

I. HAZARDS AND HAZARDOUS MATERIALS

This section describes the potential for hazardous materials¹ and other hazards to affect human health and the environment at the project site. Historical land uses at and near the project site have included uses that have the potential to have released contaminants affecting soils and groundwater. There may be a potential for construction workers and future site workers and patrons to come into contact with hazardous materials at the project site during and following project development.

1. Setting

a. Regulatory Framework. A myriad of laws and regulations at the federal, State, and local levels affect the management of hazardous materials. In California, the U.S. Environmental Protection Agency (U.S. EPA) has granted most enforcement authority over federal hazardous materials regulations to the California Environmental Protection Agency (Cal EPA). In turn, two local agencies, the San Jose Fire Department (SJFD) and Santa Clara County Department of Environmental Health (SCCDEH), have been granted authority by the State to enforce most regulations pertaining to hazardous materials in the City of San Jose.

Oversight over investigation and remediation of sites affected by hazardous materials releases can be performed by State agencies, such as the Department of Toxic Substances Control (DTSC), regional agencies, such as the San Francisco Bay Regional Water Quality Control Board (RWQCB), or local agencies, such as SCCDEH or the Santa Clara Valley Water District (SCVWD).²

b. Hazardous Materials Setting. The hazardous materials setting is based on previous environmental investigations conducted at the project site and a site reconnaissance.

(1) Status of Environmental Investigations. Phase I Environmental Site Assessments are in the process of being prepared for parcels at the project site. The following draft Phase I reports were reviewed for the project site:

- Lowney Associates, 2005a. *Draft Phase I Environmental Site Assessment, 102 South Montgomery Street and 530 West San Fernando Street, San Jose, California.* October 17.
- Lowney Associates, 2005b. *Draft Phase I Environmental Site Assessment, 105 South Montgomery Street, San Jose, California.* October 17.
- Lowney Associates, 2005c. *Draft Phase I Environmental Site Assessment, 150 South Montgomery Street.* October 17.
- Lowney Associates, 2005d. *Draft Phase I Environmental Site Assessment, 510 West San Fernando Street and 115 South Autumn Street, San Jose, California.* October 17.

¹The California Health and Safety Code defines a hazardous material as “...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. Hazardous materials include, but are not limited to, hazardous substances, hazardous waste, radioactive materials, and any material which 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.” (California Health and Safety Code, Section 25501).

²Prior to July 2004, SCVWD had lead regulatory agency status for many leaking underground tank sites and other groundwater contamination sites in the project vicinity. SCCDEH has since taken over oversight over most of these contaminated sites.

- Lowney Associates, 2005e. *Draft Phase I Environmental Site Assessment, 645 Park Avenue, San Jose, California*. October 17.
- Lowney Associates, 2005f. *Draft Phase I Environmental Site Assessment, 150 South Autumn Street, San Jose, California*. November 4.
- Lowney Associates, 2005g. *Draft Phase I Environmental Site Assessment, 170 South Autumn Street, San Jose, California*. November 4.

The Phase I reports are intended to identify potential areas of contamination, and the likelihood that contamination will affect development of the project. After the Phase I reports are finalized, Phase II investigations will be conducted, based on the recommendations of the Phase I reports. These Phase II investigations will include the collection of soil and groundwater samples from the project site and the use of quantitative screening criteria to determine whether areas of contamination are present at the project site that could affect project development. Additional investigation and/or remedial action may be required under the oversight of a regulatory agency (such as DTSC, RWQCB, or SCCDEH) should contamination be identified during the Phase II investigations.

(2) Current and Historical Land Uses Associated With Hazardous Materials. Information on current land uses at the project site is based on a site reconnaissance and is detailed in Table V.I-1. Historical land uses were identified from Phase I reports for the project site. Current and historical land uses associated with hazardous materials are described below.

Backup Electrical Generators. Backup diesel-powered electrical generators were identified at 510 W. San Fernando Street³ and 645 Park Avenue.⁴ Generators currently in operation are required to have secondary containment for diesel aboveground storage tanks (ASTs), but generators historically present at the project site may not have had similar leak-prevention features.

Compressed Gas Manufacturing. ARC Gas Products, located at 140 S. Montgomery Street, is an industrial gas manufacturer. Their product line includes hazardous materials such as acetylene, ammonia, chlorine, hydrogen chloride, sulfur dioxide, and sulfur hexafluoride gases.

Dry Cleaning. Based on City permit records, a dry cleaning establishment may have operated at 150 S. Autumn Street during the 1950s.⁵ Dry cleaners are associated with the use of tetrachloroethylene, a volatile organic compound (VOC) commonly used as a dry cleaning solvent.

Electrical Motor Service. An electrical motor service operated at 510 W. San Fernando Street during the 1960s until the 1990s.⁶ This facility likely used petroleum-based lubricants, solvents, and

³ Lowney Associates, 2005d. *Draft Phase I Environmental Site Assessment, 510 West San Fernando Street and 115 South Autumn Street, San Jose, California*. October 17.

⁴ Lowney Associates, 2005e. *Draft Phase I Environmental Site Assessment, 645 Park Avenue, San Jose, California*. October 17.

⁵ Lowney Associates, 2005f. *Draft Phase I Environmental Site Assessment, 150 South Autumn Street, San Jose, California*. November 4.

⁶ Lowney Associates, 2005d, op cit.

Table V.I-1: Current Land Uses at the Project Site

Current Land Uses	Address	APNs	Site Acreage	Building Area (Sq. Ft.)
PG&E Substation	630 W. San Fernando St.	261-35-002	1.5	–
Former Stephen's Meat Products	105 S. Montgomery St.	261-35-007, -003, -010, and -006	1.0	27,200
SBC Communications	145 S. Montgomery St.	261-35-027	4.5	150,000
Former KNTV television studio	645 Park Avenue	261-35-014	1.6	15,000
Patty's Inn and single-family residence	102 S. Montgomery St. and 530 W. San Fernando St.	259-48-012	0.15	2,900
Amtrak offices	510 W. San Fernando St. 114 S. Montgomery St. and 115 S. Autumn St.	259-48-011, and -013	1.0	22,964
Arc Gas Products	140 S. Montgomery St.	259-48-052	0.6	12,300
Pacific Blue Traders garden store	150 S. Montgomery St.	259-48-053	1.0	9,710
Creative Security Concepts Inc. Alliance for Community Care	150 and 150A S. Autumn St.	259-48-071, -074	1.0	28,314
CarQuest	170 S. Autumn St.	259-48-060	0.35	12,197
Multi-tenant office building	595 Park Avenue	259-48-073, and -057	0.55	4,500
City of San Jose Fire Department Field Operations and Vehicle Maintenance Facility	245 and 255 S. Montgomery St.	261-37-025	5.0	41,960

Note: This table is also included as Table V.A-2, and corresponds to Figure V.A-3, APN Location Map.

Source: City of San Jose, LSA Associates, Inc. 2005

other hazardous materials. Surface staining was identified near a former hazardous materials storage area during a previous inspection of this parcel.⁷ Two gasoline underground storage tanks (USTs), one closed in place in 1986 and one removed in 1989, were used to fuel vehicles at the site.⁸

Electrical Substation. Electrical substations typically use, store, and dispose of three classes of hazardous materials:⁹

- **Dielectric fluid.** Electrical transformers and other substation equipment contain dielectric fluid (a non-electrical conductive liquid made from a highly refined hydrocarbon-based oil), which is used for insulation and cooling. When oil-filled equipment is taken out of service, this fluid must be disposed of as hazardous waste. Prior to the 1970s, dielectric fluids frequently contained polychlorinated biphenyls (PCBs), a suspected carcinogen.
- **Lead-acid batteries.** Lead-acid batteries are used to provide backup power for monitoring, alarm, protective relaying, instrumentation and control, and emergency lighting during power outages.

⁷ Ibid.

⁸ Ibid.

⁹ PG&E, 2005. PG&E Delta Distribution Planning Area Capacity Increase Substation Project, Proponent's Environmental Assessment. August.

- **Industrial gases.** Electrical substations use two industrial gases, sulfur hexafluoride and nitrogen gas. Sulfur hexafluoride gas (SF₆) is used as an insulator and arc suppresser in circuit breakers. Under normal conditions, it is completely contained in the equipment. Although SF₆ is relatively inert and non-toxic, containment is considered important, as it is a greenhouse gas. Cylinders of compressed nitrogen gas are used to maintain a slight positive pressure on oil-filled electrical equipment. This pressure serves to keep out moisture, which can damage the equipment. Nitrogen gas is inert and non-toxic.

Fill Materials. A preliminary geotechnical report for the project site indicates that native soils in the project vicinity have been covered with up to 7 feet of undocumented fill material.¹⁰ As the source of the material is unknown, it is possible that hazardous materials from releases at the origin of the fill may have affected this material. This material may therefore potentially contain contaminants such as metals and/or organic compounds.

Gasoline Service Stations. Two gasoline service stations were formerly present at the north-east and southeast corners of the Park Avenue/S. Montgomery Street intersection.¹¹ These stations were removed during the early 1970s, when S. Autumn Street was constructed. Gasoline service stations typically use, store, and dispose of large quantities of petroleum products and other hazardous materials associated with vehicle maintenance.

Iron Works/Machine Shop. An iron works and machine shop was present at the building at 150 S. Montgomery Street during the 1950s and 1960s.¹² Metals, petroleum products, and solvents are associated with this land use. A later tenant of the iron works/machine shop building was listed as a generator of waste oil, mixed oil, and liquids with halogenated organic compounds.¹³

Medical Laboratory. A medical facility, which operated at various times as a physician's laboratory, a blood bank, and transplant support operations, was present at 150 S. Autumn Street from the 1970s until 2000.¹⁴ Records indicate that in the 1990s, small quantities of various hazardous materials were used at the site, including sodium hydroxide, acetone, isopropyl and methyl alcohol, ethyl ether, hydrocarbon mineral oil, acetic acid, hydrochloric acid, ethylene oxide, and Freon.¹⁵ Permit information indicates an acid-waste neutralization tank was installed at the site in 1983.¹⁶

Vehicle Maintenance. Vehicle maintenance is currently occurring and has historically taken place at several facilities at the project site. Vehicle maintenance is conducted at the San Jose Fire Department facility at 245-255 S. Montgomery Street. Vehicle maintenance and fueling was also apparent at the former meat processing facility at 105 S. Montgomery Street, which included a gaso-

¹⁰ Lowney Associates, 2005h. *Geotechnical Feasibility Consultation, San Jose Ballpark, Park Avenue, and Autumn Street, San Jose, California*. December 7.

¹¹ Lowney Associates, 2005e, op cit.

¹² Lowney Associates, 2005c. *Draft Phase I Environmental Site Assessment, 150 South Montgomery Street*. October 17.

¹³ Ibid.

¹⁴ Lowney Associates, 2005f, op cit.

¹⁵ Ibid.

¹⁶ Ibid.

line UST and an oil-water separator.¹⁷ Business plans from the 105 S. Montgomery Street site indicated that 55-gallon drums of used and new motor oil were stored at the site.¹⁸ During the 1960s until the early 1970s, an auto repair shop was present at 170 S. Autumn Street.¹⁹

(3) Reported Releases of Hazardous Materials. Butcher Electric, at 510 W. San Fernando Street/115 S. Autumn Street, was listed on the State Cortese database of hazardous materials release sites due to a release from a leaking gasoline UST.²⁰ The UST was removed in 1989, and samples from the tank excavation contained hydrocarbons related to gasoline. Affected soil was overexcavated, and two monitoring wells were installed at the site. No groundwater impact from the release was identified. Case closure was issued for the site by SCVWD on 30 March 1992.²¹ No other reported releases were identified at project site parcels during Phase I activities. The draft Phase I reports concluded that no reported hazardous materials spills with a potential to significantly affect project site parcels were identified in the project vicinity.²²

(4) Hazardous Materials Associated With Building Demolition. As many of the current buildings at the project site were all constructed prior to the 1980s, there may be a potential for lead, asbestos, and other hazardous materials to be present in building materials at the site. Prior to 1978, lead compounds were commonly used in interior and exterior paints. Prior to the 1980s, building materials often contained asbestos fibers, which were used to provide strength and fire resistance. Based on information in the draft Phase I reports, no lead or asbestos surveys are known to have been completed at the project site.

In addition, other common items, such as electrical transformers, fluorescent lighting tubes and fixtures, electrical switches, heating/cooling equipment, and thermostats, can contain hazardous materials, which may pose a health risk if not handled and disposed of properly.

Federal and State regulations govern the demolition of structures where lead or material containing lead is present. During demolition, lead-based paint that is securely adhering to wood or metal may be disposed of as demolition debris, which is a non-hazardous waste. Loose and peeling paint must be disposed of as a California and/or federal hazardous waste if the concentration of lead exceeds applicable waste thresholds. State and federal construction worker health and safety regulations require air monitoring and other protective measures during demolition activities where lead-based paint is present.

Federal, State, and local requirements also govern the removal of asbestos or suspected asbestos-containing materials (ACMs), including the demolition of structures where asbestos is present. All friable (crushable by hand) ACMs, or non-friable ACMs subject to damage, must be abated prior to

¹⁷ Lowney Associates, 2005b. *Draft Phase I Environmental Site Assessment, 105 South Montgomery Street, San Jose, California*. October 17.

¹⁸ Ibid.

¹⁹ Lowney Associates, 2005g. *Draft Phase I Environmental Site Assessment, 170 South Autumn Street, San Jose, California*. November 4.

²⁰ Lowney Associates, 2005d, op cit.

²¹ Ibid.

²² Ibid.

demolition in accordance with applicable requirements. Friable ACM must be disposed of as an asbestos waste at an approved facility. Non-friable ACM may be disposed of as non-hazardous waste at landfills that will accept such wastes. Workers conducting asbestos abatement must be trained in accordance with State and federal OSHA regulations.

Fluorescent lighting tubes and ballasts, computer displays, and several other common items containing hazardous materials are regulated as “universal wastes” by the State of California. Universal waste regulations allow common, low-hazard wastes to be managed under less stringent requirements than other hazardous wastes. Management of other hazardous wastes is governed under DTSC hazardous waste rules.

c. San Jose 2020 General Plan Policies. The following policies from San Jose 2020 General Plan would apply to the proposed project:

Hazards

- *Hazardous Materials Policy 1:* The City should require proper storage and disposal of hazardous materials to prevent leakage, potential explosions, fires, or the escape of harmful gases, and to prevent individually innocuous materials from combining to form hazardous substances, especially at the time of disposal.
- *Hazardous Materials Policy 2:* The City should support State and federal legislation which strengthen safety requirements for the transportation of hazardous materials.
- *Hazardous Materials Policy 3:* The City should incorporate soil and groundwater contamination analysis within the environmental review process for development proposals. When contamination is present on a site, the City should report this information to the appropriate agencies that regulate the cleanup of toxic contamination.
- *Hazardous Materials Policy 4:* Development located within areas containing naturally occurring asbestos should be required to mitigate any potential impacts associated with grading or other subsurface excavation.
- *Fire Hazards Policy 2:* All new development should be constructed, at a minimum, to the fire safety standards contained in the San Jose Building Code.
- *Fire Hazards Policy 6:* New development should provide adequate access for emergency vehicles, particularly fire fighting equipment, as well as provide secure evacuation routes for the inhabitants of the area.
- *Fire Hazards Policy 7:* The City should regulate the storage of flammable and explosive materials and strongly encourage the proper transportation of such materials.

2. Impacts and Mitigation Measures

a. Criteria of Significance. The proposed project would have a significant impact relating to hazards and hazardous materials if it would:

- Create a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials.
- Create a significant hazard to the public or environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment.
- Create a significant hazard to the public or environment through exposure to hazardous materials present in soils, surface water, ground water, and/or building materials as a result of historical land uses in the project vicinity.
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school.

- Be located on or adjacent to a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would result in a safety hazard for people residing or working in the area.
- Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.
- Result in an increased risk of exposure to wildland or urban fire hazards.

b. Less-than-Significant Hazards and Hazardous Materials Impacts. Less-than-significant impacts related to hazards and hazardous materials are discussed below.

(1) Emergency Response and Evacuation. Guidance for emergency response at the project site is contained in the City's Emergency Operations Plan, which is maintained by the City's Office of Emergency Services. The City will create an emergency operation plan for the proposed stadium and update as necessary. Plan review and approval by the San Jose Police Department, San Jose Fire Department, City Department of Planning, Building and Code Enforcement and the Department of Public Works will be required prior to final approval of the project. Adherence to existing laws, regulations, and policies would prevent potential interference with emergency response or evacuation plans.

(2) Fire Hazards. The project site is located in an urbanized area, and is not adjacent to a designated wildfire hazard area. The project development would be subject to plan review and inspection by the City Fire Department and Department of Planning, Building and Code Enforcement to ensure that the project meets all State and local Building and Fire Code requirements. The City Building Division enforces various codes, including the 2001 California Building Code based on the 1997 edition of the Uniform Building Code and the 2004 California Electric Code based on 2002 National Electrical Code. No impacts from wildland or urban fire hazards would be expected from development of the project.

c. Significant Hazards and Hazardous Materials Impacts. The project would result in four potentially significant impacts related to hazardous materials.

Impact HAZ-1: Development of the project could expose construction workers and/or the public to hazardous materials from contaminants in soil and groundwater during and following construction activities. (S)

Environmental investigations have identified several current and historical land uses associated with hazardous materials on project site parcels. These land uses may potentially have resulted in releases of hazardous materials that have affected site soils and groundwater. The classes of hazardous materials potentially present in site soils and groundwater include petroleum hydrocarbons, metals, solvents, PCBs, and polynuclear aromatic hydrocarbons (PAHs).

Sensitive receptors are present in the project vicinity, including residences to the east of the project site, and the Foundry School, an alternative high school, located at 258 Sunol Street, within ¼-mile to the west. Residences and schools are considered sensitive receptors, as they contain populations, such as children, the elderly, and the infirm, that are more susceptible to health effects of hazardous materials than the general population. Other groups that are likely to come into direct contact with

contaminants at the project site, such as construction and maintenance workers, are presumed to be working-age adults.

Future construction workers and maintenance workers will have direct contact with surface and sub-surface soils and groundwater. These workers may be exposed to contaminants via inhalation of dust and vapor, direct dermal contact with soils and groundwater, and/or accidental ingestion. Improper storage, handling, and disposal of contaminated materials could increase potential risks to construction workers and nearby workers, students, and residents. Following project development, portions of the project site proposed for public access would be covered with building foundations, concrete, and landscaping which would likely serve to limit exposure to site soils to future site patrons. Maintenance and utility workers may be exposed to contaminants in site soils and groundwater sporadically throughout the life of the project.

Mitigation Measure HAZ-1a: As a condition of approval for any permit for demolition, grading, or construction at any parcel at the project site, a Phase I Environmental Site Assessment shall be conducted by a qualified professional (e.g., a California-registered environmental assessor) to identify current or historical land uses that have or may have included the storage or generation of hazardous materials and the potential for releases of hazardous materials to have occurred that might impact the site. The assessments shall be performed in conformance with the current standard of care established by ASTM and EPA for Phase I Environmental Assessments and shall be submitted to the City Environmental Services Department (ESD) Environmental Compliance Officer for review and approval. The Phase I ESA assessments shall identify the potential presence of any environmental impacts to the subject site related to any historic and/or present uses of hazardous materials at the subject site and/or at any sites in the vicinity of the subject site, and present recommendations for further investigation of the parcel, if warranted.

Recommendations for investigation shall be implemented in Phase II investigations at the project site. The Phase II(s) shall include sampling of site soils and groundwater in areas of suspected contamination, based on the findings of the Phase I assessments. Additional groundwater samples shall be collected to establish baseline groundwater quality at the site and determine if previously unreported off-site contamination has migrated and affected the project site. The Phase II investigations shall also characterize the chemical quality of undocumented fill materials at the project site. Soil and groundwater sampling results shall be compared to RWQCB Environmental Screening Levels (ESLs) for commercial/industrial land uses for shallow soils for sites underlain by a potential drinking water source. The Phase II investigations shall be submitted to the ESD Environmental Compliance Officer for review and approval.

If hazardous materials are identified in site soils or groundwater in excess of RWQCB ESLs for commercial/industrial land uses, a Human Health Risk Assessment (HHRA) shall be performed by a qualified environmental professional. The HHRA shall describe measures that must be implemented to ensure that any potential added health risks to construction workers, maintenance and utility workers, site users, and the general public as a result of hazardous materials are reduced to a cumulative risk of less than 1×10^{-6} (one in one million) for carcinogens and a cumulative hazard index of 1.0 for non-carcinogens, or as required by a regulatory oversight agency. The HHRA would be subject to review and/or approval by the City ESD Environmental Compliance Officer and/or regulatory oversight agencies.

The potential risks to human health in excess of these goals would be reduced either by remediation of the contaminated soils or groundwater (e.g., excavation and off-site disposal and/or extraction/treatment of groundwater) and/or implementation of institutional controls and engineering controls (IC/EC). IC/EC may include the use of hardscape (buildings and pavements), importation of clean soil in landscaped areas to eliminate exposure pathways, and deed restrictions. If IC/EC are implemented, an Operations and Maintenance Program must be prepared and implemented to ensure that the measures adopted are maintained throughout the life of the project. If IC/EC are implemented, the Operations and Maintenance Program would be subject to review and approval by the City ESD Environmental Compliance Officer and/or regulatory oversight agencies.

Mitigation Measure HAZ-1b: Prior to approval for any demolition, grading, or construction permits at the project site, a Construction Risk Management Plan (CRMP) shall be prepared with provisions to protect construction workers, the nearby public, and future workers and nearby residents from health risks from residual contaminants in site soils and groundwater during project construction and subsequent maintenance activities. The CRMP shall summarize previous environmental investigations and health risk assessments conducted for the project site (Mitigation Measure HAZ-1a). The CRMP shall include provisions for protection of human health both for the construction phase of the development as well as for the operational phase.

In accordance with State and federal laws and regulations, the CRMP shall describe required worker health and safety provisions for all workers potentially exposed to contaminated soil and groundwater. The CRMP shall include all necessary controls to mitigate short-term risks from releases of constituents of concern to the environment in the form of dust, vapors, and/or water runoff during construction activities. Real-time air monitoring for contaminants of concern shall be required during all activities with the potential to disturb contaminated materials at the site. Action levels for contaminants of concern shall be established, with detailed descriptions of corrective actions to be taken in the event that the action levels are reached during monitoring.

The CRMP shall also provide procedures to be undertaken in the event that previously unreported contamination or subsurface hazards are discovered during construction; incorporate construction safety measures for excavation and other construction activities; establish detailed procedures for the safe storage, stockpiling, use, and disposal of contaminated soils and groundwater and other hazardous materials at the project site; provide emergency response procedures; and designate personnel responsible for implementation of the CRMP during the construction and operational phases of the project.

The CRMP shall also include an Operations and Maintenance Plan component, to ensure that health and safety measures required for future construction, utility trenching, and maintenance at the project site shall be enforced in perpetuity. The CRMP shall be submitted to the City ESD Environmental Compliance Officer for review and approval. If regulatory oversight is required for site remediation, the CRMP would also be subject to review and approval by regulatory oversight agencies.

Implementation of this two-part measure would reduce this impact to a less-than-significant level. (LTS)

Impact HAZ-2: Improper use or transport of hazardous materials during construction activities could result in releases affecting construction workers and the general public. (S)

Construction activities proposed by the project would require the use and transport of hazardous materials. These materials may include contaminated soil and/or groundwater, building demolition debris containing lead and asbestos, and fuels, oils, and other chemicals used during construction. Removal/relocation and transportation of hazardous materials could result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment.

Mitigation Measure HAZ-2: The CRMP for the project site shall include emergency procedures and the management and disposal of contaminated soils and groundwater (see Mitigation Measure HAZ-1b). Use, storage, disposal, and transport of hazardous materials during construction activities shall be performed in accordance with existing local, State, and federal hazardous materials regulations.

Implementation of this measure would reduce this impact to a less-than-significant level. (LTS)

Impact HAZ-3: Demolition of any structures containing lead-based paint, asbestos-containing building materials, or other hazardous materials could release airborne particles of hazardous materials, which may affect construction workers and the public. (S)

The majority of the buildings currently present at the project site were constructed prior to 1980 and may contain lead-based paint, asbestos containing building materials, and/or other common hazardous materials. Exposure to these materials during demolition may potentially result in serious health risks to construction workers and the nearby public. Federal, State, and local requirements govern the abatement of lead-based paint and removal of asbestos or suspected asbestos-containing materials, including special construction worker health and safety standards for sites where lead and/or asbestos may be present. Other regulations require the proper handling and disposal of hazardous wastes. These requirements are promulgated by federal and State agencies and the Bay Area Air Quality Management District (BAAQMD).

Mitigation Measure HAZ-3: As a condition of approval for any demolition permit for a structure at the project site, a lead-based paint and asbestos-containing material survey shall be performed at the structure by a qualified environmental professional. Based on the findings of the survey, identified asbestos hazards shall be abated by a certified asbestos abatement contractor in accordance with the regulations and notification requirements of the BAAQMD. Federal and State construction worker health and safety regulations shall be required during renovation or demolition activities, and any required worker health and safety procedures shall be incorporated into the project CRMP (per Mitigation Measure HAZ-1b). If loose or peeling lead-based paint are identified, they shall be removed by a qualified lead abatement contractor and disposed of in accordance with existing hazardous waste regulations. Other hazardous wastes generated during demolition activities, such as fluorescent light tubes, mercury switches, and computer displays, shall be managed and disposed of in accordance with existing hazardous waste regulations.

Implementation of this measure would reduce this impact to a less-than-significant level. (LTS)

Impact HAZ-4: Future land uses at the project site may potentially create a significant hazard to the public or the environment as a result of routine transport, use, production, upset, or disposal of hazardous materials. (S)

The electrical substation at the site would use, store, and dispose of hazardous materials, including dielectric fluid, lead-acid batteries, and industrial gases. The stadium, parking garage, and other proposed uses of the project would use and store turf maintenance and other janitorial and maintenance products, which may contain hazardous materials. Improper use, storage, or disposal of these materials could result in a release of hazardous materials that could potentially affect site workers, site patrons, the general public, and nearby ecological receptors.

The electrical substation, stadium complex, and any other businesses at the project site that use, store, or dispose of hazardous materials would be required to comply with federal, State, and local requirements for managing hazardous materials. These plans include the primary hazardous materials programs administered by SJFD and SCCDEH (CUPA Plans, Programs, and Permits) as well as other requirements of State and federal laws and regulations. Depending on the precise types and quantities of hazardous materials use, stored at and disposed of from the project site, these requirements may include the preparation of, implementation of, and training in the following plans, programs, and permits:

(1) CUPA Plans, Programs, and Permits.

Hazardous Waste Generator Requirements. Facilities that generate more than 100 kilograms per month of hazardous waste, or more than 1 kilogram per month of acutely hazardous waste, must be registered in accordance with the Resource Conservation and Recovery Act (RCRA) (Title 42, US Code, Sections 6901 et seq.).

Aboveground and Underground Storage Tank Permits. Facilities with aboveground or underground storage tanks must be permitted. Other plans, such as a Spill Prevention Control and Countermeasures (SPCC) Program, will be required at the electrical substation site due to the size, location, and contents of the equipment at the facility. The SPCC Program will provide a detailed engineering analysis of the potential for release from oil-filled equipment and lead-acid batteries present at the substation, and will describe the measures, such as secondary containment and emergency response, that will be implemented to reduce the release potential.

Hazardous Materials Business Plan (Business Plan). Facilities that use, store, or handle hazardous materials in quantities greater than 500 pounds, 55 gallons, or 200 cubic feet are required to prepare a Business Plan. The Business Plan would contain facility maps, up-to-date inventories of all hazardous materials for each shop/area, emergency response procedures, equipment, and a description of employee training.

Hazardous Material Release Response Plan (Contingency Plan). All facilities that generate hazardous waste must prepare a Contingency Plan. The Contingency Plan identifies the duties of the facility Emergency Coordinator, identification and location of emergency equipment, and also

includes reporting procedures for the facility Emergency Coordinator to follow after a hazardous materials incident.

California Accidental Release Program (CalARP). Businesses that use significant quantities of acutely hazardous materials must prepare a detailed engineering analysis of the potential accident factors present at a business and the mitigation measures that can be implemented to reduce this accident potential.

(2) Non-CUPA Plans, Programs, and Permits.

High-Voltage Electrical Safety Orders. Title 8, Sections 2700 through 2983 of the California Code of Regulations contain worker health and safety regulations that would apply to workers at the electrical substation.

Injury and Illness Prevention Plan. The California General Industry Safety Order requires that all employers in California shall prepare and implement an Injury and Illness Prevention Plan which should contain a code of safe practice for each job category, methods for informing workers of hazards, and procedures for correcting identified hazards.

Emergency Action Plan. The California General Industry Safety Order requires that all employers in California prepare and implement an Emergency Action Plan. The Emergency Action Plan designates employee responsibilities, evacuation procedures and routes, alarm systems, and training procedures.

Fire Prevention Plan. The California General Industry Safety Order requires that all employers in California prepare and implement a Fire Prevention Plan. The Fire Prevention Plan specifies areas of potential hazard, persons responsible for maintenance of fire prevention equipment or systems, fire prevention housekeeping procedures, and fire hazard training procedures.

Hazard Communication Plan. Facilities involved in the use, storage, and handling of hazardous materials are required to prepare a Hazard Communication program. The purpose of the Hazard Communication program is to provide methods on safe handling practices for hazardous materials, ensure proper labeling of hazardous materials containers, and ensure employee access to Material Safety Data Sheets (MSDSs).

Mitigation Measure HAZ-4: Compliance with existing hazardous materials plans, programs, and permits would serve to mitigate potential hazardous materials impacts related to proposed future land uses. (LTS)