are sounded
Policy 34.05	**Training Programs:** Maintain community-based emergency preparedness training programs targeted to neighborhoods and businesses groups. Ensure that such programs respond directly to local needs and are well publicized throughout the community.
Policy 34.06	**Emergency Shelters:** Identify essential emergency facilities in the City, including shelters, and take the necessary actions to ensure that they will remain operational following a disaster. **Action 34.06-A: Information on Shelters** Develop a list of emergency shelters and medical facilities in the City. Publicize this information in local newspapers, neighborhood newsletters, cable TV, and printed materials. **Action 34.06-B: Disaster Response Equipment** Procure facilities and equipment to improve the City's response capabilities following a major disaster, including mobile emergency communication and medical trailers, electric power generators, and ham radio equipment.
Policy 34.07	**Schools and Hospitals:** Coordinate local emergency preparedness efforts with the San Leandro and San Lorenzo Unified School Districts, and with local hospitals. Work with both School Districts to facilitate the seismic retrofitting of school buildings and to implement disaster preparedness curricula targeted to students.
Policy 34.08	**Businesses and Social Service Agencies:** Coordinate emergency planning efforts with other jurisdictions, the business community, and social service agencies, including agencies serving special needs groups such as seniors and persons with disabilities.
Policy 34.09	**Multi-Lingual Information:** Ensure that emergency preparedness information, including printed material, radio broadcasts, video, and other media, is available in Spanish, Chinese, and other major languages spoken by San Leandro residents, as well as in English.
Policy 34.10	**Funding Sources:** Pursue a variety of funding sources, such as grants, low-interest loans, and tax credits, to retrofit community facilities and assist residents and businesses with seismic upgrades. **Action 34.10-A: Transfer Tax Rebates** Consider a program wherein a portion of the local real property transfer tax would be rebated back to qualifying property owners undertaking seismic upgrades within one year after the purchase of the property.
Goal 37	**AIRPORT IMPACTS: Minimize the local impacts and hazards created by air traffic, ground operations, and all other aviation activities, particularly those associated with Oakland International Airport**

TABLE 4.7-1 GOALS, POLICIES AND ACTIONS OF THE SAN LEANDRO GENERAL PLAN RELATING TO HAZARDS AND HAZARDOUS MATERIALS, EMERGENCY PREPAREDNESS, AND AIRPORT IMPACTS

Goal/Policy Number	Goal/Policy/Action Text
Policy 37.01	**Monitoring of Airport Plans:** Actively and aggressively participate in forums and discussions regarding operations and expansion plans for Oakland International Airport. Seek local representation on task forces, commissions, and advisory boards established to guide airport policies and programs. **Action 37.01A: Participation in Airport-Community Noise Management Forum** Supplement the City's participation in the Airport- Community Noise Management Forum through local Airport Task Forces, such as the Neighborhood Aviation Advisory Committee (NAACSL). The mission of such task forces should be to monitor Airport plans and programs and advocate on behalf of residents and businesses impacted by Airport operations and expansion plans. **Action 37.01-B: Staff Acoustical Engineer** Explore the feasibility of creating a staff position (or training existing staff) requiring acoustical engineering expertise to advocate on behalf of the community, act as liaison to the community on aviation issues, and advise the City Council and other local officials on technical matters pertaining to the Airport.
Policy 37.06	**Airport Safety Zones:** Regulate Land Uses Within Designated Airport Safety Zones, Height Referral Areas, And Noise Compatibility Zones To Minimize The Possibility Of Future Noise Conflicts And Accident Hazards.
Policy 37.09	**Aviation Accidents:** Maintain a high degree of readiness to respond to aircraft accidents. Continue to participate in preparedness drills and mutual aid activities with the City of Oakland to ensure quick and effective response to emergencies.
Policy 37.10	**Water Rescue Operations:** Maintain the San Leandro Marina as the reconnaissance point for airport emergency response and water rescue operations. **Action 37.10-A: Funding Applications** Apply for federal funds which enable the Marina to continue to function effectively as an emergency response base for airport rescue operations.

4.7.1.2 EXISTING CONDITIONS

This section describes existing conditions related to hazardous materials, airport hazards, and wildlife fires within the Project site.

Hazardous Materials Sites

California Government Code Section 65962.5 requires the CalEPA to compile, maintain, and update specified lists of hazardous material release sites. CEQA (California Public Resources Code Section 21092.6) requires the lead agency to consult the lists compiled pursuant to Government Code Section 65962.5 to determine whether the project and any alternatives are identified on any of the following lists:

- **EPA NPL:** The EPA's National Priorities List includes all sites under the USEPA's Superfund program, which was established to fund cleanup of contaminated sites that pose risk to human health and the environment.
- **EPA CERCLIS and Archived Sites:** The EPA's Comprehensive Environmental Response, Compensation, and Liability Information System includes a list of 15,000 sites nationally identified as hazardous sites. This would also involve a review for archived sites that have been removed from CERCLIS due to No Further Remedial Action Planned (NFRAP) status.

- **EPA RCRIS (RCRA Info):** The Resource Conservation and Recovery Act Information System (RCRIS or RCRA Info) is a national inventory system about hazardous waste handlers. Generators, transporters, handlers, and disposers of hazardous waste are required to provide information for this database.
- **DTSC Cortese List:** The DTSC maintains the Hazardous Waste and Substances Sites (Cortese) list as a planning document for use by the State and local agencies to comply with the CEQA requirements in providing information about the location of hazardous materials release sites. This list includes the Site Mitigation and Brownfields Reuse Program Database (CalSites).
- **DTSC HazNet:** The DTSC uses this database to track hazardous waste shipments.
- **SWRCB LUSTIS:** This stands for the Leaking Underground Storage Tank Information System and the SWRCB maintains an inventory of USTs and leaking USTs, which tracks unauthorized releases.

The required lists of hazardous material release sites are commonly referred to as the "Cortese List" after the legislator who authorized the legislation. Because the statute was enacted more than 20 years ago, some of the provisions refer to agency activities that were conducted many years ago and are no longer being implemented and, in some cases, the information required in the Cortese List does not exist. Those requesting a copy of the Cortese Lists are now referred directly to the appropriate information resources contained on internet websites hosted by the boards or departments referenced in the statute, including DTSC's online EnviroStor[5] database and the SWRCB's online GeoTracker database.[6] These two databases include hazardous material release sites, along with other categories of sites or facilities specific to each agency's jurisdiction.

A search of the online databases on July 16, 2014, revealed one listing within the Project site. The San Leandro Marine Center at 80 San Leandro Marina was listed as a Cleanup Program Site as a result of a release of waste oil (i.e., mix of motor, hydraulic, and lubricating oils) potentially affecting soil. The cleanup status of this site is "Completed-Case Closed," as of October 27, 1995. In addition, the GeoTracker database identified one Undergrought Storage Tank (UST) permitted (Facility ID 01-007-000040) within the Project site located at 40 San Leandro Marina.

In addition, there are four major groundwater plumes in San Leandro that are undergoing site characterization and/or remediation.[7] These are known as the 1964 Williams Street plume, the Caterpillar plume, the distant warm area (DWA) plume, and the Hester Street plume. The DWA plume is approximately 0.4 miles east of the Project site, as discussed in Chapter 4.8, Hydrology and Water Quality.

Existing or Proposed Schools

There are no existing or proposed schools within ¼-mile of the Project site. The nearest school is Garfield Elementary School located, at 13050 Aurora Drive, just over ¼-mile to the northeast.

[5] DTSC Envirostor, http://www.envirostor.dtsc.ca.gov/public/.
[6] SWRCB GeoTracker, http://www.geotracker.waterboards.ca.gov/.
[7] Draft Environmental Impact Report, San Leandro General Plan Update, November 2001.

Airport Hazards

The Oakland International Airport (OAK) is located less than 2 miles from the Project site to the northwest. The Project site is within the airport influence area, as described in Section 4.7.1.1, Regulatory Framework. There are no other public use airports within 2 miles of the Project site. Likewise, there are no private airstrips on or near the Project site.

Wildland Fire Hazard

CAL FIRE evaluates fire hazard severity risks according to areas of responsibility (i.e., federal, state, and local). According to CAL FIRE, and as depicted on Figure 4.7-1, there are no very high fire hazard severity zones (VHFHSZ) within the Local Responsibility Area with the exception of a small area near the City's south center boundary.[8] Also as depicted on Figure 4.7-2, there are no moderate, high, and very high fire hazard severity zones in the State Responsibility Areas in the vicinity of the Project site.[9]

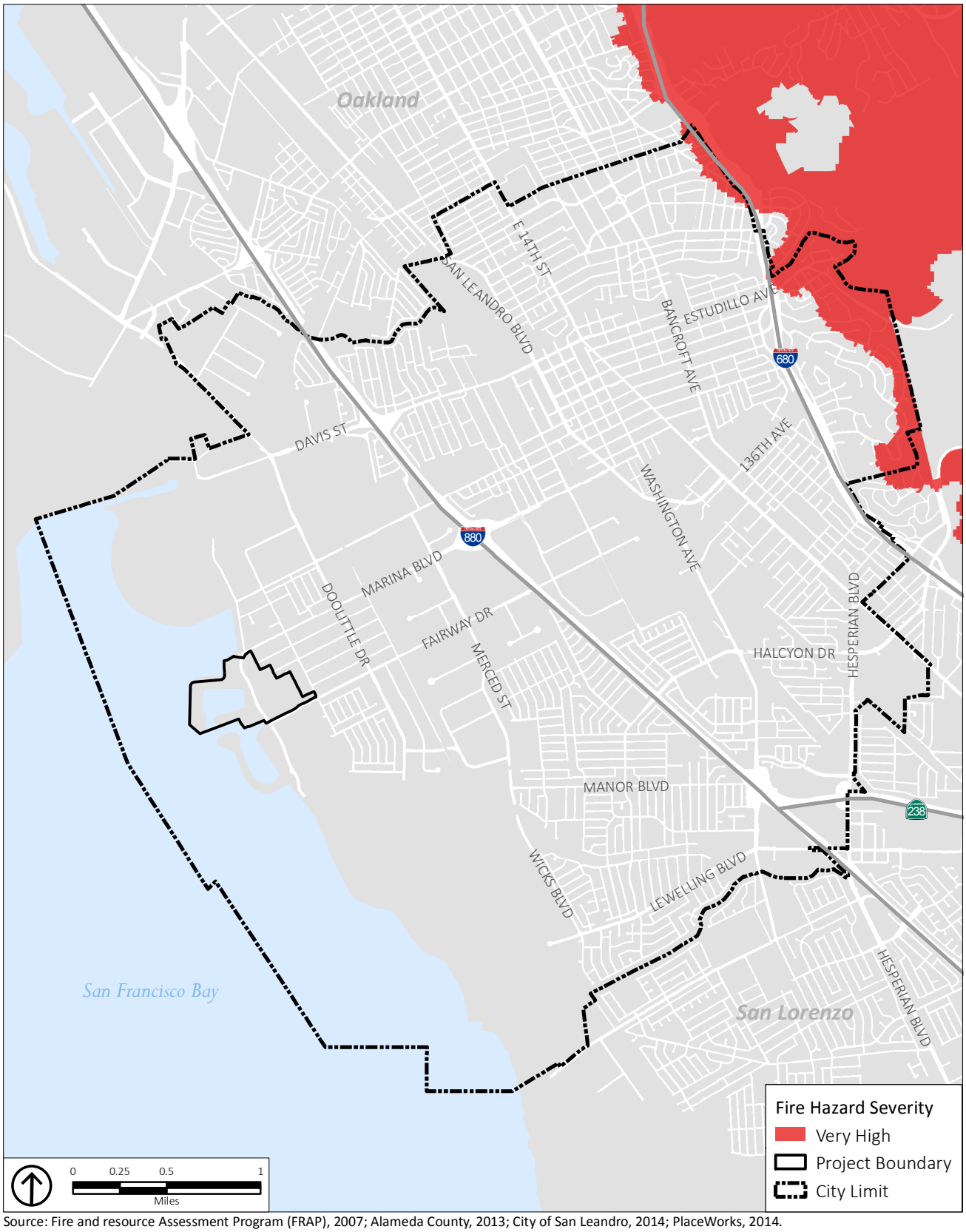
4.7.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G, Environmental Checklist, of the CEQA Guidelines, the Project would have a significant impact regarding hazards and hazardous materials if it would:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school.
4. 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, create a significant hazard to the public or the environment.
5. Be located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport it results in a safety hazard for people residing or working in the project area.
6. Be within the vicinity of a private airstrip and result in a safety hazard for people residing or working in the project area.
7. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

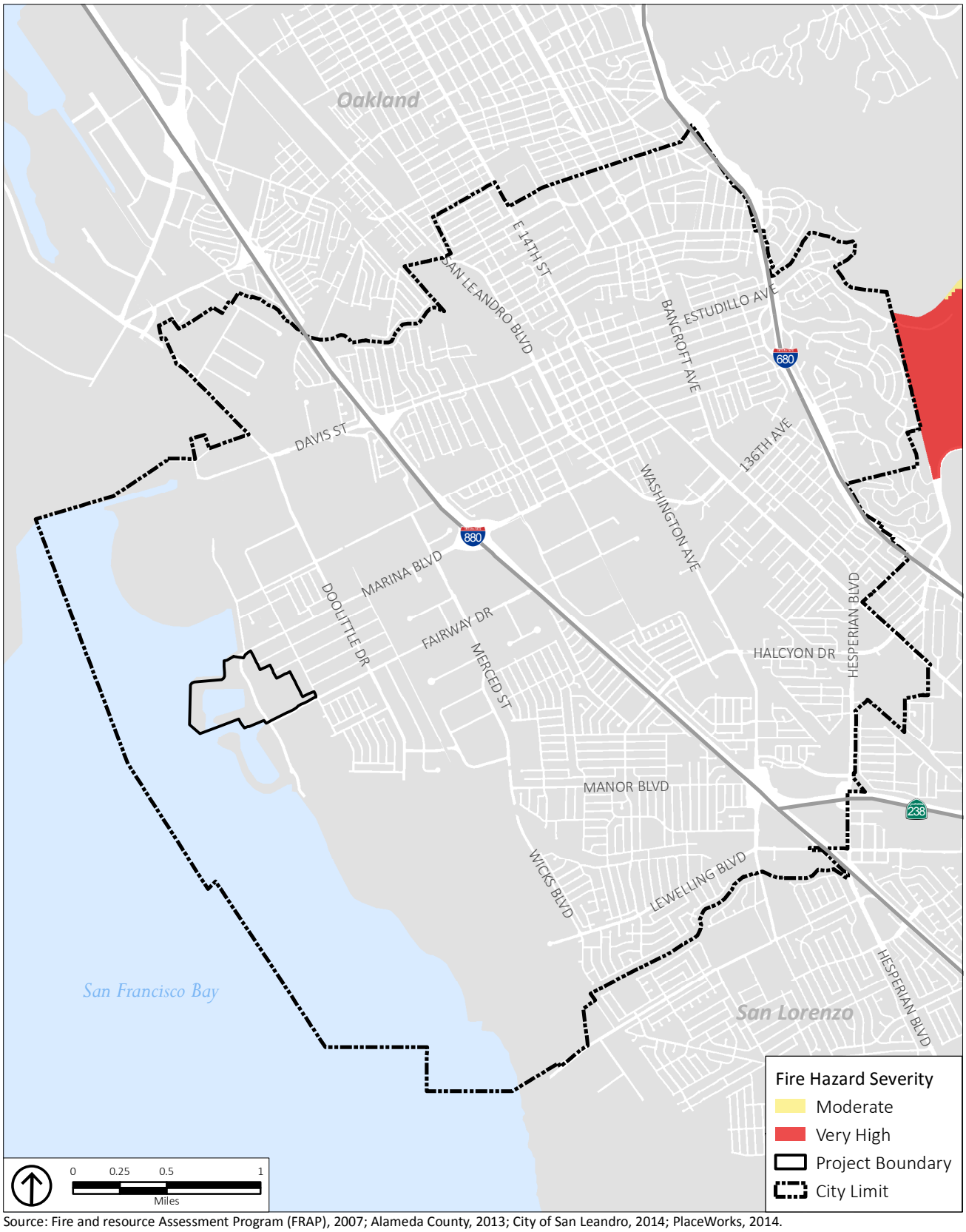
[8] California Department of Forestry and Fire Protection, 2008. *Alameda County Very High Fire Hazard Severity in LRA* map, accessed on July 16, 2014.

[9] California Department of Forestry and Fire Protection, 2007. *Fire Hazards and Severity Zones in State Responsibility Areas,* http://frap.cdf.ca.gov/webdata/maps/alameda/fhszs_map.43.pdf, accessed on July 16, 2014.



Source: Fire and resource Assessment Program (FRAP), 2007; Alameda County, 2013; City of San Leandro, 2014; PlaceWorks, 2014.

Figure 4.7-1
Very High Fire Hazard Severity Zones within the Local Responsibility Area



Source: Fire and resource Assessment Program (FRAP), 2007; Alameda County, 2013; City of San Leandro, 2014; PlaceWorks, 2014.

Figure 4.7-2
Fire Hazard Severity Zones in State Responsibility Areas

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

4.7.2.1 THRESHOLDS NOT DISCUSSED FURTHER

With regard to Thresholds 3, 4, 6, and 8, as discussed previously in Section 4.7.1.2, Existing Conditions, the Project is not located within ¼-mile of an existing or proposed school, is not located on an agency-listed hazardous materials site that could result in a significant hazard to the public or the environment, is not on or in the vicinity of a private airstrip, and is not within an area where wildland fires pose a significant risk of loss, injury, or death. Therefore, no further discussion of the Project's impacts related to these thresholds of significance is warranted in this Draft EIR.

4.7.3 IMPACT DISCUSSION

HAZ-1 Implementation of the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

While commercially available hazardous materials (e.g., fuels, solvents, paints, and some consumer electronics) would be used at various construction sites within the Project site and may generate small amounts of hazardous waste, the waste would be handled in accordance with applicable federal, State, and local laws, policies, and regulations, as described in Section 4.7.1.1, Regulatory Framework. As a general matter, the Project contains office, commercial, recreational and residential land uses and, therefore, would not include manufacturing or research processes that generate substantial quantities of hazardous materials. The City of San Leandro Environmental Services Section and Building and Safety Division coordinate the review of building permits to ensure that hazardous materials requirements are met prior to construction, including required separation between hazardous materials and sensitive land uses, and proper hazardous materials storage facilities. Any businesses that transport, generate, use, and/or dispose of hazardous materials within the Project site would also be subject to existing hazardous materials regulations, such as those implemented by the Environmental Services Section, and hazardous materials permits from the Environmental Services Section. In addition, the San Leandro General Plan contains many and detailed policies and strategies, as also described in Table 4.7.1 in Section 4.7.1.1, that further ensures that new development would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Removal of any permitted USTs would require a permit from the City's Environmental Services Section. As a condition of the permit, soil sampling would be required at the time of UST removal. If the samples were clean, a no further action (NFA) determination would be forthcoming from the City's Environmental Services Section. If the samples are determined to be dirty, indicating a product release, the City's Environmental Services Section would require an investigation to delineate the extent of impacted soil and to determine if underlying groundwater similarly has been impacted. Based on the results of the investigation, soil cleanup may be required. If groundwater has been impacted, the City's Environmental Services Section may require further investigation and possibly cleanup or they may refer case to the RWQCB. The RWQCB in turn may require further investigation and possibly cleanup. The goal of the City's

Environmental Services Section and/or the RWQCB would be to ensure adequate investigation and cleanup have been undertaken such that the site does not pose a significant risk to human health or the environment.

The risks, therefore, associated with release of hazardous materials into the environment from the routine transport, use, storage, or disposal of hazardous materials following construction would be *less-than-significant*.

Significance Before Mitigation: Less than significant.

HAZ-2 Implementation of the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

The Project would facilitate new development, including residential, mixed-use, recreational and commercial uses within the Project site. Demolition of existing structures, including wood and concrete docks, numerous buildings, etc., could potentially result in release of hazardous building materials (e.g., asbestos, lead paint, etc.) into the environment. Use of hazardous materials on newly developed properties after construction could potentially include cleaning solvents, fertilizers, pesticides, and other materials used in the regular maintenance and operation of the proposed uses. Compliance with applicable federal, State, and local laws and regulations regarding handling of these materials described in Section 4.7.1.1, Regulatory Framework, of this chapter, would ensure that potential impacts associated with a reasonably foreseeable upset or accidental release of hazardous materials into the environment would be *less-than-significant.*

Significance Before Mitigation: Less than significant.

HAZ-5 Implementation of the Project within 2 miles of a public airport would not result in a safety hazard for people residing or working in the Project area.

The Oakland International Airport is located less than two miles northwest of the Project site. As discussed in Section 4.7.1.1, Regulatory Framework, of this chapter, the Project site and its proposed development are within the jurisdiction of ALUC's ALUCP. Compliance with the ALUCP requirements (see Chapter 4.9, Land Use, Regulatory Framework, for additional details) would ensure that implementation of the Project would not result in a safety hazard for people residing or working in the vicinity of the Project. In addition, the San Leandro General Plan contains many and detailed policies and actions, as described in Table 4.7.1 in Section 4.7.1.1, that would not result in a safety hazard for people residing or working in the vicinity of the Project site.

The Project does not propose the removal or modification of the existing boat launch ramp on Pescador Point. As a result, ACFD's ability to launch rescue boats from the Project site would not be affected.

Compliance with applicable federal, State, and local laws and regulations regarding air navigation hazards, as described in Section 4.7.1.1, Regulatory Framework, of this chapter, would ensure the associated risks with people residing and working in the vicinity of the Project site would be *less-than-significant*.

Significance Before Mitigation: Less than significant.

HAZ-7 Implementation of the Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

Construction of the Project would result in changes to current circulation through the site for emergency vehicles, cars, buses, bicycles, and pedestrians. The Project proposes to use Marina Boulevard, with direct access to Interstate 880, Monarch Bay Drive, and Fairway Drive to provide access to the Project Site. As described in Chapter 4.13, Transportation and Traffic, the Marina Boulevard interchange at Interstate 880 is planned to be reconfigured and signalized at both northbound and southbound ramps, and Fairway Drive would be widened to three lanes from Merced Street to Miller Street. The existing roadways within the Project site, Mulford Point Drive and Pescador Point, also will be reconfigured. However, no physical components that would interfere with the ability to implement emergency response are proposed. Project plans will include fire and emergency access through all phases of construction and operation. Compliance with provisions of the 2014 California Fire Code and the 2014 California Building Code would ensure that buildout of the Project would not interfere with an adopted emergency response plan or emergency evacuation plan. In addition, the San Leandro General Plan contains policies and actions that further ensures that new development would not conflict with emergency operations in the vicinity of the Project site.

Compliance with applicable federal, State, and local laws and regulations regarding emergency preparedness, as described in Section 4.7.1.1, Regulatory Framework, of this chapter, would ensure future development under the Project would not interfere with an adopted emergency response plan or emergency evacuation plan, such as the Multi-Hazard Mitigation Plan, and impacts would be *less than significant*.

Significance Before Mitigation: Less than significant.

4.7.4 CUMULATIVE IMPACT DISCUSSION

HAZ-9 Implementation of the Project, in combination with past, present, and reasonably foreseeable projects, would result in less-than-significant cumulative impacts with respect to hazards and hazardous materials.

With respect to hazardous materials in the environment, effects are generally limited to site-specific conditions due to the fact that exposure typically is dependent on proximity to the source of the hazardous material. An exception to this precept would be contaminant groundwater plumes resulting from multiple sources and underlying larger areas. However, as discussed previously in section 4.7.1.2, Existing Conditions, none of the four major groundwater plumes in San Leandro lies beneath or in close

proximity of the Project. The geographic scope for cumulative impacts associated with hazards and hazardous materials, therefore, encompasses the Project site and immediate vicinity.

The cumulative analysis discussions contained in Chapters 4.1 through 4.14 include discussions of growth projections and reference specific projects as to their relevance to impact analyses. Past, present, and reasonably foreseeable projects in the area around the Project site are summarized in Chapter 4, Table 4-1, Cumulative Project List, and include several residential developments, an office development, improvements to the Davis Street Transfer Station, warehouse distribution building, and additions to existing packaging and manufacturing facilities. Potential projects include a future Bay Fair Transit Village, and two residential mixed-use developments. Development of these cumulative projects would involve increased storage, use, and disposal of common cleaning substances, building maintenance products, paints and solvents; however, these potentially hazardous materials would not be of a type or occur in sufficient quantities to pose a significant hazard to public health and safety or the environment. While cumulative development in the vicinity of the Project site would bring more residents into the area, compliance with existing federal, State, local regulations and standards, and the San Leandro General Plan policies listed in Section 4.7.1.1 of this chapter would ensure that risks associated with the transport, storage, use, and disposal of hazardous materials and waste would be *less than significant*.

As discussed previously, development of the Project would not result in significant impacts from the increased use of hazardous household materials and would not increase exposure to potential hazards associated with wildland fires. The Project would not interfere with implementation of emergency response plans. In addition, potential project-level impacts associated with hazards and hazardous materials would be less than significant through compliance with local, regional, State, and federal regulations, all of which apply to other new development as well. Consequently, construction of the Project in combination with past, present, and reasonably foreseeable projects in the near vicinity would not result in a significant cumulative impact.

Significance Before Mitigation: Less than significant.

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