
CHAPTER 11
HAZARDOUS MATERIALS RISKS

CHAPTER 11 HAZARDOUS MATERIALS RISKS

11.1 Introduction

This Chapter reviews the potential for hazardous materials risks associated with implementation of the R Street Area Implementation Plan (RSAIP). The R Street Corridor is an older industrial corridor and as such, excavation, demolition or other disturbance activities could result in the accidental exposure or release of hazardous substances. The review is conducted at a programmatic level.

11.2 Environmental Setting

The R Street Corridor largely developed around the Western Pacific Railroad (initially the Sacramento Valley Rail, and subsequently Central Valley Rail and then the Southern Pacific Rail) tracks which traverse the center of R Street in the project area. The initial railroad alignment in the project area dates back to 1855. Warehouses and other uses began to be developed along R Street with the establishment of the railroad. More intensive industrialization and urbanization occurred between 1891 and 1923. Because of the prior industrial and railroad related uses of the R Street project area, the Initial Study prepared for this project identified potential hazardous materials as a topic to be reviewed in this EIR.

The project area is located within the Sacramento Valley, which is a part of the larger Great Central Valley. The Great Central Valley is a deep trough that extends 400 miles from the Klamath Mountains in the north to the Tehachapi Mountains in the south. The Sacramento Valley is drained by the American and Sacramento Rivers and their tributaries, which flow south and west toward San Francisco Bay. The site does not contain any unique geologic or physical features.

The Central City is located on graded land on the natural floodplain of the American River. Prior to the construction of the levees, the area was an active floodplain and freshwater sediments were deposited with each major flood. These natural floodplain deposits underlie all of the downtown area and soils in the project area primarily consist of Holocene Floodplain. Soil conditions in the study area are typical of the Sacramento Valley flood plain areas. Soils in this area are Sailboat-Scribner-Cosumnes, characterized by very deep, somewhat poorly and poorly-drained soils that have a seasonal high water table and are protected by levees.

11.3 Existing Conditions

11.3.1 Recognized Environmental Conditions

The City of Sacramento, like many established urban areas has a number of identified hazardous materials sites. The Department of Toxic Substance Control (DTSC) is the state agency in charge of toxic substance regulations. The DTSC maintains a database of known toxic sites and the status of these sites. Within or near the R Street Project Area the DTSC “EnviroStor Database” identifies several known recognized environmental conditions which are listed in Table 11-1. Six recognized environmental sites are within the R Street Project Area:

- 1826 16th Street formerly the “16th Street Plating” site has been certified as compliant by DTSC dated November 28, 1984.
- 1108 R Street is the CADA Warehouse site which has been remediated and certified for unrestricted uses. This site is owned by CADA who voluntarily remediated the site in preparation for the development of the Capitol Lofts Project, a residential project.
- 1822 16th Street, formerly known as the Fonts Property has been certified as compliant dated December 1, 1984
- 1731 17th Street, formerly the Orchard Supply Building and Grounds constitutes two sites. The building has been certified by DTSC however, the building grounds continue to have land use restrictions. Land use restrictions pertinent to this site prohibit use of the site for residential, raising of food or produce for consumption, public or private school, day care or hospital uses. Additionally, the restrictions prohibit disturbance of the asphalt cover or soil disturbance until further remediation and clearance is granted.
- 1515 S Street, formerly Palm Iron Works, has been certified on February 1, 1985, after successful removal of 1,000 cubic yards soil and redeveloped for office uses.

TABLE 11-1 STATE DEPARTMENT OF SUBSTANCES CONTROL (DTSC) ENVIROSTOR DATA BASE FOR THE CENTRAL CITY OF SACRAMENTO						
NAME	SITE TYPE	STATUS	ADDRESS DESCRIPTION	CITY	ZIP	WITHIN R STREET PROJECT AREA?
16TH STREET PLATING	STATE RESPONSE	CERTIFIED	1826 16TH STREET	SACRAMENTO	95814	YES
CADA WAREHOUSE REDEVELOPMENT PROJECT	VOLUNTARY CLEANUP	CERTIFIED	1108 R STREET	SACRAMENTO	95814	YES
CALTRANS, I-5 Q STREET OFF-RAMP	STATE RESPONSE	ACTIVE - LAND USE RESTRICTIONS	I-5 Q STREET OFF-RAMP	SACRAMENTO	95814	NO
FEDERAL COURTHOUSE - SACRAMENTO	VOLUNTARY CLEANUP	CERTIFIED - LAND USE RESTRICTIONS	5TH AND I STREETS	SACRAMENTO	95814	NO
FONT'S PROPERTY	STATE RESPONSE	CERTIFIED	1822 16TH STREET	SACRAMENTO	95814	YES
JIBBOOM BUILDING	VOLUNTARY CLEANUP	CERTIFIED / OPERATION & MAINTENANCE - LAND USE RESTRICTIONS	240 JIBBOOM STREET	SACRAMENTO	95814	NO
JIBBOOM JUNKYARD	FEDERAL SUPERFUND - DELISTED	CERTIFIED	240-260 JIBBOOM STREET	SACRAMENTO	95814	NO
KEN'S BUFF AND PLATING	STATE RESPONSE	ACTIVE	1816 21ST STREET	SACRAMENTO	95814	NO
ORCHARD SUPPLY COMPANY	STATE RESPONSE	ACTIVE - LAND USE RESTRICTIONS	1731 17TH STREET	SACRAMENTO	95814	YES
ORCHARD SUPPLY COMPANY/WORLD OF GOOD TASTE	VOLUNTARY CLEANUP	NO FURTHER ACTION	THE BUILDING AT THE ORCHARD SUPPLY COMPANY SITE, 1731 17TH STREET	SACRAMENTO	95814	YES
PALM IRON WORKS	STATE RESPONSE	CERTIFIED	1515 S STREET	SACRAMENTO	95814	YES
SACRAMENTO HOUSING & REDEVELOP. AGENCY	STATE RESPONSE	ACTIVE - LAND USE RESTRICTIONS	1920 FRONT STREET	SACRAMENTO	95814	NO
SIMS METAL SITE	STATE RESPONSE	ACTIVE	130 NORTH 12 STREET; AT INTERSECTION OF NORTH B STREETS	SACRAMENTO	95814	NO

**TABLE 11-1
STATE DEPARTMENT OF SUBSTANCES CONTROL (DTSC)
ENVIROSTOR DATA BASE FOR THE CENTRAL CITY OF SACRAMENTO**

NAME	SITE TYPE	STATUS	ADDRESS DESCRIPTION	CITY	ZIP	WITHIN R STREET PROJECT AREA?
SMUD, FRONT & T STREETS	STATE RESPONSE	ACTIVE - LAND USE RESTRICTIONS	FRONT & T STREETS	SACRAMENTO	95814	NO
SP-PURITY OIL	STATE RESPONSE	ACTIVE	1324 A STREET	SACRAMENTO	95814	NO
UNION PACIFIC BANNON STREET PARCEL	VOLUNTARY CLEANUP	ACTIVE	NORTH B STREET AND SEVENTH STREET	SACRAMENTO	95814	NO
UP, DOWNTOWN SAC - CAR SHOP NINE	STATE RESPONSE	ACTIVE - LAND USE RESTRICTIONS	401 I STREET	SACRAMENTO	95814	NO
UP, DOWNTOWN SAC - CENTRAL CORRIDOR	STATE RESPONSE	ACTIVE	401 I STREET	SACRAMENTO	95814	NO
UP, DOWNTOWN SAC - CENTRAL SHOPS	STATE RESPONSE	ACTIVE	401 I STREET	SACRAMENTO	95814	NO
UP, DOWNTOWN SAC - LAGOON	STATE RESPONSE	ACTIVE - LAND USE RESTRICTIONS	401 I STREET	SACRAMENTO	95814	NO
UP, DOWNTOWN SAC - MANUFACTURED GAS PLANT	STATE RESPONSE	ACTIVE	400 I STREET	SACRAMENTO	95814	NO
UP, DOWNTOWN SAC - NORTHERN SHOPS/DRUM S	STATE RESPONSE	ACTIVE	401 I STREET	SACRAMENTO	95814	NO
UP, DOWNTOWN SAC - PONDS AND DITCH	STATE RESPONSE	CERTIFIED / OPERATION & MAINTENANCE - LAND USE RESTRICTIONS	401 I STREET	SACRAMENTO	95814	NO
UP, DOWNTOWN SAC - REDEVELOPMENT	VOLUNTARY CLEANUP	ACTIVE	401 I STREET	SACRAMENTO	95814	NO
UP, SAC - BATTERY SHOP YARD	STATE RESPONSE	CERTIFIED - LAND USE RESTRICTIONS	401 I STREET	SACRAMENTO	95814	NO
UP, SAC - SACRAMENTO STATION	STATE RESPONSE	CERTIFIED - LAND USE RESTRICTIONS	401 I STREET	SACRAMENTO	95814	NO
UP, SAC - SAND PILES	STATE RESPONSE	CERTIFIED	401 I STREET	SACRAMENTO	95814	NO

Source: State of California Department of Toxic Substances (DTSC) EnviroStor search for Zip Code 95814 accessed September 1, 2007

11.4 Regulatory Setting

Hazardous materials storage, transportation, removal and clean-up are highly regulated fields. The federal and state governments have enacted laws that require property owners to pay for the clean up of hazardous material contamination located on, or originating from their land. Because of potential clean up and health-related liabilities from the presence of hazardous material contamination, environmental assessments are routinely performed prior to land sale and development. Summarized below are some of the most significant federal, state and local regulations governing hazardous materials handling.

11.4.1 Federal Hazardous Materials Regulations

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). CERCLA, commonly referred to as Superfund, was enacted on December 11, 1980. The purpose of CERCLA was to provide authorities the ability to respond to uncontrolled releases of hazardous substances from inactive hazardous waste sites that endanger public health and the environment. CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at such sites, and established a trust fund to provide for cleanup when no responsible party could be identified. In addition, CERCLA provided for the revision and republishing of the National Contingency Plan (NCP) that provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also provides for the National Priorities List (NPL), a list of national priorities among releases or threatened releases throughout the United States for the purpose of taking remedial action.

The Superfund Amendments and Reauthorization Act (SARA) amended CERCLA on October 17, 1986. This amendment increased the size of the Hazardous Response Trust Fund to \$8.5 billion, expanded EPA's response authority, strengthened enforcement activities at Superfund sites; and broadened the application of the law to include federal facilities. In addition, new provisions were added to the law that dealt with emergency planning and community right to know. SARA also required EPA to revise the Hazard Ranking System to ensure that the HRS accurately assesses the relative degree of risk to human health and the environment posed by sites and facilities subject to review for listing on the NPL.

Resource Conservation and Recovery Act of 1976 (RCRA) as amended by the Solid Waste Disposal Act of 1980 (HSWA), the Hazardous Waste and Solid Waste Amendments of 1984.

RCRA is the nation's hazardous waste control law. It defines hazardous waste, provides for a cradle-to-grave tracking system and imposes stringent requirements on treatment, storage and disposal facilities. RCRA requires environmentally sound closure of hazardous waste management units at treatment, storage, and disposal facilities. The U.S. Environmental Protection Agency is the principal agency responsible for the administration of RCRA, SARA, and CERCLA.

11.4.2 State Hazardous Materials Regulations and Agencies

Hazardous Substance Account Act (1984), California Health and Safety Code Section 25300 et seq. (HSAA).

This act, known as the California Superfund, has three purposes: 1) to respond to releases of hazardous substances; 2) to compensate for damages caused by such releases; and 3) to pay the state's 10% share in CERCLA cleanups. Contaminated sites that fail to score above a certain threshold level in the Environmental Protection Agency's (EPA's) ranking system may be placed on the State Superfund list of hazardous wastes requiring cleanup.

The Department of Toxic Substance Control (DTSC) within the California Environmental Protection Agency (Cal/EPA) has regulatory responsibility under 22 CCR for the administration of the state and federal Superfund programs for the management and cleanup of hazardous materials. The enforcement of regulations administered by DTSC has been delegated locally to Sacramento County Environmental Management Department (SCEMD).

The State Water Resources Control Board, acting through the Central Valley Regional Water Quality Control Board (CVRWQCB), this Board regulates surface and groundwater quality pursuant to the Porter-Cologne Water Quality Act, the federal Clean Water Act, and the Underground Tank Law. Under these laws, CVRWQCB is authorized to supervise the cleanup of hazardous wastes sites referred to it by local agencies in those situations where water quality may be affected.

Depending on the nature of contamination, the lead agency responsible for the regulation of hazardous materials at the site can be the DTSC, CVRWQCB, or both. DTSC evaluates contaminated sites to ascertain risks to human health and the environment. Sites can be ranked by DTSC or referred for evaluation by the CVRWQCB. In general, contamination affecting soil and groundwater is handled by CVRWQCB and contamination of soils is handled by DTSC.

11.5 Standards of Significance

For the purposes of this document, an impact is considered significant if the proposed project would:

- Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil during construction activities;
- Expose people (e.g., residents, pedestrians, construction workers) to asbestos-containing materials; or
- Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated groundwater during dewatering activities.

11.6 Impacts and Mitigation Measures

IMPACT 11.1: Risk of Exposure During Soil Excavation of Disturbance Activities Related to Infrastructure Improvements

PP Proposed Project

The proposed street and water main improvements would occur in the right of-way of R Street between 9th and 19th Streets. This area has had active railroad and industrial uses in the past. In addition, several recognized environmental conditions are listed on the DTSC *EnviroStor* database which front on this section of R Street. Given this, the potential for infrastructure improvements to encounter suspect soils and hazardous materials during excavation and soil movement is considered a *potentially significant impact*.

AA No Project Alternative

Under this alternative the public improvements proposed under the RSAIP would not be implemented and therefore, soil disturbance and the potential for exposure to hazardous materials would not occur. *No impact* would occur.

MITIGATION MEASURE 11.1: The following mitigation measure (applicable to the proposed project) is recommended to reduce the risk of exposure to a less-than-significant level. During earthmoving activities the project sponsor (City or CADA), contractors and workers on site shall observe the following precautionary measures.

1. If stained soil, tanks, unusual smells or other indications of potentially contaminated materials are observed within the project area, construction operations in that area shall be stopped immediately.
2. The suspect soil or liquids shall then be tested by a qualified professional environmental assessor (an individual with training in accordance with California Code of Regulations Section 1910.120).
3. Should the soil or liquid test results determine that the contamination is locally isolated the contamination shall be collected and disposed of appropriately.
4. If a determination concerning the extent of contamination cannot be made based on the preliminary testing, a complete Phase II site assessment, including subsurface sampling to evaluate the magnitude of contamination, shall be performed.
5. Clean up shall be performed in accordance with the recommendations of the site assessment.
6. All hazardous materials shall be disposed of at an approved disposal site and shall only be hauled by a current California registered hazardous waste hauler using correct manifesting procedures and vehicles displaying a current Certificate of Compliance. The Contractor shall identify by name and address the site where toxic substances shall be disposed of. No payment for removal and disposal services shall be made without a valid certificate from the approved disposal site that the material was delivered.

IMPACT 11.2: Hazardous Materials Risks Related to Housing or Park and Open Space Acquisition and Development**PP Proposed Project**

The RSAIP also proposes that CADA assist with the acquisition and development of parks and open space and housing in the project area. Sites acquired with CADA funds or financed with CADA funds which are contaminated may expose CADA to liability under the Federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Additional development of potentially contaminated sites without adequate assessment may result in the disturbance and release of potentially hazardous materials. These are *potentially significant impacts* which can be avoided with mitigation measures.

AA No Project Alternative

Under this alternative the park and housing site acquisition and development would occur therefore, soil disturbance and the potential for exposure to hazardous materials would not occur. *No impact* would occur.

MITIGATION MEASURE 11.2: This programmatic mitigation measure or its equivalent should be applied to all acquisition and development activities sponsored by CADA or their agent (for example the City of Sacramento Department of Parks and Recreation) to reduce impacts to a *less-than-significant* level.

1. Prior to entering into any agreements for acquisition or development of any site which will be financed or owned in whole or in part by CADA funds, CADA shall conduct due diligence related to the review and disclosure of potential hazardous materials related to the site by conducting a Phase I Site Assessment. Based on the Phase I information, a clean-up program, if necessary should be developed to ensure the site is suitable for the intended park or housing use.