

# Chapter 3I

## Hazards and Hazardous Materials

### Introduction

This section addresses the potential impacts of the proposed project related to hazards and hazardous materials. The following materials were reviewed in preparing this section.

- Phase I Environmental Site Assessment—Full Moon Sea Food Restaurant, 228 Broadway, Oakland, California (August 9, 2000)
- Phase I Environmental Site Assessment—Commercial Property, 210 Broadway Street, Oakland, California (May 21, 1998)
- Phase I Environmental Site Assessment Update—Parking Lot, 210 Broadway, Oakland, California (August 9, 2000)
- Soil and Groundwater Sampling Report—Commercial Property, 210 Broadway, Oakland, California (June 1, 1998) (this report is referred to herein as a Phase II assessment)

### Setting

#### Environmental Setting

##### Historical Land Uses

Documentation regarding the proposed project site is available back to the late 1800s. The majority of the information available for the site focuses on 210 Broadway, although some information is available concerning 419 3rd Street. An 1889 Sanborn Fire Insurance map indicates that the 210 Broadway site (Figure 3I-1) was occupied by the Golden Rule Patent Roller Flour Mill, which included a tank, an office, and a flour storage area. On the northwest corner of the 210 Broadway site was Carriage Factory Painting. Nearby were a kindergarten, residences, a lumber storage area, and stores. By 1903, the flour mill was no longer operating at this location, although the tank and storage structures were apparently still present.

A 1912 Sanborn Fire Insurance map identifies the property as the site of the Empire Foundry. This facility included a pattern shop, earth floor, flask yard, and sales and livery area. The tank from the flour mill was no longer present. Adjacent properties were occupied by stores, restaurants, residences, boiler works, and iron works. The foundry remained at this location through 1952, but by 1965 it was no longer present. In 1960, a store building at 419 3rd Street was demolished.

Aerial photographs from 1965 for the downtown Oakland area show the property essentially as it is today, with two buildings and a paved parking lot. Nearby buildings also appear as they do today. In 1969, a building permit was issued to construct a single-story restaurant building at 210 Broadway. Over the next 30 years until its demolition in 1999, the building was the site of a cabaret and a series of restaurants.

## Current Land Uses

The project site comprises 210 Broadway, 419 3rd Street, 228 Broadway, 447 3rd Street, and 200 Broadway. One-story corner buildings that contain restaurants and front Broadway occupy 200 Broadway and 228 Broadway. Three-quarters of the project site is a surface parking lot at 210 Broadway. Surrounding the site are commercial establishments and the produce district; the produce market buildings occupy the rest of the block occupied by the project site and the area across 2nd and 3rd Streets.

## Phase I and II Site Assessments

### 210 Broadway

The portion of the project site at 210 Broadway is an asphalt-paved parking lot. The Phase I site assessment for the property identified the earliest known uses (in 1889) as a flour mill, which included an aboveground tank and a carriage painting business. From 1912 until at least 1952, the site was used as a foundry. Between 1952 and 1960, the site was converted to retail stores, and the building was permitted for demolition in 1960. A restaurant was constructed on the northwest side of the property in 1969 and was subsequently demolished. The property is currently paved for use as a parking lot.

The tank on the property was probably not used for storage of hazardous materials, based on the use of the property as a flour mill at the time. When the site was a foundry, between 1912 and the early 1960s, hazardous materials such as petroleum products, solvents, and heavy metals were present onsite. According to insurance maps, the foundry had an earth floor; this would increase the risk that soil on the site could have been contaminated by hazardous substances (Ceres Associates 1998a). At the time of the Phase I site assessment, no aboveground or subsurface evidence of hazardous or toxic substances was noted.

According to PG&E, polychlorinated biphenyls (PCBs) were removed from transformers in the project area in the late 1970s and early 1980s; one transformer is present on the project site, but no leaks or stains were observed on or around the transformer.

During a reconnaissance-level survey of the property, Ceres Associates noted suspected asbestos-containing materials. The age and construction of the then-present building suggested that construction materials may contain asbestos fibers (Ceres Associates 1998a). However, when a Phase I site assessment update was conducted in August 2000, the building had been demolished (Ceres Associates 2000a).

Ceres Associates conducted a Phase II soil and groundwater sampling assessment for the property (Ceres Associates 1998b). Four soil borings were drilled, and soil samples were collected from approximately 1 foot below ground surface and analyzed for 17 heavy metals (Figure 3I-1). Groundwater samples were collected from each boring and analyzed for halogenated volatile organic compounds. Laboratory results indicated that soil and groundwater contained no chemicals of environmental concern (Ceres Associates 2000a).

A review of hazardous materials regulatory information identified no reports of previous or current environmental concerns at the site. Ceres Associates prepared an update to the Phase I site assessment in 2000 and found that the environmental database reviewed listed a high number of sites within 0.5 mile of the project site that have reported environmental concerns (under the parameters designated by American Society for Testing and Materials [ASTM] E1527). However, because of local subsurface conditions, the nature of reported specific environmental concerns, and the distance and direction of the sites on the database in relation to the property, the sites are unlikely to have an effect on environmental quality at the project site (Ceres Associates 2000a).

## 228 Broadway

From at least 1889 to 1903, the property at 228 Broadway was the site of a boarding house. In 1911, a small building on the south side was used for a cold storage area; the types of materials stored could not be determined, but the cooling mechanism was ice. In 1912, a building was constructed that covered about one third of the lot and was used as a restaurant. From 1930 to approximately 1971, the property was a wholesale meat store (Steinbeck-Theiss Meat Co.). From 1971 to 1981, a Shakey's Pizza restaurant was located at the site, and from 1981 to approximately 1990 the building was general office space for Betty's Tour and Peerless Stage, Inc. Since 1990, the building has been the site of a restaurant (first Denny's, then Ocean Harbor, and now Full Moon Sea Food House).

Ceres Associates conducted a Phase I site assessment in August 2000. No evidence of past or present use of hazardous materials and petroleum products, including tanks, drums, clarifiers, pits, vent pipes, fill pipes, surface staining, or

PCB-containing devices, was observed during a survey of the property (Ceres Associate 2000b). No Phase II site assessment was required for this property.

## 200 Broadway

No Phase I site assessment has been conducted for this parcel.

## Regulatory Setting

The EPA and California Environmental Protection Agency (Cal-EPA) regulate the production, use, transportation, and disposal of hazardous materials through various regulations. In particular, these agencies maintain lists of known sites of hazardous material contamination and require monitoring and cleanup of such sites. Some of the regulations that control hazardous materials and the lists they maintain are:

- National Priorities List, Federal Superfund List—EPA;
- Comprehensive Environmental Response, Cleanup and Liability Act—EPA: Comprehensive Environmental Response, Cleanup, and Liability Information System;
- Resource Conservation and Recovery Act—EPA: Facilities that Report Generation, Storage, Transportation, Treatment or Disposal of Hazardous Waste and Facilities that Report Generation of Small and Large Quantities of Hazardous Waste;
- Calsites List of Annual Work Plan Sites—Cal-EPA;
- Leaking Underground Storage Tank Information List—Cal-EPA;
- Report of Facilities with Likely or Threatened Releases of Hazardous Substances, Medium/Low Priority and No Further Action Sites—Cal-EPA Department of Toxic Substances Control;
- Solid Waste Information System, Active Landfills, Closed and Inactive Landfills, Incinerators and Transfer Station Lists—California Integrated Waste Management Board; and
- Facilities with Underground/Aboveground Storage Tank Information List—Regional Water Quality Control Board (RWQCB).

## Impacts and Mitigation Measures

### Methodology

The Phase I and Phase II site assessments and soil and groundwater testing conducted by Ceres Associates for portions of the project site included a review

of available information from local, state, and federal regulatory agency files and databases, maps, and historical land use information. Site reconnaissance surveys were conducted to identify visible evidence of past and current use, storage, disposal, and spillage of hazardous materials on the project site and adjoining parcels. Soil and groundwater samples were taken at four locations to determine whether hazardous materials are present in the soil or water.

All analysis activities were performed in accordance with the Standard Practice for Environmental Site Assessments: Phase I Site Assessment Process, established by ATSM in Method E1527-97.

## Thresholds of Significance

As identified in the State CEQA Guidelines and City policies and guidelines, a project is considered to have a significant impact with regard to hazards and hazardous materials if it would:

- 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;
- emit or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school;
- be located on a site that is included on a list of hazardous materials sites compiled in accordance with Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment; or
- impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

## Impacts of the Proposed Project

### Impact 3I-1: Exposure of the public to hazardous materials (Less than Significant)

According to the Phase I and Phase II site assessments conducted for the portions of the project site, no hazardous materials are present at the site from previous uses. Soil and groundwater testing identified no contamination of resources at the site. The site is not located within 0.5 mile of a school or on a site that is included on a list of hazardous materials sites. Construction activities, however, would involve operation of heavy equipment that could cause spills of gasoline, diesel, or other petroleum products at the site. Such accidental releases would expose members of the public to hazardous substances. The project sponsor will be required to comply with all applicable OSHA regulations regarding

worker safety, consistent with standard City requirements. Therefore, the project would not create a significant hazard to the public or the environment. No mitigation is required.

**Impact 3I-2: Interference with an emergency response plan or emergency evacuation plan (Less than Significant)**

Operation of the proposed project would not interfere with or impair implementation of an adopted emergency response plan or emergency evacuation plan. During construction activities, a traffic control plan (required by Mitigation Measure 3C-2) would be implemented that would ensure adequate emergency access to and through the project area. Therefore, this impact is considered less than significant. No mitigation is required.

**Hazards and Hazardous Materials.....1**

    Introduction.....1

    Setting .....1

        Environmental Setting.....1

        Regulatory Setting.....4

    Impacts and Mitigation Measures .....5

        Methodology.....5

        Thresholds of Significance.....5

        Impacts of the Proposed Project .....5

polychlorinated biphenyls (PCBs).....3

American Society for Testing and Materials (ASTM).....3

California Environmental Protection Agency (Cal-EPA) .....4

Regional Water Quality Control Board (RWQCB).....4

Ceres Associates 1998a.....2

Ceres Associates 1998a.....3

Ceres Associates 2000a.....3

Ceres Associates 1998b) .....3

Ceres Associates 2000a) .....3

Ceres Associates 2000a.....3

Ceres Associate 2000b .....4

Figure 3I-1 .....1

Figure 3I-1 .....3

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