3.7 HAZARDS AND HAZARDOUS MATERIALS

3.7.1 Background and Methodology

3.7.1.1 Regulatory Context

The transportation, use, storage or disposal of any type of hazardous material may cause an environmental health and safety hazard to the general public. According to California Health and Safety *Code Section 25501*, "hazardous material" refers to:

> "any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the administering 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."[1]

The term hazardous material also includes hazardous wastes and substances. Hazardous wastes are solid wastes that are ignitable, corrosive, reactive, or toxic as defined by the Resource Conservation and Recovery Act (RCRA).[2] Unlike hazardous wastes, hazardous substances do not include any petroleum or natural gas substances and materials.

California regulations and statutes for hazardous materials are contained in Health and Safety Code Section 25130 et seq. and Title 22 of the California Code of Regulations, which contains regulations adopted and administered by the California Department of Toxic Substance Control (DTSC). California law requires, among other things, the preparation of lists of hazardous and waste and substance facilities or sites, also referred to as the "Cortese List."

Sites included in the Cortese List must comply with the local permitting process and California Environmental Quality Act (CEQA). The below list are data resources regarding facilities or sites identified as meeting the "Cortese List"[3] requirements.

- list of hazardous waste and substances sites from the DTSC EnviroStor database;
- list of Leaking Underground Storage Tank (LUST) sites by County and fiscal year from Water Board GeoTracker database;
- list of solid waste disposal sites identified by Water Board and waste constituents above hazardous waste levels outside the waste management unit;
- list of "active" Cease and Desist Orders (CDO) and Cease and Abatement Orders (CAO) from the Water Board; and
- list of hazardous waste facilities subject to corrective action pursuant to *Section 25187.5*[4] of the Health and Safety Code, identified by DTSC[5]

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[1] State of California, *Government Code, Section 25501*.
[2] U.S. Environmental Protection Agency, *Resource Conservation and Recovery Act*, 40 CFR Part 261, October 21, 1976.
[3] California Environmental Protection Agency, *Cortese List Data Resources*, available at http://www.calepa.ca.gov/SiteCleanup/CorteseList/Background.htm. Accessed on November 22, 2010.
[4] State of California, *Government Code, Section 25187.5.*
[5] .Ibid.

The U.S Environmental Protection Agency (EPA) authorizes the DTSC to regulate hazardous materials in California under the *Resource Conservation and Recovery Act of 1976* (RCRA) and California Health and Safety Code.[6] DTSC is responsible for developing regulations and implementing policies and procedures that allow for the handling of hazardous waste to comply with California Environmental Quality Act (CEQA).[7] In addition, the *Comprehensive Environmental Response, Compensation, and Liability Act* (CERCLA) provides a Federal "Superfund" to identify, monitor, and coordinate response activities for uncontrolled, or abandoned hazardous-waste sites as well as accidents, spills, or other emergency releases of pollutants and contaminants into the environment.[8]

At the County level, the Hazardous Division and Certified Unified Program Agency (CUPA), working in conjunction with the Department of Health Services are the primary public agencies involved with handling hazardous materials under the Community Right to Know (CRTK) Act. CUPA is also responsible for emergency response incidents relating to hazardous material activity through the County. Three of the CUPA programs include:[9]

- *Aboveground Petroleum Storage Act (APSA).* This Act requires owners and operators of aboveground petroleum storage tanks to obtain permit approval prior to installation in addition to filing a Hazardous Materials Business Plan and implementing a Spill Prevention, Control and Countermeasure (SPCC) plan.;[10]
- *Hazardous Materials Business Plan (HMBP) Program*. This Plan requires owners and operators of hazardous materials to provide general business information, basic information of the location, type, quantity, and health risks of hazardous materials; and emergency response and training plans.;[11]
- *Underground Storage Tank (UST) Program*. This program requires that owners and operators of USTs comply with all application regulations to avoid any unnecessary fines or permit revocations.[12]

County of Sonoma also addresses the goal and policies relating to the protection of hazardous materials in their *Public Safety Element* of the Sonoma County General Plan 2020.[13] In order to avoid any possible significant impact to public safety at the local level, the Preferred Alternative should be consistent with the Sonoma County General Plan 2020.[14]

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[6] U.S. Code, 42 USC 6901.
[7] Department of Toxic Substances Control, *DTSC: Who We Are and What We Do*, available at: http://www.dtsc.ca.gov/InformationResources/DTSC_Overview.cfm. Accessed April 21, 2011.
[8] U.S. Code. 1980. *The Comprehensive Environmental Response, Compensation, and Liability Act (Superfund)*, 42 USC Subsection 9601 et. Seq.
[9] County of Sonoma, *Hazardous Materials Division and Certified Unified Program Agency*, available at: http://www.sonoma-county.org/des/haz_material.htm. Accessed April 21, 2011.
[10] County of Sonoma, *Aboveground Petroleum Storage Act*, available at: http://www.sonoma-county.org/des/hm_ast_apsa.htm. Accessed April 21, 2011.
[11] County of Sonoma, *Hazardous Materials Business Plans*, available at: http://www.sonoma-county.org/des/hm_form_hmbp.htm. Accessed April 21, 2011.
[12] County of Sonoma, *Underground Storage Tanks*, available at: http://www.sonoma-county.org/des/hm_ust.htm. Accessed April 21, 2011.
[13] County of Sonoma, *Public Safety Element - Sonoma County General Plan 2020*, available at: http://www.sonoma-county.org/prmd/gp2020/index.html. Accessed April 22, 2011.
[14] Ibid.

3.7.1.2 Thresholds of Significance

According to Appendix G of the *CEQA Guidelines*, project-related effects concerning hazards and hazardous materials are considered significant impacts if they would result in any of the following conditions:

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 one-quarter 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, would create a significant hazard to the public or the environment;
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;
6. for a project located within the vicinity of a private airstrip, would 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; or
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.

3.7.1.3 Methodologies

This EIR examines the likely use of hazardous materials or contamination associated with the Proposed Project as well as the potential hazard that would potentially occur. This information is useful in evaluating potential conflicts between the Proposed Project and applicable regulations. In this way, permits, certifications, and approvals are identified, any necessary clean-up and remediation measures are noted, and unresolved problems or issues (if any) can be disclosed as a result of the analysis.

The potential significance of implementing the Proposed Project regarding the use or existence of hazardous materials was largely conducted using professional judgment. Prior engineering and construction reports were used in determining the approximate use of hazardous material and waste associated with the Proposed Project. By evaluating the project elements and the regulatory environment that controls the use, storage, and handling of hazardous materials and waste, potential impacts were qualitatively determined.

3.7.2 Existing Conditions

The Airport was formerly the site of the Santa Rosa Army Airfield (SRAAF), established as a sub-base to the Hamilton Army Airfield, was used to conduct training operations for fighter squadrons from 1942 to 1946. The primary mission of the SRAAF was to complete pre-combat training for fighter crews, including gunnery, bombing, and chemical warfare training.

In 1982 and again in 1985, construction projects near Ordnance Road uncovered broken glass ampules containing chemical agents. After both incidents, the Army sent a clean-up crew to

perform additional evaluation of the sites. The Army concluded that numerous glass ampules were broken in the vicinity of Ordnance Road during World War II training sessions as a result of equipment malfunctions. No evidence indicates that bulk chemical agents were purposely disposed of on this site. However, additional unbroken ampules could still exist in this location.[15]

An investigation conducted by the California Regional Water Quality Control Board identified twelve separate areas of concern within the former SRAAF boundary, where the Airport currently is located. Aside from the underground storage tanks (USTs) that were cleaned up and closed in 2006, the remaining 11 areas of concern showed no evidence of hazardous or toxic waste, explosive ordinance, or hazardous building debris.[16]

A variety of petrochemicals and chemicals products such as avgas, Jet A, solvents, cleaning products, and other various lubricants are used at the Airport. Since the Airport is a licensed hazardous waste generator, it must comply with all federal, state, and county regulations relating to the handling of hazardous materials. The Airport has a General Industrial Storm Water Permit with the Regional Water Quality Control Board that requires monitoring and inspection of Airport facilities to prevent future hazardous material impacts to the local environment.

The Airport and on-site tenants currently have a number of permitted and regulated fueling facilities within the Airport boundaries. Each of these facilities is operated under federal, state, and county regulations. Other hazardous materials used to support operations at the Airport are regularly transported to and from the facility in accordance with all local, state, and federal regulations. **Figure 3.7-1** identifies the two Leaking Underground Storage Tank (LUST) sites on Airport property.

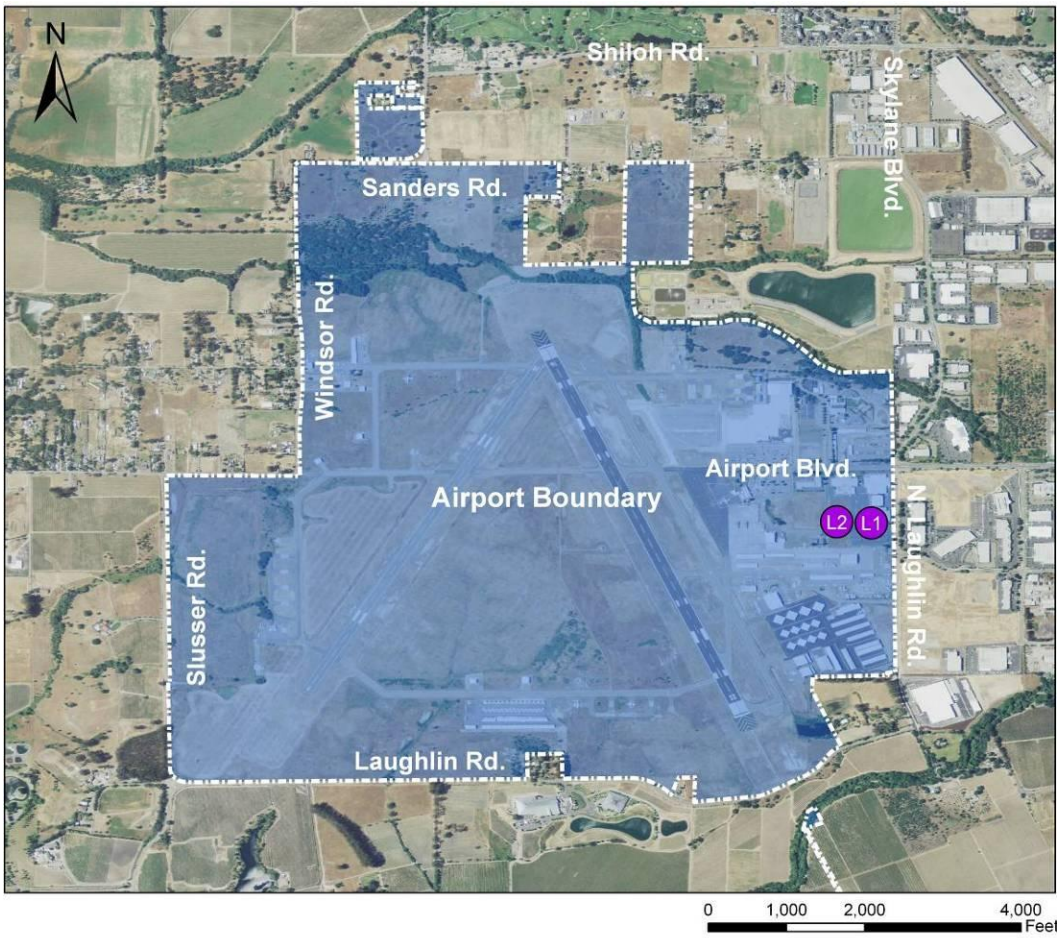
Previously known hazardous material releases include the following documented sites on and immediately adjacent to the Airport property boundary:

- *L1 (Major Aviation).* This site is open yet inactive for cleanup regarding an oil contaminant. This means that no cleanup action exists for this contaminant even though enforcement has been taken. This site is located on 2232 Airport Boulevard in Santa Rosa within the existing Airport boundary; and
- *L2 (SK Aviation).* This site is undergoing an assessment and interim remedial action for a 550-gallon underground storage tank (UST). This storage tank was found on July 15, 2010 as a result of grading activities associated with a construction project at the Airport. Once the UST was removed, analysis of the soil and groundwater indicated low levels of gasoline and volatile organic compounds (VOCs) which include benzene, toluene, methylbenzene, and total xylenes. This site is located on 7400 Flightline Drive in Santa Rosa within the existing Airport boundary.

[15] County of Sonoma, Permit and Resource Management Department, *Mitigated Negative Declaration – Apex Aviation Hangar Project*, May 2, 2005.

[16] Letter from California Regional Water Quality Control Board*, Notice of Proposed No Further Action*, February 24, 2006.

Figure 3.7-1
LUST SITES IN THE AIRPORT BOUNDARY



SOURCE: Imagery from IntraSearch, Inc., 2009, LUST from Cortese List, 2010
PREPARED BY: RS&H, 2011

3.7.3 Environmental Impacts and Mitigation Measures

Impact 3.7.1: Potential Increase in Contaminant Discharge from Existing Hazardous Materials Sites

There are two hazardous material sites identified on the Cortese list located in the Airport Study Area. The hazardous material sites identified in **Figure 3.7-1** would not be affected by the short-term project elements because none of the short-term project elements would occur at nor disturb either LUST site. The same is true for long-term projects as currently described in the Master Plan. The hazardous material sites are located along the eastern perimeter of the Airport and are not adjacent to or neighboring any of the locations where project elements would occur. There would be no additional discharges from existing LUST sites and thus there would be no significant impact to hazardous material sites in the Regional Study Area.

In addition to the hazardous material sites identified in the Cortese list, there is a low probability of encountering chemical warfare materials, which would include unbroken glass ampules, in

areas where greater than two feet of natural soil has already been excavated. All contractors and subcontractors would observe appropriate precautions during excavations and trenching activities.[17]

Mitigation Measure 3.7.1

No mitigation is warranted.

Impact 3.7.2: Increase in Use of Hazardous Materials

The Proposed Project would cause short-term and temporary increases of hazardous materials resulting from construction activities associated with both the short-term and long-term project elements. The short-term and temporary increases of hazardous materials would occur due to the use of gasoline and diesel fuels by construction equipment, the use of diesel fuel by trucks and other equipment accessing the construction areas, and the storage of oils, fluids, and lubricants associated with the maintenance of construction equipment. Even in the event of accidents involving the release of hazardous materials, the Airport would continue implementing its standard operation procedures (SOP) for the recovery and mitigation of hazardous materials.

As a result of the Proposed Project, the Airport would use a centralized temporary fuel and oil storage facility during construction of the short-term project elements that would minimize the increase in exposure potential to the public and the environment from hazardous materials. The Proposed Project requires this facility for construction staging because of all the additional equipment needed to construct the various short-term project elements. The temporary facility would be located in the northern staging area, which would avoid and/or minimize potential inadvertent releases to storm water, soil and groundwater within the Regional Study Area (see **Figure 3.6-1**). The temporary facility would comply with all State regulations regarding the storage and handling of fuel and oil. It is not anticipated at this time that use of a similar facility will be necessary during the construction of the long-term project elements.

The Airport would also continue to implement Best Management Practices (BMPs) for the handling of hazardous materials to address the increase in the use of hazardous materials over time related to an increase in operations. BMPs are those policies, procedures, practices, means and methods implemented prior to, during and following construction for the purpose of preventing airborne, waterborne and soils pollution. BMPs generally fall under the following categories; Erosion Control, Sediment Control, Wind Erosion, Tracking Control, Non-Stormwater Management, Waste Management and Materials Pollution Control. Sonoma County maintains a comprehensive and current catalogue of BMPs for all construction policies, practices, procedures, means and methods as a matter of acceptable business practices with contractors involved in all phases of design and construction.

The County uses practices to prevent unnecessary exposure of people and property to risks of damage or injury from hazardous materials according to the *Public Safety Element* of the Sonoma County General Plan 2020.[18] The following are applicable practices that would be used to avoid or minimize exposure to hazardous materials within the Regional Study Area as a result of the Proposed Project:

- update and maintain an inventory of sites with storage or use of significant quantities of hazardous materials;

[17] County of Sonoma, Permit and Resource Management Department, *Notice of Determination – Apex Aviation Hangar Project,* July 29, 2005.

[18] Ibid.

- require a use permit for any commercial or industrial use involving significant quantities of hazardous materials;
- regulate the transportation of hazardous materials to minimize the potential for damage; and
- update the "Hazardous Materials Management Plan" which provides for the long term prevention of releases of hazardous materials, effective responses to such releases, the safe transport and disposal of hazardous wastes, and a public information program.

Mitigation Measure 3.7.2: Mitigation Statement

No mitigation is warranted.

Impact 3.7.3: Hazards Impacts Associated with Long-Term Project Elements

The long-term project elements are, necessarily, being assessed at a programmatic, first-tier level of analysis rather than a site-specific evaluation of any potential future project element. CEQA and its Guidelines state that a programmatic analysis is appropriate for a series of actions that can be characterized as one large project and are related geographically.[19] CEQA encourages agencies to prepare a programmatic analysis of large-scale planning approvals, such as the Master Plan, and to defer the development of detailed, site-specific information until such time as the agency receives an application and prepares a future environmental document for a project on a specific site.[20]

While it has been possible to make detailed assessments of some of the impacts that would be associated with long-term project elements, it is speculative at best to attempt to quantify the potential future impacts associated with hazards and hazardous materials without knowing the nature and scope of each long-term project element. The long-term project elements are still conceptual, and specific development plans have not been prepared. Until the precise scope, design, and location for each long-term project element is more clearly defined, any attempt to quantify impacts from existing hazardous materials on site is impossible. Impacts will be dependent not only upon the location selected for particular long-term project elements, but also on the very nature of the project proposed. For example, the Master Plan designates land in the vicinity of Ordinance Road, where buried ordnance has previously been found, for future use by airport leasehold tenants. Such leasehold development could result in any number of private projects with varying degrees of impacts associated with hazards or hazardous materials. What is certain is that any future long-term project element proposed in the vicinity of Ordinance Road, would require additional environmental analysis to assess potential impacts and identify appropriate mitigation.

It should also be noted that certification of this EIR does not constitute an approval of any potential future long-term project element; nor does it compel any future County decision maker to take a particular action. Any future long-term project element would instead require a separate application and a separate, project-level environmental review, and would be subject to the unfettered discretion of the relevant decision makers. The decision makers would be free to deny future projects, and/or impose conditions on them limiting their extent, reach, methods, or environmental impacts.

[19] CEQA Guidelines, Subsection 15168, subd. (a)(1).
[20] CEQA Guidelines, Subsection 15152, subds. (b) and (c).

Mitigation Measure 3.7.3: Mitigation Statement

No mitigation is warranted at this time.