

Hazards and Hazardous Materials

Chapter 3.8

SUMMARY OF FINDINGS

The proposed Project will result in *Less Than Significant Impact with Mitigation* related to Hazards and Hazardous Materials. A detailed review of potential impacts is provided in the following analysis.

INTRODUCTION

California Environmental Quality Act (CEQA) Requirements

This section of the Draft Environmental Impact Report (DEIR) addresses potential impacts to Hazards and Hazardous Materials. As required in Section 15126, all phases of the proposed project will be considered as part of the potential environmental impact.

As noted in Section 15126.2 (a), “[a]n EIR shall identify and focus on the significant environmental effects of the proposed project. In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced. Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services. The EIR shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected. For example, an EIR on a subdivision astride an active fault line should identify as a significant effect the seismic hazard to future occupants of the subdivision. The subdivision would have the effect of attracting people to the location and exposing them to the hazards found there. Similarly, the EIR should evaluate any potentially significant impacts of locating development in other areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas) as identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazards areas.”¹ The environmental setting provides a description of the Hazards and Hazardous Materials in the County. The regulatory setting provides a description of applicable Federal, State and Local regulatory policies that were developed in part from information contained in the Tulare County 2030 General Plan, Tulare County General Plan Background Report, and/or Tulare County 2030

¹ 2013 CEQA Guidelines, Section 15126.2 (a)

General Plan EIR incorporated by reference and summarized below. Additional documents utilized are noted as appropriate. A description of the potential impacts of the proposed Project is provided and includes the identification of feasible mitigation measures (if necessary and feasible) to avoid or lessen the impacts.

Thresholds of Significance

- Create a significant hazard
- Located within one-quarter mile of an existing or proposed school
- Located on a list of hazardous materials sites
- Located within an airport land use plan
- Located within the vicinity of a private airstrip
- Interfere adopted emergency response plan or emergency evacuation plan
- Wildland Fire Risk

ENVIRONMENTAL SETTING

“A hazardous material is defined by the California Code of Regulations (CCR) as a substance that, because of physical or chemical properties, quantity, concentration, or other characteristics, may either (1) cause an increase in mortality or an increase in serious, irreversible, or incapacitating, illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of (CCR, Title 22, Division 4.5, Chapter 10, Article 2, Section 66260.10).”²

“Similarly, hazardous wastes are defined as materials that no longer have practical use, such as substances that have been discarded, discharged, spilled, contaminated, or are being stored prior to proper disposal. According to Title 22 of the CCR, hazardous materials and hazardous wastes are classified according to four properties: toxic, ignitable, corrosive, and reactive (CCR, Title 22, Chapter 11, Article 3).”³

Hazardous Waste Shipments Originating Within Tulare County

“A determination of the routes used to transport hazardous waste within Tulare County was performed by analysis of Hazardous Waste Tracking System (HWTS) data on hazardous shipments. Calendar year 2002 manifest data indicates that a total of 1,606 tons of hazardous waste was transported from all categories of generators in Tulare County.”⁴ The quantities of hazardous waste transported from facilities located within each zip code in Tulare County are shown in the Table 3.8-1.

² Tulare County General Plan 2030 Update Background Report, page 8-19

³ Ibid. Pages 8-19 to 8-20

⁴ Ibid. Page 8-31

Table 3.8-1
Transport of Hazardous Waste⁵

Zip Code	Total Tons	Zip Code	Total Tons	Zip Code	Total Tons	Zip Code	Total Tons
93219	0.579	93221	19.100	93223	14.73	93227	6.792
93244	4.270	93247	36.370	93256	14.39	93257	155.000
93262	0.459	93271	4.463	93272	17.78	93274	146.700
93275	14.870	93277	407.80	93279	52.01	93286	7.152
93291	321.700	93292	25.600	93615	2.606	93618	139.100
93631	321.700	93647	65.630	93654	4.255	93673	4.915

Environmental Health Department Futures Assessment

“The Environmental Health Department [EHD], of which the CUPA is a part, anticipates a slight increase in the reported volume of hazardous waste generated within Tulare County in year 2003/04. However, EHD does not expect an increase in the actual volume of hazardous waste generated over the same period.”⁶

REGULATORY SETTING

Federal Agencies & Regulations

Hazardous Materials Transportation Act

The Hazardous Materials Transportation Act of 1975 (HMTA) as amended, is the major transportation-related statute affecting DOE. The objective of the HMTA according to the policy stated by Congress is ". . .to improve the regulatory and enforcement authority of the Secretary of Transportation to protect the Nation adequately against risks to life and property which are inherent in the transportation of hazardous materials in commerce." The HMTA empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property."

Regulations apply to ". . .any person who transports, or causes to be transported or shipped, a hazardous material; or who manufactures, fabricates, marks, maintains, reconditions, repairs, or tests a package or container which is represented, marked, certified, or sold by such person for use in the transportation in commerce of certain hazardous materials.""⁷

Superfund

“Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), commonly referred to as “Superfund”, was enacted on December 11, 1980. The purpose of CERCLA was to provide authorities with the ability to respond to uncontrolled releases of

⁵ Tulare County General Plan 2030 Update Background Report, page 8-32

⁶ Ibid.

⁷ US Department of Energy, The Office of Health, Safety and Security, <http://www.hss.doe.gov/sesa/environment/policy/hmta.html>. Accessed December 2014.

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. Additionally, 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, a list of national priorities among releases or threatened releases throughout the United States for the purpose of taking remedial action.”⁸

“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 system 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 National Priorities List.”⁹

Federal Aviation Regulations

Sec. 77.17 — Form and time of notice

- (a) Each person who is required to notify the Administrator under §77.13(a) shall send one executed form set (four copies) of FAA Form 7460–1, Notice of Proposed Construction or Alteration, to the Manager, Air Traffic Division, FAA Regional Office having jurisdiction over the area within which the construction or alteration will be located. Copies of FAA Form 7460–1 may be obtained from the headquarters of the Federal Aviation Administration and the regional offices.
- (b) The notice required under §77.13(a) (1) through (4) must be submitted at least 30 days before the earlier of the following dates:
 - (1) The date the proposed construction or alteration is to begin.
 - (2) The date an application for a construction permit is to be filed.

However, a notice relating to proposed construction or alteration that is subject to the licensing requirements of the Federal Communications Act may be sent to FAA at the same time the application for construction is filed with the Federal Communications Commission, or at any time before that filing.

- (c) A proposed structure or an alteration to an existing structure that exceeds 2,000 feet in height above the ground will be presumed to be a hazard to air navigation and to result in an inefficient utilization of airspace and the applicant has the burden of overcoming that presumption. Each notice submitted under the pertinent provisions of this part 77 proposing a structure in excess of 2,000 feet above ground, or an alteration that will make

⁸ Tulare County General Plan 2030 Update Background Report, page 8-20

⁹ Ibid. Page 8-21

an existing structure exceed that height, must contain a detailed showing, directed to meeting this burden. Only in exceptional cases, where the FAA concludes that a clear and compelling showing has been made that it would not result in an inefficient utilization of the airspace and would not result in a hazard to air navigation, will a determination of no hazard be issued.

- (d) In the case of an emergency involving essential public services, public health, or public safety that requires immediate construction or alteration, the 30-day requirement in paragraph (b) of this section does not apply and the notice may be sent by telephone, telegraph, or other expeditious means, with an executed FAA Form 7460–1 submitted within 5 days thereafter. Outside normal business hours, emergency notices by telephone or telegraph may be submitted to the nearest FAA Flight Service Station.
- (e) Each person who is required to notify the Administrator by paragraph (b) or (c) of §77.13, or both, shall send an executed copy of FAA Form 117–1, Notice of Progress of Construction or Alteration, to the Manager, Air Traffic Division, FAA Regional Office having jurisdiction over the area involved.

State Agencies & Regulations

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 percent share in CERCLA cleanups. Contaminated sites that fail to score above a certain threshold level in the EPA’s ranking system may be placed on the California Superfund list of hazardous wastes requiring cleanup.”¹⁰

California Environmental Protection Agency (Cal/EPA) Department of Toxic Substance Control (DTSC)

“Cal/EPA has regulatory responsibility under Title 22 of the California Code of Regulations (CCR) for administration of the state and federal Superfund programs for the management and cleanup of hazardous materials. The DTSC is responsible for regulating hazardous waste facilities and overseeing the cleanup of hazardous waste sites in California. The Hazardous Waste Management Program (HWMP) regulates hazardous waste through its permitting, enforcement and Unified Program activities. HWMP maintains the EPA authorization to implement the RCRA program in California, and develops regulations, policies, guidance and technical assistance/ training to assure the safe storage, treatment, transportation and disposal of hazardous wastes. The State Regulatory Programs Division of DTSC oversees the technical implementation of the state’s Unified Program, which is a consolidation of six environmental programs at the local level, and conducts triennial reviews of Unified Program agencies to ensure that their programs are consistent statewide and conform to standards.”¹¹

¹⁰ Tulare County General Plan 2030 Update Background Report, page 8-22

¹¹ Ibid. Pages 8-22 and 8-23

California Occupational Safety and Health Administration (Cal/OSHA)

“Cal/OSHA and the Federal OSHA are the agencies responsible for assuring worker safety in the handling and use of chemicals in the workplace. Pursuant to the Occupational Safety and Health Act of 1970, Federal OSHA has adopted numerous regulations pertaining to worker safety, contained in the Code of Federal Regulations Title 29 (29 CFR). These regulations set standards for safe workplaces and work practices, including standards relating to hazardous material handling. Cal/OSHA assumes primary responsibility for developing and enforcing state workplace safety regulations. Because California has a federally General Plan Background Report December 2007 approved OSHA program, it is required to adopt regulations that are at least as stringent as those identified in 29 CFR. Cal/OSHA standards are generally more stringent than federal regulations.”¹²

Hazardous Materials Transport Regulations

“California law requires that Hazardous Waste (as defined in California Health and Safety Code Division 20, Chapter 6.5) be transported by a California registered hazardous waste transporter that meets specific registration requirements. The requirements include possession of a valid Hazardous Waste Transporter Registration, proof of public liability insurance, which includes coverage for environmental restoration, and compliance with California Vehicle Code registration regulations required for vehicle and driver licensing.”¹³

Cal/EPA Cortese List

“The provisions in Government Code Section 65962.5 are commonly referred to as the "Cortese List" (after the Legislator who authored the legislation that enacted it). The list, or a site's presence on the list, has bearing on the local permitting process as well as on compliance with the California Environmental Quality Act (CEQA).”¹⁴ The Cortese List identifies the following:

- Hazardous Waster and Substance Sites
- Cease and desist order Sites
- Waste Constituents above Hazardous Waste Levels outside the Waste Management Unit Sites
- Leaking Underground Tank (LUST) Cleanup Sites
- Other Cleanup Sites
- Land Disposal Sites
- Military Sites
- WDR Sites
- Permitted Underground Storage Tank (UST) Facilities Sites
- Monitoring Wells Sites
- DTSC Cleanup Sites
- DTSC Hazardous Waste Permit Sites

¹² Op. Cit. 8-23 and 8-24

¹³ Op. Cit. 8-24

¹⁴ Cal/EPA Cortese List background, <http://www.calepa.ca.gov/sitecleanup/corteselist/Background.htm>

Local Policy & Regulations

Tulare County Environmental Health Division

“The Tulare County Department of Public Health protects health, prevents disease, and promotes the health and well-being for all persons in Tulare County. Public Health focuses on the population as a whole, rather than individuals. We conduct our activities through a network of public health professionals throughout the community. Public health nurses make home visits to families with communicable diseases; epidemiologists investigate and analyze data on diseases; our emergency preparedness unit responds to health related emergencies and assists communities in recovery; environmental health specialists ensure safe food, water, and housing; health operations assures the quality and accessibility of health services; and all work with community coalitions to advocate for public policies to protect and improve health.”¹⁵

Tulare County General Plan Policies

The General Plan has a number of policies that apply to projects within Tulare County. General Plan policies that relate to the proposed Project are listed as follows:

HS-4.1 Hazardous Materials - The County shall strive to ensure hazardous materials are used, stored, transported, and disposed of in a safe manner, in compliance with local, State, and Federal safety standards, including the Hazardous Waste Management Plan, Emergency Operations Plan, and Area Plan.

HS-4.3 Incompatible Land Uses - The County shall prevent incompatible land uses near properties that produce or store hazardous waste.

HS-4.4 Contamination Prevention - The County shall review new development proposals to protect soils, air quality, surface water, and groundwater from hazardous materials contamination.

IMPACT EVALUATION

Would the project:

- a) **Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

Project Impact Analysis: *Less Than Significant Impact with Mitigation*

Construction:

Construction activities associated with construction of the new office/warehouse and installation of fencing, landscaping, paving, etc. would require the use and transport of hazardous materials, including fuels, oils, and other chemicals (e.g., paints, adhesives, etc.) typically used during construction. It is likely that these hazardous materials and vehicles

¹⁵ Tulare County Environmental Health Webpage, <http://www.tularehhsa.org/index.cfm/public-health/about-phd/>. Accessed July 2014.

would be stored by the contractor(s) on-site during construction activities. Improper use and transportation of hazardous materials could result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. However, a Storm Water Pollution Prevention Plan (SWPPP) is required for the project and shall include emergency procedures for incidental hazardous materials releases. The SWPPP also includes Best Management Practices which includes requirements for hazardous materials storage. In addition, all use, storage, transport and disposal of hazardous materials during construction shall be performed in accordance with existing local, state and federal hazardous materials regulations.

Operational:

Operation of the plant would require materials to be imported to the facility for use in asphalt production. The raw materials for the proposed Project operations will be brought in from Orosi (from an Applicant-owned site) and consists of 3/8"- 5/8" crushed gravel. The gravel will be dumped on a conveyor and sent to the on-site stock piles. Recycled asphalt paving (RAP) will also be delivered to the site and crushed to a 3/8"- 5/8" size, then moved to stock piles on the north end of the facility. The facility also accepts and recycled rubble and asphalt grindings, which are further ground up to a specified thickness and used in the production of new asphalt. The aggregate will be loaded into the mixer, dried, mixed with oil and RAP, then placed on a conveyor to be sent into the storage silos. Silos are programmed to release a specific weight of asphalt into the trucks positioned under the silos. The process involves the use of potentially hazardous materials such as oils and fuels. These potentially hazardous project components are described below:

Natural Gas / Propane: The proposed Gencor's Ultraplant (asphalt production equipment) will ultimately be fueled using piped-in natural gas. There is an existing PG&E 16" natural gas line on the south side of SR198. The applicant is working with PG&E and Caltrans to extend a 4" line from the existing line north under SR198 just west of the Road 68 overcrossing. The applicant will be required to obtain the appropriate permits from Caltrans to extend the line under SR198. The line will terminate at the southeast corner of the project site and will be reduced to a 2" line within the property boundaries. The line will be reduced from 400 PSI to 20 PSI at the site and will be metered¹⁶. However, until the new gas line is operational (anticipated in mid-2015), the applicant will continue to use an existing 30,000 gallon above-ground propane tank on-site that provides fuel to the Gencor plant, crushing plant, and asphalt storage silo. The propane tank is refilled on a routine basis using a propane tanker truck. Fuel is pumped directly into the propane tank. A drip pan will be used during refueling to avoid spills to the surface. Any spills of propane will be immediately removed and disposed of into a storage container for off-site disposal.¹⁷

Asphalt Oil: The proposed project will utilize two 30,000 gallon above-ground asphalt oil storage tanks on site. The oil is used internally within the Gencor plant as a mixing agent for the dried aggregate. Delivery and refilling the tanks is performed by a tanker truck and

¹⁶ Teleconference with Tim Walton (PG&E), and applicant (July 2014)

¹⁷ SWPPP, Sierra Pacific Materials Asphalt Plan. Pg. 5. (June 2014)

pumped directly into the holding tanks. A drip pan will be used to avoid spills to the surface during the refilling process. Any spills of oil will be immediately removed and disposed of into a storage container for off-site disposal.¹⁸

Fuel / Diesel: The proposed project will utilize a 16,000 gallon diesel fuel above-ground tank on site. This fuel tank will be used to fuel on-site equipment, water trucks, etc. Delivery and refilling the tank is performed by a tanker truck and pumped directly into the holding tank. A drip pan will be used to avoid spills to the surface during the refilling process. Any spills of fuel/diesel will be immediately removed and disposed of into a storage container for off-site disposal.

Other: A reefer trailer is located on site for storage of materials and supplies required for general operations of the Plant. Small quantities of gear oil, grease, and other lubrication material may be stored in the container during operation of the plant. Storage of these types of materials will likely be transferred to the proposed new office / warehouse facility that will be constructed as part of the project. Other hazardous materials and wastes could be transported, used and generated from on-site vehicle maintenance and equipment activities.

A Storm Water Pollution Prevention Plan (SWPPP) is required for the project and shall include emergency procedures for incidental hazardous materials releases. The SWPPP also includes Best Management Practices which includes requirements for hazardous materials storage. In addition, all use, storage, transport and disposal of hazardous materials during construction shall be performed in accordance with existing local, state and federal hazardous materials regulations.

All businesses transporting, storing, using or disposing of hazardous materials (including wastes) must comply with applicable local, state and federal regulations for hazardous materials management. These include regulations and programs administered by the Tulare County Health & Human Services Agency, Environmental Health Services Division as well as other requirements of state and federal laws and regulations, including compliance with the Uniform Fire Code for hazardous material storage. This impact will be ***Less Than Significant Impacts with Mitigation.***

Mitigation Measure(s):

- 8-1 The Project shall prepare a Hazardous Materials Business Plan for review and approval by the Tulare County Health & Human Services Agency, Environmental Health Services Division. The Plan shall be in effect prior to issuance of a building permit for the proposed expansion.**
- 8-2 Because the facility proposes an above ground storage capacity over 1,320 gallons of a petroleum based product, the site shall be required to prepare a Spill Prevention Control and Countermeasure (SPCC) plan in accordance**

¹⁸ SWPPP, Sierra Pacific Materials Asphalt Plan. Pg. 5. (June 2014)

with the U.S. Code of Federal Regulations, Title 40, Part 112 (40CFR112) prior to the final inspection of the building permit. The plan shall be submitted to the Tulare County Environmental Health Services Division. The applicant shall contact the TCEHSD's CUPA inspector at (559) 624-7400 for any additional questions.

Conclusion: Potential Project-specific impacts related to this Checklist Item will be ***Less Than Significant***.

Cumulative Impact Analysis: ***Less Than Significant Impact***

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

The use, generation, transport, or disposal of any hazardous substances associated with any of the projects in the County and/or vicinity of the proposed project could result in potential impacts to the public health and safety. These potential impacts would be site-specific. Local municipalities like the Tulare County Health & Human Services Agency, Environmental Health Services Division, City of Visalia and Kings County implement local, state, and federal laws and regulations regarding the storage, use, transport, and disposal of hazardous materials. Therefore, assuming compliance with applicable laws and regulations for nearby projects, cumulative impacts from hazardous materials during project construction and operation are considered a ***Less Than Significant Impact***.

Mitigation Measure(s): ***None Required.***

Conclusion: ***Less Than Significant Impact***

Potential Project-specific impacts related to this Checklist item are considered ***Less Than Significant***. ***No Cumulative Impacts*** related to this Checklist Item will occur.

- b) 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?**

Project Impact Analysis: ***Less Than Significant Impact with Mitigation***

The proposed Project includes the use of potentially hazardous materials. Please refer to a full description of potentially hazardous materials in a) above. As previously stated, the project must comply with applicable local, state and federal regulations for hazardous materials management. These include regulations and programs administered by the Tulare County Health & Human Services Agency, Environmental Health Services Division as well as other requirements of state and federal laws and regulations, including compliance with the Uniform Fire Code for hazardous material storage. Further measures are outlined as Mitigation Measures 8-1 and 8-2.

Mitigation Measure(s):

- 8-1 The Project shall prepare a Hazardous Materials Business Plan for review and approval by the Tulare County Health & Human Services Agency, Environmental Health Services Division. The Plan shall be in effect prior to issuance of a building permit for the proposed expansion.**
- 8-2 Because the facility proposes an above ground storage capacity over 1,320 gallons of a petroleum based product, the site shall be required to prepare a Spill Prevention Control and Countermeasure (SPCC) plan in accordance with the U.S. Code of Federal Regulations, Title 40, Part 112 (40CFR112) prior to the final inspection of the building permit. The plan shall be submitted to the Tulare County Environmental Health Services Division. The applicant shall contact the TCEHSD's CUPA inspector at (559) 624-7400 for any additional questions.**

Conclusion: Project-specific impacts related to this Checklist item will be reduced to a level of *Less Than Significant with Mitigation*.

Cumulative Impact Analysis:

Less than Significant Impact

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

The use, generation, transport, or disposal of any hazardous substances associated with any of the projects in the County and/or vicinity of the proposed project could result in potential impacts to the public health and safety. These potential impacts would be site-specific. Local municipalities like the Tulare County Health & Human Services Agency, Environmental Health Services Division, City of Visalia and Kings County implement local, state, and federal laws and regulations regarding the storage, use, transport, and disposal of hazardous materials. Therefore, assuming compliance with applicable laws and regulations for nearby projects, cumulative impacts from hazardous materials during project construction and operation are considered a *Less than Significant Impact*.

Mitigation Measure(s):

None Required.

Conclusion:

Less than Significant Impact

- c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

Project Impact Analysis:

No Impact

The Project site is not located within 0.25 mile of an existing or proposed school. The nearest school (Goshen Elementary School) is approximately 1.1 miles north of the project site. Therefore, *No Project-specific Impacts* to this Checklist Item will occur.

Cumulative Impact Analysis: *No Impact*

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

The Project site is not located within 0.25 mile of an existing or proposed school. Therefore, *No Cumulative Impacts* to this Checklist item will occur.

Mitigation Measure(s): *None Required.*

Conclusion: *No Impact*

As noted earlier, *No Project-specific or Cumulative Impacts* to this Checklist Item will occur.

- d) **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

Project Impact Analysis: *No Impact*

As of October 16, 2014, the Project site was not located on a Cortese List site. Moreover, the proposed Project will not include elements that will require listing on the Cortese List. Therefore, *No Project-specific Impacts* to this Checklist Item will occur.

Cumulative Impact Analysis: *No Impact*

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

The Project site is not located on any Cortese List of hazardous materials. The proposed Project includes an expansion of an existing Material Recovery Facility and Transfer Station, along with a Zone Change/General Plan Amendment and will not cause other properties to be included in the Cortese List. As such *No Cumulative Impacts* to this Checklist Item will occur.

Mitigation Measure(s): *None Required.*

Conclusion: *No Impact*

As noted earlier, *No Project-specific or Cumulative Impacts* to this Checklist Item will occur.

- e) **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?**

Project Impact Analysis: *Less Than Significant Impact*

The nearest airport to the project site is the Visalia Municipal Airport located approximately one mile directly east. The project site is within the “6 – Traffic Pattern Zone” of the Airport,

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which represents the lowest level of hazard for areas within the Airports Safety Zones.¹⁹ The proposed project type is allowable in this Zone and consists of an existing facility that is proposing a small physical expansion and establishment of a permanent operation. The expansion will include construction of a new office / warehouse facility and will not include the construction of any tall structures. The proposed use is not un-similar to other existing industrial land uses located within one mile of the Airport and will not result in any increase in safety hazards for people working in the project area.

Mitigation Measure(s): *None Required.*

Conclusion: *Less Than Significant Impact*

Cumulative Impact Analysis: *No Impact*

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

There are no significant project level impacts and therefore *Less Than Significant Cumulative Impacts* to this Checklist Item will occur.

Mitigation Measure(s): *None Required.*

Conclusion: *Less Than Significant Impacts*

As noted earlier, *Less Than Significant Project-specific or Cumulative Impacts* to this Checklist Item will occur.

f) 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?

Project Impact Analysis: *No Impact*

The nearest airport to the Project site is the Visalia Municipal Airport located approximately one mile directly east. The project site is within the “6 – Traffic Pattern Zone” of the Airport, which represents the lowest level of hazard for areas within the Airports Safety Zones.²⁰ The proposed project consists of an existing facility that is proposing a small physical expansion and establishment of a permanent operation. The expansion will include construction of a new office / warehouse facility and will not include the construction of any tall structures. The proposed use is not un-similar to other existing industrial land uses located within one mile of the Airport and will not result in any increase in safety hazards for people working in the project area. There are no other known private airstrips in the project vicinity.

Cumulative Impact Analysis: *No Impact*

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

¹⁹ Tulare County Comprehensive Airport Land Use Plan (2012) page 5-6

²⁰ Tulare County Comprehensive Airport Land Use Plan (2012) page 5-6

There are no project level impacts and therefore *No Cumulative Impacts* to this Checklist Item will occur.

Mitigation Measure(s): *None Required.*

Conclusion: *No Impact*

As noted earlier, *No Project-specific or Cumulative Impacts* related to this Checklist Item will occur.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Project Impact Analysis: *No Impact*

“Tulare County has in place an emergency plan to cope with natural disasters that are statewide or happen locally. The County Fire Department and local stationed California Department of Forestry (CDF) are well prepared to fight fires locally as well as statewide. The United States Forest Service (USFS) is in charge of fires that happen in the national parks and Tulare County assists with the fire management process as needed.”²¹

“In the event of a disaster, certain facilities are critical to serve as evacuation centers, provide vital services, and provide for emergency response. Existing critical facilities in Tulare County include hospitals, county dispatch facilities, electrical, gas, and telecommunication facilities, water storage and treatment systems, wastewater treatment systems, schools, and other government facilities. This plan also addresses evacuation routes, which include all freeways, highways, and arterials that are located outside of the 100-year flood plain.”²²

The proposed Project does not involve a change to any emergency response plan. There are two existing driveway entrances into the project site. These driveways are sufficient for fire trucks and other emergency vehicles to enter and exit the site. The proposed Project will not change driveway dimensions and thus will not have an impact on emergency response or evacuation. *No Project-specific Impacts* related to this Checklist Item will occur.

Cumulative Impact Analysis: *No Impact*

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

The proposed Project does not include alterations to an emergency plan or include reductions of site accessibility by emergency vehicles. *No Cumulative Impacts* to this Checklist Item will occur.

Mitigation Measure(s): *None required.*

Conclusion: *No Impact*

As noted earlier, *No Project-specific or Cumulative Impacts* related to this Checklist Item will occur.

h) Expose people or structures to a significant risk of loss, injury or death involving

²¹ TCAG Regional Transportation Plan, Page 1-11

²² Tulare County General Plan 2030 Update Background Report, pages 8-35 to 8-36

wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Project Impact Analysis: *No Impact*

The Project site is currently developed. In addition, there are agricultural uses surrounding the site. With this environmental context, the Project site is not located within a wildlands area. Therefore, the Project will not expose people or structure to wildland fires. *No Project-specific impacts* related to this Checklist Item will occur.

Cumulative Impact Analysis: *No Impact*

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

The Project site is not located in wildlands and will result in *No Impact* to the growth of wildlands. *No Cumulative Impacts* related to this Checklist Item will occur.

Mitigation Measure(s): *None Required.*

Conclusion: *No Impact*

As noted earlier, *No Project-specific or Cumulative Impacts* to this Checklist Item will occur.

DEFINITIONS AND ACRONYMS

DEFINITIONS

Hazardous Waste Generators - Hazardous waste generators can be classified in three groups depending on the quantity of waste generated in any month. A Conditionally Exempt Small Quantity Generator (CESQG) is defined in regulation as a generator of less than 100 kilograms of hazardous waste in a calendar month. A Small Quantity Generator (SQG) is a generator of greater than 100 kg and less than 1000 kg of hazardous waste in a calendar month. A Large Quantity Generator (LQG) generates greater than 1000 kg of hazardous waste in a calendar month. Determination of whether a facility is a CESQG, SQG, or LQG is the responsibility of the generator. The designation may change during the year, based on the quantity of hazardous waste produced during a particular month. Specific hazardous waste materials may also be exempt from the monthly total quantity. Therefore, the Certified Unified Program Agencies (CUPA) cannot authoritatively designate the number of generators within each of the earlier categories.

Small Quantity Generators - CUPA has designated 58 active and 30 inactive small quantity generators (SQG's). The total estimated quantities of hazardous waste generated within Tulare County by active and inactive SQG's during calendar year 2002 were 121.7 and 56.3 tons, respectively.

Large Hazardous Waste Producers - CUPA has designated 23 active and 3 inactive large quantity generators (LQG's). The total estimated quantities of hazardous waste generated within Tulare County by active and inactive LQG's during calendar year 2002 were 559.7 and 121.6 tons, respectively.

Storage Facilities - According to available information from the agencies (Department of Toxic Substances Control [DTSC] and RWQCB) that oversee treatment, storage and disposal facilities (TSDFs), there are no facilities authorized for the storage of hazardous waste in Tulare County.

Disposal Facilities - According to available information from the agencies (DTSC and RWQCB) that oversee treatment, storage and disposal facilities (TSDFs), there are no facilities authorized for the disposal of hazardous waste in Tulare County.

Planned Treatment, Storage and Disposal Facilities - According to information available to the CUPA, there are no new treatment, storage and disposal facilities proposed in Tulare County.

ACRONYMS

(CDF/CalFire) California Department of Forestry
CERCLA) Comprehensive Environmental Response, Compensation and Liability Act
(DOE) Department of Energy
(DTSC) Cal/EPA Department of Toxic Substance Control
(HMTA) Hazardous Materials Transportation Act of 1975
(HWMP) Hazardous Waste Management Program
(HWTS) Hazardous Waste Tracking System
(LUST) Leaking Underground Tank
(NCP) National Contingency Plan

(SARA) Superfund Amendments and Reauthorization Act
(USFS) United States Forest Service

REFERENCES

2011 Regional Transportation Plan, Tulare County Association of Governments (TCAG)

Tulare County General Plan 2030 Update, August 2012

Tulare County General Plan 2030 Update Background Report, February 2010

US Department of Energy, The Office of Health, Safety and Security,
<http://www.hss.doe.gov/sesa/environment/policy/hmta.html>. Accessed December 2014.

Cal/EPA Cortese List, <http://www.calepa.ca.gov/sitecleanup/corteselist/Background.htm>.
Accessed December 2014.

Tulare County Environmental Health Webpage, <http://www.tularehhsa.org/index.cfm/public-health/about-phd/>. Accessed December 2014.

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Cal/EPA Cortese List, <http://www.calepa.ca.gov/sitecleanup/corteselist/Background.htm>.
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