

## **4.6 HAZARDS AND HAZARDOUS MATERIALS**

This section describes the known hazardous materials in the vicinity of the existing Cypress College campus with regard to any hazardous materials or previous contamination in the project vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to the implementation of the Cypress College Facilities Master Plan (proposed project).

### **4.6.1 Existing Conditions**

A search of regulatory records for this project identified a number of known and potentially contaminated sites in the proposed project area. These sites of potential concern are discussed further below. In addition to a records search, historical photos of the proposed project area were reviewed to determine past uses.

A background interview questionnaire was completed by property managers indicating current and past hazardous material use and storage in the project area. Details from this questionnaire are discussed in Section 4.6.1.1, Hazardous Materials, under “Background Information Interview,” and in Section 4.6.4, Impacts Analysis.

#### **4.6.1.1 Hazardous Materials**

##### **Regulatory Database Review**

Environmental Data Resources (EDR; Appendix D) conducted a search of the numerous federal, tribal, state, and local regulatory agency environmental databases and provided a report of the findings. Databases as identified in American Society for Testing and Materials (ASTM) 1527-13, which meets the requirements of the U.S. Environmental Protection Agency (EPA) Standards and Practices for All Appropriate Inquiries (40 CFR 312), were searched. The search included the databases identified by the Cortese list statute.

According to the EDR report, the project site itself is listed in 13 regulatory databases. Most of these listings are related to the permitted handling, storage, and disposal of hazardous materials. There were two listings for the project site in the Leaking Underground Storage Tank (LUST) database. A review of data from the State Water Resources Control Board GeoTracker site and Orange County Department of Environmental Health (DEH) records indicates that these two listings are for the same release case. Records for this case indicate that there was a release of waste oil to soil; the case was closed in October 1992.

The database search also identified 35 additional sites within 1 mile of the project area. Twenty-one of the sites are listed in databases related to the permitted handling, storage, and/or disposal

of hazardous materials and do not indicate that a release of hazardous materials to the environment has occurred. Therefore, it is unlikely that these properties have affected environmental conditions in the project area. Thirteen sites were listed in the LUST database, indicating a release of hazardous materials to soil or groundwater. All 13 of these LUST cases were investigated and closed by the lead regulatory agency. One site was listed in the Voluntary Cleanup Program (VCP) database. This site, the Buena Park Strawberry Field, is located approximately 0.21 miles northeast of the project site. The site was previously operated as an orchard. The database listing for the site indicates potential soil contamination with pesticides, herbicides, metals, polychlorinated biphenyls (PCBs), and total petroleum hydrocarbons (TPH). A review of information from the DEH indicates that this site has been closed since 2013.

The EDR map indicates that there is a pipeline located in the railroad right-of-way (ROW) that is in the southwestern portion of the project site. A search in the National Pipeline Mapping System does not show a natural gas or hazardous liquid pipeline in this area. The City of Cypress General Plan (Cypress General Plan) indicates that there is a 16-inch oil pipeline in this railroad ROW (City of Cypress 2001).

### **Background Information Interview**

A background information questionnaire was completed by Susan Rittel, Project Manager, Campus Capital Projects for Cypress College, and Albert Miranda, Director of Physical Plant and Facilities for Cypress College. Ms. Rittel and Mr. Miranda indicated that the project site has been used as an educational/instructional facility since 1966. Prior to 1966, the project site was used as a dairy pasture. Ms. Rittel and Mr. Miranda indicated that a gasoline station; motor repair facility; and storage, disposal, or recycling facility were located on the property or on adjoining properties. They stated that hydraulic oil is used on the property in automobile lifts and elevators, and that they were unsure whether these oils contain PCBs; chlorine for treatment of the pool is stored on campus in 55-gallon drums; and pesticides and herbicides are currently used as part of grounds maintenance on the campus. It is unlikely that PCBs are present in hydraulic oils used in lifts on the campus because PCBs are no longer manufactured. A follow up email from Mr. Miranda listed specific pesticides and herbicides used on campus; the products used are summarized in Table 4.6-1. Two ponds, which are filled with water from a non-public well, are located on the campus. Due to the age of the buildings on the campus, asbestos and/or lead-based paint may be present in buildings; it was stated that the campus conducts asbestos and lead-based paint surveys prior to renovations or remodels. In a follow-up email to the questionnaire, Mr. Miranda stated that there were no underground storage tanks (USTs) currently on the campus, and he was unaware of any USTs located on the property in the past.

**Table 4.6-1  
Pesticides Used on Project Site**

<b>Product Name</b>	<b>EPA Registration Number</b>	<b>Quantity Stored</b>
Trimec Plus	2217-709	1 gallon
Ultra-Fine Oil	862-23-499	5 gallons
Roundup	71995	1 gallon
Spectracide Wasp Killer	9688-190-8845	120 ounces
Merit 75 WP	3125-421	1 ounce
Speedzone Southern	2217-835	2 gallons

EPA = U.S. Environmental Protection Agency.

### **Aerial Photograph Review**

Historical aerial photographs from EDR were reviewed to determine past uses of the project site and to identify potential recognized environmental conditions at the site as a result of past uses. Historical aerial photographs from 1928, 1938, 1947, 1952, 1954, 1963, 1972, 1977, 1981, 1989, 1994, 2005, 2009, 2010, and 2012 were reviewed (Appendix D). The property has been developed as an educational campus since 1966. Prior to 1966, photographs indicate that the property was used for agricultural purposes. As a result of agricultural use, soils on the property may contain residual metals and pesticides.

### **Sanborn Map Review**

Sanborn fire insurance maps provide information about historical uses and activities at the project site. Maps may indicate past property use, property address, chemical storage, and street configuration. The Sanborn Map Report for this project site indicated that it was an unmapped property; therefore, Sanborn Maps were not found in the Sanborn Library (Appendix D).

#### **4.6.1.2 Airports**

##### **Los Alamitos Joint Forces Training Center**

Los Alamitos Joint Forces Training Center is located in western Orange County within the City of Los Alamitos. On-site facilities include two runways and associated taxiways, ramp space, and hangars. The Los Alamitos Joint Forces Training Center is primarily used for helicopter training missions. A portion of the City of Cypress lies within the prevailing approach path of the Army Airfield located at Los Alamitos Joint Forces Training Center. This portion of Cypress is primarily composed of business park facilities. Specific land use regulations regarding Federal Aviation Administration (FAA) notification imaginary surfaces, aircraft noise, and building heights have been implemented (City of Cypress 2001).

### **4.6.1.3 Emergency Action Plans**

#### **North Orange County Community College District Emergency Procedures**

The North Orange County Community College District Emergency Procedures include procedures for an active shooter incident, earthquake, fire, flood, gas leak, hazardous spill, power failure, and medical emergencies (District 2016).

#### **County of Orange Emergency Operations Plan**

The County of Orange (County) Emergency Operations Plan identifies the County’s emergency planning, organization, response policies, and procedures. The plan also addresses integration and coordination with other governmental levels when required. The plan addresses how the County will respond to extraordinary events or disasters, from the preparedness phase through recovery. The responsibilities of each department are identified in matrices that are based on each identified hazard threat. Each element of the emergency management organization is responsible for assuring the preparation and maintenance of appropriate and current standard operations procedures, emergency operating procedures, resource lists and checklists. These documents provide detailed information on how assigned responsibilities are performed to support the Emergency Operations Plan implementation and ensure successful response during disaster situations (County of Orange 2014).

## **4.6.2 Relevant Plans, Policies, and Ordinances**

### **Federal**

#### ***Federal Toxic Substances Control Act and Resource Conservation and Recovery Act***

The federal Toxic Substances Control Act of 1976 (15 U.S.C. 2601–2697) and the Resource Conservation and Recovery Act (RCRA) of 1976 (42 U.S.C. 6901–6992) established a program administered by the EPA for regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act (PL 98-616), which affirmed and extended the “cradle-to-grave” system of regulating hazardous wastes. The use of certain techniques for the disposal of some hazardous wastes was specifically prohibited by the Hazardous and Solid Waste Act. Under the authority of RCRA, the regulatory framework for managing hazardous waste, including requirements for entities that generate, store, transport, treat, and dispose of hazardous waste, is found in 40 CFR 260–299.

#### ***Hazardous Materials Transportation Act***

The U.S. Department of Transportation regulates hazardous materials transportation under Title 49 of the United States Code. State agencies with primary responsibility for enforcing federal

and state regulations and responding to hazardous materials transportation emergencies are the California Highway Patrol and the California Department of Transportation. These agencies also govern permitting for hazardous materials transportation. Title 49 of the Code of Federal Regulations reflects laws passed by Congress as of January 2, 2006.

### ***Comprehensive Environmental Response, Compensation, and Liability Act***

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 (42 U.S.C. 9601–9675), commonly known as “Superfund,” was enacted by Congress on December 11, 1980. This law provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA established requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA also enabled the revision of the National Contingency Plan. The National Contingency Plan provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants.

### ***International Fire Code***

The International Fire Code (IFC; ICC 2015), created by the International Code Council, is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The IFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The IFC and the International Building Code use a hazard classification system to determine what protective measures are required to protect life safety in relation to fire. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, the IFC employs a permit system based on hazard classification. The IFC is updated every 3 years.

### ***Federal Response Plan***

The Federal Response Plan of 1999 (FEMA 1999) is a signed agreement among 27 federal departments and agencies, including the American Red Cross, that (1) provides the mechanism for coordinating delivery of federal assistance and resources to augment efforts of state and local governments overwhelmed by a major disaster or emergency; (2) supports implementation of the Robert T. Stafford Disaster Relief and Emergency Act, as well as individual agency statutory authorities; and (3) supplements other federal emergency operations plans developed to address specific hazards. The Federal Response Plan is implemented in anticipation of a significant event likely to result in a need for federal assistance or in response to an actual event requiring federal assistance under a presidential declaration of a major disaster or emergency.

## State

### *Cortese List/Government Code 65962.5*

California Government Code Section 65962.5 requires that information regarding environmental impacts of hazardous substances and wastes be maintained and provided at least annually to the Secretary for Environmental Protection. Commonly referred to as the Cortese list, this information must include the following: sites impacted by hazardous wastes; public drinking water wells that contain detectable levels of contamination; USTs with unauthorized releases; solid waste disposal facilities from which there is migration of hazardous wastes; and all cease and desist and cleanup and abatement orders. This information is maintained by various agencies including the Department of Toxic Substances Control, the State Department of Health Services, the State Water Resources Control Board, and the local (typically, county) Certified Unified Program Agency (CUPA). Each of the agencies has their own databases/records; thus, the Cortese list is not just a single list.

### *California Occupational Safety and Health Administration*

The California Occupational Safety and Health Administration (Cal/OSHA) is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. Cal/OSHA standards are generally more stringent than federal regulations. The employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure (8 CCR 330 et seq.). The regulations specify requirements for employee training, availability of safety equipment, accident prevention programs, and hazardous substance exposure warnings.

### *California Hazardous Waste Control Act*

The Department of Toxic Substances Control is responsible for the enforcement of the Hazardous Waste Control Act (California Health and Safety Code, Section 25100 et seq.), which creates the framework under which hazardous wastes are managed in California. The law provides for the development of a state hazardous waste program that administers and implements the provisions of the federal RCRA cradle-to-grave waste management system in California. It also provides for the designation of California-only hazardous waste and development of standards that are equal to or, in some cases, more stringent than federal requirements. While the Hazardous Waste Control Act is generally more stringent than RCRA, until the EPA approves the California hazardous waste control program (which regulates the generation, treatment, storage, and disposal of hazardous waste), both the state and federal laws apply in California. The Hazardous Waste Control Act lists 791 chemicals and approximately 300 common materials that may be hazardous; establishes criteria for identifying, packaging, and labeling hazardous wastes; prescribes management controls; establishes permit requirements for

treatment, storage, disposal, and transportation; and identifies some wastes that cannot be disposed of in landfills.

According to 22 CCR 66001 et seq., substances having a characteristic of toxicity, ignitability, corrosivity, or reactivity are considered hazardous waste. Hazardous wastes are hazardous substances that no longer have a practical use, such as material that has been abandoned, discarded, spilled, or contaminated, or is being stored prior to proper disposal.

Toxic substances may cause short-term or long-lasting health effects ranging from temporary effects to permanent disability or death. For example, toxic substances can cause eye or skin irritation, disorientation, headache, nausea, allergic reactions, acute poisoning, chronic illness, or other adverse health effects if human exposure exceeds certain levels, with toxic levels varying based on the nature of the chemical. Carcinogens (substances known to cause cancer) are a special class of toxic substances. Examples of toxic substances include most heavy metals, pesticides, and benzene (a carcinogenic component of gasoline). Ignitable substances (e.g., gasoline, hexane, and natural gas) are hazardous because of their flammable properties. Corrosive substances (e.g., strong acids and bases such as sulfuric (battery) acid or lye) are chemically active and can damage other materials or cause severe burns upon contact. Reactive substances (e.g., explosives, pressurized canisters, and pure sodium metal, which reacts violently with water) may cause explosions or generate gases or fumes.

Other types of hazardous materials include radioactive and biohazardous materials. Radioactive materials and wastes contain radioisotopes, which are atoms with unstable nuclei that emit ionizing radiation to increase their stability. Radioactive waste mixed with chemical hazardous waste is referred to as “mixed wastes.” Biohazardous materials and wastes include anything derived from living organisms. They may be contaminated with disease-causing agents, such as bacteria or viruses (22 CCR 66261.1 et seq.).

### ***California Accidental Release Prevention Program***

Similar to the EPA Risk Management Program, the California Accidental Release Prevention (CalARP) Program (19 CCR 2735.1 et seq.) regulates facilities that use or store regulated substances, such as toxic or flammable chemicals, in quantities that exceed established thresholds. The overall purpose of CalARP is to prevent accidental releases of regulated substances and reduce the severity of releases that may occur. The CalARP Program meets the requirements of the EPA Risk Management Program, which was established pursuant to the Clean Air Act Amendments.

### ***California Health and Safety Code***

In California, the handling and storage of hazardous materials is regulated by Division 20, Chapter 6.95, of the California Health and Safety Code (Section 25500 et seq.). Under Sections 25500–25543.3, facilities handling hazardous materials are required to prepare a hazardous materials business plan. Hazardous materials business plans contain basic information about the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of in the state.

Chapter 6.95 of the California Health and Safety Code establishes minimum statewide standards for hazardous materials business plans. Each business shall prepare a hazardous materials business plan if that business uses, handles, or stores a hazardous material (including hazardous waste) or an extremely hazardous material in quantities greater than or equal to the following:

- 500 pounds of a solid substance
- 55 gallons of a liquid
- 200 cubic feet of compressed gas
- A hazardous compressed gas in any amount (highly toxic with a threshold limit value of 10 parts per million or less)
- Extremely hazardous substances in threshold planning quantities (California Health and Safety Code, Section 25503.5)

In addition, in the event that a facility stores quantities of specific acutely hazardous materials above the thresholds set forth by California code, facilities are also required to prepare an EPA Risk Management Program plan and CalARP Program plan. The EPA Risk Management Program plan and CalARP Program plan provide information about the potential impact zone of a worst-case release and require plans and programs designed to minimize the probability of a release and mitigate potential impacts.

### ***California Fire Code***

The California Fire Code (CFC) is Chapter 9 of Title 24 of the California Code of Regulations. It was created by the California Building Standards Commission and is based on the IFC created by the International Code Council. It is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The CFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The CFC and the California Building Code use a hazard classification system to determine what protective measures are required to protect fire and life safety. These measures may include construction standards, separations from



property lines, and specialized equipment. To ensure that these safety measures are met, the CFC employs a permit system based on hazard classification. The CFC is updated every 3 years.

### ***California Emergency Services Act***

Under the Emergency Services Act (California Government Code, Section 8550 et seq.), the State of California developed an emergency response plan to coordinate emergency services provided by federal, state, and local agencies. Rapid response to incidents involving hazardous materials or hazardous waste is an integral part of the plan, which is administered by the Governor's Office of Emergency Services. The Office of Emergency Services coordinates the responses of other agencies, including the California EPA, California Highway Patrol, Regional Water Quality Control Boards, air quality management districts, and county disaster response offices.

### **Local**

#### ***Certified Unified Program Agency***

In order to ensure consistency in the administrative requirements, permits, inspections, and enforcement related to the handling and storage of hazardous wastes and materials, the California EPA oversees the Unified Program and certifies local government agencies as CUPAs to implement hazardous waste and materials standards. The Orange County DEH is the CUPA for the project area. As the CUPA, the DEH is responsible for programs, permitting, and fees related to hazardous material disclosure, business emergency plans, hazardous waste, USTs, aboveground petroleum storage tanks, and the CalARP Program.

#### ***City of Cypress General Plan***

The purpose of the Safety Element of the Cypress General Plan is to help to protect the community from natural and man-made hazards. The following goals and policies related to the generation, handling, transportation, storage, treatment, and disposal of hazardous materials are included in the Cypress General Plan (City of Cypress 2001):

- **SAF-3:** Minimize risks to life and property associated with the handling, transporting, treating, generating, and storing of hazardous materials.
  - **SAF 3.1:** Locate new and relocate existing land uses that utilize, produce, transport, or store hazardous materials a safe distance from other land uses that may be adversely affected by such activities
  - **SAF 3.2:** Encourage and support the proper disposal of household waste and waste oil. Monitor dry cleaners, film processors, auto service establishments, and other

businesses generating hazardous waste materials to ensure compliance with approved disposal procedures

- **SAF 3.3:** Prosecute unlicensed dumping of toxic or hazardous materials into the ground or water in Cypress. Increase the fines levied for illegal dumping. Encourage citizens to report dumping when they observe it.
- **SAF 3.4:** Support efforts to enforce State “right to know” laws, which outline the public’s right to information about local toxics producers.

### 4.6.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts related to hazards and hazardous materials are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to hazards and hazardous material would occur 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 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 result, would it 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 the project result in a safety hazard for people residing or working in the project area.
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area.
7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
8. 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.

Thresholds of significance six and eight were eliminated from further consideration in the Initial Study. The proposed project site is not located within the vicinity of a private airstrip. Additionally, the project site is in an urbanized area with no adjacent wildlands, so the risk of wildland fires is very low. For these reasons, the impacts of the project with respect to private airstrips or wildland fires were determined to be nonexistent or less than significant.

#### 4.6.4 Impacts Analysis

*Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

##### Construction Impacts

A variety of hazardous materials, including fuels for equipment and vehicles, new and used motor oils, cleaning solvents, and paints, would be used during construction and renovation activities. Improper handling and/or use of these materials during construction would represent a potential threat to the public and the environment. Accident prevention and containment are the responsibility of the construction contractors, and provisions to properly manage hazardous substances and wastes are typically included in construction specifications. All contractors are required to comply with applicable laws and regulations regarding hazardous materials and hazardous waste management and disposal. Examples of hazardous materials management include preventing the disposal or release of hazardous materials onto the ground or into groundwater or surface water during construction, and providing completely enclosed containment for all refuse generated in the planning area. In addition, all construction waste, including trash, litter, garbage, solid waste, petroleum products, and any other potentially hazardous materials, would be removed and transported to a permitted waste facility for treatment, storage, and/or disposal. As a result, proper use and disposal of these materials would not pose a significant risk to the public and the environment.

Due to the age of buildings on the property, construction activities could result in exposure of workers and/or the public to lead-based paint and/or asbestos. Prior to construction or renovation activities, a lead-based paint and asbestos survey will be completed by a Cal/OSHA-certified asbestos assessor and a California Department of Public Health-certified lead-based paint assessor (**Mitigation Measure (MM) HAZ-1**). Depending on the findings of the survey, it may be necessary to prepare an abatement work plan that complies with all federal, state, and local laws and describes monitoring and abatement activities that need to be carried out as part of construction activities to prevent exposure to asbestos and lead-based paint.

A review of aerial photographs and an interview with property managers indicated that the property was previously used for agricultural purposes. As a result, residual pesticides and

metals may be present in site soils. Prior to construction activities, soils should be tested for residual pesticides and metals (**MM-HAZ-2**).

The EDR database search indicated a release of waste oil to soil from a UST that was previously located in the automotive yard, west of Technical Education Building 1 (Miranda and Rittel, pers. comm. 2016). This case was investigated and closed by the lead regulatory agency. However, release cases can be closed with residual contamination in place in soils; therefore, impacted soils could be encountered during construction activities and excavation, transport, or disposal of site soils could expose workers or the general public to hazardous materials. In order to reduce any impacts from potentially contaminated soils, a hazardous materials contingency plan should be prepared prior to the commencement of construction activities (**MM-HAZ-3**).

A review of the EDR report and the Cypress General Plan indicated that a 16-inch oil pipeline is located in the railroad ROW on OCTA's property. Records associated with the pipeline did not indicate that there are any leaks. However, there is the potential that leaks have occurred and gone unreported. This pipeline or potentially impacted soils could be encountered during construction in this area. Should any construction be planned near this area, response and management measures (e.g., hazardous materials contingency plan) in the event that impacted soil is encountered during construction should be prepared prior to construction.

If aggregate aboveground oil/fuel storage capacity is greater than 1,320 gallons and there is a reasonable expectation of an oil discharge into or upon navigable waters of the United States or adjoining shorelines, a spill prevention, control, and countermeasures (SPCC) plan should be prepared and implemented (or, for smaller quantities, a spill prevention and response plan) (**MM-HAZ-4**).

Due to the potentially hazardous conditions that could be encountered during construction and renovation of buildings on the property and the potential to encounter contaminated soils, impacts would be potentially significant and mitigation is required.

### **Operational Impacts**

Routine operation of the proposed project would include the use of various hazardous materials, including chemical reagents, solvents, fuels, paints, and cleansers. These materials would be used for building, grounds, and vehicle maintenance. Many of the hazardous materials used would be considered household hazardous wastes, common wastes, and/or universal wastes by the EPA, which regards these types of wastes to be common to businesses and households and to pose a lower risk to people and the environment than other hazardous wastes when they are properly stored, transported, used, and disposed of. All hazardous materials generated and/or used on the project property would be managed in accordance with all relevant federal, state, and local laws, including the California Hazardous Waste Control Law (California Health and Safety

Code Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (22 CCR 4.5). Given compliance with these regulations, the transport, use, and disposal of hazardous materials would not pose a significant hazard to the public or the environment.

An aboveground storage tank containing vehicle fuel is located in the northeastern part of the project area. The capacity of this tank is reported as 2,000 gallons. In addition, the interview questionnaire completed by the property managers indicated that chlorine for the pool has been stored on the property in 55-gallon drums. California Health and Safety Code, Division 20, Chapter 6.95 requires the preparation of a hazardous materials business plan for any business using 55 gallons (liquid) or 500 pounds (solid) of hazardous materials. The hazardous materials business plan must be submitted electronically through the California Environmental Reporting System (**MM-HAZ-5**). In addition, if aggregate aboveground oil/fuel storage capacity is greater than 1,320 gallons and there is a reasonable expectation of an oil discharge into or upon navigable waters of the United States or adjoining shorelines, an SPCC plan should be prepared and implemented (or, for smaller quantities, a spill prevention and response plan) (**MM-HAZ-4**). Due to the use of potentially hazardous materials on site, impacts would be potentially significant and mitigation is required.

***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?***

As described above, construction activities on the campus would involve the use and storage of a variety of hazardous materials, including fuel, oil, grease, solvents, and paints. These materials would be handled, stored, used, and disposed of in accordance with all federal, state, and local laws regulating the management and use of hazardous materials. The project would also be required to comply with the Construction General Permit. This will require the preparation of a stormwater pollution prevention program (SWPPP) and development of best management practices (BMPs) for potential pollutants created by all phases of construction activity. As a result, the use of these hazardous materials for their intended purpose would not pose a significant threat to the public or the environment. However, there is the potential for soil contamination due to accidental spills or unauthorized releases during construction. In addition, soils in the project area may be contaminated due to past uses and spills at the property. Preparation of a hazardous materials contingency plan would be required to manage impacts from accidental spills or contaminated soils if discovered during construction (**MM-HAZ-3**).

Buildings in the project area may contain asbestos-containing materials or lead-based paint. Construction and renovation activities could expose workers and/or the general public to these hazardous materials. Prior to construction or renovation activities, a lead-based paint and asbestos survey will be completed. The associated report will include an abatement work plan

that describes monitoring and abatement activities that will be carried out as part of construction activities to prevent exposure to asbestos and lead-based paint (**MM-HAZ-1**).

An oil pipeline is located in the railroad ROW located adjacent to the southeast boundary of the project. Although no spills have been reported in connection with the pipeline, contaminated soils may be present in the area as a result of unreported spills. Response and management measures (e.g., hazardous materials contingency plan) should be prepared to reduce potential impacts if any construction were to occur in the ROW. Due to the use of potentially hazardous materials on site or the existence of hazardous materials on site, impacts would be potentially significant and mitigation is required.

*Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

### **Construction Impacts**

The proposed project would occur on the Cypress College campus. Additionally, Holder Elementary School, Wisdom Mission School, and Futureland Montessori School are all within 0.25 mile of the Cypress College campus. A variety of hazardous materials, including fuels for equipment and vehicles, new and used motor oils, cleaning solvents, and paints, would be used during construction and renovation activities. Improper handling and/or use of these materials during construction would represent a potential threat to the public and the environment. Accident prevention and containment are the responsibility of the construction contractors, and provisions for properly managing hazardous substances and wastes are typically included in construction specifications. All contractors are required to comply with applicable laws and regulations regarding hazardous materials and hazardous waste management and disposal. Examples of hazardous materials management include preventing the disposal or release of hazardous materials onto the ground or into groundwater or surface water during construction, and providing completely enclosed containment for all refuse generated in the planning area. In addition, all construction waste, including trash, litter, garbage, solid waste, petroleum products, and any other potentially hazardous materials, would be removed and transported to a permitted waste facility for treatment, storage, and/or disposal. As a result, proper use and disposal of these materials would not pose a significant risk to the public and the environment.

However, there is the potential for soil contamination due to accidental spills or unauthorized releases during construction. In addition, soils in the project area may be contaminated due to past uses and spills at the property. Preparation of a hazardous materials contingency plan would be required to manage impacts from accidental spills or contaminated soils if discovered during construction (**MM-HAZ-3**).

Buildings in the project area may contain asbestos-containing materials or lead-based paint. Construction and renovation activities could expose workers and/or the general public to these hazardous materials. Prior to construction or renovation activities, a lead-based paint and asbestos survey will be completed. The associated report will include an abatement work plan that describes monitoring and abatement activities that will be carried out as part of construction activities to prevent exposure to asbestos and lead-based paint (MM-HAZ-1).

### **Operational Impacts**

As previously discussed, day-to-day operation of the proposed project would include the use of chemical reagents, solvents, fuels, paints, and cleansers that are used as part of building and grounds maintenance as well as vehicle maintenance. All chemicals used on site would be required to be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (22 CCR 4.5).

An aboveground storage tank containing vehicle fuel is located in the northeastern part of the project area. The capacity of this tank is reported as 2,000 gallons. In addition, the interview questionnaire completed by the property managers indicated that chlorine for the pool has been stored on the property in 55-gallon drums. California Health and Safety Code, Division 20, Chapter 6.95 requires the preparation of a hazardous materials business plan for any business using 55 gallons (liquid) or 500 pounds (solid) of hazardous materials. The Hazardous Materials Business Plan must be submitted electronically through the California Environmental Reporting System (MM-HAZ-5). In addition, if aggregate aboveground oil/fuel storage capacity is greater than 1,320 gallons and there is a reasonable expectation of an oil discharge into or upon navigable waters of the United States or adjoining shorelines, an SPCC plan should be prepared and implemented (or, for smaller quantities, a spill prevention and response plan) (MM-HAZ-4). Due to the use of potentially hazardous materials on site, impacts would be potentially significant and mitigation is required.

***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 result, would it create a significant hazard to the public or the environment?***

A search of regulatory databases was performed by EDR following the guidelines stipulated in the ASTM Standard E1527-13, *Standard Practice for Environmental Site Assessments*. The database search identified 36 listed sites (including the project site) within 1 mile of the project area.

The project site itself is listed in 13 regulatory databases. Most of these listings are related to the permitted handling, storage, and disposal of hazardous materials. The EDR search returned two listings at the project site in the LUST database. A review of data from the State Water

Resources Control Board GeoTracker site and the DEH records indicate that these two listings are for the same release case. Records for this case indicate a release of waste oil to soil; the case was closed in October 1992.

Twenty-one of the 36 sites were listed in databases that do not indicate a release of hazardous materials; therefore, it is unlikely that these sites have impacted environmental conditions in the project area. Thirteen of the sites (not including the project site) were listed in the LUST database, indicating a release of hazardous materials to soil or groundwater. All 13 of these cases were investigated and closed by the lead regulatory agency. Due to their closure status, location, and/or the type of media affected, it is unlikely that these sites have impacted environmental conditions at the project site. Therefore, impacts are considered less than significant.

***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 the project result in a safety hazard for people residing or working in the project area?***

The Airport Land Use Commission for Orange County has adopted the Airport Environs Land Use Plan. The project site is located approximately 2 miles northeast of the Los Alamitos Joint Forces Training Base and 3.4 miles southwest of Fullerton Municipal Airport. The project site is located within the Airport Land Use Plan area for the Los Alamitos Joint Forces Training Base (ALUC 2005). The proposed project includes the construction of multistory buildings. However, according to Exhibit SAF-9 of the Cypress General Plan Safety Element, the Cypress College campus would not be located in the building height restriction area. Therefore, the proposed project activities would not pose a hazard for people residing or working in the project area, and impacts would be less than significant.

***Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?***

The County of Orange Emergency Operations Plan identifies the County's emergency planning, organization, response policies, and procedures. The plan also addresses integration and coordination with other governmental levels when required. The plan addresses how the County will respond to extraordinary events or disasters, from the preparedness phase through recovery.

### **Construction Impacts**

Construction of the proposed project could require the closure of adjacent and on-campus roadways during construction activities, which would have the potential to impact emergency evacuation procedures. To identify alternative evacuation routes and ensure that the construction site is designed in as safe a manner as possible, a temporary construction plan may need to be prepared. A primary goal of the plan would be to outline provisions for emergency vehicle



movement at all times. The design, construction, and maintenance of structures, roadways, and facilities under the proposed project would be required to comply with applicable federal, state, regional, and/or local requirements related to emergency access and evacuation plans. Permitting requirements mandate that the Fire Department and the Division of the State Architect perform a fire and life safety review and an access compliance review, respectively, prior to approval of individual project drawings and specification documents. Therefore, emergency access would be ensured and the proposed project would not interfere with an adopted emergency response or evacuation plan. Impacts would be less than significant.

### **Operational Impacts**

The proposed project may result in additional traffic on surrounding roadways. Additional traffic would increase the difficulty of evacuating the campus population in the event of an emergency. However, the proposed project is not anticipated to significantly impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Permitting requirements mandate that the Fire Department and the Division of the State Architect perform a fire and life safety review and an access compliance review, respectively, prior to approval of individual project drawings and specification documents. Therefore, emergency response and evacuation as a result of the proposed project would be adequately evaluated in order to ensure the safest possible conditions for students, staff, and visitors at the Cypress College campus. Implementation of the proposed project would not interfere with an adopted emergency response or evacuation plan. Impacts would be less than significant.

### **4.6.5 Mitigation Measures**

Implementation of the following mitigation measures would reduce identified impacts of hazards and hazardous materials to less than significant.

**MM-HAZ-1** Prior to demolition or renovation of campus buildings, a lead-based paint and asbestos survey shall be conducted by a California Occupational Safety and Health Administration-certified asbestos consultant and/or certified site surveillance technician and a California Department of Public Health-certified lead inspector/risk assessor or sampling technician. A report documenting material types, conditions, and general quantities will be provided, along with photos of positive materials and diagrams. Demolition or renovation plans and contract specifications shall incorporate any abatement procedures for the removal of material containing asbestos or lead-based paint. All abatement work shall be done in accordance with federal, state, and local regulations.

**MM-HAZ-2** Due to past uses for agriculture, prior to grading permit issuance, soil should be sampled and analyzed for metals and residual pesticides. Sampling should be

conducted in accordance with California Department of Toxic Substances Control guidance documents. The soil testing will confirm the presence or absence of on-site contamination associated with past uses on the project site.

Any soils qualifying as hazardous waste will delineated, removed, and properly disposed of off site. Any soil that exceeds the California Human Health Screening Levels will be either remediated on site to levels protective of human health or removed and properly disposed of off site.

**MM-HAZ-3** Due to a prior hazardous materials spill and the location of an oil pipeline in proximity to the project area, the project area may be impacted by hazardous materials and/or wastes. A hazardous materials contingency plan should be followed during demolition, excavation, and construction activities for the project. The hazardous materials contingency plan shall include, at a minimum, the following:

- Identification of known areas with hazardous waste and hazardous materials of concern
- Procedures for temporary cessation of construction activity and evaluation of the level of environmental concern
- Procedures for restricting access to the contaminated area except for properly trained personnel
- Procedures for notification and reporting, including internal management and local agencies (e.g., local fire department, county Certified Unified Program Agency), as needed
- Health and safety measures for removal and excavation of contaminated soil
- Procedures for characterizing and managing excavated soils
- Procedures for certification of completion of remediation

Site workers should be familiar with the hazardous materials contingency plan and should be fully trained on how to identify suspected contaminated soil.

**MM-HAZ-4** A variety of hazardous materials would be transported to, stored on, and used on the project site during construction activities and site operations. These would include fuels for equipment and vehicles, new and used motor oils, cleaning solvents, and paints, as well as storage containers and applicators containing such materials. If aggregate aboveground oil/fuel storage capacity is greater than 1,320 gallons (or completely buried 42,000 gallons) and there is a reasonable expectation of an oil discharge into or upon navigable waters of the United States or adjoining

shorelines, a spill prevention, control, and countermeasures (SPCC) plan pursuant to 40 CFR. 112 (or, for small quantities, a spill prevention and response plan) should be prepared and implemented during construction, and if applicable, during site operations. The SPCC plan (or spill prevention and response plan) should identify best management practices for spill and release prevention and provide procedures for cleaning up and disposing of any spills or releases.

**MM-HAZ-5** A variety of hazardous materials would be transported to, stored on, used on, and disposed of on the project site during construction activities. These would include fuels for equipment and vehicles, new and used motor oils, cleaning solvents, and paints, as well as storage containers and applicators containing such materials. In addition, hazardous materials, such as chlorine, pesticides, and herbicides, are routinely stored on the site and used for building and grounds maintenance. Businesses that use 55 gallons (liquid) or 500 pounds (solid) of hazardous materials are required to submit a hazardous materials business plan (pursuant to California Health and Safety Code Section 25500) within 30 days of beginning operations. The hazardous materials business plan should contain information on hazardous materials inventory, inspections, training, recordkeeping, and reporting. The hazardous materials business plan should be submitted electronically through the California Environmental Reporting System. Further information can be found on the County of Orange Department of Environmental Health website (<http://occupainfo.com/programs/hm>).

## **4.6.6 Level of Significance After Mitigation**

Implementation of the mitigation measures described above would reduce significant impacts from hazards and hazardous materials to less than significant.

## **4.6.7 Cumulative Impacts**

Cumulative impacts related to hazards and hazardous materials would result from projects that combine to increase exposure to hazards and hazardous materials. As described in Sections 4.6.1 through 4.6.6, the proposed project would have less than significant impacts with mitigation measures incorporated. The proposed project would comply with all federal, state, and local regulations pertaining to the use, transport, and release of hazardous materials. The potential release of hazardous materials during demolition or renovation of older buildings and ground-disturbing activities would be reduced in compliance with the mitigation measures outlined in Section 4.6.5. Although cumulative projects have the potential to result in significant impacts to hazards and hazardous materials, these projects would also be subject to federal, state, and local regulations that would help reduce potential impacts. Cumulative projects may also require similar

mitigation measures to help further reduce potential impacts. Therefore, the proposed project combined with the cumulative projects provided in Table 3-4 of Chapter 3, Project Description, would not result in a cumulative significant impact related to hazards and hazardous materials.

#### 4.6.8 References

8 CCR 330–344.90. California Occupational Safety and Health Regulations.

19 CCR 2735.1–2785.1 and Appendix A. California Accidental Release Prevention (CalARP) Program Detailed Analysis.

22 CCR 66001–69407.2. Environmental Health Standards for the Management of Hazardous Waste.

24 CCR, Chapter 9. California Fire Code.

40 CFR 260–299. Hazardous Waste Management System: Implementation of Subtitles C and I of the Resource Conservation and Recovery Act.

15 U.S.C. 2601–2697. Toxic Substances Control Act of 1976.

42 U.S.C. 6901–6992. Resource Conservation and Recovery Act of 1976.

42 U.S.C. 9601–9675. Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

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<http://www.ocair.com/commissions/aluc/docs/airportlu.pdf>.

California Government Code, Sections 8550–8668. California Emergency Services Act.

California Government Code, Section 65962.5. “Cortese List” Statute.

California Health and Safety Code, Sections 25100–25258.2. Hazardous Waste Control Act.

California Health and Safety Code, Sections 25500–25543.3. Hazardous Materials Management.

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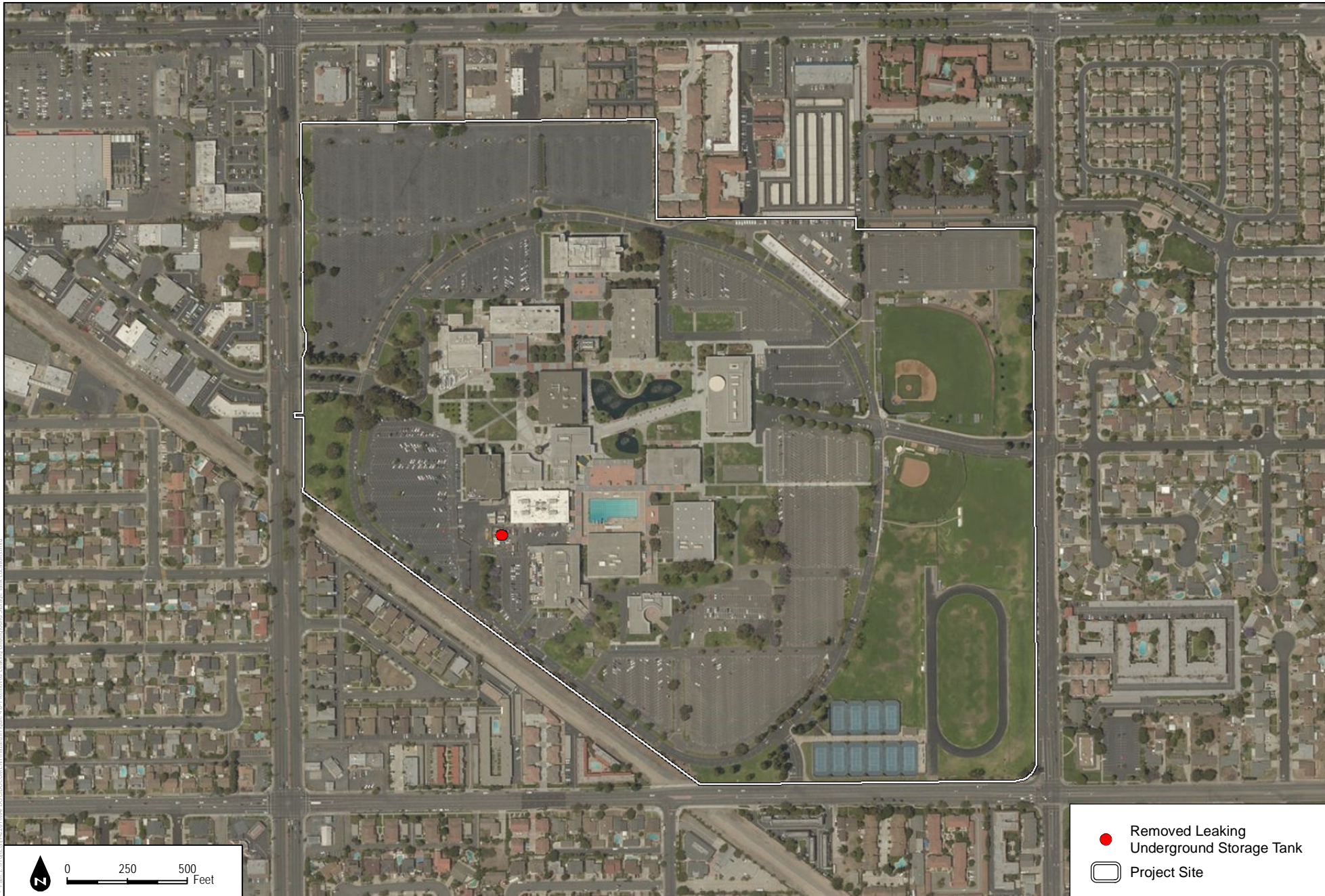
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PL 98-616. Hazardous and Solid Waste Act. November 8, 1984.

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SOURCE: Bing Maps, 2016



Cypress College Facilities Master Plan Program Environmental Impact Report

**FIGURE 4.6-1**  
 Removed Leaking Underground Storage Tank Location

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