

IV. Environmental Impact Analysis

F. Hazards and Hazardous Materials

1. Introduction

This section analyzes the Project's potential impacts related to hazards and hazardous materials that could occur during Project construction and operation. The analysis is based on the Site Summary Report prepared for the Project by Geosyntec Consultants (Geosyntec) and the Phase I Environmental Site Assessment (Phase I ESA) prepared by Global Realty Services (GRS) Group, which are provided in Appendix G of this Draft EIR.^{1,2} The Site Summary Report consolidates and summarizes several historical investigations and activities to address conditions at the Project Site; in addition, a Soil Management Plan prepared by Geosyntec is included as Appendix B therein.³

2. Environmental Setting

a. Regulatory Framework

Several plans, regulations, and programs include policies, requirements, and guidelines regarding hazards and hazardous materials at the federal, state, regional, and City of Los Angeles levels. As described below, these plans, guidelines, and laws include the following:

- Resource Conservation and Recovery Act
- Comprehensive Environmental Response, Compensation, and Liability Act
- Occupational Safety and Health Act of 1970
- Toxic Substances Control Act

¹ Geosyntec Consultants, Site Summary Report, 7800 West Beverly Boulevard, Los Angeles, CA, September 16, 2021.

² Global Realty Services Group, Phase I Environmental Site Assessment, 7800 West Beverly Boulevard, Los Angeles, CA, October 26, 2018.

³ Geosyntec Consultants, Soil Management Plan, 7800 West Beverly Boulevard, Los Angeles, CA, September 16, 2021.

- Hazardous Materials Transportation Act
- Research and Special Programs Administration
- Federal Emergency Management Act
- Disaster Mitigation Act of 2000
- California Hazardous Materials Release Response Plans and Inventory Law of 1985
- Hazardous Waste and Substances Sites
- Hazardous Waste Control Law
- License to Transport Hazardous Materials—California Vehicle Code, Section 32000.5 et seq.
- Underground Storage Tanks Program
- Aboveground Petroleum Storage Act
- Lead Based Paint Regulations
- California Division of Occupational Safety and Health
- The Safe Drinking Water and Toxic Enforcement Act
- California Water Code
- California Public Resources Code Division 3, Section 3229
- California Fire Code
- Uniform Fire Code
- California Governor's Office of Emergency Services
- Emergency Managed Mutual Aid System
- South Coast Air Quality Management District Rule 1113
- South Coast Air Quality Management District Rule 1166
- South Coast Air Quality Management District Rule 1403
- Los Angeles County Operational Area Emergency Response Plan

- Los Angeles County Airport Land Use Commission Comprehensive Land Use Plan
- Certified Unified Program Agency
- Los Angeles Fire Code
- Los Angeles Municipal Code (Methane Zones and Methane Buffer Zones)
- Waste Discharge Requirements
- Emergency Management Department, Emergency Operations Organization, and Emergency Operations Center
- General Plan Conservation Element

(1) Federal

(a) Resource Conservation and Recovery Act

The federal Resource Conservation and Recovery Act (RCRA) (42 United States Code [USC] Sections 6901–6992k), which amended and revised the Solid Waste Disposal Act, regulates the generation, transportation, treatment, storage, and disposal of hazardous waste. Under RCRA regulations, generators of hazardous waste must register and obtain a hazardous waste activity identification number. RCRA allows individual states to develop their own programs for the regulation of hazardous waste as long as they are at least as stringent as RCRA's.

Underground storage tanks (USTs) are regulated under Subtitle I of RCRA and its regulations, which establish construction standards for UST installations installed after December 22, 1988, as well as standards for upgrading existing USTs and associated piping. Since 1998, all non-conforming tanks were required to be either upgraded or closed.

(b) Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as “Superfund,” was enacted by Congress on December 11, 1980.⁴ This law provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites, providing for liability of persons responsible for releases of hazardous waste at these

⁴ USEPA, Superfund CERCLA Overview, www.epa.gov/superfund/superfund-cercla-overview, accessed March 10, 2022.

sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA also enabled the revision of the National Contingency Plan. The National Contingency Plan provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The National Contingency Plan also establishes the National Priorities List, which is a list of contaminated sites warranting further investigation by the EPA. CERCLA was amended most recently by the Small Business Liability Relief and Brownfields Revitalization Act of 2002.⁵

(c) Occupational Safety and Health Act of 1970

The Occupational Safety and Health Act of 1970, which is implemented by the federal Occupational Safety and Health Administration (OSHA), contains provisions with respect to hazardous materials handling. OSHA was created to assure safe and healthful working conditions by setting and enforcing standards and by providing training, outreach, education, and assistance. OSHA provides standards for general industry and construction industry on hazardous waste operations and emergency response. OSHA requirements, as set forth in 29 Code of Federal Regulations (CFR) Section 1910, et. seq., are designed to promote worker safety, worker training, and a worker's right-to-know. The U.S. Department of Labor has delegated the authority to administer OSHA regulations to the State of California. The California OSHA program (Cal/OSHA) (codified in the California Code of Regulations [CCR], Title 8, or 8 CCR generally and in the Labor Code Sections 6300–6719) is administered and enforced by the Division of Occupational Safety and Health (DOSH). Cal/OSHA is very similar to the OSHA program. Among other provisions, Cal/OSHA requires employers to implement a comprehensive, written Injury and Illness Prevention Program (IIPP) for potential workplace hazards, including those associated with hazardous materials.

In addition, pursuant to OSHA, a developer that undertakes a construction project that involves the handling of contaminated site conditions must prepare and implement a Health and Safety Plan (HASP) that sets forth the measures that would be undertaken to protect those that may be affected by the construction project. While a HASP is prepared and implemented pursuant to OSHA, the HASP is not subject to regulatory review and approval, although a HASP is typically appended to a Soil Management Plan if this document is required by the Certified Unified Program Agency (CUPA), which is the City of Los Angeles Fire Department (LAFD) with regard to the Project Site. The HASP, if required, would be prepared in accordance with the most current OSHA regulations, including 29 CFR 1910.120, Hazardous Waste Operations and Emergency Response and 29 CFR 1926, Construction Industry Standards, as well as other applicable federal, state, and local laws and regulations.

⁵ USEPA, Summary of the Small Business Liability Relief and Brownfields Revitalization Act, www.epa.gov/brownfields/summary-small-business-liability-relief-and-brownfields-revitalization-act, accessed March 11, 2022.

(d) Toxic Substances Control Act

In 1976, the federal Toxic Substances Control Act (TSCA) (15 USC Sections 2601–2671) established a system of evaluation in order to identify chemicals which may pose hazards. TSCA is enforced by the U.S. Environmental Protection Agency (USEPA) through inspections of places in which asbestos-containing materials (ACMs) are manufactured, processed, and stored and through the assessment of administrative and civil penalties and fines, as well as injunctions against violators. TSCA establishes a process by which public exposure to hazards may be reduced through manufacturing, distribution, use and disposal restrictions or labeling of products. Polychlorinated Biphenyls (PCB)s are hazardous materials regulated by the USEPA under the TSCA. These regulations ban the manufacture of PCBs although the continued use of existing PCB-containing equipment is allowed. PCBs were formerly used in such applications as hydraulic fluids, plasticizers, adhesives, fire retardants, and electrical transformers, among others. TSCA also contains provisions controlling the continued use and disposal of existing PCB-containing equipment. The disposal of PCB wastes is also regulated by TSCA (40 CFR 761), which contains life cycle provisions similar to those in RCRA. In addition to TSCA, provisions relating to PCBs are contained in the Hazardous Waste Control Law (HWCL), which lists PCBs as hazardous waste.

Under TSCA, the USEPA has enacted strict requirements on the use, handling, and disposal of ACMs. These regulations include the phasing out of friable asbestos and ACMs in new construction materials beginning in 1979. In 1989, the USEPA banned most uses of asbestos in the country. Although most of the ban was overturned in 1991, the current banned product categories include corrugated paper, rollboard, commercial paper, specialty paper, flooring felt, and any new uses. TSCA also establishes USEPA's Lead Abatement Program regulations, which provide a framework for lead abatement, risk assessment, and inspections. Those performing these services are required to be trained and certified by USEPA.

(e) Hazardous Materials Transportation Act

The U.S. Department of Transportation (USDOT) prescribes strict regulations for the safe transportation of hazardous materials, including requirements for hazardous waste containers and licensed haulers who transport hazardous waste on public roads. The Secretary of the Department of Transportation receives the authority to regulate the transportation of hazardous materials from the Hazardous Materials Transportation Act (HMTA), as amended and codified in 49 USC Section 5101 et seq. The Secretary of Transportation is authorized to issue regulations to implement the requirements of 49 USC.

The Pipeline and Hazardous Materials Safety Administration (PHMSA),⁶ formerly the Research and Special Provisions Administration, was delegated the responsibility to write the hazardous materials regulations, which are contained in CFR Title 49, Parts 100–180.⁷ Title 49 of the CFR, which contains the regulations set forth by the HMTA, specifies requirements and regulations with respect to the transport of hazardous materials. It requires that every employee who transports hazardous materials receive training to recognize and identify hazardous materials and become familiar with hazardous materials requirements. Under the HMTA, the Secretary of Transportation “may authorize any officer, employee, or agent to enter upon, inspect, and examine, at reasonable times and in a reasonable manner, the records and properties of persons to the extent such records and properties relate to: (1) the manufacture, fabrication, marking, maintenance, reconditioning, repair, testing, or distribution of packages or containers for use by any “person” in the transportation of hazardous materials in commerce; or (2) the transportation or shipment by any “person” of hazardous materials in commerce.”

(f) Research and Special Programs Administration

The Research and Special Programs Administration (RSPA) regulations cover definition and classification of hazardous materials, communication of hazards to workers and the public, packaging and labeling requirements, operational rules for shippers, and training. They apply to interstate, intrastate, and foreign commerce by air, rail, ships, and motor vehicles, and also cover hazardous waste shipments. The RSPA's Federal Highway Administration (FHWA) is responsible for highway routing of hazardous materials and highway safety permits. The U.S. Coast Guard regulates bulk transport by vessel. The hazardous material regulations include emergency response provisions, including incident reporting requirements. Reports of major incidents go to the National Response Center, which in turn is linked with CHEMTREC, a service of the chemical manufacturing industry that provides details on most chemicals shipped in the United States.

(g) Federal Emergency Management Act

Federal Emergency Management Act (FEMA) was established in 1979 via executive order and is an independent agency of the federal government. In March 2003, FEMA became part of the U.S. Department of Homeland Security with the mission to lead the effort in preparing the nation for all hazards and effectively manage federal response and recovery

⁶ U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Federal Hazardous Materials Transportation Law: An Overview, www.phmsa.dot.gov/standards-rulemaking/hazmat/federal-hazardous-materials-transportation-law-overview, accessed March 11, 2022.

⁷ Federal Register, Code of Federal Regulations 49, Parts 100 to 185, revised as of October 1, 2010.

efforts following any national incident.⁸ FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration.

(h) Disaster Mitigation Act of 2000

Disaster Mitigation Act (42 USC §5121) provides the legal basis for FEMA mitigation planning requirements for state, local, and Native American Tribal governments as a condition of mitigation grant assistance. It amends the Robert T. Stafford Disaster Relief Act of 1988 (42 USC §5121-5207) by repealing the previous mitigation planning provisions and replacing them with a new set of requirements that emphasize the need and creates incentives for state, Tribal, and local agencies to closely coordinate mitigation planning and implementation efforts. This Act reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and the streamlining of the administration of federal disaster relief and programs to promote mitigation activities. Some of the major provisions of this Act include:

- Funding pre-disaster mitigation activities;
- Developing experimental multi-hazard maps to better understand risk;
- Establishing state and local government infrastructure mitigation planning requirements;
- Defining how states can assume more responsibility in managing the Hazard Mitigation Grant Program (HMGP); and
- Adjusting ways in which management costs for projects are funded.

(i) Other Hazardous Materials Regulations

In addition to the USDOT regulations for the safe transportation of hazardous materials, other applicable federal laws that also address hazardous materials. These include:

- Community Environmental Response Facilitation Act of 1992;
- Clean Water Act;
- Clean Air Act;

⁸ Federal Emergency Management Act, History of FEMA, www.fema.gov/about/history, accessed March 11, 2022.

- Safe Drinking Water Act; and
- Federal Insecticide, Fungicide, and Rodenticide Act.

(2) State

(a) State Policies and Regulations

The primary state agencies with jurisdiction over hazardous chemical materials management are CalEPA's Department of Toxic and Substance Control (DTSC) and the Regional Water Quality Control Boards (RWQCBs). Other state agencies involved in hazardous materials management include Cal/OSHA and the State Office of Emergency Services (Cal OES).

Authority for the statewide administration and enforcement of RCRA rests with DTSC. While DTSC has primary state responsibility in regulating the generation, storage and disposal of hazardous materials, DTSC may further delegate enforcement authority to local jurisdictions. In addition, DTSC is responsible and/or provides oversight for contamination cleanup and administers statewide hazardous waste reduction programs. DTSC operates programs to accomplish the following: (1) manage the aftermath of improper hazardous waste management by overseeing site cleanups; (2) prevent releases of hazardous waste by ensuring that those who generate, handle, transport, store, and dispose of wastes do so properly; and (3) evaluate soil, water, and air samples taken at sites.

The storage of hazardous materials in USTs is regulated by the State Water Resources Control Board (SWRCB), which delegates authority to the RWQCB at the regional level and typically to the local fire department at the local level.

The Cal/OSHA program is administered and enforced by the DOSH. Cal/OSHA is very similar to the federal OSHA program. For example, both programs contain rules and procedures related to exposure to hazardous materials during demolition and construction activities. In addition, Cal/OSHA requires employers to implement a comprehensive, written IIPP. An IIPP is an employee safety program for potential workplace hazards, including those associated with hazardous materials.

The Cal OES Hazardous Materials (HazMat) section under the Fire and Rescue Division coordinates statewide implementation of hazardous materials accident prevention and emergency response programs for all types of hazardous materials incidents and threats. In response to any hazardous materials emergency, the HazMat section staff is called upon to provide state and local emergency managers with emergency coordination and technical assistance.

*(b) California Hazardous Materials Release Response Plans and Inventory
Law of 1985*

The Business Plan Act requires preparation of Hazardous Materials Business Plans and disclosure of hazardous materials inventories, including an inventory of hazardous materials handled, plans showing where hazardous materials are stored, an emergency response plan, and provisions for employee training in safety and emergency response procedures for businesses that handle, store, or transport hazardous materials in amounts exceeding specified minimums (California Health and Safety Code [HSC], Division 20, Chapter 6.95, Article 1). Statewide, DTSC has primary regulatory responsibility for management of hazardous materials, with delegation of authority to local jurisdictions that enter into agreements with the State. Local agencies are responsible for administering these regulations.

Several state agencies regulate the transportation and use of hazardous materials to minimize potential risks to public health and safety, including CalEPA and the California Emergency Management Agency. The California Highway Patrol and Caltrans enforce regulations specifically related to the transport of hazardous materials. Together, these agencies determine container types used and license hazardous waste haulers for hazardous waste transportation on public roadways.

(c) Hazardous Waste and Substances Sites

Government Code Section 65962.5, amended in 1992, requires the CalEPA to develop and update annually the Hazardous Waste and Substances Sites (Cortese List), which is a list of hazardous waste sites and other contaminated sites. The Cortese List is a planning document used by the State, local agencies, and developers to comply with California Environmental Quality Act (CEQA) requirements pertaining to providing information about the location of hazardous materials release sites. While the Cortese List is no longer maintained as a single list, the following databases provide information that meet the Cortese List requirements:

1. List of Hazardous Waste and Substances sites from the DTSC Envirostor database (HSC Sections 25220, 25242, 25356, and 116395);
2. List of open and active leaking underground storage tank (LUST) sites by County and fiscal year from the SWRCB GeoTracker database (HSC Section 25295);
3. List of solid waste disposal sites identified by the SWRCB with waste constituents above hazardous waste levels outside the waste management unit (Water Code Section 13273[e] and 14 CCR Section 18051);

4. List of “active” Cease and Desist Orders and Cleanup and Abatement Orders from the SWRCB (California Water Code [CWC] Sections 13301 and 13304); and
5. List of hazardous waste facilities subject to corrective action pursuant to HSC Section 25187.5, identified by the DTSC.

(d) Hazardous Waste Control Law

The Hazardous Waste Control Law (HWCL) empowers DTSC to administer the State’s hazardous waste program and implement the federal program in California. CCR Titles 22 and 23 address hazardous materials and wastes. Title 22 defines, categorizes, and lists hazardous materials and wastes. Title 23 addresses public health and safety issues related to hazardous materials and wastes and specifies disposal options.

(e) License to Transport Hazardous Materials—California Vehicle Code, Section 32000.5 et seq.

The California Department of Transportation (Caltrans) regulates hazardous materials transportation on all interstate roads. Within California, the state agencies with primary responsibility for enforcing federal and state regulations and for responding to transportation emergencies are the California Highway Patrol and Caltrans. Together, federal and state agencies determine driver-training requirements, load labeling procedures, and container specifications for vehicles transporting hazardous materials.

(f) Underground Storage Tanks Program

The State regulates USTs through a program pursuant to HSC Division 20, Chapter 6.7, and CCR Title 23, Division 3, Chapter 16 and Chapter 18. The State’s UST program regulations include among others, permitting USTs, installation of leak detection systems and/or monitoring of USTs for leakage, UST closure requirements, release reporting/corrective action, and enforcement. Oversight of the statewide UST program is assigned to the SWRCB which has delegated authority to the RWQCB and typically on the local level, to the fire department. LAFD administers and enforces federal and state laws and local ordinances for USTs at the Project Site. Plans for the construction/installation, modification, upgrade, and removal of USTs are reviewed by LAFD Inspectors. If a release affecting groundwater is documented, the project file is transferred to the appropriate RWQCB for oversight.

(g) Aboveground Petroleum Storage Act

In 1989, California established the Aboveground Petroleum Storage Act instituting a regulatory program covering ASTs containing specified petroleum products (HSC Sections 25270–25270.13). The Aboveground Petroleum Storage Act applies to facilities with storage

capacities of 10,000 gallons or more or are subject to oil pollution prevention and response requirements under 40 CFR Part 112. Under the Aboveground Petroleum Storage Act, each owner or operator of a regulated aboveground storage tank (AST) facility must file biennially a storage statement with the SWRCB disclosing the name and address of the AST facility; the contact person for the facility; and the location, size, age, and contents of each AST that exceeds 10,000 gallons in capacity and that holds materials that are at least 5 percent petroleum. In addition, each owner or operator of a regulated AST must prepare a Spill Prevention Control and Countermeasure Plan in accordance with federal and state requirements (40 CFR Part 112 and HSC Section 25270.5[c]). The responsibility for inspecting ASTs and ensuring that Spill Prevention Control and Countermeasure Plans have been prepared lies with the RWQCBs.

(h) Lead-Based Paint Regulations

Lead-based paint (LBP) is defined as any paint, varnish, stain, or other applied coating that has a 1 milligram per square centimeter (mg/cm^2) (5,000 microgram per gram [$\mu\text{g}/\text{g}$] or 0.5 percent by weight) or more of lead. The U.S. Consumer Product Safety Commission (16 CFR 1303) banned paint containing more than 0.06 percent lead for residential use in 1978. Buildings built before 1978 are much more likely to have LBP.

The demolition of buildings containing LBPs is subject to a comprehensive set of California regulatory requirements that are designed to assure the safe handling and disposal of these materials. Cal/OSHA has established limits of exposure to lead contained in dusts and fumes, which provides for exposure limits, exposure monitoring, and respiratory protection, and mandates good working practices by workers exposed to lead, particularly since demolition workers are at greatest risk of adverse exposure. Lead-contaminated debris and other wastes must also be managed and disposed of in accordance with applicable provisions of the California HSC.

(i) California Division of Occupational Safety and Health

Cal/OSHA is responsible for developing and enforcing workplace safety standards and ensuring worker safety in the handling and use of hazardous materials (8 CCR Section 1529). Among other requirements, Cal/OSHA requires entities handling specified amounts of certain hazardous chemicals to prepare injury and illness prevention plans and chemical hygiene plans and provides specific regulations to limit exposure of construction workers to lead. OSHA applies to this Project because contractors would be required to comply with its handling and use requirements that would increase worker safety and reduce the possibility of spills, and to prepare an emergency response plan to respond to accidental spills.

(j) The Safe Drinking Water and Toxic Enforcement Act

The Safe Drinking Water and Toxic Enforcement Act (HSC Section 25249.5 et seq.), Proposition 65, lists chemicals and substances believed to have the potential to cause cancer or deleterious reproductive effects in humans. It also restricts the discharges of listed chemicals into known drinking water sources above the regulatory levels of concern, requires public notification of any unauthorized discharge of hazardous waste, and requires that a clear and understandable warning be given prior to a known and intentional exposure to a listed substance.

(k) California Water Code

The CWC authorizes the SWRCB to implement provisions of the Clean Water Act, including the authority to regulate waste disposal and require cleanup of discharges of hazardous materials and other pollutants. In regards to construction dewatering discharge analysis and treatment, groundwater may be encountered during deeper excavations for the subterranean parking structure, building foundations, or other subterranean building components. Under the CWC, discharges of any such groundwater to surface waters, or any point sources hydrologically connected to surface waters, such as storm drains, is prohibited unless conducted in compliance with a Waste Discharge Requirement (WDR) permit. In addition to the CWC, these permits implement and are in compliance with the federal Clean Water Act's National Pollutant Discharge Elimination System (NPDES) program. In accordance with these legal requirements, dewatering, treatment, and disposal of groundwater encountered during construction activities would be conducted in accordance with the Los Angeles RWQCB's (LARWQCB) Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties, pursuant to adopted Order No. R4-2013-0095, or any other appropriate WDR permit identified by the LARWQCB.⁹ Compliance with an appropriate WDR permit would include monitoring, treatment if appropriate, and proper disposal of any encountered groundwater in accordance with applicable water quality standards. If, for example, extracted groundwater contains Total Petroleum Hydrocarbons (TPH) or other petroleum breakdown compounds in concentrations exceeding water quality standards, compliance with legal requirements would mandate treatment to meet published state water quality standards prior to discharge into a storm drain system.

⁹ Los Angeles Regional Water Quality Control Board, Order No. R4-2013-0095, Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties, June 6, 2013.

(l) California Public Resources Code Division 3, Section 3229

In compliance with Division 3, Section 3229 of the California Public Resources Code (PRC), before commencing any work to abandon any well, the owner or operator shall request approval from the California Geologic Energy Management Division (CalGEM), formerly the Division of Oil, Gas, and Geothermal Resources (DOGGR), via a written notice of intention to abandon the well.

(m) California Fire Code, Title 24, Part 9, Chapters 33, 50 and 57

The 2019 California Fire Code (CFC), written by the California Building Standards Commission, is based on the 2018 International Fire Code (IFC). The IFC is a model code that regulates minimum fire safety requirements for new and existing buildings, facilities, storage and processes. The IFC addresses fire prevention, fire protection, life safety, and safe storage and use of hazardous materials in new and existing buildings, facilities, and processes.

The CFC, Chapter 9 of Title 24 of the CCR, was created by the California Building Standards Commission based on the International Fire code and is updated every three years. The overall purpose of the CFC is to establish the minimum requirements to safeguard the public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises, and to provide safety and assistance to firefighters and emergency responders during emergency operations. Chapter 49 of the CFC contains minimum standards for development in the wildland–urban interface and fire hazard areas. The CFC also provides regulations and guidance for local agencies in the development and enforcement of fire safety standards.

(n) Uniform Fire Code

The Uniform Fire Code (UFC), Article 80 (UFC Section 80.103 as adopted by the State Fire Marshal pursuant to HSC Section 13143.9), includes specific requirements for the safe storage and handling of hazardous materials. These requirements are intended to reduce the potential for a release of hazardous materials and for mixing of incompatible chemicals, and specify the following specific design features to reduce the potential for a release of hazardous materials that could affect public health or the environment:

- Separation of incompatible materials with a noncombustible partition;
- Spill control in all storage, handling, and dispensing areas; and
- Separate secondary containment for each chemical storage system. The secondary containment must hold the entire contents of the tank, plus the volume

of water needed to supply the fire suppression system for a period of 20 minutes in the event of catastrophic spill.

(o) California Governor's Office of Emergency Services

In 2009, the State of California passed legislation creating the Cal OES and authorized it to prepare a Standard Emergency Management System (SEMS) program (Title 19 CCR Section 2401 et seq.), which sets forth measures by which a jurisdiction should handle emergency disasters. In California, SEMS provides the mechanism by which local governments request assistance. Non-compliance with SEMS could result in the State withholding disaster relief from the non-complying jurisdiction in the event of an emergency disaster. Cal OES coordinates the State's preparation for, prevention of, and response to major disasters, such as fires, floods, earthquakes and terrorist attacks. During an emergency, Cal OES serves as the lead state agency for emergency management in the State. It also serves as the lead agency for mobilizing the State's resources and obtaining federal resources. Cal OES coordinates the state response to major emergencies in support of local government. The primary responsibility for emergency management resides with the local government. Local jurisdictions first use their own resources and, as they are exhausted, obtain more from neighboring cities and special districts, the county in which they are located, and other counties throughout the State through the statewide mutual aid system (see discussion of Mutual Aid Agreements, below). California Emergency Management Agency (Cal-EMA) maintains oversight of the State's mutual aid system.

(p) Emergency Managed Mutual Aid (EMMA) System

Cal OES developed the Emergency Managed Mutual Aid (EMMA) System in response to the 1994 Northridge earthquake. The EMMA System coordinates emergency response and recovery efforts along the coastal, inland, and southern regions of California. The purpose of EMMA is to provide emergency management personnel and technical specialists to afflicted jurisdictions in support of disaster operations during emergency events. Objectives of the EMMA Plan is to provide a system to coordinate and mobilize assigned personnel, formal requests, assignment, training and demobilization of assigned personnel; establish structure to maintain the EMMA Plan and its procedures; provide the coordination of training for EMMA resources, including SEMS training, coursework, exercises, and disaster response procedures; and to promote professionalism in emergency management and response. The EMMA Plan was updated in November 2012 and supersedes the 1997 EMMA Plan and November 2001 EMMA Guidance.

(3) Regional

(a) South Coast Air Quality Management District Rule 1113

South Coast Air Quality Management District (SCAQMD) Rule 1166, Architectural Coating, requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce volatile organic compounds (VOC) emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories.

(b) South Coast Air Quality Management District Rule 1166

SCAQMD Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil, requires that an approved mitigation plan be obtained from SCAQMD prior to commencing any of the following activities: (1) the excavation of an underground storage tank or piping which has stored VOCs; (2) the excavation or grading of soil containing VOC material including gasoline, diesel, crude oil, lubricant, waste oil, adhesive, paint, stain, solvent, resin, monomer, and/or any other material containing VOCs; (3) the handling or storage of VOC-contaminated soil [soil which registers >50 parts per million (ppm) or greater using an organic vapor analyzer (OVA) calibrated with hexane] at or from an excavation or grading site; and (4) the treatment of VOC-contaminated soil at a facility. This rule sets requirements to control the emission of VOCs from excavating, grading, handling, and treating VOC-contaminated soil as a result of leakage from storage or transfer operations, accidental spillage, or other deposition.

(c) South Coast Air Quality Management District Rule 1403

SCAQMD Rule 1403, Asbestos Emissions from Renovation/Demolition Activities, regulates asbestos as a toxic material and controls the emissions of asbestos from demolition and renovation activities by specifying agency notifications, appropriate removal procedures, and handling and clean up procedures. Rule 1403 applies to owners and operators involved in the demolition or renovation of structures with ACMs, asbestos storage facilities, and waste disposal sites.

(d) Los Angeles County Operational Area Emergency Response Plan

The County of Los Angeles developed the Emergency Response Plan (ERP) to ensure the most effective allocation of resources for the maximum benefit and protection of the public in time of emergency. The ERP does not address normal day-to-day emergencies or the well-established and routine procedures used in coping with them. Instead, the operational concepts reflected in this plan focus on potential large-scale disasters like extraordinary emergency situations associated with natural and man-made disasters and technological incidents which can generate unique situations requiring an unusual or extraordinary emergency response. The purpose of the plan is to incorporate and coordinate

all facilities and personnel of the County government, along with the jurisdictional resources of the cities and special districts within the County, into an efficient Operational Area organization capable of responding to any emergency using a Standard Emergency Management System, mutual aid and other appropriate response procedures. The goal of the plan is to take effective life-safety measures and reduce property loss, provide for the rapid resumption of impacted businesses and community services, and provide accurate documentation and records required for cost-recovery.

(e) Los Angeles County Airport Land Use Commission Comprehensive Land Use Plan

In Los Angeles County, the Regional Planning Commission has the responsibility for acting as the Airport Land Use Commission (ALUC) and for coordinating the airport planning of public agencies within the county. The ALUC coordinates planning for the areas surrounding public use airports. The Los Angeles County Airport Land Use Plan (dually titled the Comprehensive Land Use Plan) provides for the orderly expansion of Los Angeles County's public use airports and the area surrounding them. It is intended to provide for the adoption of land use measures that would minimize the public's exposure to excessive noise and safety hazards. In formulating this plan, the ALUC has established provisions for safety, noise insulation, and the regulation of building height within areas adjacent to each of the public airports in the County.

(4) Local

(a) Certified Unified Program Agency

The primary local agency with responsibility for implementing federal and state laws and regulations pertaining to hazardous materials management is the Los Angeles County Health Department, Environmental Health Division. The Los Angeles County Health Department is the CUPA for the County of Los Angeles. A CUPA is a local agency that has been certified by CalEPA to implement the six state environmental programs within the local agency's jurisdiction. This program was established under the amendments to the California HSC made by Senate Bill 1082 in 1994. The six consolidated programs are:

- Hazardous Materials Release Response Plan and Inventory (Business Plans);
- California Accidental Release Prevention (CalARP);
- Hazardous Waste (including Tiered Permitting);
- USTs;
- ASTs (Spill Prevention Control and Countermeasures [SPCC] requirements); and

- UFC Article 80 Hazardous Material Management Program (HMMP) and Hazardous Material Identification System (HMIS).

As the CUPA for the County, the Los Angeles County Health Department, Environmental Health Division maintains the records regarding location and status of hazardous materials sites in the county and administers programs that regulate and enforce the transport, use, storage, manufacturing, and remediation of hazardous materials. By designating a CUPA, Los Angeles County has accurate and adequate information to plan for emergencies and/or disasters and to plan for public and firefighter safety.

A Participating Agency is a local agency that has been designated by the local CUPA to administer one or more Unified Programs within their jurisdiction on behalf of the CUPA. The Los Angeles County Health Department, Environmental Health Division has designated the LAFD as a Participating Agency. The LAFD monitors the storage of hazardous materials in the City for compliance with local requirements. Specifically, businesses and facilities that store more than threshold quantities of hazardous materials as defined in California HSC Code Chapter 6.95 are required to file an Accidental Risk Prevention Program with LAFD. This program includes information such as emergency contacts, phone numbers, facility information, chemical inventory, and hazardous materials handling and storage locations. LAFD also has the authority to administer and enforce federal and state laws and local ordinances for USTs. Plans for the construction/installation, modification, upgrade, and removal of USTs are reviewed by LAFD Inspectors.

In addition, the LAFD, in their role as the CUPA, also oversees and addresses issues relating to the presence and handling of contaminated soils that may be present at the Project Site. Any such hazardous materials that may be encountered would be managed (using tools, such as a Soil Management Plan [SMP]) in accordance with all relevant and applicable federal, state, and local laws and regulations that pertain to the use, storage, transportation and disposal of hazardous materials and waste. The SMP, if required, would describe the methodology to identify and manage (reuse or off-site disposal) contaminated soil during soil excavation and/or construction. The SMP would also provide protocols for confirmation sampling, segregation and stockpiling, profiling, backfilling, disposal, guidelines for imported soil, and backfill approval from the City's Department of Building and Safety (DBS). The SMP would also describe the methodology to manage underground features that may be encountered during construction. In addition, the LAFD may consult with other agencies (e.g., DTSC and the LARWQCB) if the nature of the contamination warrants the involvement of these agencies.

(b) Los Angeles Fire Code

At the local level, the LAFD monitors the storage of hazardous materials for compliance with local requirements. Specifically, businesses and facilities that store more

than threshold quantities of hazardous materials as defined in Chapter 6.95 of the California Health and Safety Code are required to file an Accidental Risk Prevention Program with the LAFD.¹⁰ This program includes information such as emergency contacts, phone numbers, facility information, chemical inventory, and hazardous materials handling and storage locations. The LAFD also issues permits for hazardous materials handling and enforces California's Hazardous Materials Release Response Plans and Inventory Law (HSC Section 25500 et seq.). Basic requirements of California's Hazardous Materials Release Response Plans and Inventory Law include the development of detailed hazardous materials inventories used and stored on-site, a program of employee training for hazardous materials release response, identification of emergency contacts and response procedures, and reporting of releases of hazardous materials. Any facility that meets the minimum reporting thresholds (i.e., a mixture containing a hazardous material that has a quantity at any one time during the reporting year that is equal to, or greater than, 55 gallons for materials that are liquids, 500 pounds for solids, or 200 cubic feet for compressed gas) must comply with the reporting requirements and file a Business Emergency Plan (BEP) with the local administering agency.¹¹

The LAFD also administers the Fire Life Safety Plan Check and Fire Life Safety Inspections interpreting and enforcing applicable standards of the Fire Code, Title 19, Uniform Building Code, City, and National codes concerning new construction and remodeling. As part of the Fire Life Safety Plan Check and Fire Life Safety Inspections, businesses that store hazardous waste or hazardous materials in amounts exceeding the thresholds noted above are subject to review.

Section 91.7109.2 of the Los Angeles Municipal Code (LAMC) requires LAFD notification when an abandoned oil well is encountered during construction activities and requires that any abandoned oil well not in compliance with existing regulations be re-abandoned in accordance with applicable rules and regulations of CalGEM.

(c) Los Angeles Municipal Code (Methane Zones and Methane Buffer Zones)

LAMC Chapter IX, Article 1, Division 71, Section 91.7103, also known as the Los Angeles Methane Seepage Regulations (Methane Code), establishes requirements for buildings and paved areas located in methane zones and methane buffer zones.

¹⁰ The CalARP program encompasses both the federal "Risk Management Program," established in the Code of Federal Regulations, Title 40, Part 68, and the State of California program, in accordance with the Title 19 of the California Code of Regulations, Division 2, Chapter 4.5.

¹¹ California Health and Safety Code, Division 20, Chapter 6.95, Article 1; California Code of Regulations, Title 19, Sections 2620-2732; California Code of Regulations, Title 24, Part 9, Section 80.115; Los Angeles Municipal Code, Article 7 of Chapter V, Section 57.120.1 and 57.120.1.4.

Requirements for new construction within such zones include methane gas sampling and, depending on the detected concentrations of methane and gas pressure at the site, application of design remedies for reducing potential methane impacts. The required methane mitigation systems are based on the Site Design Level, with more involved mitigation systems required at the higher Site Design Levels. The required methane mitigation systems are designed so that when properly implemented, they reduce methane-related risks to a less than significant level.

(d) Waste Discharge Requirements

Effective on December 28, 2012, the Los Angeles RWQCB adopted Order No. R4-2012-0175, NPDES Permit No. CAS004001, Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges into the Coastal Watersheds of Los Angeles County. The permit establishes new performance criteria for new development and redevelopment projects in the coastal watersheds of Los Angeles County (with the exception of the City of Long Beach). Storm water and non-storm water discharges consist of surface runoff generated from various land uses, which are conveyed via the municipal separate storm sewer system and ultimately discharged into surface waters throughout the region ("storm water" discharges are those that originate from precipitation events, while "non-storm water" discharges are all those that are transmitted through an MS4 Storm Water Permit and originate from precipitation events). Discharges of stormwater and non-storm water from the MS4s, or storm drain systems, in the Coastal Watersheds of Los Angeles County convey pollutants to surface waters throughout the Los Angeles Region. Non-storm water discharges through an MS4 in the Los Angeles Region are prohibited unless authorized under an individual or general NPDES permit; these discharges are regulated by the Los Angeles County NPDES Permit, issued pursuant to Clean Water Act (CWA) Section 402. Coverage under a general NPDES permit such as the Los Angeles County permit can be achieved through development and implementation of a project-specific SWPPP.

(e) Emergency Management Department, Emergency Operations Organization, and Emergency Operations Center

The City of Los Angeles Emergency Management Department (EMD) is comprised of four divisions and two units including administrative services division, communications division, community emergency management division, operations division, planning unit, and training exercise unit. The EMD works with City departments, municipalities and with community-based organizations to ensure that the City and its residents have the resources and information they need to prepare, respond, and recover from emergencies, disasters and significant events. The Emergency Operations Organization (EOO) is the operational department responsible for the City's emergency preparations (planning, training and mitigation), response and recovery operations. The EOO centralizes command and information coordination to enable its unified chain-of-command to operate efficiently and effectively in managing the City's resources.

The Emergency Operations Center (EOC) is the focal point for coordination of the City's emergency planning, training, response and recovery efforts. EOC processes follow the National All-Hazards approach to major disasters such as fires, floods, earthquakes, acts of terrorism and large-scale events in the City that require involvement by multiple City departments.

(f) General Plan Conservation Element

The City of Los Angeles General Plan includes a Conservation Element adopted in September 2001. Policies relevant to hazards and hazardous materials are shown in Table IV.F-1 on page IV.F-21:

b. Existing Conditions

The Project Site is located in the northern portion of the Coastal Plain of the Los Angeles Basin, which is in the northern portion of the Peninsular Ranges Geomorphic Province. In general, the Los Angeles Basin consists of thick interbedded sequences of Quaternary clay, silt, sand, and gravel. The Project Site is underlain by surficial fill materials and alluvium deposits consisting of primarily stratified layers of silty sands, and sandy to silty clays, fine to coarse grained, with varying amounts of gravel.

The Project Site is located within the Hollywood Hydrologic Subarea of the Interior Santa Monica Bay Hydrologic Area in the Santa Monica Bay Hydrologic Unit. A groundwater monitoring report for the northeastern portion of the Project Site reported the depth to groundwater to be approximately seven to 11 feet below ground surface (bgs), flowing south-southwesterly with a hydraulic gradient of 0.008 feet per foot (ft/ft). First groundwater was encountered between approximately 10 and 25 feet bgs during investigations conducted by Geosyntec between 2018 and 2020.¹² Groundwater was slow to enter the boreholes at most locations, presumably due to the relatively low transmissivity of the soil. The groundwater tended to rise in the boreholes above where it was first observed, which indicates confined or semi-confined groundwater conditions. According to the Geotechnical Investigation provided in Appendix E of this Draft EIR, the historic high groundwater level on the Project Site is approximately eight feet bgs, which was conservatively assumed for analytical purposes.

¹² As discussed in Section IV.D, Geology and Soils, of this Draft EIR, exploratory borings conducted by Geotechnologies, Inc. as part of the Geotechnical Investigation encountered groundwater between 20 and 30 feet bgs and backfilling of groundwater up to depths of between eight and 15.5 feet bgs was also observed, indicating an artesian groundwater condition where groundwater is confined between relatively impermeable clay layers. Refer to the Geotechnical Investigation in Appendix E of this Draft EIR for further discussion.

Table IV.F-1
Conservation Element—Resource Management (Fossil Library): Petroleum (Oil and Gas)

| | |
|--|---|
| Policy 1 | Continue to encourage energy conservation and petroleum product reuse. |
| Policy 3 | Continue to protect neighborhoods from potential accidents and subsidence associated with drilling, extraction and transport operations, consistent with California Department of Conservation, Division of Oil and Gas requirements. |
| <hr/> <i>Source: City of Los Angeles, 1996 and 2001.</i> | |

In terms of topography, the Project Site slopes gently down from northeast to southwest. The existing Project Site elevations range from approximately 185 to 201 feet above mean sea level (AMSL).

(1) Current and Historical Uses of the Project Site

The current and past land uses within the Project Site were identified to assess their potential for the presence of hazards and/or the handling of hazardous materials. These types of concerns are classified as Recognized Environmental Conditions (RECs), which are defined in ASTM Standard E1527-13 as “the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, past release, or material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water or surface water of the property.”¹³

As described in Section II, Project Description, of this Draft EIR, the Project Site is currently developed with approximately 743,680 square feet of studio-related uses, including approximately 95,540 square feet of sound stage uses; 325,450 square feet of production support uses, such as storage and mills; 163,090 square feet of production office space; and 159,600 square feet of general office space. Existing development is comprised of four main buildings, described further below. The Project Site also contains approximately 30 one-story ancillary and temporary buildings and structures, primarily located in the southeastern corner, including storage buildings, modular/portable bungalows and trailers, shelters and pads for utilities and transmission equipment, carports with solar panels, guard houses, and a helipad.

Television City supports a variety of production activities focused on the creation, development, recording, broadcasting, and editing of recorded and live television programming and other audio, visual, and digital media including, but not limited to, e-sports, backlot shooting, and other forms of content creation. Such activities occur both indoors and

¹³ Refer to Subsection 3.b, Methodology, herein for further discussion of ASTM Standard E1527-13.

outdoors within the Project Site and include basecamp areas where mobile facilities such as trucks, generators, and support vehicles related to production are temporarily staged. As is typical of studio environments, the land uses are centered around production operations, including associated parking, loading, and storage. Current operations at the Project Site include general studio and related uses such as office administration, filming, set construction, painting, wood working, garment washing/drying, media maintenance, and lighting maintenance.

As discussed in the Site Summary Report, the Project Site consisted of undeveloped and/or vacant land from as early as 1894 through the 1920s. The Project Site was identified within the Salt Lake Oil Fields and La Brea Oil Field on the 1920, 1921, 1924, and 1926 topographic maps. However, oil/gas production wells and oil derricks were not identified on-site in these topographic maps aerial photographs, or CalGEM's Well Finder database, despite the presence of numerous wells and oil derricks on the surrounding properties.

In the early 1930s, Anderson V L, a retail gasoline station, was developed in the northwestern corner of the Project Site. By 1937, the retail gas station site was redeveloped with a drive-in restaurant, and the gas station was relocated to the south. In the 1930s and 1940s, a football and baseball stadium (Gilmore Stadium and Gilmore Field, respectively) were present in the western portion of the Project Site. Gilmore Stadium was razed by the early 1950s, and development of the Television City studio commenced on the central and western portions of the Project Site. In the 1950s, a Texaco gas station and mini-golf course were developed on the northeastern portion of the Project Site. By the 1960s, development in the northwestern portion of the Project Site, including Gilmore Field and various retail buildings, had been razed. By the early 1990s, the Texaco gas station on the northeastern portion of the Project Site was removed. The Television City studio expanded in the late 1960s, 1970s and early 1990s, as described further below, and has since remained relatively unchanged since that time. Refer to Appendix A of the Phase I ESA for a site plan showing the location of the former gas stations within the Project Site and other facilities discussed below.

Television City was originally developed in 1952 in accordance with a master plan designed by the local architectural team of William Pereira and Charles Luckman (Pereira & Luckman). The master plan was conceived to function as a plan for a major studio headquarters located within a flexible studio environment and was designed to be adaptable and expandable over time to meet the changing needs of the entertainment industry. The original Primary Studio Complex, located generally in the center of the Project Site, includes two attached buildings—the Service Building on the east and the Studio Building on the west. The Primary Studio Complex was constructed as the first phase of the Pereira & Luckman master plan, which called for the eventual development of 2.5 million square feet with multi-story office towers up to 12 stories in height fronting Beverly Boulevard and Fairfax Avenue, a long retail block along Beverly Boulevard, and 24 stages. This full expansion

under the Pereira & Luckman master plan was never realized, and the original four sound stages within the Primary Studio Complex have undergone additions, exterior alterations, and ongoing reconfiguration of interior spaces, reflecting the original design intent for flexibility as production demands evolved over time.

Following the development of the Primary Studio Complex in 1952, the most substantial expansions of on-site development occurred in and around 1969 and 1976 to allow for more stage, production support, and production office space. The Service Building was extended to the east with additions in 1969, and the Support Building was added to the west elevation of the Studio Building in 1976. Other alterations to the Primary Studio Complex over the years have involved several additions to the roofs and ongoing changes in the use of interior spaces, such as the construction of additional production office space, conversion of the original rehearsal halls into stage space, a remodel of the primary entry lobby, addition of a commissary, and other conversions of interior and exterior spaces to meet production needs such as basecamp and audience experience uses.

Beyond the Primary Studio Complex, numerous additions and modifications have been made to the Project Site to accommodate the evolving nature of studio operations and the increasing demand for production space. A myriad of production office and support buildings, basecamp trailers, and bungalows were constructed to meet day-to-day production needs and create a dynamic studio ecosystem. In 1993, the three-story, detached East Studio Building was completed, which contained stage, production support, and production office uses. In addition, the original lawn and lower landscaped terrace along Beverly Boulevard were removed and replaced to accommodate parking, basecamp, and circulation needs. Further, the Project Site today includes photovoltaic canopies within the surface parking lots along Beverly Boulevard and Fairfax Avenue and perimeter security fencing with visual screening to meet safety and privacy needs.

The Phase I ESA identified one REC, one Historical REC (HREC), and one Controlled REC (CREC) on-site, as well as several other conditions, including the former gas stations, ASTs, former USTs, sumps, fuel distribution lines, spray paint booths, transformers, cooling towers, clarifiers, a former film room, and a hazardous waste storage area, as discussed further below. No active regulatory cases were identified for the Project Site, and the various RECs identified in the Phase I ESA were evaluated as part of a Phase II ESA and supplemental investigations, discussed below.¹⁴

¹⁴ These documents were prepared for the property independently of the Project and are on file at the Department of City Planning.

(2) Hazardous Materials Database Search

The Site Summary Report includes the findings of regulatory database searches that were performed as part of previous investigations. Numerous soil, groundwater, and soil vapor investigations and remedial activities have been completed at the Project Site. The Site Summary Report documents findings of various federal, state, and local regulatory database searches regarding properties with known or suspected releases of hazardous materials or petroleum hydrocarbons. These findings are summarized below.

(a) Project Site

Based on the Site Summary Report and the Phase I ESA, the Project Site appears on multiple databases associated with the two gas stations formerly located on the Project Site, specifically the Anderson V L station at 7870 Beverly Boulevard and the Texaco station at 7718 Beverly Boulevard, which are identified as a REC and CREC, respectively.

The Anderson V L gas station is listed in the EDR Historic Auto database. According to the Phase I ESA, based on an absence of available information regarding the status of any former USTs and other operations at this former facility, this historic gas station represented a REC to the Project Site.

The former Texaco station is listed in the HIST CORTESE, LUST, HIST UST, CA FID UST, HAZNET, and SWEEPS UST regulatory databases. The gas station contained one 10,000-gallon and three 12,000-gallon USTs which, along with dispensers, associated piping, and pump islands, were removed during station demolition in 1991. According to the LUST database, a gasoline release was discovered by Texaco in December 1990. Remedial activities were performed at the former station from 1996 to 2012 and included soil vapor extraction, dual phase extraction, air sparging, and groundwater monitoring. During the final sampling event at the former Texaco station in January 2012, maximum groundwater concentrations were 8,800 micrograms per liter ($\mu\text{g/L}$) for total petroleum hydrocarbons in the gasoline range (TPH GRO), 1,600 $\mu\text{g/L}$ for benzene, 38 $\mu\text{g/L}$ for methyl tert-butyl ether (MTBE), and 13 $\mu\text{g/L}$ for tertiary butyl alcohol (TBA). A soil vapor investigation and health risk assessment were conducted to assess vapor intrusion from petroleum products in groundwater. Since the area of the former Texaco station was used for parking at the time of the investigation, Texaco's environmental consultant, Arcadis, concluded that adverse health effects were not expected.

Based on this data, the LARWQCB issued a No Further Action letter on November 29, 2012. The LARWQCB Closure Package for the former Texaco station includes detailed information on soil, soil vapor, and groundwater investigations associated with remediation of TPH, benzene, MTBE, and other constituents that were known to remain in the subsurface in the northeast portion of the Project Site. Because that area of the Project Site was used for

commercial parking at the time, the Phase I concluded that the former Texaco station is a CREC.

Environmental investigations were recently performed by Geosyntec to confirm the extent of these remaining constituents, as detailed in the Site Summary Report and mapped in Figure 2 therein. Elevated concentrations of fuel-related constituents were detected in soil and groundwater downgradient of the former Texaco station.

In addition, according to the Phase I ESA, CBS Corporation, CBS Studios, and Television City at 7800 Beverly Boulevard are listed on the AST, CA FID UST, SWEEPS UST, HIST UST, UST, HAZNET, ENF, FINDS, EMI, WDS, CHMIRS, LUST, HIST CORTESE, RGA LUST, FTTS, and HIST FTTS regulatory databases. Based on a review of the HAZNET listing, numerous waste streams were generated on-site between the years 1997 and 2015 including: aqueous solution, hydrocarbons, solvents, adhesives, waste paints, laboratory waste chemicals, and organic solids. The facility received several violation notices from applicable state agencies over the years, due mainly to storage, handling, and administrative violations related to these wastes. However, the waste streams identified do not represent a REC to the Project Site.

As shown in Figure IV.F-1 on page IV.F-26, as part of CBS operations, one 1,000-gallon diesel UST and two 8,000-gallon diesel USTs were installed at the Project Site in 1952, and a 500-gallon diesel UST was installed in 1956, all generally located within the central and southern central areas of the Project Site. Three of the diesel USTs were taken out of service and permanently removed in 1988. Soil sampling was conducted during tank closure, and approximately 750 cubic yards of diesel-contaminated soil was bio-remediated and removed off-site. Groundwater impacted with benzene, toluene, chlorobenzene, ethylbenzene, 1,4-dichlorobenzene and 1,3-dichlorobenzene was identified in the vicinity of the former tanks. Upon completion of the investigations, CBS's environmental consultant, Converse Environmental, indicated the tank closures were final but recommended installation of a groundwater well and monitoring of the groundwater on a bimonthly basis.

In addition, the 1,000-gallon diesel UST was closed and removed in 1993 by Unitech Engineering, Inc. Soil sampling was conducted in this tank pit, and benzene, toluene, ethylbenzene, and m,p,o-xylene were detected. Unitech Engineering completed an additional assessment and concluded that groundwater impacts at the diesel tank pit were a result of the release that occurred at the former Texaco gas station, previously located in the northeast corner of the Project Site.

Following remediation of groundwater and soil, on September 17, 1998, LAFD issued a UST case closure letter for the USTs located on the Project Site, with no further monitoring

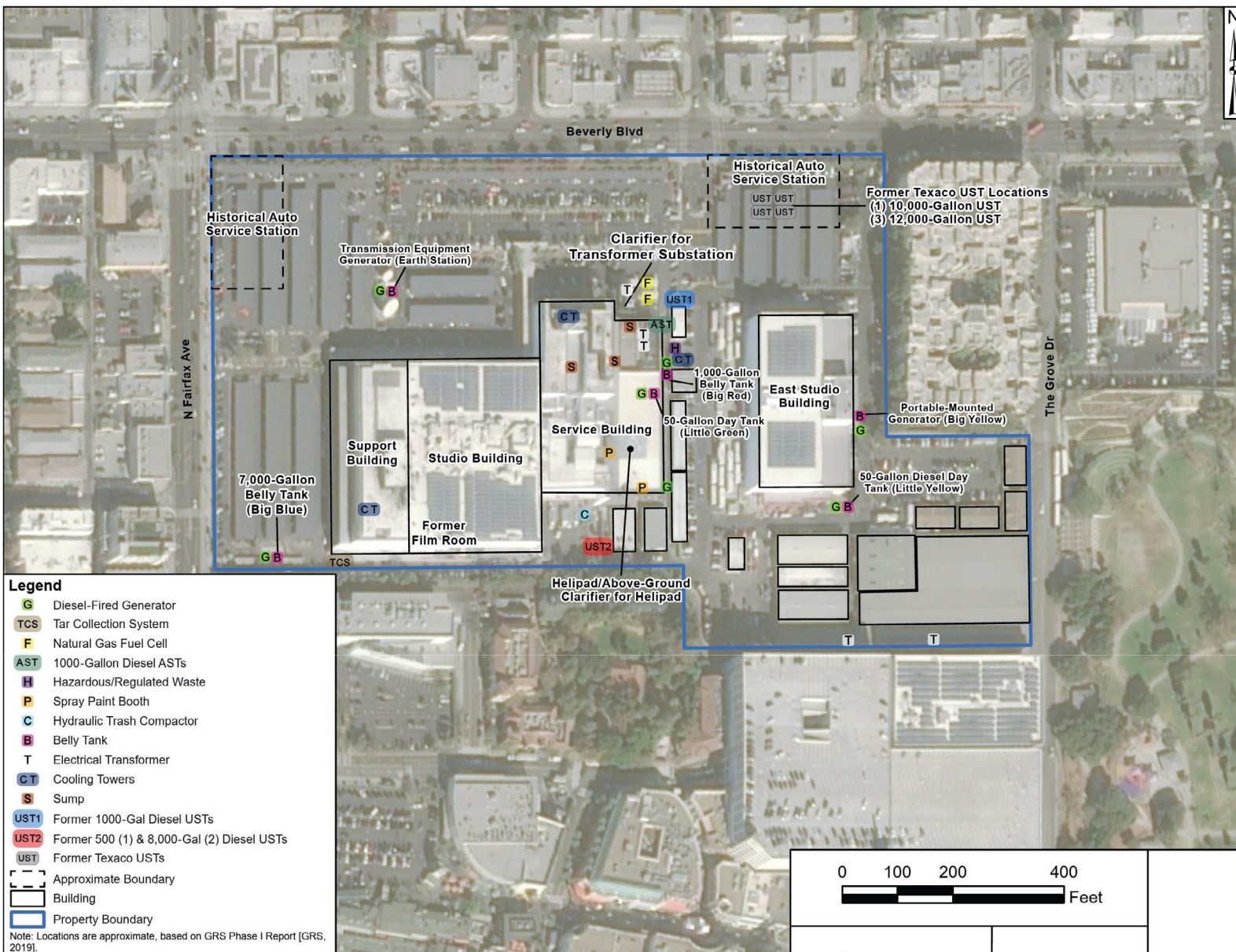


Figure IV.F-1
Hazards and Hazardous Materials Site Map

required. Based on the removed status of the USTs and regulatory LUST closure from the LAFD CUPA, the four former USTs represent an HREC.

Several soil, groundwater, and soil vapor investigations and remedial activities have been completed at the Project Site to assess potential contamination associated with the former uses and activities on-site, including in anticipation of future development. These have included a Limited Phase II Investigation in October 2018 and Supplemental Phase II Investigations in November 2018, August 2019, and May 2020, all of which were performed by Geosyntec, as discussed below in Section 2.b(11).¹⁵

(b) Surrounding Properties

As discussed in the Phase I ESA prepared for the Project Site by GRS Group in 2018, the properties surrounding the Project Site consisted of undeveloped, agricultural and/or vacant land from as early as 1894 through the 1920s. Numerous wells and oil derricks were identified on the surrounding properties during this time. Commercial retail development commenced on the adjacent properties north and west of the Project Site in the 1930s, with additional developments by the 1960s. The adjacent properties to the east and south consisted of commercial retail buildings from the 1940s through the 1980s and 1990s when retail and residential redevelopment commenced. Since then, the area has remained relatively unchanged.

The Phase I ESA includes a description of surrounding properties of potential concern to the Project Site, as summarized below. Records associated with additional off-site properties were also reviewed, and GRS Group determined they are not RECs and pose no concern with respect to the Project Site.

(i) 6301 West 3rd Street (APN 5512-003-043)

The portion of the property located immediately south of the Project Site that is located at 6301 West 3rd Street is listed in the SWRCB's Spills, Leaks, Investigations and Cleanup (SLIC) database. Per the Geotracker database, the status of the cleanup program at this facility is listed as "Open—Verification Monitoring as of January 21, 2000." Based on assessments completed on this property, soil, soil gas, and groundwater are reportedly

¹⁵ Referenced dates reflect the date of the investigations, not the report dates. Geosyntec Consultants, Limited Phase II Site Investigation Report, 7800 West Beverly Boulevard, Los Angeles, CA, November 7, 2018; Limited Phase II Report Addendum for Supplemental Investigation, 7800 West Beverly Boulevard, Los Angeles, CA, December 6, 2018; Supplemental Environmental Investigation, 7800 West Beverly Boulevard, Los Angeles, CA, September 13, 2019; and Supplemental Investigation, 7800 West Beverly Boulevard, Los Angeles, CA, August 7, 2020. Refer to the Site Summary Report for further discussion.

impacted with petroleum hydrocarbon. However, given the down-gradient location and the property having been redeveloped as a shopping center, this site is not considered a REC.

(ii) 7721 Beverly Boulevard (APN 5527-040-006)

Olsen S H Gas Station, located at 7721 Beverly Boulevard, approximately 100 feet upgradient to the north, is listed on the EDR Historical Auto database. Based on a review of the listing, this facility operated as a gasoline and oil service station from 1933 through 1951. No release was reported, and the property was redeveloped as a Rodeway Inn. As such, this site is not considered a REC.

(iii) 115 North Fairfax Avenue (APN 5511-001-006)

Mr. Clean Cleaners, located at 115 North Fairfax Avenue, approximately 100 feet cross-gradient to the west, is listed in the DRYCLEANERS and EDR Hist Cleaner regulatory databases from 2001 to 2014. Mr. Clean Cleaner is listed as having inactive dry cleaning equipment that utilized perchloroethylene and is currently listed with an active permit for petroleum-based dry cleaning equipment. The site is not listed as a RCRA generator and is not considered a REC given the cross-gradient location and no reported release.

(3) Hazardous Materials Use and Storage

Television City supports a variety of production activities focused on the creation, development, recording, broadcasting, and editing of recorded and live television programming and other audio, visual, and digital media including, but not limited to, e-sports, backlot shooting, and other forms of content creation. Such activities occur both indoors and outdoors within the Project Site and include basecamp areas where mobile facilities such as trucks, generators, and support vehicles related to production are temporarily staged. The types of hazardous materials used at the Project Site are consistent with those typically used in studio campuses. These materials include routine housekeeping and maintenance products in the maintenance and janitorial areas; aerosol, latex, water-based, and oil-based paints in the paint shop; five-gallon to 55-gallon containers of descalers, inhibitors, and other cooling system water treatment chemicals in a mechanical plant; and containers of acetone, sulfuric acid, dynalene, ethylene glycol, detergent, compressed nitrogen, compressed acetylene, and other welding gases. Fuels and oils, including diesel, propane, hydraulic oil, and compressor oil, are also stored and used on-site. These substances are appropriately labeled and stored, generally on concrete floor surfaces, and no visual or olfactory evidence of leaks, spills, releases or illicit dumping was identified. Additionally, the Project Site is equipped with heating, ventilation, and air conditioning (HVAC) units, boilers, chillers, and cooling towers.

A variety of plans and protocols are in place to ensure the safe and proper use, handling, transport, and disposal of hazardous materials on-site. As discussed further below, the Project Site is subject to a Consolidated Contingency Plan that specifies spill prevention and spill response measures; a SCAQMD Rule 1472 Compliance Plan for Emergency Generators; the Television Studios Emergency Action Plan which includes procedures for various emergencies and natural disasters, including evacuation procedures; the Television Studios Safety Manual; and the Television Studios Injury and Illness Prevention Program.

(4) Hazardous Waste Generation, Handling, and Disposal

As discussed in the Phase I ESA and shown on Figure IV.F-1 on page IV.F-26, universal, regulated, hazardous, and medical wastes generated on-site are consolidated in a designated, secured enclosure located east of the Support Building. Wastes identified within the enclosure at the time of the Phase I included two 55-gallon drums of water-based ink, one 55-gallon drum of waste non-PCB containing light ballasts, one 55-gallon drum identified as containing sewage, two to three 55-gallon containers labeled as containing infectious/medical wastes, as well as an open five-gallon container of empty aerosol cans. Other smaller containers of various paint-related wastes were also observed, in addition to several empty 55-gallon drums. The observed waste containers appeared to be appropriately labeled and stored, and no visual or olfactory evidence of leaks, spills, or releases was identified in the waste storage enclosure. Copies of recent universal, non-RCRA hazardous materials and hazardous waste manifests for the Project Site listed fluorescent lamps and bulbs, liquid/water-based paint wastes, and waste acetone. All such materials are removed quarterly for proper off-site disposal by Worldwide Recovery Systems, Inc.

The Project Site includes two spray paint booths for painting television sets and props. The spray paint guns are cleaned with an aqueous-based cleaner and acetone. The waste paint and cleaning fluids generated from paint gun cleaning are collected in 55-gallon drums and stored in the hazardous waste enclosure for off-site disposal. Significant staining/overspray was not observed on the concrete floor of the paint booths. The air within the paint booths is cycled through a filtration system, and the spray paint booths are permitted with SCAQMD permits. The waste paint and used filters are disposed of by Worldwide Recovery Systems, Inc. on a quarterly basis. Additional information was obtained from the SCAQMD's FIND database, indicating that the Project Site has been permitted for operation of the spray paint booths since 1972.

Additionally, two clarifiers were observed during Project Site reconnaissance for the Phase I ESA. The clarifiers are associated with a transformer substation on-site and a rooftop helipad on the Service Building. It is unknown whether the transformer substation clarifier is plumbed to the sanitary sewer or storm drain system. The helipad clarifier is plumbed to an external double-walled steel reservoir. Minimal stormwater is collected from the reservoir by maintenance staff and disposed of under manifest as a hazardous waste.

The helipad clarifier and reservoir are inspected regularly during the City's industrial inspections. No visual or olfactory evidence of any spills, leaks or releases has been observed in these areas. Furthermore, no past leaks or releases were reported by personnel, and the clarifiers are not reported to contain standing fluids.

An aboveground oil/water separator associated with painting operations was also observed on-site. Staff members are prohibited from cleaning or using solvent materials in the paint shop sinks. Staining and/or releases were not observed in the vicinity of the oil/water separator.

Three sumps were identified in the central portion of the Project Site (in/around the Service Building), one of which is assumed to be associated with sanitary sewer service and one which was formerly used to collect groundwater. The latter is reported to have been part of a groundwater treatment system installed by Texaco that pumped groundwater to the Siemens Filtration Plant (also near the Service Building), which closed in 2015 and was subsequently removed. A letter from the LARWQCB dated September 30, 2015, notes that the treatment devices were removed, there was no further discharge from the former equipment, and General NPDES Permit No. CAG994004 was terminated. No visual or olfactory evidence of leaks, spills or releases was identified in the vicinity of the sumps, and no regulated or hazardous substances were observed being stored or used in the vicinity of the sumps or related collection points. Refer to Figure IV.F-1 on page IV.F-26 for a map of the known environmental conditions/facilities on-site, including the three sumps.

Furthermore, the La Brea Tar Pits are located approximately 0.6 mile south of the Project Site in an urban area in Los Angeles where tar naturally accumulates near the ground surface. Surface fittings associated with a subsurface tar removal system were observed near the southwestern corner of the Project Site. The tar collection system is serviced on a regular basis by Worldwide Recovery Systems, Inc., and the accumulated tar is collected in 55-gallon drums for proper off-site disposal or recycling. No evidence of related environmental concerns was identified in association with the tar collection system. According to the Phase I ESA, the tar collection system does not appear to represent a significant environmental concern so long as it continues to be maintained and operated in accordance with all applicable industry standards and/or regulatory requirements.

In addition, a hydraulic trash compactor is located near a loading bay area in the southern central portion of the Project Site. Oily staining and grit, apparently associated with leaking hydraulic oil and/or compactor wastes, was observed but appeared to be confined to the underlying concrete surface. Based on visual observations during the reconnaissance survey, the staining/grit does not appear to present a threat to human health or the

environment and has thus been classified as a de minimis environmental condition.¹⁶ Further, six hydraulic elevators were identified on-site. No visual or olfactory evidence of leaks or releases was identified in the areas of the hydraulic elevator operating equipment or associated hydraulic oil reservoirs. The elevator systems are serviced on a regular basis under contract with Caliber Elevator.

(5) Underground Storage Tanks

As previously discussed, no information is available regarding the former USTs at the former Anderson V L gas station within the Project Site.

The former Texaco station contained one 10,000-gallon and three 12,000-gallon USTs, which, along with dispensers, associated piping and pump islands, were removed during station demolition in 1991. As detailed above in Subsection 2.b(2)(a), according to the LUST database, a gasoline release was discovered by Texaco in December 1990, and remedial activities were performed from 1996 to 2012. Based on subsequent sampling data, the LARWQCB issued a No Further Action letter on November 29, 2012. The LARWQCB Closure Package for the former Texaco station included detailed information on soil, soil vapor, and groundwater investigations associated with remediation of TPH, benzene, MTBE, and other constituents that were known to remain in the subsurface in the northeastern portion of the Project Site. As such, Geosyntec performed environmental investigations to confirm the extent of these remaining constituents, as discussed in the Site Summary Report. Elevated concentrations of fuel-related constituents were detected in the soil and groundwater downgradient of the former Texaco station.

Additionally, CBS operations included one 1,000-gallon diesel UST, two 8,000-gallon diesel USTs, and a 500-gallon diesel UST. Following their removal and remediation of groundwater and soil, the LAFD CUPA issued a case closure letter for these four USTs on September 17, 1998.

With regard to buried USTs or dispensers, a geophysical survey was performed at both former gas station sites as part of the Phase II investigations. Aside from existing metal piping, the surveys found no indication of buried USTs or dispensers in these two areas.

(6) Aboveground Storage Tanks

As discussed in the Phase I ESA, two free-standing ASTs were observed on the Project Site during the reconnaissance survey, including one 1,000-gallon diesel AST and a

¹⁶ De minimis conditions are not considered RECs.

50-gallon diesel day tank, both associated with backup generator installations and both of which include a secondary containment area in the form of integral double-walled construction and concrete-bermed containments. Several additional integral belly tanks with capacities of 7,000 gallons, 1,000 gallons, and between 50 and 300 gallons were also observed on the Project Site and are associated with a backup generator, transmission equipment, and a portable, trailer-mounted generator.¹⁷ Secondary containment for these ASTs is provided in the form of integral double-walled construction. Staining and/or releases were not observed in the vicinity of the free-standing and integral belly ASTs on-site. As discussed below, the Project Site is subject to a Consolidated Contingency Plan that specifies spill prevention and spill response measures.

(7) Polychlorinated Biphenyls

Typical sources of PCBs include electrical transformer cooling oils, fluorescent light fixture ballasts, and hydraulic oil. In 1976, the USEPA banned the manufacture and sale of PCB-containing transformers. Prior to this date, transformers were frequently filled with a dielectric fluid containing PCB-laden oil. PCB-contaminated transformers known or assumed under the TSCA to contain between 50 and 499 ppm of PCBs are subject to USEPA regulations.¹⁸ By 1985, the USEPA required that commercial property owners with transformers containing more than 500 ppm of PCBs must register the transformer with the local fire department, provide exterior labeling, and remove combustible materials within five meters.¹⁹

As discussed in the Phase I ESA, three pad-mounted transformers and two pole-mounted transformers, owned and serviced by the Los Angeles Department of Water and Power (LADWP), are located on the south and central portions of the Project Site. During the Project Site reconnaissance, the transformers did not appear to be labeled regarding PCB content; however, the units were observed in good condition with no visual evidence of leaking dielectric oil observed upon or around the bases of the transformer housings. LADWP maintains responsibility for any repair, replacement, or cleanup of the transformers.

(8) Asbestos-Containing Materials

Asbestos is a naturally occurring mineral made up of microscopic fibers. Asbestos has unique qualities which include its strength; resistance to fire and chemical corrosion; poor

¹⁷ Approximate range of generator capacity provided by Jeff Mapes, VP, Facilities Operations, Television City, via email correspondence on November 22, 2021.

¹⁸ USEPA, PCBs Questions & Answers, www.epa.gov/pcbs/learn-about-polychlorinated-biphenyls-pcbs, accessed March 11, 2022.

¹⁹ 40 CFR 761.30.

conduction of heat, noise, and electricity; and low cost. Asbestos was widely used in the building industry starting in the late 1800s and up until the late 1970s for a variety of uses, including acoustic and thermal insulation and fireproofing, and is often found in ceiling and floor tiles, linoleum, pipes, structural beams, and asphalt. Despite its useful qualities, asbestos becomes a hazard if the fibers separate and become airborne. Inhalation of airborne asbestos fibers can cause lung diseases. Any building, structure, surface asphalt driveway, or parking lot constructed prior to 1979 could contain asbestos or ACMs. During the reconnaissance survey, suspect ACMs were identified by GRS Group, and the materials were found to be in good condition.

(9) Lead-Based Paint

Lead is a naturally occurring element and heavy metal that was widely used as a major ingredient in most interior and exterior oil-based paints prior to 1950. Lead compounds continued to be used as corrosion inhibitors, pigments, and drying agents from the early 1950s to 1972, when the Consumer Products Safety Commission specified limits on lead content in such products. While adults can be affected by excessive exposure to lead, the primary concern is the adverse health effects on children. The most common paths of lead exposure in humans are through ingestion and inhalation. LBP is of concern both as a source of exposure and as a major contributor to lead in interior dust and exterior soil. Although not surveyed as part of GRS Group's reconnaissance, due to the age of the existing buildings, LBP may be present on-site.

(10) Methane Gas

The Project Site is located within a designated methane zone mapped by the City.²⁰ The methane zone covers extensive areas of Southern California and is typically related to subsurface methane gas produced from naturally occurring petroleum fields. Methane is a naturally occurring gas associated with the decomposition of organic materials. In high concentrations of between 50,000 and 150,000 ppm by volume in the presence of oxygen, methane can be an explosion hazard.

As discussed below, a subsurface investigation conducted in 2018 identified elevated methane concentrations in soil vapor at the Project Site. Sites nearby are also known to be impacted by naturally occurring methane, and a Limited Phase II Investigation revealed concentrations of naturally occurring methane up to 90.7 percent by volume.²¹ Naturally

²⁰ City of Los Angeles Department of City Planning, ZIMAS, Parcel Profile Report for APNs 5512-001-003, 5512-002-001, 5512-002-002, and 5512-002-009, <http://zimas.lacity.org>, accessed March 11, 2022.

²¹ Geosyntec Consultants, Limited Phase II Site Investigation Report, 7800 West Beverly Boulevard, Los Angeles, CA, November 7, 2018; refer to the Site Summary Report for discussion.

occurring hydrogen sulfide was also detected. Existing studio operations include a methane alarm, mitigation, and venting system in the East Studio Building. In addition, GRS Group observed several methane gas vent pipes associated with a methane gas mitigation system protruding from the ground at various exterior locations throughout the Project Site. According to the Phase I ESA, the methane gas mitigation system does not appear to represent a significant environmental concern so long as it continues to be maintained and operated in accordance with all applicable industry standards and/or regulatory requirements.

(11) Subsurface Investigations

As previously indicated, several soil, groundwater, and soil vapor investigations and remedial activities have been completed at the Project Site. These include a Limited Phase II Investigation in October 2018 and Supplemental Phase II Investigations in November 2018, August 2019, and May 2020, all of which were performed by Geosyntec, as summarized below.²²

The Limited Phase II Investigation in October 2018 revealed arsenic and TPH-diesel (TPH DRO) in soil samples above applicable regulatory commercial/industrial standards; trichlorofluoromethane (TCFM), gasoline range organics (GRO), and benzene in soil vapor above soil vapor screening levels (SVSLs) and methane in soil vapor above the lower explosive limit (LEL); and pentachlorophenol, TPH DRO, antimony, barium, chromium, lead, nickel, and vanadium in groundwater above Maximum Contaminant Levels (MCLs) or Environmental Screening Levels (ESLs). The Limited Phase II concluded that arsenic levels in soil samples were below the upper-bound of background arsenic in southern California; TPH detections in soil samples were preliminarily interpreted to be derived from the natural petroleum organic material found in the local soils; elevated GRO in soil vapor samples are likely indicative of naturally occurring soil vapors consisting of both methane and other natural petroleum constituents; and the detection of metals in groundwater samples at concentrations exceeding the MCLs/ESLs is likely related to the high turbidity of the water samples collected via a hydropunch. Furthermore, multiple sites within a 0.5-mile radius of the Project Site have historical or active groundwater monitoring and remediation programs focused on the cleanup of VOCs and petroleum hydrocarbons.

The Supplemental Phase II Investigation in November 2018 detected groundwater samples that were generally impacted with TPH, BTEX, and naphthalene compounds,

²² Referenced dates reflect the date of the investigations, not the report dates. Geosyntec Consultants, Limited Phase II Site Investigation Report, 7800 West Beverly Boulevard, Los Angeles, CA, November 7, 2018; Limited Phase II Report Addendum for Supplemental Investigation, 7800 West Beverly Boulevard, Los Angeles, CA, December 6, 2018; Supplemental Environmental Investigation, 7800 West Beverly Boulevard, Los Angeles, CA, September 13, 2019; and Supplemental Investigation, 7800 West Beverly Boulevard, Los Angeles, CA, August 7, 2020. Refer to the Site Summary Report for further discussion.

consistent with a gasoline station release outside the existing building footprints in the vicinity of the former Texaco station. Additionally, water samples from one of the sumps located downgradient of the Texaco Station contained low concentrations of TPH DRO and TPH ORO.

The Supplemental Phase II Investigation of August 2019 detected elevated arsenic in soil samples, a rotten egg odor indicative of hydrogen sulfide, and TCE and cis-1,2-dichloroethene (cis-1,2-DCE) VOCs in groundwater samples in excess of their respective MCLs. This Supplemental Phase II Investigation concluded that arsenic levels in soil samples were below the upper-bound of background arsenic in southern California and the chlorinated VOCs are likely due to off-site, upgradient releases from historical dry cleaners to the north along Beverly Boulevard.

The Supplemental Phase II Investigation of May 2020 detected arsenic, TPH DRO, and TPH ORO in soil samples at concentrations above applicable regulatory screening levels for commercial/industrial property, with one soil sample at a concentration of arsenic which also exceeds the regional background concentration; metals including barium, beryllium, cadmium, chromium, copper, lead, mercury, and nickel in groundwater samples above applicable MCLs; and detections of biological oxygen demand (BOD), copper, lead, and zinc in groundwater were above some, but not all, applicable effluent limitations with regard to construction dewatering parameters. This Supplemental Phase II Investigation concluded that the detection of metals at concentrations exceeding the MCLs and applicable effluent limitations is likely related to the high turbidity of the grab groundwater samples that were not filtered prior to acidification. These data indicate that groundwater extracted during dewatering operations would require treatment pursuant to applicable regulatory control measures prior to discharge to the sanitary sewer system. Additionally, the low concentrations of TPH DRO and TPH ORO that were detected in soil samples are associated with the historic gasoline release from the former Texaco station, as previously identified by the Supplemental Phase II Investigation from December 2018.

3. Project Impacts

a. Thresholds of Significance

In accordance with Appendix G of the CEQA Guidelines, the Project would have a significant impact related to hazards and hazardous materials if it would:

Threshold (a): Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;

- Threshold (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;*
- Threshold (c):** *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;*
- Threshold (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 create a significant hazard to the public or the environment;*
- Threshold (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 result in a safety hazard or excessive noise for people residing or working in the project area;*
- Threshold (f):** *Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan;*
- Threshold (g):** *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.*

For this analysis, the Appendix G thresholds listed above are relied upon. The analysis utilizes factors and considerations identified in the City's 2006 L.A. CEQA Thresholds Guide, as appropriate, to assist in answering the Appendix G questions. The L.A. CEQA Thresholds Guide identifies the following criteria to evaluate impacts associated with hazards and hazardous materials:

(1) Risk of Upset/Emergency Preparedness

- Compliance with the regulatory framework;
- The probable frequency and severity of consequences to people or property as a result of a potential accidental release or explosion of a hazardous substance;
- The degree to which the project may require a new, or interfere with an existing, emergency response or evacuation plan, and the severity of the consequences; and
- The degree to which project design will reduce the frequency or severity of a potential accidental release or explosion of a hazardous substance.

(2) Human Health Hazards

- Compliance with the regulatory framework for the health hazard;
- The probable frequency and severity of consequences to people from exposure to the health hazard; and
- The degree to which project design would reduce the frequency of exposure or severity of consequences of exposure to the health hazard.

b. Methodology

To evaluate potential impacts relative to hazards and hazardous materials, the Site Summary Report, provided in Appendix G of this Draft EIR, was prepared by Geosyntec to summarize the numerous investigative and remedial activities previously conducted at the Project Site. The Site Summary Report provides a summary and review of historical Project Site investigations and remedial actions; a summary of residual environmental impacts in soil, soil vapor, and groundwater; and conclusions and recommendations regarding residual environmental impacts that may be encountered during Project development. The Site Summary Report also includes a Soil Management Plan, included as Appendix B thereto. The Soil Management Plan details protocols to be implemented during design, construction, and post-construction of the Project in order to protect human health and the environment during any development activities that involve soil disturbance.

Furthermore, as summarized in the Site Summary Report and cited where more detail is needed to evaluate potential impacts relative to hazards and hazardous materials, a Phase I ESA was prepared for the Project Site in accordance with the requirements of ASTM Practice E1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM Standard E1527-13).²³ The analysis of the potential impacts regarding hazards and hazardous material was based on the following:

- Visual inspection of the entire Project Site with special attention given to any hazardous materials storage and handling, distressed vegetation, and stains that could indicate contamination;
- Interviews with persons familiar with Project Site usage and local government inquiries; and

²³ This publication by the American Society for Testing and Materials defines good commercial and customary practice in the United States of America for conducting an environmental site assessment of a parcel of commercial real estate with respect to the range of contaminants within the scope of CERCLA (42 USC Sec. 9601) and petroleum products.

- Review of historical sources, including physical documents, regulatory agency records, and regulatory database review.

Lastly, as discussed in the Site Summary Report and summarized below, no former oil or gas production wells or oil derricks have been identified on-site in topographic maps, aerial photographs, or CalGEM's Well Finder database, nor are oil or gas wells proposed as part of the Project. As such, analysis of impacts related to such features is not included herein.

c. Project Design Features

The following Project Design Features are proposed with respect to hazards and hazardous materials:

Project Design Feature HAZ-PDF-1: The Project Applicant will update, and the Project will comply with, the Consolidated Contingency Plan for the Project Site. This will include spill prevention measures such the use of secondary containment storage and storing materials away from drains in leak-proof containers with tight-fitting lids. Spill response measures will include the evacuation of unnecessary employees from a spill area, the use of absorbent materials in the case of small spills or evacuating all employees, calling 911, and reporting to Los Angeles Fire Department (LAFD) in the case of large spills. Absorbent materials used to clean small spills will be placed in a leak-proof container that is compatible with the waste, labeled as hazardous waste, and lawfully disposed of as such. Notifications will be made to the Health Hazardous Waste Materials Division of the LAFD and the California Office of Emergency Services (Cal OES) as necessary.

Project Design Feature HAZ-PDF-2: The Project Applicant will update, and the Project will comply with, the Television Studios Emergency Action Plan and associated emergency exit and assembly maps. The Emergency Action Plan will include procedures for earthquakes, emergency evacuation, fires, medical emergencies, and active shooters.

Project Design Feature HAZ-PDF-3: The Project Applicant will update, and the Project will comply with, the Television Studios Safety Manual. This manual will include, among other measures, safety procedures and requirements for personnel working at heights and procedures that ensure the safety of crew members when servicing or repairing equipment that is capable of a spontaneous release of stored mechanical, electrical, or hydraulic energy, or which could be inadvertently energized.

Project Design Feature HAZ-PDF-4: The Project Applicant will update, and the Project will comply with, the Television Studios Injury and Illness Prevention Program (IIPP). The IIPP will include protocols regarding responsibility, compliance, employee communication, hazard

assessment, accident/exposure investigation, hazard correction, training and construction, and recordkeeping.

Project Design Feature HAZ-PDF-5: Prior to demolition, existing buildings and structures will be tested to determine if they include asbestos-containing materials (ACMs). If present, ACMs will be removed and disposed of by a licensed and certified asbestos abatement contractor, in accordance with applicable federal, state, and local regulations. If required, the Project Applicant will submit a Hazardous Building Materials Demolition Assessment and Management Plan to the South Coast Air Quality Management District (SCAQMD) and LAFD for review and approval.

Project Design Feature HAZ-PDF-6: Prior to demolition, existing buildings and structures will be sampled to determine if they contain lead-based paint (LBP). If LBP is present, standard handling and disposal practices will be implemented pursuant to Occupational Safety and Health Act regulations. If required, the Project Applicant will submit a Hazardous Building Materials Demolition Assessment and Management Plan to LAFD for review and approval.

d. Analysis of Project Impacts

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

(1) Impact Analysis

(a) Construction

During Project demolition, grading/excavation, and building construction, hazardous materials such as fuel and oils associated with construction equipment, as well as coatings, paints, adhesives, and caustic or acidic cleaners could be routinely used on-site. While some hazardous materials used during construction could require off-site disposal, such activity would follow all appropriate regulatory protocols and would cease upon completion of Project construction. As such, construction of the Project would involve the short-term use of hazardous materials, and no hazardous waste disposal would occur on-site. All potentially hazardous materials used during construction would be handled and disposed of in accordance with manufacturers' specifications and instructions, thereby reducing associated risks. In addition, as described in Subsection 2.a, Regulatory Framework, above, various regulations establish specific guidelines regarding risk planning and accident prevention, protection from exposure to specific chemicals, and the proper storage of hazardous materials. The Project would be in full compliance with all applicable federal, state, and local requirements concerning the transport, use, storage, management, and disposal of hazardous materials. Additionally, as discussed in Section II, Project Description, of this Draft EIR, earthwork activities would require an estimated 772,000 cubic yards of cut,

potentially 50,000 cubic yards of imported fill, and up to 772,000 cubic yards of export, with a maximum excavation depth of 45 feet. Of this export, it is conservatively assumed that an estimated 60,000 cubic yards may include hazardous soil materials which would be exported to Buttonwillow Landfill in Kern County.²⁴ As such, Project construction activities would not create a significant hazard to the public or the environment through the use, handling, transport, or disposal of hazardous materials during construction, and development of the Project would not exacerbate any current environmental conditions so as to create a significant hazard to the public or the environment. **Therefore, with implementation of appropriate hazardous materials management protocols at the Project Site and continued compliance with all applicable local, state, and federal laws and regulations relating to environmental protection and the management of hazardous materials, impacts related to the routine transport, use, or disposal of hazardous materials during construction would be less than significant.**

(b) Operation

Similar to the existing conditions within the Project Site, operation of the Project would involve the routine use of small quantities of potentially hazardous materials typical of those used on studio campuses, including paints, stains, adhesives, solvents and other materials used in set design and fabrication, fuels, pesticides for landscaping, cleaning and maintenance supplies, materials for pyrotechnic special effects, and other general products related to studio operations. Such materials would continue to be stored in appropriate containers, including drums and ASTs, with secondary containment as required. As is currently the Applicant's practice, all hazardous materials would be acquired, handled, used, stored, and disposed of in accordance with all applicable federal, state, and local requirements. Monitoring of the Applicant's hazardous materials management would be conducted by LAFD and other applicable regulatory authorities, as appropriate. In addition, the Project would be subject to applicable federal and state OSHA training and informational requirements, including hazardous materials training for on-site employees who handle such materials.

Additionally, the existing plans and protocols currently implemented at the Project Site with regard to the handling of hazardous materials would be updated to reflect the Project, in accordance with Project Design Features HAZ-PDF-1 through HAZ-PDF-4. These include a Consolidated Contingency Plan that specifies spill prevention and spill response measures; a SCAQMD Rule 1472 Compliance Plan for Emergency Generators; the Television Studios Emergency Action Plan which includes procedures for various emergencies and natural disasters, including evacuation procedures; the Television Studios Safety Manual; and the Television Studios Injury and Illness Prevention Program. Additionally, as under existing

²⁴ Per written correspondence from Geosyntec Consultants dated January 14, 2022.

conditions, the Project would be subject to a Consolidated Unified Permit from LAFD as an Aboveground Petroleum Storage Act (APSA)-qualified business for the storage of more than 1,320 gallons but less than 10,000 gallons of petroleum, a hazardous materials inventory of four to seven chemicals, and hazardous waste generation associated with 20 to 100 employees.

The two existing spray paint booths on-site may remain in operation or could be removed and replaced with similar facilities as part of the Project. Geosyntec tested soil, soil vapor, and groundwater in the vicinity of the paint spray booths in 2018 and 2020 and determined no release had occurred.²⁵ In any event, operation of any spray paint booths would incorporate appropriate ventilation and continue to comply with SCAQMD permit requirements. The spray paint guns would continue to be cleaned with an aqueous based cleaner and acetone, and the waste paint and cleaning fluids generated from paint gun cleaning would be collected in drums for off-site disposal. Additionally, the air within the paint booth would continue to be cycled through a filtration system, and used filters would be disposed of by a contracted hazardous materials disposal company, as appropriate. Other activities and functions that may take place on-site involving similar potentially hazardous materials, such as costume breakdown and set painting, would implement similar protocols and obtain all necessary permits, as necessary.

Additionally, the Project Applicant would update, and the Project would comply with, the SCAQMD Rule 1472 Compliance Plan requirements for Emergency Generators for the Project Site. The terms of this compliance plan would include, but would not be limited to, the following measures: (1) equipment would be properly maintained and kept in good operating conditions at all times; (2) each generator would be operated in accordance with the conditions specified in its respective permit to operate, including the maximum number of hours set forth for regular maintenance or for loss of grid power, and a time meter would be installed; (3) the generators would not be used as part of a demand response program using an interruptible service contract, and an operating log would be kept; and (4) the generators would comply with all applicable requirements of SCAQMD Rules 431.2 and 1470.

Increasing Project operations could result in hazardous materials releases and, subsequently, the exposure of people and the environment to hazardous materials. In addition to obtaining all required permits, the Applicant currently has and would continue to have in-house staff designated and trained to respond to accidental releases of hazardous materials associated with the acquisition, use, storage, and handling of hazardous materials. In addition, the Applicant would continue to have professional hazardous materials response

²⁵ Geosyntec Consultants, Limited Phase II Site Investigation Report, 7800 West Beverly Boulevard, Los Angeles, CA, November 7, 2018; and Supplemental Investigation, 7800 West Beverly Boulevard, Los Angeles, CA, August 7, 2020. Refer to the Site Summary Report for further discussion.

companies on-call should a release occur at a time when appropriate staff are not available or the magnitude of the release is such that it cannot be handled internally. **Therefore, with implementation of Project Design Features HAZ-PDF-1 through HAZ-PDF-4 and continued compliance with all applicable local, state, and federal laws and regulations relating to environmental protection and the management of hazardous materials, impacts associated with the routine transport, use, or disposal of hazardous materials during operation of the Project would be less than significant.**

(2) Mitigation Measures

Project-level impacts related to the routine transport, use, or disposal of hazardous materials would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project-level impacts related to the routine transport, use, or disposal of hazardous materials were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold (b): Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

(1) Impact Analysis

(a) Construction

(i) Hazardous Waste Generation, Handling, and Disposal

As discussed above, during Project demolition, grading/excavation, and building construction, hazardous materials such as fuel and oils associated with construction equipment, coatings, paints, adhesives, and caustic or acidic cleaners could be used and would require proper handling, management, and in some cases, waste disposal. The use, handling, storage, and disposal of these materials could result in hazardous materials releases and, subsequently, the exposure of people and the environment to hazardous materials. However, as previously discussed, all potentially hazardous materials used during construction would be handled, used, and disposed of in accordance with manufacturers' specifications and instructions, thereby reducing associated risks. In addition, as described in Subsection 2.a, Regulatory Framework, above, various regulations establish specific guidelines regarding risk planning and accident prevention, protection from exposure to specific chemicals, and the proper storage of hazardous materials. The Project would be in

full compliance with all applicable federal, state, and local requirements concerning the use, storage, and management of hazardous materials. As such, Project construction activities would not create or exacerbate a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of potentially hazardous materials used during construction.

With regard to soil, as discussed in the Soil Management Plan, elevated concentrations of fuel-related constituents were detected in soil and groundwater downgradient of the former Texaco station. Residual concentrations would require appropriate regulatory protocols and management during all soil disturbance activities, as discussed below under Subsection 3.d(3), Level of Significance After Mitigation.

With regard to subsurface vapors, the Project Site is located within a designated methane zone mapped by the City, and the subsurface investigation conducted in 2018 identified elevated methane concentrations in on-site soils. Properties nearby are also known to be impacted by naturally occurring methane, and the Limited Phase II Investigation revealed concentrations of naturally occurring methane up to 90.7 percent by volume. Naturally occurring hydrogen sulfide was also detected. Based on these data, the Site Summary Report indicates that a Site Design Level V methane system would likely be appropriate for any new construction at the Project Site, as required by the Los Angeles Department of Building and Safety (LADBS) under LAMC Chapter IX, Article 1, Division 71, Methane Seepage Regulations (Methane Code). Furthermore, for existing buildings located within a methane zone, additions, alterations, repairs, changes of use, or changes of occupancy must comply with the methane mitigation requirements of LAMC Sections 91.7104.1 and 91.7104.2, when required by LAMC Chapter IX, Article 1, Divisions 81 or 82. Methane systems should be designed in accordance with the latest regulatory control measures, including the City of Los Angeles Methane Hazard Mitigation Standard Plans, as required by LADBS. Accordingly, the Project's methane controls would include a dewatering system, an impervious membrane, ventilation systems capable of providing a complete change of air, and development and implementation of an operations and maintenance plan, as well as an emergency plan. Installation of a methane mitigation system would also address potential vapor intrusion from residual fuel hydrocarbons associated with the former Texaco station, VOCs from off-site sources, and naturally occurring hydrogen sulfide.

In the event that VOC-contaminated soils are encountered during construction or construction occurs in areas of known or potential contamination, appropriate handling, off-site disposal, and/or treatment would be implemented in accordance with applicable regulatory requirements, including SCAQMD Rule 1166 (Volatile Organic Compound Emissions from Decontamination of Soil). Please refer to Mitigation Measure HAZ-MM-1 and Subsection 3.d(3), Level of Significance After Mitigation, for further discussion of the procedures recommended to comply with SCAQMD Rule 1166. Lastly, with regard to groundwater, chlorinated VOCs such as tetrachloroethene (PCE) and trichloroethene (TCE)

were detected in groundwater below their respective MCLs at isolated locations, with the exception of PCE at one boring, which was detected slightly above the MCL. VOCs detected in groundwater at the Project Site are likely related to an off-site upgradient release. As previously discussed, recent borings on-site have encountered groundwater at depths ranging from 10 to 30 feet, with a historic high groundwater level of approximately 8 feet bgs, and as discussed in Section IV.G, Hydrology and Water Quality, of this Draft EIR, Project excavation for below grade parking would extend to a maximum depth of approximately 45 feet. Therefore, dewatering operations are expected to be necessary during construction. As such, any discharge of groundwater would need to comply with the applicable NPDES permit or industrial user sewer discharge permit requirements. Pursuant to such requirements, the extracted groundwater would be chemically analyzed to determine contamination and the appropriate treatment and/or disposal methods. With compliance with applicable regulations and requirements, Project construction activities would not create or exacerbate a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the handling and disposal of extracted groundwater.

Based on the above, construction of the Project may exacerbate the risk of upset and accident conditions associated with the release of hazardous materials into the environment. Therefore, impacts associated with hazardous waste generation, handling, and disposal during construction would be potentially significant. As such, Mitigation Measures HAZ-MM-1 and HAZ-MM-2 are proposed below.

(ii) Underground and Aboveground Storage Tanks

As previously discussed, the Project Site is listed on several UST and LUST databases related to the former USTs associated with past CBS operations, including one 1,000-gallon diesel UST, a 500-gallon diesel UST, and two 8,000-gallon diesel USTs. These four tanks were removed, remediation conducted, and a UST case closure letter was issued by the LAFD CUPA in 1998.

In addition, the Project Site is listed on several databases associated with the two gas stations formerly located on-site, specifically the Anderson V L station at 7870 Beverly Boulevard and the Texaco station at 7718 Beverly Boulevard. The status of any former USTs at the former Anderson V L gas station is unknown; however, geophysical surveys have confirmed no tanks remain in the location of this former gas station. The former Texaco station contained one 10,000-gallon and three 12,000-gallon USTs, which, along with dispensers, associated piping and pump islands, were removed during station demolition in 1991. LARWQCB issued a No Further Action letter for the former Texaco station on November 29, 2012. As also discussed above, Geosyntec performed environmental investigations to confirm the extent of the constituents known to remain on-site, and elevated

concentrations of fuel-related constituents were detected in soil and groundwater downgradient of the former Texaco station.

No other records were found that indicate the presence of USTs within the Project Site. Notwithstanding, in the unlikely event that USTs are found, suspect materials would be removed in accordance with all applicable federal, state, and local regulations. For example, if USTs are encountered, prior to removal, applicable permits would be obtained from LAFD.

Additionally, as previously discussed, several ASTs were observed on the Project Site during the reconnaissance survey, including one 1,000-gallon diesel AST, a 50-gallon diesel day tank, and several integral belly tanks, all of which include secondary containment. Staining and/or releases were not observed in the vicinity of the on-site ASTs.

As such, with compliance with applicable regulations and requirements, Project construction activities would not exacerbate the risk of upset and accident conditions associated with USTs or ASTs. Therefore, impacts related to the potential discovery or removal of USTs during construction would be less than significant.

(iii) Asbestos-Containing Materials

As discussed above, based on the age of some of the on-site buildings, ACMs may be present on-site. Thus, in accordance with SCAQMD Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities), a comprehensive asbestos survey would be required prior to demolition of any buildings that are likely to contain ACM, subject to approval by LADBS. If ACMs are found within areas proposed for demolition, suspect materials would be removed by a certified asbestos abatement contractor in accordance with applicable federal, state, and local regulations, per Project Design Feature HAZ-PDF-5. If required, the Project Applicant would submit a Hazardous Building Materials Demolition Assessment and Management Plan to the SCAQMD and LAFD for review and approval. With compliance with applicable regulations and requirements, Project construction activities would not expose people to a substantial risk resulting from the release of asbestos fibers into the environment. **As such, with regulatory compliance and implementation of Project Design Feature HAZ-PDF-5, the Project would not exacerbate the risk of upset and accident conditions associated with ACMs. Therefore, impacts related to the removal of ACMs during demolition would be less than significant.**

(iv) Lead-Based Paint

As discussed above, based on the age of the on-site buildings, LBP may be present on-site. Per Project Design Feature HAZ-PDF-6, structures would be sampled for LBP prior to demolition. In the event that LBP is found within areas proposed for demolition, suspect materials would be managed in accordance with applicable procedural requirements and

regulations for the proper removal and disposal of LBP, in accordance with federal, state, and local regulations. Example procedural requirements include the use of respiratory protection devices while handling lead-containing materials, containment of lead or materials containing lead on the Project Site or at locations where construction activities are performed, and certification of all consultants and contractors conducting activities involving LBP or lead hazards. If required, the Project Applicant would submit a Hazardous Building Materials Demolition Assessment and Management Plan to LAFD for review and approval. With compliance with applicable regulations and requirements, Project construction activities would not expose people to a substantial risk resulting from the release of LBP into the environment. **As such, with regulatory compliance and implementation of Project Design Feature HAZ-PDF-6, the Project would not exacerbate the risk of upset and accident conditions associated with LBPs. Therefore, impacts related to the removal of LBP during demolition would be less than significant.**

(v) Polychlorinated Biphenyls

As discussed above, three pad-mounted transformers and two pole-mounted transformers owned and serviced by LADWP were observed on-site and did not appear to be labeled regarding PCB content. LADWP maintains responsibility for any repair, replacement or cleanup of the transformers. The units were observed in good condition with no visual evidence of leaking dielectric oil observed upon or around the bases of the transformer housings. **As such, with compliance with applicable regulations and requirements, the Project would not exacerbate the risk of upset and accident conditions associated with PCBs. Therefore, impacts related to the removal of PCBs during demolition would be less than significant.**

(vi) Oil Wells and Methane Gas

Oil Wells

Despite its location within the Salt Lake Oil Fields and La Brea Oil Field and the historic operation of oil wells in the surrounding area, no former oil or gas production wells or oil derricks have been identified on-site. **As such, the Project would not exacerbate the risk of upset and accident conditions associated with oil wells, and impacts associated with oil wells would be less than significant.**

Methane Gas

As discussed above, the Project Site is located within a designated methane zone mapped by the City. The methane zone covers extensive areas of Southern California and is typically related to subsurface methane gas produced from naturally occurring petroleum fields. A subsurface investigation conducted in 2018 identified elevated methane concentrations of up to 90.7 percent by volume in soils at the Project Site, as well as naturally

occurring hydrogen sulfide. As previously discussed, the Site Summary Report indicates that a Site Design Level V methane mitigation system would likely be appropriate for any new construction at the Project Site, as required by LADBS under the Methane Code. Additionally, for existing buildings located within a methane zone, additions, alterations, repairs, changes of use, or changes of occupancy must comply with the methane mitigation requirements of LAMC Sections 91.7104.1 and 91.7104.2, when required by LAMC Chapter IX, Article 1, Divisions 81 or 82. Methane systems should be designed in accordance with the latest regulatory control measures, including the City of Los Angeles Methane Hazard Mitigation Standard Plans, as required by LADBS. Accordingly, the Project's methane controls would include a dewatering system, an impervious membrane, ventilation systems capable of providing a complete change of air, and development and implementation of an operations and maintenance plan, as well as an emergency plan. Installation of a methane mitigation system would also address potential vapor intrusion from residual fuel hydrocarbons associated with the former Texaco station, VOCs from off-site sources, and naturally occurring hydrogen sulfide.

Notwithstanding, impacts related to subsurface gases and associated potential impacts to soil and groundwater could occur. **Therefore, the Project may exacerbate the risk of upset and accident conditions associated with methane gas, and impacts associated with methane gas and hydrogen sulfide during construction would be potentially significant. Accordingly, Mitigation Measure HAZ-MM-2 is proposed below.**

(b) Operation

(i) Hazardous Waste Generation, Handling, and Disposal

As discussed above, studio operations under the Project would be similar to existing operations at the Project Site and would continue to involve the routine use of small quantities of potentially hazardous materials typical of studio campuses. With the proposed increase in floor area and increased production levels, it is anticipated that hazardous waste-generating activities could increase. However, continued implementation of hazardous waste reduction efforts on-site and conveyance of operational hazardous waste to licensed treatment, disposal, and resource recovery facilities would minimize the demand for hazardous waste landfill capacity. Additionally, the existing plans and protocols currently implemented at the Project Site with regard to the handling of hazardous materials and wastes would be updated to reflect the Project, in accordance with the proposed Project Design Features.

Other potential environmental impacts related to the increased generation of hazardous waste are associated with potential releases of the materials. Hazardous waste releases can, if not mitigated, result in soil and/or groundwater impacts. Also, depending on the type of material released, releases may result in potential injury if exposure takes place.

The Applicant (or any operator/vendor with facilities or activities that must comply with RCRA, HWCL, DTSC, and Los Angeles County Department of Health Services) must maintain and update/upgrade, as necessary, hazardous waste storage facilities, manifests, and records in compliance with applicable regulatory requirements.

The Applicant is currently designated as a small quantity generator under RCRA, and the Applicant implements the life cycle provisions of both RCRA and the HWCL by maintaining the required inspection logs, manifests, and records, which are subject to review by the Los Angeles County Department of Health Services. In addition, the Applicant currently employs staff members trained in the appropriate standards for the management of hazardous waste and the clean-up of releases and uses licensed firms for the transport of hazardous waste. The Project would allow for continued operation of the Project Site under these provisions and the required records, training, and licensed transport would continue to be maintained, thus minimizing risks.

As is currently the Applicant's practice, compliance with all applicable federal, state, and local requirements concerning the handling, storage, and disposal of hazardous waste would effectively reduce the potential for Project operations to expose people to a substantial risk resulting from the release or explosion of a hazardous material, or from exposure to a health hazard, in excess of regulatory standards. **As such, with compliance with existing applicable regulations and requirements, operational activities would not exacerbate the risk of upset and accident conditions associated with the release of hazardous materials into the environment. Therefore, impacts associated with hazardous waste generation, handling, and disposal during operation of the Project would be less than significant.**

(ii) Underground and Aboveground Storage Tanks

While additional USTs are not anticipated as part of the Project, expanded operations on the Project Site could require the installation and operation of additional ASTs for the storage of fuels, oils, and other substances. This increase in the number of ASTs on-site could potentially increase the potential for accidental releases and subsequent impacts to soil and surface water, as well as the potential for environmental and human exposure to hazardous materials. However, new AST installations must conform to applicable regulatory requirements, including appropriate secondary containment and spill prevention measures, and the Consolidated Contingency Plan, which includes spill prevention and response measures, would be updated to address any future ASTs. Compliance with applicable regulations would minimize impacts to human health and the environment associated with ATSS. **As such, with implementation of Project Design Feature HAZ-PDF-1, operation of the Project would not exacerbate the risk of upset and accident conditions associated with USTs and ASTs. Therefore, impacts associated with underground and**

aboveground storage tanks during operation of the Project would be less than significant.

(iii) Asbestos-Containing Materials

Development of the Project would include the use of commercially-sold construction materials that would not include asbestos or ACMs. Therefore, Project operation is not anticipated to increase the occurrence of or exposure to friable asbestos or ACMs at the Project Site. **As such, operation of the Project would not exacerbate the risk of upset and accident conditions associated with ACMs. No impacts associated with asbestos or ACMs would occur as a result of Project operations.**

(iv) Lead-Based Paint

Development of the Project would include the use of commercially-sold construction materials that would not include LBP. Therefore, Project operation is not anticipated to increase the occurrence of or exposure to LBP at the Project Site. **As such, the Project would not exacerbate the risk of upset and accident conditions associated with LBPs. Therefore, no impacts associated with LBP would occur as a result of Project operations.**

(v) Polychlorinated Biphenyls

In accordance with existing regulations which ban the manufacture of PCBs, the new electrical systems to be installed as part of the Project would not contain PCBs. Therefore, during operation of the Project, maintenance of such electrical systems would not expose people to PCBs, and operation of the Project would not expose people to any risk resulting from the release of PCBs into the environment. **As such, the Project would not exacerbate the risk of upset and accident conditions associated with PCBs. Therefore, no impacts related to PCBs would occur during Project operation.**

(vi) Oil Wells and Methane Gas

Oil Wells

The Project does not include the installation of new oil wells. **As such, operation of the Project would not exacerbate the risk of upset and accident conditions associated with operation or re-abandonment of oil wells. Therefore, no impacts associated with oil wells would occur during Project operation.**

Methane Gas

As discussed above, the Project Site is located within a designated methane zone mapped by the City. The methane zone covers extensive areas of Southern California and is typically related to subsurface methane gas produced from naturally occurring petroleum fields. A subsurface investigation conducted in 2018 identified elevated methane concentrations of up to 90.7 percent by volume in soils at the Project Site, as well as naturally occurring hydrogen sulfide. All new buildings and paved areas located within a methane zone must comply with LAMC Chapter IX, Article 1, Division 71, as amended by the City's Methane Mitigation Ordinance No. 175,790. Specifically, the Site Summary Report indicates that a Site Design Level V methane mitigation system would likely be appropriate for any new construction at the Project Site. Furthermore, as previously indicated, existing buildings located within a methane zone must comply with the methane mitigation requirements of LAMC Sections 91.7104.1 and 91.7104.2, when required by LAMC Chapter IX, Article 1, Divisions 81 or 82. Methane systems should be designed in accordance with the latest regulatory control measures, including the City of Los Angeles Methane Hazard Mitigation Standard Plans, as required by LADBS. Accordingly, the Project's methane controls would include a dewatering system, an impervious membrane, ventilation systems capable of providing a complete change of air, development and implementation of an operations and maintenance plan, as well as an emergency plan. Installation of a methane mitigation system would also address potential vapor intrusion from residual fuel hydrocarbons associated with the former Texaco station, VOCs from off-site sources, and naturally occurring hydrogen sulfide.

Nonetheless, the Project may exacerbate the risk of upset and accident conditions associated with methane gas during operation, and impacts associated with methane gas and hydrogen sulfide would be potentially significant. Therefore, Mitigation Measure HAZ-MM-2 is proposed below.

(2) Mitigation Measures

The following mitigation measures are proposed to reduce Project impacts related to the release of hazardous materials into the environment:

Mitigation Measure HAZ-MM-1: Soil Management Plan (SMP)—The Project Applicant shall implement the SMP prepared by Geosyntec, provided as Appendix B of the Site Summary Report, which shall be submitted to the City of Los Angeles Department of Building and Safety for review and approval prior to the commencement of excavation and grading activities. The entire Project Site shall be subject to the general protocols described in the SMP regarding prudent precautions and general observations and evaluations of soil conditions to be

implemented throughout earthwork, grading, excavation, or other soil disturbance activities on the Project Site.

The protocols in the SMP include, but are not limited to, the following:

- Special precautions shall be taken to manage soils that will be disturbed during Project earthwork activities in areas containing Chemicals of Concern (COCs) above screening levels (SLs). These areas include the former Texaco gas station and other select areas of the Project Site with elevated total petroleum hydrocarbons (TPH) and arsenic in shallow soil, as shown in the Site Summary Report. Soil in these areas of the Project Site with residual COCs above SLs shall either be excavated prior to commencing excavation and grading operations in these areas or segregated and stockpiled prior to off-site disposal.
- The following requirements and precautionary actions shall be implemented when disturbing soil at the Project Site other than imported backfill: no soil disturbance or excavation activities shall occur without a Project Site-specific Health and Safety Plan (HASP). Any soil that is disturbed, excavated, or trenched due to on-site construction activities shall be handled in accordance with applicable local, state, and federal regulations. Prior to the re-use of the excavated soil or the disposal of any soil from the Project Site, the requirements and guidelines in the SMP shall be implemented. The General Contractor shall conduct, or have its designated subcontractor conduct, visual screening of soil during activities that include soil disturbance. If the General Contractor or subcontractor(s) encounter any soil that is stained or odorous (Suspect Soil), the General Contractor and subcontractor(s) shall immediately stop work and take measures to not further disturb the soils (e.g., cover suspect soil with plastic sheeting) and inform the property owner's representative and the environmental monitor. The environmental monitor, an experienced professional trained in the practice of the evaluation and screening of soil for potential impacts working under the direction of a licensed Geologist or Engineer, shall be identified by the property owner prior to the beginning of work.
 - If Suspect Soil is encountered on the Project Site, the environmental monitor shall collect samples for analysis to characterize the soil for potential on-site re-use or off-site disposal per the provisions provided in the SMP.
 - Prior to excavation activities, the General Contractor or designated subcontractor shall establish specific areas for stockpiling Suspect Soil, should it be encountered, to control contact by workers and dispersal into the environment, per the provisions provided in the SMP.

- In the event of soil import to the Project Site, soil must be screened and evaluated in accordance with the Department of Toxic and Substance Control (DTSC) advisory regarding clean imported fill material. The General Contractor or designated subcontractor shall require that the source of the imported soil provide documentation of such evaluation.
- The General Contractor shall ensure that on-site construction personnel comply with all applicable federal, state, and local regulations, as well as the State of California Construction Safety Orders (Title 8). Additionally, if Suspect Soil is expected to be encountered, personnel working in that area shall comply with California Occupational Safety and Health Administration regulations specified in CCR Title 8, Section 5192. The General Contractor shall prepare a Project-specific HASP. It is the responsibility of the General Contractor to review available information regarding Project Site conditions, including the SMP, and potential health and safety concerns in the planned area of work. The HASP should specify COC action levels for construction workers and appropriate levels of personal protective equipment (PPE), as well as monitoring criteria for increasing the level of PPE. The General Contractor and each subcontractor shall require its employees who may directly contact Suspect Soil to perform all activities in accordance with the General Contractor and subcontractor's HASP. If Suspect Soil is encountered, to minimize the exposure of other workers to potential contaminants on the Project Site, the General Contractor or designated subcontractor may erect temporary fencing around excavation areas with appropriate signage as necessary to restrict access and to warn unauthorized on-site personnel not to enter the fenced area.
- The General Contractor shall implement the following measures as provided in the SMP to protect human health and the environment during construction activities involving contact with soils at the Project Site: decontamination of construction and transportation equipment; dust control measures; storm water pollution controls and best management practices; and proper procedures for the handling, storage, sampling, transport and disposal of waste and debris.
- In the event volatile organic compound (VOC)-contaminated soil is encountered during excavation on-site, a South Coast Air Quality Management District (SCAQMD) Rule 1166 permit shall be obtained before resuming excavation. Rule 1166 defines VOC-contaminated soil as a soil which registers a concentration of 50 ppm or greater of VOCs as measured before suppression materials have been applied and at a distance of no more than three inches from the surface of the excavated soil with an organic vapor analyzer calibrated with hexane. Either a SCAQMD Various Locations permit and plan, or a

Project Site-specific permit and plan shall be required, depending upon the volume of soil to be excavated. Notifications, monitoring, and reporting related to the SCAQMD Rule 1166 permit shall be the responsibility of the General Contractor. If a Rule 1166 permit is required, an air monitoring plan may be required by the SCAQMD. Air monitoring plans are intended to protect the surrounding community from harmful exposure to VOCs and typically entail stationary monitoring stations for sample collection for laboratory analysis. Protection of on-site construction workers shall be accomplished by the development and implementation of the HASP.

- Known below-grade structures at the Project Site (i.e., storm water infrastructure) shall be removed from the ground or cleaned, backfilled, and left in place as appropriate during grading and excavation. If unknown below-grade structures are encountered during Project Site grading and excavation, the General Contractor shall promptly notify the property owner's representative the same day the structure is discovered. Based on an evaluation of the unknown below-grade structure by the appropriate professional (e.g., environmental monitor, geotechnical engineer), the property owner shall address the below-grade structure in accordance with applicable laws and regulations.

Mitigation Measure HAZ-MM-2: During construction activities at the Project Site, controls shall be in place to mitigate the effects of subsurface gases and impacted soil and groundwater on workers and the public. During construction, the following shall be implemented:

- Monitoring devices for methane and benzene shall be present to alert workers of elevated gas concentrations when basement or subsurface soil disturbing work is being performed;
- Contingency procedures shall be in place if elevated gas concentrations are detected such as the mandatory use of PPE, evacuating the area, and/or increasing ventilation within the immediate work area where the elevated concentrations are detected;
- Workers shall be trained to identify exposure symptoms and implement alarm response actions;
- Soil and groundwater exposed during excavations shall be minimized to reduce the surface area which could off-gas. This shall be achieved by staggering exposed excavation areas;
- Soil removed as part of construction shall be sampled and tested for off-site disposal in a timely manner. If soil is stockpiled prior to disposal, it shall be managed in accordance with the Project's Storm Water Pollution Prevention Plan (SWPPP);

- Fencing shall be erected to limit public access and allow for gas dilution; and
- A HASP shall be prepared to describe the proposed construction activities and hazards associated with each activity. Hazard mitigation shall be presented in the HASP to limit construction risks to workers. The HASP shall include emergency contact numbers, maps to the nearest hospital, gas monitoring action levels, gas response actions, allowable worker exposure times, and mandatory PPE requirements. The HASP shall be signed by all workers on-site to demonstrate their understanding of the construction risks.

(3) Level of Significance After Mitigation

With regard to potential soil contamination, any residual concentrations would be appropriately managed during all soil disturbance activities through implementation of the protocols described in the Soil Management Plan set forth in Mitigation Measure HAZ-MM-1. Specific areas with TPH impacts and one location with elevated arsenic also would require appropriate management during excavation and grading operations. Required protocols would address soil sampling and analysis, stockpiling of affected soils, soil re-use, decontamination, and dust control.

In addition, in the event that VOC-contaminated soils are encountered during construction or construction occurs in areas of known or potential contamination, appropriate handling, off-site disposal, and/or treatment would be implemented in accordance with applicable regulatory requirements, including SCAQMD Rule 1166 (Volatile Organic Compound Emissions from Decontamination of Soil). SCAQMD Rule 1166 requires that an approved mitigation plan be obtained from SCAQMD prior to commencing any of the following activities: the excavation of an underground storage tank or piping which has stored VOCs; the excavation or grading of soil containing VOC material including gasoline, diesel, crude oil, lubricant, waste oil, adhesive, paint, stain, solvent, resin, monomer, and/or any other material containing VOCs; the handling or storage of VOC-contaminated soil (i.e., soil which registers 50 ppm or greater using an organic vapor analyzer calibrated with hexane) at or from an excavation or grading site; or the treatment of VOC-contaminated soil at a facility. SCAQMD Rule 1166 further requires that a copy of the approved mitigation plan be maintained on-site during the entire excavation period and that the SCAQMD executive officer be notified at least 24 hours prior to excavation. In accordance with SCAQMD Rule 1166, monitoring for VOC contamination would occur at least once every 15 minutes, and VOC concentration readings would be recorded. Per the Soil Management Plan set forth in Mitigation Measure HAZ-MM-1, a SCAQMD Rule 1166 permit would be obtained in the event VOC-contaminated soils are encountered, and the approved mitigation plan would be implemented. As such, compliance with existing regulations and implementation of Mitigation Measure HAZ-MM-1 would ensure the Project would not create or exacerbate a significant hazard to the public or the environment through reasonably foreseeable upset and accident

conditions involving the handling and disposal of VOC-contaminated soil that may be encountered on-site.

With regard to methane, Mitigation Measure HAZ-MM-2 requires the installation of controls during Project construction to mitigate the effects of subsurface gases on workers and the public. These measures would include monitoring devices for methane and benzene to alert workers of elevated gas concentrations, contingency procedures if elevated gas concentrations are detected, worker training to identify exposure symptoms and implement alarm response actions, and the minimization of soil and groundwater during excavations. Additionally, soil removed as part of construction would be sampled and tested for off-site disposal in a timely manner and if soil is stockpiled prior to disposal, it would be managed in accordance with the Project's Storm Water Pollution Prevention Plan (SWPPP). Furthermore, fencing would be erected to limit public access and allow for gas dilution. Lastly, a HASP would be prepared to describe the proposed construction activities and hazards associated with each activity. As such, implementation of Mitigation Measure HAZ-MM-2 would ensure potential impacts related to subsurface gases and associated potential impacts to soil and groundwater would be less than significant.

Based on the above, with regulatory compliance and implementation of Mitigation Measures HAZ-MM-1 and HAZ-MM-2, construction and operation of the Project would not exacerbate the risk of upset and accident conditions associated with the release of hazardous materials into the environment. Therefore, impacts associated with hazardous waste generation, handling, and disposal during construction and operation would be less than significant with mitigation.

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

(1) Impact Analysis

Ohel Chana High School and Morasha Hebrew Academy are located on Beverly Boulevard approximately 0.1 mile and 0.2 mile east of the Project Site, respectively. The nearest Los Angeles Unified School District (LAUSD) schools, Hancock Park Elementary and Fairfax Senior High School, are located just over 0.25 mile to the south and north, respectively. As discussed in the Initial Study prepared for the Project, provided in Appendix A of this Draft EIR, the Project is not expected to involve hazardous emissions or handle acutely hazardous materials, substances, or waste. Although the Project would involve the use of hazardous materials common to urban construction projects and studio operations, as discussed above, all activities involving the handling, use, storage, transport, and disposal of hazardous materials and wastes would occur in compliance with applicable federal, state, and local requirements. **As such, with compliance with applicable regulations and**

requirements, the Project would not create a significant hazard to nearby schools. Therefore, impacts regarding potential emissions or the handling of hazardous materials and wastes within 0.25 mile of an existing school would be less than significant.

(2) Mitigation Measures

Project-level impacts related to the emission or handling of hazardous materials within one-quarter mile of a school would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project-level impacts related to the emission or handling of hazardous materials within one-quarter mile of a school were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold (d): Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

(1) Impact Analysis

As previously discussed, Government Code Section 65962.5 requires the CalEPA to develop and update annually the Hazardous Waste and Substances Sites (Cortese) List, which is a list of hazardous waste sites and other contaminated sites. While the Cortese List is no longer maintained as a single list, several databases provide information that meet the Cortese List requirements, including the LUST database. As discussed above, the Project Site is listed on the HIST CORTESE database. The discussion provided under Thresholds (a) and (b) above in Subsection 3.d details the various conditions present on-site that may pose a hazard to the public or the environment. Although no current violations and no active regulatory cases were identified for the Project Site, based on the analyses above, **the Project may create a significant hazard to the public or the environment caused in whole or in part from the Project's exacerbation of existing environmental conditions. Therefore, impacts with respect to this threshold would be potentially significant. Refer to and Mitigation Measures HAZ-MM-1 and HAZ-MM-2 above under Threshold (b).**

(2) Mitigation Measures

Please refer to Mitigation Measures HAZ-MM-1 and HAZ-MM-2 provided above under Threshold (b).

(3) Level of Significance After Mitigation

The discussion provided under Thresholds (a) and (b) above in Subsection 3.d details the various conditions present on-site that may pose a hazard to the public or the environment. Based on the analysis in the Site Summary Report, regulatory compliance and appropriate mitigation—specifically the Soil Management Plan set forth in Mitigation Measure HAZ-MM-1—would address residual constituents associated with the former Texaco station release, and impacts would be reduced to a less-than-significant level. With appropriate protocols and management of impacted soil per Mitigation Measure HAZ-MM-1, as well as related Mitigation Measure HAZ-MM-2, designed to mitigate the effects of subsurface gases and impacted soil and groundwater on workers and the public, the Project would not create a significant hazard to the public or the environment or exacerbate existing environmental conditions. Therefore, impacts with respect to this threshold would be less than significant with mitigation.

Project-level impacts related to the Project Site's inclusion on a list of hazardous materials sites were determined to be less than significant with implementation of regulatory requirements and Mitigation Measures HAZ-MM-1 and HAZ-MM-2.

Threshold (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 or excessive noise for people residing or working in the project area?

As discussed in Section VI, Other CEQA Considerations, of this Draft EIR, and evaluated in the Initial Study prepared for the Project, included as Appendix A of this Draft EIR, the Project Site is not located within two miles of an airport, private airstrip, or within an area subject to an airport land use plan. **As such, as determined in the Initial Study, the Project would not have the potential to exacerbate current environmental conditions that would result in a safety hazard or excessive noise for people residing or working in the Project Site area. Therefore, no impacts relative to Threshold (e) would occur. No further analysis is required.**

Threshold (f): Would the project impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?

As discussed in Section VI, Other CEQA Considerations, of this Draft EIR, and evaluated in the Initial Study prepared for the Project, included as Appendix A of this Draft EIR, while it is expected that the majority of Project construction activities would be confined to the Project Site, limited off-site construction activities may occur within adjacent street rights-of-way during certain periods of the day, which could potentially require temporary lane closures. However, if lane closures are necessary, the remaining travel lanes would be maintained in accordance with standard construction management plans that would be implemented to ensure adequate circulation and emergency access. Operation of the Project would generate traffic in the Project vicinity and would result in limited temporary modifications to Project Site access, primarily in expanding the number of access points. Additionally, the Project would comply with LAFD access requirements and would not impede emergency access within the Project vicinity. **As such, as determined in the Initial Study, the Project would not cause an impediment along the City's designated disaster routes or impair implementation of the City's emergency response plan. Impacts related to the implementation of the City's emergency response plan would be less than significant, and no further analysis is required.**

Threshold (g): Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

As discussed in Section VI, Other CEQA Considerations, of this Draft EIR, and evaluated in the Initial Study prepared for the Project, included as Appendix A of this Draft EIR, the Project Site is not located within a City-designated Very High Fire Hazard Severity Zone, nor is it located within a City-designated fire buffer zone. Additionally, the proposed uses would not create a fire hazard that has the potential to exacerbate current environmental conditions relative to wildfires. **As such, as determined in the Initial Study, the Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. Therefore, no impact with respect to Threshold (g) would occur. No further analysis is required.**

e. Project Impacts with Long-Term Buildout

While Project buildout is anticipated in 2026, the Project Applicant is seeking a Development Agreement with a term of 20 years, which could extend the full buildout year to approximately 2043. The Development Agreement would confer a vested right to develop the Project in accordance with the Specific Plan and a Mitigation Monitoring and Reporting Program (MMRP) throughout the term of the Development Agreement. The Specific Plan and MMRP would continue to regulate development of the Project site and provide for the implementation of all applicable Project design features and mitigation measures associated with any development activities during and beyond the term of the Development Agreement. Additionally, given that hazards and hazardous conditions are site-specific and do not

typically vary over the course of relatively short timeframes, a later buildout date would not affect the impacts or significance conclusions presented above.

f. Cumulative Impacts

(1) Impact Analysis

As indicated in Section III, Environmental Setting, of this Draft EIR, there are 68 related projects in the vicinity of the Project Site. Development of the Project in combination with the related projects has the potential to increase the risk of an accidental release of hazardous materials. Each of the related projects would require evaluation for potential threats to public safety, including those associated with the use, storage, and/or disposal of hazardous materials, ACMs, LBP, PCBs, and oil and gas and would be required to comply with all applicable local, state, and federal laws, rules and regulations, as discussed above for the Project. Because environmental safety issues are largely site-specific, this evaluation would occur on a case-by-case basis for each individual project affected, in conjunction with development proposals on these properties. **Therefore, with full compliance with all applicable local, state, and federal laws, rules and regulations, as well as implementation of site-specific recommendations for the related projects and Project, significant cumulative impacts related to hazards and hazardous materials would not occur. As such, the Project's contribution would not be cumulatively considerable, and cumulative impacts would be less than significant.**

(2) Mitigation Measures

Cumulative impacts related to hazards and hazardous materials would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Cumulative impacts related to hazards and hazardous materials were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.