4.7 HAZARDS AND HAZARDOUS MATERIALS

This chapter addresses the subject of hazards and hazardous materials with respect to the buildout of the proposed Project. The Project, a residential development, would not include the routine transport of hazardous materials and the Project site is not on a list of hazardous materials sites pursuant to California Government Code Section 65962.5 and the nearest airport is approximately ten miles from the Project site (this is discussed further below). Seismic hazards and flooding hazards are discussed in Chapters 4.5 and 4.8, respectively. Therefore, this chapter includes an assessment of potential impacts associated with the development of the Project with respect to hazards associated with the demolition of buildings constructed prior to 1978 wildland fires and emergency response plans.

A. Regulatory Framework

This section summarizes existing federal, State, and local agencies' policies and regulations that are applicable to hazards and hazardous materials potentially associated with this Project.

1. Federal Agencies

a. Environmental Protection Agency

The U.S. Environmental Protection Agency (U.S. EPA) is the federal agency responsible for enforcement and implementation of federal laws and regulations pertaining to hazardous materials. Legislation enforced by the U.S. EPA includes the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (commonly referred to as "Superfund"), the Superfund Amendments and Reauthorization Acts of 1986, and the Resource Conservation and Recovery Act of 1986 (RCRA). The U.S. EPA provides oversight and supervision for site investigations and remediation projects, and has developed land disposal restrictions and treatment standards for the disposal of certain hazardous wastes.

Section 112 of the Clean Air Act requires the U.S. EPA to develop emission standards for hazardous air pollutants. The U.S. EPA published a list of hazardous air pollutants and promulgated the National Emission Standards for

Hazardous Air Pollutants (NESHAP) regulations, which addresses milling, manufacturing and fabricating operations, demolition and renovation activities, waste disposal issues, active and inactive waste disposal sites, and asbestos conversion processes.[1]

b. Occupational Safety and Health Administration (OSHA)

Enacted in 1970, the Occupational Safety and Health Act established this administration to ensure healthy working conditions in the United States. There are approximately 2,100 OSHA inspectors, who along with other experts and support staff, establish and enforce protective standards in the workplace. California, under an agreement with OSHA, operates an occupational safety and health program in accordance with Section 18 of the Occupational Safety and Health Act of 1970. The program applies to all public and private sector places of employment in the State, with the exception of federal employees, the United States Postal Service (USPS), private sector employers on Native American lands, maritime activities on the navigable waterways of the United States, private contractors working on land designated as exclusive Federal jurisdiction, and employers that require Federal security clearances.

c. Code of Federal Regulations

Title 40 of the Code of Federal Regulations (CFR) contains federal statutes pertaining to hazardous materials and wastes. CFR Part 745 covers lead-based paint poisoning prevention in certain residential structures, identifies lead-based paint hazards, and provides standards for lead-based paint hazards that apply to target housing and child-occupied facilities.[2]

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[1] U.S. Environmental Protection Agency, http://www.epa.gov/region4/air/asbestos/asbmatl.htm, accessed on April 10, 2012.

[2] Code of Federal Regulations, Part 745, http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title40/ 40cfr745_main_02.tpl, accessed on April 10, 2012.

2. State Regulations

a. Fire Hazard Severity Zone Maps

California law requires the California Department of Forestry and Fire Protection (CALFIRE) to identify areas based on the severity of fire hazard that is expected to prevail there. These areas, or "zones," are based on factors such as fuel (material that can burn), slope and fire weather. There are three zones, based on increasing fire hazard, classified as medium, high and very high. In November 2007 the CALFIRE adopted Fire Hazard Severity Zone maps for State Responsibility Areas where the State has financial responsibility for wildland fire protection.

In the mid 1990s, Government Code Section 51175 called for the CAL FIRE Director to evaluate fire hazard severity in local responsibility area and to make a recommendation to the local jurisdiction where very high Fire Hazard Severity Zones exist. In 2008 CAL FIRE provided recommended maps for Very High Fire Hazard Severity Zones in Local Responsibility Areas. Local responsibility areas include incorporated cities, cultivated agriculture lands, and portions of the desert. Local responsibility area fire protection is typically provided by city fire departments, fire protection districts, counties, and by CALFIRE under contract to local government.[3]

b. California Environmental Protection Agency (Cal/EPA)

Within the State of California, Cal/EPA serves as the umbrella agency for six boards and departments: the California Air Resources Board (CARB), the California Integrated Waste Management Board (CIWMB), the Department of Pesticide Regulation (DPR), the Department of Toxic Substance Control (DTSC), the California Integrated Waste Management Board, the Office of Environmental Health Hazard Assessment (OEHHA), and the State Water Resources Control Board (SWRCB) and its associated regional Water Boards.

[3] California Department of Forestry and Fire Protection, http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland.php, accessed on January 19, 2012.

The DTSC works in conjunction with the EPA to enforce and implement specific laws and regulations pertaining to hazardous wastes. California legislation, for which the DTSC has primary enforcement authority, includes the Hazardous Waste Control Act and the Hazardous Substance Account Act. Most State hazardous waste regulations are contained in the California Code of Regulations, Title 27. The DTSC generally acts as the lead agency for soil and groundwater cleanup projects, and establishes cleanup and action levels for subsurface contamination that are equal to, or more restrictive than, federal levels.

c. Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

Chapter 6.11, division 20, of the Health and Safety Code created the Unified Hazardous Waste and Hazardous Materials Management Regulation Program (Unified Program). In January 1996, the California Environmental Protection Agency (Cal EPA) adopted regulations implementing the Unified Program. The program has six elements: hazardous waste generators and hazardous waste on-site treatment; underground storage tanks; aboveground storage tanks; hazardous materials release response plans and inventories; risk management and prevention programs; and Uniform Fire Code hazardous materials management plans and inventories. The plan is implemented at the local level. The local agency that is responsible for the implementation of the Unified Program is called the Certified Unified Program Agency (CUPA), and the Contra Costa County Health Services is designated the CUPA.

d. California Building Code

The California Building Code (CBC) is Part 2 of California Code of Regulations Title 24. The CBC is based upon the International Building Code and contains building requirements to minimize risks to life safety.[4] Chapter 74-2.002 of the Contra Costa Building Code and Title 3, Chapter 3-304 of the

[4] California Building Standards Commission, *Frequently Asked Questions,* http://www.bsc.ca.gov/cd_qustns/cq_faqs.htm#q1, accessed November 18, 2011.

Lafayette Municipal Code adopt the CBC as the building code of the County and City respectively.

e. California Health and Safety Code and Code of Regulations

California Health and Safety Code Chapter 6.95 and the California Code of Regulations Title 19, Division 2, Chapter 4, Article 4, 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. Title 8, Section 1529 of the California Codes of Regulations addresses the enforcement of worker protection laws related to asbestos in the construction industry.

3. Local Regulations

a. City of Lafayette General Plan Safety Element

The Safety Element, Chapter VI, of the City's General Plan addresses the protection of the community from unreasonable risks associated with natural and manmade hazards. Lafayette's General Plan contains goals and policies within its Safety Element that relate to hazardous materials and emergency response. In particular, the goals and policies relating to the hazardous materials and wildfire hazards on the Project site are contained in Table 4.7-1.

b. City of Lafayette Municipal Code

The City of Lafayette's Municipal Code Chapter 8-3 contains ordinances relating the planning and management of the City's emergency preparedness.

c. Bay Area Air Quality Management District Regulation

The Bay Area Air Quality Management District (BAAQMD) is the primary agency responsible for assuring that the National and California Ambient Air Quality Standards are attained and maintained in the Bay Area. Through BAAQMD Regulations, the BAAQMD controls air pollution emissions from

TABLE 4.7-1 **LAFAYETTE GENERAL PLAN POLICIES RELATED TO HAZARDOUS MATERIALS**

Goal/ Policy	Goal/Policy Content
Goal S-5	*Reduce the hazards of the storage, transportation, and disposal of hazardous materials.*
Policy S-4.2	Take measures to reduce fire risks from new and existing development as well as natural fire hazards.
Policy S-4.5	Require development in a high fire risk area to have an approved vegetation management plan that includes native, drought tolerant, and fire resistant species.
Policy S-5.1	Strictly enforce the regulations governing the storage of chemical, biological, and other hazardous materials as set forth in California Code of Regulations, Title 22, Division 4.5.
Policy S-5.2	Develop, in cooperation with the County and neighboring cities, regulations prohibiting through-transport by truck of hazardous materials on the local street systems and require that this activity be limited to State highways.
Policy S-5.3	Provide measures to protect the public from the hazards associated with the Transportation, Storage, and Disposal ("TSD") of hazardous wastes.
Goal S-8	*Provide adequate response and support services in the event of a major emergency or natural disaster.*
Policy S-8.1	Periodically review the Emergency Operations Plan to assure that it meets current needs in the event of a major disaster.
Policy S-8.2	Cooperate with Contra Costa County's Emergency Preparedness Plan.
Policy S-8.3	Ensure that Lafayette has an adequate and well equipped Emergency Operations Center (EOC).
Policy S-8.4	Make information available to residents on methods to reduce the dangers from natural hazards, fire, and crime, and encourage neighborhood groups to become involved in prevention and emergency response programs.
Policy S-8.5	Identify and publicize evacuation routes to be used in emergencies.
Goal S-9	*Maintain an effective medical emergency response system.*
Policy S-9.1	Work to improve emergency medical response service in Lafayette.

Source: Lafayette General Plan, 2002. http://www.ci.lafayette.ca.us, accessed on October 31, 2011.

hazardous materials during demolition, construction, or renovation. BAAQMD Regulation 11-2-401.3 requires that for every demolition or renovation involving the removal of Regulated Asbestos Containing Material (RACM), a notification must be made to the BAAQMD. Regulation 11-2-303.8 requires that a survey be performed prior to demolition to determine the presence of RACM. The person who performs the survey must be Cal-OSHA certified.[5]

B. Existing Conditions

This section describes potential hazards related to hazardous materials, asbestos-containing materials, lead-based paint, airports, and wildland fires, and also includes information about emergency preparedness in the Project area.

The term "hazardous material" is defined in different ways for different regulatory programs. In this EIR, the California Health and Safety Code Section 25501 definition of a hazardous material is used: "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."

Once a hazardous material is released, it moves from the source to a point of contact with the community or environment through an exposure pathway.

To reach that point of contact, the exposure pathway must have:

- A contamination source or point of release.
- A transport mechanism from the source to the air, surface water, groundwater, or soil.

[5] Bay Area Air Quality Management District website, http://hank.baaqmd.gov/enf/asbestos/faq.htm, accessed on April 10, 2012.

- A contact point where people are exposed to contaminated air, surface water, groundwater, or soil.
- A route of entry into the body. Routes of entry include ingestion (eating or drinking), inhalation (breathing), and absorption (skin contact).

If any of the above requirements for an exposure pathway are not present, the pathway is incomplete and no exposure or risk is possible. In some cases, although a pathway is complete, the likelihood that exposure will occur is very small.

1. Hazardous Materials

Handling, storing, and managing hazardous materials in Lafayette in the past may have resulted in chemical releases that were not identified. Common hazardous substances used in light industrial, auto-related, and other commercial areas near the Project area may have included solvents, degreasers, and industrial process chemicals. Prior to the enactment of existing regulation, industrial discharges – whether intentional, inadvertent, or accidental – were common sources of water and soil pollution.

A search of over a dozen environmental lists and databases did not reveal any hazardous material sites on the Project site, but there are a few in the surrounding area. Additionally, there are sites near to the Project site that have been known to contain hazardous materials storage tanks. Table 4.7-2 lists hazardous material generators and sites along with their current status of remediation, when known.[6]

[6] This list includes underground storage tanks, hazardous waste storage, transport, treatment and/or generation, Cortese hazardous waste storage, and one dry cleaner. There are 14 sites not included in this table due to inadequate address/location information.

TABLE 4.7-2 **HAZARDOUS MATERIAL GENERATORS AND SITES IN PROJECT AREA**

Site Name	Address	Cleanup Status
Acalanes High School	1200 Pleasant Hill Rd.	Unknown
Acalanes High School	3210 Stanley Blvd.	Case Closed
Acalanes Yard	3210 Stanley Blvd.	Unknown
Ace Hardware	3325 Mt. Diablo Blvd.	Unknown
Alamo Lafayette Cemetery Dist.	3285 Mt. Diablo Blvd.	Unknown
Allegro Copy and Print	3340 Mt. Diablo Blvd.	Unknown
Alwand Service Station	3357 Mt. Diablo Blvd.	Open - Remediation
Big O Tires #3	3328-A Mt. Diablo Blvd.	Unknown
Billeter, Pingree & Company	3210 Old Tunnel Rd.	Unknown
California Star	3344 Mt. Diablo Blvd.	Unknown
Chevron	1175 Pleasant Hill Rd.	Case Closed
Chevron	3363 Mt. Diablo Blvd.	Case Closed
Contra Costa Fire Station #15	3338 Mt. Diablo Blvd.	Unknown
Diablo Services	3328 Mt. Diablo Blvd. #E	Unknown
Greg's Mufflers	3329 Mt. Diablo Blvd.	Unknown
Janet & Ron Miller	3255 Stanley Blvd.	Unknown
Lafayette Auto Body	3291 Mt. Diablo Blvd.	Unknown
Lafayette Car Wash	3319 Mt. Diablo Blvd.	Case Closed
Lafayette German Repair	3328 Mt. Diablo Blvd. #D	Unknown
Lafayette Service Outlet	3340 Mt. Diablo Blvd.	Unknown
Lamorinda Auto Body Inc.	3328-B Mt. Diablo Blvd.	Unknown
Lemos Property	3344 Mt. Diablo Blvd.	Case Closed
Nextel	3322 Deer Hill Rd.	Unknown
Nick's Exclusive Service	3360 Mt. Diablo Blvd.	Unknown

TABLE 4.7-2 **HAZARDOUS MATERIAL GENERATORS AND SITES IN PROJECT AREA** (CONTINUED)

Site Name	Address	Cleanup Status
Pacific Bell	3291 Mt. Diablo Blvd.	Unknown
Penguin Cleaners	3322 Mt. Diablo Blvd.	Unknown
Professional Automotive Enterp.	3331 Mt. Diablo Blvd.	Unknown
Regal Station	3357 Mt. Diablo Blvd.	Unknown
Richard Texara	3356 Mt. Diablo Blvd.	Unknown
Rose Eng	3210 Old Tunnel Rd.	Unknown
S&S Shell Service	3357 Mt. Diablo Blvd.	Open - Remediation
Scotty Rents	3380 Mt. Diablo Blvd.	Open - Site Assessment
Shell Oil Co.	3356 Mt. Diablo Blvd.	Unknown
Shell Service Station	3255 Stanley Blvd.	Open - Site Assessment
Svensson Automotive	3297 Mt. Diablo Blvd.	Unknown
Trans Am	3410 Mt. Diablo Blvd.	Case Closed
Triple's Machine Shop	3327 Mt. Diablo Blvd. #C	Unknown
Urban Suburban Inc.	3328 Mt. Diablo Blvd. #C	Unknown

Source: Engeo Incorporated, 2011. *Phase I and Phase II Environmental Site Assessment The Terraces of Lafayette*, pages 34 to 44. See Appendix K of this Draft EIR.

2. Asbestos-Containing Materials

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 only occurs when 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 U.S. EPA. The age of a building is directly related to its potential for containing elevated levels of ACM. Generally, all untested materials are presumed to contain asbestos in buildings constructed prior to 1981. The U.S. EPA recommends a proactive in-place management program be implemented wherever undamaged ACM are found in a building. The U.S. EPA recommends that damaged ACM be removed, repaired, encapsulated, or enclosed, and that all ACM are removed prior to any demolition or major renovation activities.

3. 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.

4. Airports

The public use airport located nearest to the Project area is Buchanan Field Airport, located at 550 Sally Ride Drive in Concord, California, approximately 10 miles north of the Project site.[7] The Project area is not located within

[7] Airports in California, http://www.aircraft-charter-world.com/airports/northamerica/california.htm, accessed on October 31, 2011.

the airport safety zones for Buchanan Field Airport.[8] There are no private airstrips in the vicinity of the Project area.

5. Wildland Fire Hazard

Figure 4.7-1 illustrates that the California Department of Forestry and Fire Protection (CALFIRE) has classified the Project area as "High" risk.[9] This risk area is within the Local Responsibility Area versus the State Responsibility Area (SRA). Under most circumstances, lands are removed from the SRA when housing densities average more than 3 units per acre over an area of 250 acres.[10] The Contra Costa County Fire Protection District (CCCFPD) provides fire protection services to Lafayette and surrounding unincorporated areas of Contra Costa County including areas of potential wildland fire hazard. The CCCFPD also works with the California Department of Forestry, Mount Diablo State Park, and the San Ramon Valley Fire District in addressing wildland fire hazards.

6. Emergency Preparedness

Lafayette's General Plan, as indicated in Table 4.7-1, aspires to provide adequate major and natural disaster emergency response and support services and to maintain effective medical emergency response. A variety of strategies and tools are in place to ensure these goals are met, including a City Emergency Operations Plan, coordination and compliance with the County Emergency Preparedness Plan, a City Emergency Preparedness Commission, and a City Emergency Operations Center. For additional discussion of emergency preparedness, please refer to Chapter 4.12, Public Services.

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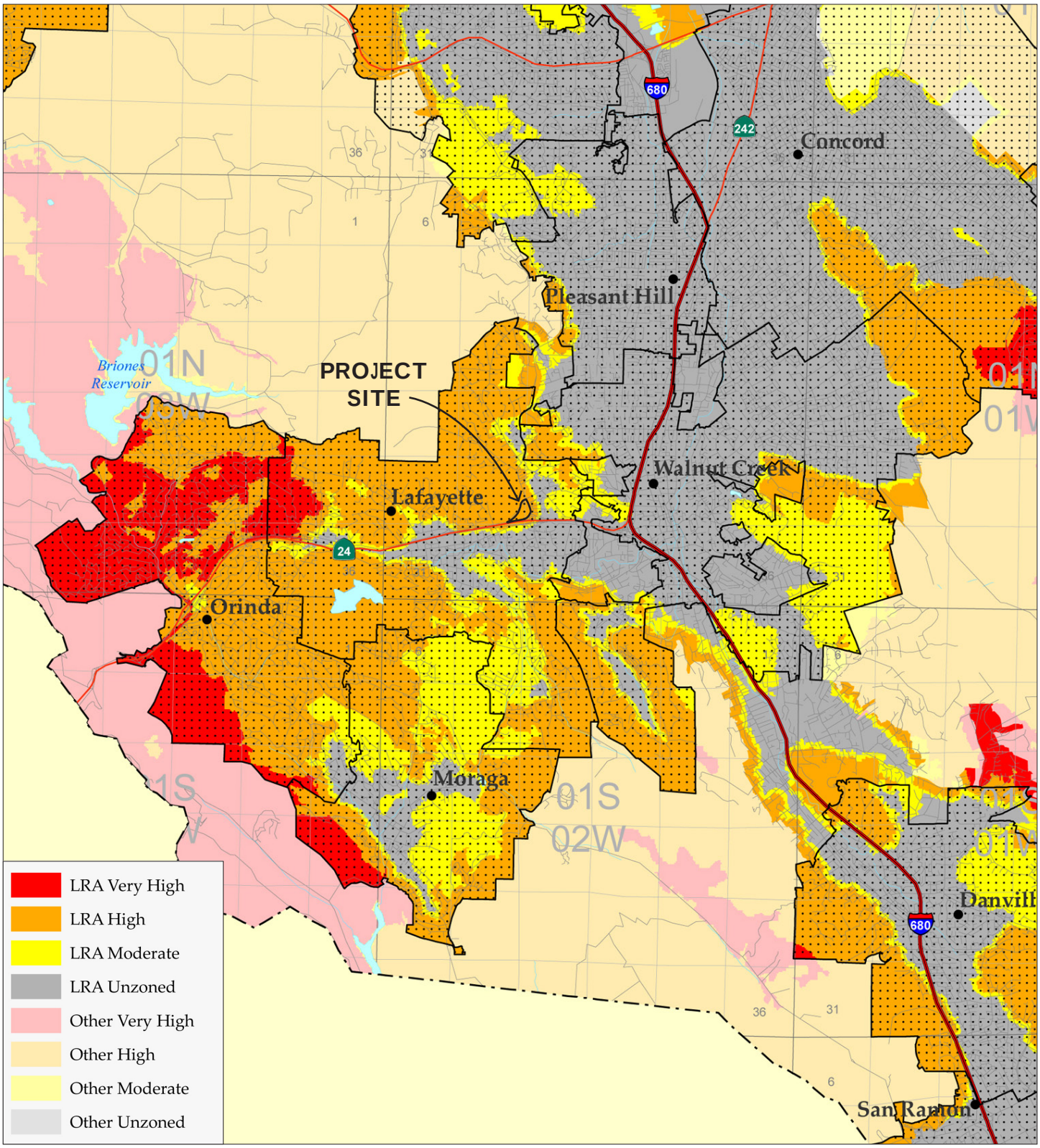
[8] The airport's outer safety zone, Safety Zone 4, ends approximately 5,000 feet from the edge of the southern most runway. Contra Costa County Airport Land Use Compatibility Plan, December 2000, *Chapter 3 Buchanan Field Airport Policies,* page 3-9.

[9] California Department of Forestry and Fire Protection, http://www.fire.ca.gov/fire_prevention/fhsz_maps/fhsz_maps_contracosta.php, accessed on October 31, 2011.

[10] California Department of Forestry and Fire Protection, http://cdfdata.fire.ca.gov/fire_er/fpp_terminology?filter=S, accessed on October 31, 2011.



Source: California Department of Forestry and Fire Protection, 2007.

FIGURE 4.7-1

FIRE HAZARD SEVERITY ZONES, LOCAL RESPONSIBILITY

C. Standards of Significance

Hazards and hazardous materials impacts associated with the Project would be considered significant if the Project 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 environment.
5. Result in a safety hazard for people residing or working in the project area, for a project 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.
6. Result in a safety hazard for people residing or working in the project area, for a project within the vicinity of a private airstrip.
7. Impact implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
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 residents are intermixed with wildlands.

D. Impact Discussion

1. Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

An impact could result if development requires hazardous materials transport, use, and storage to occur in close proximity to residences, commercial business, or other population centers. An impact could also occur if development creates conditions where hazardous materials could easily contaminate surrounding soil, water, or air. The most likely scenarios would be from rainwater runoff spreading contaminated waste, leaking underground tanks or drums, or an industrial accident causing a fire or explosion. Stormwater runoff is discussed in Chapter 4.8.

There are a variety of hazardous material generators and sites on land surrounding the Project, but there are none within the Project site itself. The proposed Project, a residential development, would not include the routine transport or disposing of hazardous materials. Construction and operation of the proposed Project would involve the routine use and handling of small amounts of hazardous materials (i.e. diesel gasoline, fertilizers, swimming pool chemicals such as chlorine, etc.). Construction activities at the Project site would involve the use of petroleum-based fuels for maintenance and construction equipment, which would be transported to the site periodically by vehicle and would be present temporarily during construction. These potentially hazardous materials, however, would not be of a type or occur in sufficient quantities on-site to pose a significant hazard to public health and safety or the environment. Consequently, associated impacts from buildout of the Project would be *less than significant*.

2. Would the Project 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.

a. Landscaping

The proposed Project involves a residential development on land previously used as a quarry and partially developed with a single-family home and a series of other small structures previously described. The potential for pesticide, herbicide, or fertilizer accumulation at the Project site is negligible, due to the type of buildings on the site and the fact that it is not used for agricultural purposes. Landscaping chemicals and fuels are expected to be on the site, for routine use by professional maintenance personnel. The use and storage of these chemicals is common in the area, and would not produce significant environmental hazards to users of the site. Overall, there would be *less-than-significant* impact related to the storage and use of landscaping chemicals.

b. Asbestos-Containing Materials

As previously stated, asbestos-containing materials (ACM) when left intact and undisturbed, do not pose a health risk to building occupants. The potential for human exposure occurs when ACM are damaged to the extent that asbestos fibers become airborne and are inhaled. In addition, the age of a building is directly related to its potential for containing elevated levels of ACMs. Damage such as this would occur during the demolition of the existing buildings and residence.

The original construction dates of the existing buildings and residence that would be demolished ranges from 1941 and 1974; therefore, the age of the structures indicates the potential for ACMs to be present. If ACMs are found on the Project site, the demolition of these structures creates a *significant* impact related to release of hazardous materials into the environment.

c. Lead-Based Paints

As previously discussed, lead-based paints (LBP) were widely used in the past to coat and decorate buildings. Like ACM, LBP generally does not pose a health risk when left undisturbed; however, deterioration, damage, or disturbance will result in hazardous exposure. Disturbance such as this would occur during the demolition phase of the proposed Project.

The use of LBP was federally banned by the Consumer Product Safety Commission in 1978. 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. The original construction dates of the existing buildings and residence that would be demolished ranges from 1941 and 1974; therefore, the age of the structures indicates the potential for LBPs to be present. If LBPs are found on the Project site, the demolition of these structures would create a *significant* impact related to release of hazardous materials into the environment.

3. Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school.

There is one school within a ¼-mile of the Project area. This is Acalanes High School at 1200 Pleasant Hill Road. Any new construction that may occur in the Project area would be required to adhere to the previously described regulations enforced by federal, State, and local agencies related to hazardous materials and emissions. In addition, as discussed above, land uses proposed by the Project do not include any uses that require ongoing handling of hazardous materials, such as industrial uses. Because Project implementation would not generate hazardous emissions or result in the type of handling or material storage that could potentially result in harmful, accidental upsets, potential impacts on the aforementioned school from emissions or hazardous materials accidents would be *less than significant*.

4. Would the Project 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 environment.

As shown in Table 4.7-2, the Project site is not on a list on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5[11] and *no impact* would occur.

[11] California Department of Toxic Substance Control, Envirostor, Hazardous Waste and Substance List, September 9, 2011.

The locations near the Project site currently known to contain hazardous materials are monitored by the appropriate government agencies. For example, through its Hazardous Waste Management Program, the DTSC works with the CalEPA to enforce and implement regulations pertaining to hazardous wastes. In addition, the U.S. EPA provides oversight and supervision for site investigations and remediation projects, and has developed land disposal restrictions and treatment standards for the disposal of certain hazardous wastes. As a result of these regulatory measures, potential impacts from future development on a hazardous materials location near the Project site would be *less than significant*.

5. Would the Project result in a safety hazard for people residing or working in the Project area, for a project 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.

The Project site is not within two miles of a public airport or airport land use plan. As such, *no impact* would occur.[12]

6. Would the Project result in a safety hazard for people residing or working in the Project area, for a project within the vicinity of a private airstrip.

There are no private airstrips in the vicinity of the Project site. Thus, there would be *no impact* related to private airstrips.[13]

7. Would the Project impact implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

As discussed in Chapter 4.12, after mitigation (see Mitigation Measure TRAF-7) to ensure that turning radii are provided on-site, no project or cumulative impacts to fire protection services would occur when considering

[12] Airports in California, http://www.aircraft-charter-world.com/airports/northamerica/california.htm, accessed on October 31, 2011.

[13] Airports in California, http://www.aircraft-charter-world.com/airports/northamerica/california.htm, accessed on October 31, 2011.

the Project's fire safety features. The Project's internal roadway system provides residential and emergency access. Vehicles would circulate through the Project area using the internal roadway system and three entrance points. Therefore, the Project would not impair implementation of or physically interfere with the *City of Lafayette's Emergency Operations Plan*, which addresses the City's responsibilities in emergencies associated with natural disasters, including wildfires and associated impacts would be *less than significant*.

8. Would the Project 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 residents are intermixed with wildlands.

CALFIRE includes the City of Lafayette in its list of cities that contain Very High Fire Hazard Severity Zones. As noted in the existing conditions section above, the Project does not include any areas designated as "Very High" risk; however, the entire Project site is designated as a "High" risk zone. As stated in General Plan Policy S-4.5, the Project applicant would be required to prepare a City approved Vegetation Management Plan that includes native, drought tolerant, and fire resistant species. Mandatory compliance with California Building Code (CBC) would further prevent or reduce the risk to people and structures as a result of wildland fires. As identified in section 903 of the CBC the Project would be required to install automatic sprinklers in all buildings. Given State and local building code requirements (e.g. sprinkler systems), the CCCFPD's plan review, and implementation of a City approved Vegetation Management Plan, the impacts associated with wildland fire risk would be *less than significant*.

9. Cumulative Impacts

This section analyzes potential impacts from hazardous materials and wildfire hazards that could occur from the Project in combination with reasonably foreseeable growth as identified in Table 4-1 in Chapter 4 of this Draft EIR. As with the Project, the applicants of the projects in Lafayette would be required to be consistent with the applicable fire protection and safety policies identified in the General Plan and construct buildings pursuant to the stand-

ards set forth in the current CBC; combined, these regulatory requirements would ensure any cumulative impacts from wildfire hazards would be less than significant. As stated previously, the Project and cumulative impacts to fire protection services would be less than significant. Furthermore, same as the proposed Project, the applicants of the related projects would also have to comply with regulatory measures set forth by CalOSHA, CalEPA, and the U.S. EPA to reduce impacts associated with ACMs and LBPs. Therefore, with implementation of Mitigation Measure HAZ-1a and -1b, construction and operation of the proposed Project would not contribute to any potential cumulative impacts, and cumulative impacts from hazards and hazardous materials would be *less than significant*.

E. Impacts and Mitigation Measures

Impact HAZ-1: If ACMs or LBPs are found to be present on the Project site, the demolition of these structures creates a potentially *significant* impact related to release of hazardous materials into the environment.

> Mitigation Measure HAZ-1a: Hire the services of a CalOSHA certified qualified asbestos abatement consultant to conduct a pre-construction assessment for asbestos containing materials. Prior to the issuance of the demolition permit, the applicant shall provide a letter to the City Planning & Building Services Division from a qualified asbestos abatement consultant that no ACMs are present in the buildings. If ACMs are found to be present, the hazardous materials shall be properly removed and disposed prior to demolition of buildings on the Project site in compliance with applicable federal, State, and local regulations, such as the U.S. EPA's NESHAP regulation, BAAQMD Regulation 11, Title 8 of the California Codes of Regulations, the Unified Program, and the City's General Plan Policies, as described in Section A.
>
> Mitigation Measure HAZ-1b: Hire the services of a qualified lead paint abatement consultant to conduct a pre-construction assessment of lead based paints. Prior to the issuance of the demolition permit, the appli-

cant shall provide a letter to the City Planning & Building Services Division from a qualified lead paint abatement consultant that no lead paint is present in onsite buildings. If lead paint is found to be present on buildings to be demolished or renovated, the hazardous materials shall be properly removed and disposed in compliance with applicable federal, State, and local regulations, including the U.S. EPA's NESHAP regulation, Title 40 of the Code of Federal Regulations, Title 8 of the California Codes of Regulations, the Unified Program, and the City's General Plan Policies, as described in Section A.

Significance After Mitigation: *Less than significant.*