SECTION 4.7 HAZARDS AND HAZARDOUS MATERIALS

4.7.1 Introduction

This section describes the potential adverse impacts on human health and the environment due to exposure to hazards that could result from development of the proposed Life Time Fitness Project (proposed project). The potential hazards evaluated in this section are associated with potential exposure to hazardous materials used, generated, stored, or transported in or immediately adjacent to the project area during project construction and operation.

The primary sources reviewed during preparation of this section are:

- Creekview Specific Plan Environmental Impact Report (EIR) (City of Roseville 2010)
- Stoneridge Specific Plan Environmental Impact Report (City of Roseville 1998)
- City of Roseville General Plan 2025, as amended February 2013 (City of Roseville 2013)
- Phase 1 Environmental Site Assessment (ESA) Proposed Life Time Fitness Facility Secret Ravine Parkway Roseville, California (included as Appendix F).

The documents listed above are available for review during normal business hours (Monday through Friday 8 a.m. to 5 p.m.) at the City of Roseville Permit Center, 311 Vernon Street, Roseville, California 95678.

No comments were received in response to the Notice of Preparation (NOP) pertaining to hazards. A copy of the NOP and copies of the comment letters received in response to the NOP is included in Appendix A.

4.7.2 Environmental Setting

The presence of hazardous materials or other safety hazards is a part of everyday life that could affect residents, workers, and visitors within and adjacent to the proposed project. Some of the activities can pose a risk of exposure to people or the environment due to accidental releases, such as spills, or as a result of soil or groundwater contamination related to past uses. Transportation of hazardous materials through or near the project site could also pose hazards.

As defined in the California Health and Safety Code Section 25501, "hazardous material" means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant hazard to human health and safety, or to the environment, if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the administering agency has a

reasonable basis for believing would be injurious to the health and safety of persons, or harmful to the environment if released into the workplace or the environment.

Existing Uses

The project site is currently vacant and does not contain any structures or underground storage tanks (USTs). According to the Phase I ESA prepared for the project site, underground utility vaults and electrical units are located along the west and southern site perimeter sidewalks. There were no hazardous substances or petroleum products observed on the project site or on adjoining properties. The Roseville Fire Station No.6 is located at the southwest corner (across from the site) of East Roseville Parkway and Secret Ravine Parkway and may have a fuel storage tank or other potential hazardous substances at the facility, although these materials were not observed. An aboveground storage tank containing diesel fuel was observed at a locked and unidentifiable facility believed to be a pump station approximately one-eighth of a mile southwest of the project site. A Chevron gas station and mini-mart is located across the street from the pump station and also approximately one-eighth of a mile southwest of the site.

Sensitive Receptors

Existing residences and Saint Anna's Greek Orthodox Church and Saint Anna's Preschool and Daycare, a private facility, are located to the east and south of the site, respectively.

4.7.3 Regulatory Setting

Federal Regulations

Several federal agencies regulate hazardous materials. These include the U.S. Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), and the U.S. Department of Transportation. Applicable federal regulations are contained primarily in Titles 10, 29, 40 and 49 of the Code of Federal Regulations (CFR). Title 40 of the CFR addresses emergency planning and notification, hazardous material management plans, soil and water pollution remediation and reporting, and community right-to-know reporting. Any investigation and/or cleanup of soil contamination by the applicant would be subject to standards set forth in Title 40. Title 49 applies to motor carriers that transport hazardous materials and includes safety regulations including proper handling and identification of the materials as hazardous by placards.

Hazardous Materials Handling and Transport

At the federal level, the principal agency regulating the generation, transport, and disposal of hazardous wastes is the EPA, under the authority of the Resource Conservation and Recovery

Act (RCRA). RCRA is an all-encompassing federal regulatory program for hazardous substances that is administered by EPA. Under RCRA, EPA regulates the generation, transportation, treatment, storage, and disposal of hazardous wastes. The Hazardous and Solid Waste Amendments of 1984, amended the RCRA to prohibit the use of certain techniques to dispose of various hazardous substances.

The federal Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) 42 U.S.C. Sections 11001–11050, is Title III of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), which is commonly referred to as "Superfund" and is administered by the EPA. EPCRA imposes hazardous-materials planning requirements to help protect local communities in the event of accidental release of hazardous substances. EPA has delegated RCRA authority to the State of California. This authority is administered by the Department of Toxic Substances Control (DTSC).

Worker Safety Requirements

OSHA is responsible at the federal level for ensuring worker safety. OSHA sets federal standards for implementing workplace training, exposure limits, and safety procedures for the handling of hazardous substances and hazardous materials (as well as other hazards). OSHA also establishes criteria by which each state can implement its own health and safety program.

State Regulations

California Building Code and California Fire Code

Prior to issuance of building permits and during occupancy of the proposed project, the City of Roseville Building Division and Fire Department would be responsible for reviewing plans for facilities proposing to use hazardous materials to ensure that applicable California Building Code and California Fire Code standards are included in project design. These standards address, among other elements, proper storage and secondary containment for hazardous materials and fire-safe construction and materials. Use of appropriate design features would help reduce the potential for accidental releases of hazardous materials that could affect occupants or require emergency response services.

Hazardous Materials Handling

The California Environmental Protection Agency (CalEPA) and the Office of Emergency Services (OES) establish regulations governing the use of hazardous materials in California. Within CalEPA, DTSC has primary regulatory responsibility for hazardous waste management. Enforcement of regulations can be delegated to local jurisdictions that enter into agreements with DTSC for the generation, transport, and disposal of hazardous materials under the authority of

the Hazardous Waste Control Law. Along with the DTSC, the Regional Water Quality Control Board (RWQCB) is responsible for implementing regulations pertaining to management of soil and groundwater investigation and cleanup. The project site is within the jurisdiction of the Central Valley RWQCB. The RWQCB's regulations are contained in Title 27 of the CCR. The DTSC, RWQCB, and/or a local agency (e.g., Placer County Environmental Health Division or a designated Certified Unified Program Agency (CUPA), as discussed below) typically oversees investigation and cleanup of contaminated sites.

The California Highway Patrol (CHP) and California Department of Transportation (Caltrans) are the enforcement agencies for hazardous materials transportation regulations. Hazardous materials and waste transporters are responsible for complying with all applicable packaging, labeling, and shipping regulations. California Vehicle Code Section 31303 regulates the transport of hazardous materials.

Emergency Response to Hazardous Materials Incidents

California has developed an emergency response plan to coordinate emergency services provided by federal, state, and local governments and private agencies. Response to hazardous material incidents is one part of this plan. The plan is managed by the Governor's Office of Emergency Services (OES), which coordinates the responses of other agencies, including CalEPA, CHP, California Department of Fish and Wildlife (CDFW), Central Valley RWQCB, and Placer County Fire Services.

Local Regulations

City of Roseville

The City of Roseville (City) and Placer County are responsible for enforcing many state regulations governing hazardous materials management, including waste generation, minimization, and storage, and USTs. Sampling plans written to define the extent of lead-based paint, fuel, or waste oil contamination in soil must be reviewed by the Roseville Fire Department. Removal of material containing asbestos where the surface areas is in excess of 100 square feet must be performed by a licensed asbestos abatement contractor. During construction, contractors intending to utilize temporary tanks to supply fuel or propane must obtain permits from the fire department and must comply with provisions of the California Fire Code (CFC) Chapter 14. Storage and disposal of hazardous waste during clean up or development shall comply with Title 22 requirements.

Placer County

The Placer County Department of Health and Medical Services, Environmental Health Division administers the six CUPA Program elements in the County. The Placer County OES provides emergency planning and response services in conjunction with the City of Roseville Fire Department.

City of Roseville Municipal Code

Chapter 9.60 of the Roseville Municipal Code establishes City regulations for the identification and disclosure of hazardous materials use and management in the City.

9.60.050 A. Any person who uses or handles a hazardous material must annually submit a completed disclosure form to the fire chief.

- B. Within 15 days of any:
 - 1. New use or significant change in the use or handling of a hazardous material;
 - 2. New use or handling of a previously undisclosed hazardous material;
 - 3. Change of business address;
 - 4. Change of business ownership; or
 - 5. Change of business name.

The fire department works cooperatively with Placer County Department of Environmental Health in matters regarding hazardous materials management. The City does not have a specific policy that addresses minimum setback requirements for land uses that could involve the use of hazardous materials, although existing City setback requirements would provide some level of protection from accidental releases.

Hazardous Materials Emergency Response

The Roseville Fire Department has developed a Hazardous Materials Emergency Response Plan. The plan describes organizational and operation responsibilities in the event of a hazardous materials emergency, including cleanup and decontamination procedures. Through mutual aid agreements, the fire department can also request services from the Placer County, City of Sacramento and Sacramento Metropolitan Fire District Hazardous Materials Response Teams in the event of a large-scale incident. The fire department would also provide assistance to the CHP, OES, and other responding agencies as requested, in the event of a hazardous materials spill on State Route 65 (SR-65) or Interstate 80 (I-80). The fire department updates its Emergency Response Plan every 3 years. The plan is an extension of the City's Multi-Hazard Functional Plan and follows nationally adopted Incident Command System guidelines.

City of Roseville General Plan

The City of Roseville General Plan Safety Element includes several policies relating to hazardous materials and public safety that are applicable to the proposed project.

- Goal Protect the community's health, safety, natural resources, and property through regulation of use, storage, transport, and disposal of hazardous materials.
- **Policy 1**: Require the disclosure of the use and storage of hazardous materials in existing and proposed industrial and commercial activities and siting of hazardous waste disposal facilities in accordance with Placer County guidelines and state law.
- **Policy 2:** Work with Placer County and other public agencies to inform consumers about household use and disposal of hazardous materials.
- **Policy 3:** Cooperate fully with both public and private agencies, as defined in the City of Roseville Hazardous Materials Emergency Response Plan in the event of a hazardous materials emergency.

Stormwater Management Program

The City of Roseville's Stormwater Management Program outlines procedures that the City would implement to minimize the potential for the illicit or illegal disposal of materials that could be hazardous (household hazardous waste). These procedures, which would be performed by City staff, would include random inspections at the project site, with particular emphasis on inspection of open space and water ways.

Specifically, the City's Urban Stormwater Quality Management and Discharge Control Ordinance provides the following:

- **14.20.120** It is unlawful to discharge, permit to be discharged or cause to be discharged any sewage, industrial waste, pollutant, garbage or rubbish into any municipal storm drain system, watercourse, natural outlet, creek, or channel except where treatment has been provided.
- 14.20.150 No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left, or maintained, in or upon any public or private property, driveway, parking area, street, alley, sidewalk, component of the storm drain system, or waters of the United States, any refuse, rubbish, garbage, litter or other discarded or abandoned objects, articles, and accumulations, so that the same may cause or contribute to pollution.

14.20.170 Site development construction plans must be accompanied by a stormwater management plan as required by the Stormwater Quality Design Manual. Prior to the issuance of a permit to construct, the stormwater management plan shall be approved by the City Engineer. The stormwater management plan shall detail how stormwater generated from a site will be controlled, managed and treated. The stormwater management plan shall evaluate the environmental characteristics of the project site and the potential impacts of all proposed development plans for the site on the water resources, and shall demonstrate the effectiveness of the type of stormwater control measures proposed for managing stormwater generated from the site. The stormwater management plan together with the site development construction plans shall indicate the size and location of all stormwater control measures.

14.020.180 A stormwater maintenance plan shall be developed for all stormwater control measures and shall include a schedule for when and how often maintenance of the stormwater control measures will occur, a list of any special equipment or skills required for proper maintenance, the estimated cost of maintenance, and a schedule for periodic inspections to ensure proper performance between maintenance events.

14.20.190 No landowner shall own or operate one or more stormwater control measures without obtaining an annual stormwater management permit as provided in this chapter. Each stormwater management permit shall be valid for one year and must thereafter be annually renewed.

14.20.200 Applications for annual stormwater management permits shall be filed with the City's Public Works Department. The initial permit application must be accompanied by a stormwater management plan and a stormwater maintenance plan as detailed in Sections 14.20.170.

14.20.210 Prior to the issuance of a certificate of completion or a certificate to occupy, satisfactory stormwater management and stormwater maintenance plans and a stormwater control maintenance agreement shall have been approved or issued by the City Engineer.

14.20.190As a condition of issuance of the annual stormwater management permit, a stormwater control maintenance agreement shall be entered into by and between the City and the landowner of all privately owned stormwater control measures. The stormwater control maintenance agreement shall be in a form approved by the city attorney and shall run with the land and be recorded in the office of the Placer County Recorder. The stormwater control maintenance agreement shall be irrevocable and shall obligate all current and future landowners to bear all costs for the annual maintenance, replacement, record keeping, and annual permitting of all stormwater control measures.

The Stormwater Quality Design Manual for the Sacramento and South Placer Regions also provides locally adapted information for design and selection of three categories of stormwater quality control measures: source control, runoff reduction, and treatment control.

4.7.4 Impacts

For purposes of this analysis, the typical use of hazardous materials and their effects were assessed through review and evaluation of available documents.

The Phase I ESA prepared for the project site concludes that the project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962. The report further concludes that the site is not listed as a hazardous substance or petroleum product generator. In addition, the project site has been designed consistent with the City of Roseville Fire Department's requirements for on-site turning radii for fire trucks and does not include any uses that would physically interfere with the City's adopted emergency response plan. Therefore, these issues are not further addressed in this section.

Thresholds of Significance

Consistent with Appendix G of the CEQA Guidelines, the City's General Plan, and professional judgment, a significant impact would occur if the proposed project would do any of the following:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- Create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment; or
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.

Impact 4.7-1	Transport, Use, or Disposal of Hazardous Materials or Accidental Release of Hazardous Materials into the Environment
Applicable Policies and	City of Roseville Multi-Hazard Mitigation Plan
Regulations	City of Roseville Stormwater Quality BMP Guidance Manual
	Code of Federal Regulations, Title 49
	California Health and Safety Code, Chapter 6.95
	California Code of Regulations, Titles 8, 22, and 26
	Unified Hazardous Waste and Hazardous Materials Management
	Regulatory Program
	Uniform Building Code, Uniform Fire Code
	Roseville Fire Department/CUPA Permitting and Enforcement
Significance with Policies and	Less than significant
Regulations	
Mitigation Measures	None required
Significance after Mitigation	Less than significant

The proposed project would involve construction activities such as site preparation, grading, and construction of the fitness center and associated amenities. These activities would involve the use of heavy equipment, which would contain fuels and oils, and various other products such as concrete, paints, and adhesives. During project operation, hazardous materials use would be limited to landscaping products such as fertilizer and pesticides, as well as chlorine and other chemicals for the pools and whirlpool facilities. All chemicals would be stored inside buildings with appropriate containment. The potential exposure of construction workers, employees, or site users to hazardous materials would occur in the following manner: improper handling or use of hazardous materials or hazardous wastes during construction or operation of the project, particularly by untrained personnel; transportation accidents; unsound disposal methods; or fire, explosion, or other emergencies. In addition, construction workers could be exposed to hazardous materials through digging activities.

The City requires implementation of the plans and special provisions to ensure projects would not create a significant hazard to the public or environment. Plans include the City's Multi-Hazard Mitigation Plan (approved by the Federal Emergency Management Agency), which requires contractors to transport and store materials in appropriate and approved containers along designated truck routes, maintain required clearances, and handle materials using fire department-approved protocols (see Roseville Fire Code Ordinance 4594 and the City's *Stormwater Quality BMP Guidance Manual for Construction*).

In addition, the City of Roseville Fire Department is the CUPA for the City. The fire department would review construction plans when finalized to ensure proper safety and storage

protocols, and procedures are in place in the event of an emergency. The Fire Department is available to respond to hazardous materials complaints or emergencies, if any, during project construction. Hazardous materials regulations were established at the state level to ensure compliance with federal regulations to reduce the risk to human health and the environment from the routine use of hazardous substances. These regulations must be implemented by employers and businesses and are monitored by the state (Cal/OSHA in the workplace or DTSC for hazardous waste) and local jurisdictions (Roseville Fire Department).

The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and would not result in reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Implementation and compliance with existing General Plan Safety Element Hazardous Materials policies which address hazardous materials disclosure and compliance with applicable federal and state laws and regulations that are administered and enforced by the CUPA, and Roseville Fire Department Standards would reduce impacts associated with the routine use, storage, and transportation of hazardous materials to **less-than-significant**.

Impact 4.7-2	Use, Storage, and Handling of Hazardous Materials within 0.25 Mile of an Existing or Proposed School
Applicable Policies and Regulations	California Health and Safety Code, Chapter 6.95 California Code of Regulations, Titles 8, 22, and 26 Roseville Fire Department/CUPA Permitting and Enforcement
Significance with Policies and Regulations	Less than significant
Mitigation Measures	None required
Significance after Mitigation	Less than significant

The closest public school to the project site, the Stoneridge Elementary, is located over 0.5 mile southeast of the site. The Saint Anna Preschool and Daycare, a private facility, is located adjacent to the southern boundary of the site. During construction activities and project operation, there is the possibility that potentially hazardous materials might be stored or used at the project site, as discussed above under Impact 4.7-1. The project contractor is required to comply with all California Health and Safety Codes and local City ordinances regulating the handling, storage, and transportation of hazardous and toxic materials. The California Health and Safety Codes require a Risk Management and Prevention Program for those uses that handle specified quantities of toxic and/or hazardous materials. Should an accidental release of hazardous materials occur during construction, the City (or City crews) and/or the contractor, is required to notify the fire department's Hazardous Materials Coordinator who would then monitor conditions and recommend appropriate remediation measures. Compliance with existing

regulations and requirements would ensure that potential construction and operation-related impacts associated with the use, storage, and handling of hazardous materials within 0.25 mile of the private preschool and daycare facility would therefore be considered **less than significant.**

4.7.5 Cumulative Impacts

The cumulative context for the use, handling, storage, and transport of hazardous materials as well as the disposal of hazardous materials or accidental release of hazardous materials is buildout of the City of Roseville. This geographic scope is selected because (1) cumulative hazardous effects generally require proximity, and (2) City personnel are the first responders to hazardous accidents within the vicinity of the project.

Impact 4.7-3	Cumulative Exposure to Hazardous Materials
Applicable Policies and Regulations	City of Roseville Multi-Hazard Mitigation Plan City of Roseville Stormwater Quality BMP Guidance Manual Code of Federal Regulations, Title 49 California Health and Safety Code, Chapter 6.95 California Code of Regulations, Titles 8, 22, and 26 Unified Hazardous Waste and Hazardous Materials Management Regulatory Program Uniform Building Code, Uniform Fire Code Roseville Fire Department/CUPA Permitting and Enforcement
Significance with Policies and Regulations	Less than significant
Mitigation Measures	None required
Significance after Mitigation	Less than significant

The proposed project, in conjunction with other past, present, and reasonably foreseeable future development within the City, increase the use of hazardous materials in the city. The quantities of hazardous materials that would be present during occupancy of future residential and commercial land uses are expected to be minimal and would consist of household and maintenance products (paints, solvents, cleaning supplies, pool chemicals, pesticides, and herbicides). Implementation of applicable hazardous materials management laws and regulations adopted at the federal, state, and local level would ensure cumulative impacts related to hazardous materials use remain less than significant. Hazardous materials incidents would typically be site-specific and would involve accidental spills or inadvertent releases. The effects of such incidents, then, would not be additive to effects from other, similar incidents occurring elsewhere. Associated health and safety risks generally would be limited to those individuals using the materials or to persons in the immediate vicinity of the materials. Thus the cumulative

effects of past, present, and reasonably foreseeable future projects, combined with the proposed project, would be **less than significant**.

4.7.6 Mitigation Measures

None required.

4.7.7 Sources

- City of Roseville. 1998. *Stoneridge Specific Plan Environmental Impact Report*. Prepared by EIP Associates. December 1998.
- City of Roseville. 2007. *Stoneridge Specific Plan and Design Guidelines*. Adopted March 18, 1998. Last amended March 28, 2007. http://roseville.ca.us/civicax/filebank/blobdload.aspx?BlobID=2921.
- City of Roseville. 2010. *Creekview Specific Plan Environmental Impact Report*. Adopted September 19, 2012. http://roseville.ca.us/planning/planning_document_library/specific_plans/creekview_specific_plan.asp.
- City of Roseville. 2013. *City of Roseville General Plan 2025*. As amended February 13, 2013. Roseville, California: City of Roseville Planning Department. Adopted May 5, 2010 (Resolution No. 10-161). Accessed April 2013. http://www.roseville.ca.us/civicax/filebank/blobdload.aspx?blobid=2546.