Section 3.7
Hazards and Hazardous Materials

Section Summary

This section addresses the potential impacts associated with releases of hazardous materials into the environment and the presence of a listed hazardous materials site.

Section 3.7, Hazards and Hazardous Materials, provides the following:

- a description of the existing environmental setting at the project site;
- a description of applicable regulations and control programs regarding hazardous materials management, security, and terrorism;
- a description of the methodology used to assess potential impacts;
- an analysis of the impacts of the Proposed Project and alternatives;
- a description of mitigation measures to address identified significant impacts.

Key Points of Section 3.7:

The Proposed Project would increase the throughput capacity of an existing marine container terminal, but its activities would be consistent with other uses in the area. Numerous regulatory controls are in place to minimize the possibility of releases of hazardous materials through routine use or spills, upsets, and accidents involving trucks, trains, and marine cargo vessels. The Berths 121-131 Terminal is not near any schools or on the "Cortese list" of severely contaminated sites.

Because of these factors, implementation of the Proposed Project and alternatives would not substantially increase the risk of hazardous materials releases through routine use or accidents. Impacts would be less than significant.

3.7.1 Introduction

This section addresses the potential impacts of hazards and hazardous materials on the Proposed Project and alternatives, as well as potential impacts of releases of hazardous materials to the environment. This section also describes impacts on public safety that could result from fires, explosions, and releases of hazardous materials associated with construction and operation of the Proposed Project or an alternative. This section also addresses potential effects of the release of hazardous materials associated with tsunamis and other seismic events, as well as terrorist activity. The potential risks of inundation associated with flooding are discussed in Section 3.11, Water Quality, Oceanography, and Sediments.

3.7.2 Environmental Setting

3.7.2.1 Hazardous Materials

Hazardous materials are the raw materials for a product or process that may be classified as toxic, flammable, corrosive, or reactive, and include a wide variety of industrial chemicals, refined petroleum products, and specialty chemicals. Hazardous materials that are handled at container terminals such as Berths 121-131 are transported in individual containers specifically manufactured for storing and transporting such materials. Packaging, labeling, and transport are governed by numerous federal, state, and local requirements (Section 3.7.3). Containers of hazardous materials are transported to and from the terminal via truck and trains. While in the Port, they are only handled by authorized workers credentialed under the Transportation Worker Identification Credential (TWIC) program (Section 3.7.2.4).

Spill notification data available on the Governor's Office of Emergency Services website (Cal-OES 2024) indicate that approximately 11 hazardous material spills known to be greater than 1 gallon occurred in Los Angeles Harbor (including spills on land and water but not including sheens on the water surface) between 2016 and 2020 (this time period is applicable to the Proposed Project because it is close to the CEQA baseline of 2019). The spills include fuel and other substances spilled from commercial vessels serving the terminals, from small craft, and in landside incidents. No deaths resulted from releases of hazardous materials at the Port in that time period.

During 2016-2019, the total throughput of the container terminals at the Port of Los Angeles was 37,501,356 TEUs (POLA 2021). Therefore, the probability of a spill involving a hazardous material at the container terminals can be estimated at 3×10^{-7} per TEU (11 spills divided by 37,501,356 TEUs). This spill probability is a conservative estimate because it includes spills not involving containers or container terminal operations.

The closest bulk liquid facility to the project site is the Kinder Morgan terminal at Berths 118-119, approximately 500 feet west of Berth 121. The next closest bulk liquid facilities are operated by Phillips 66 at Berth 150 across the West Basin Channel, approximately 0.3 mile east of the Berths 121-131 Terminal, and by Shell Oil, Valero, and NuStar Energy at several berths along Slip 1, approximately 0.5 mile east of the Berths 121-131 Terminal.

The Berths 121-131 Terminal is a small quantity generator (greater than 100 kilogram but less than 1,000 kilogram hazardous waste per month) for Resource Conservation and Recovery Act (RCRA) hazardous wastes and a large quantity generator (greater than

1,000 kilograms of hazardous waste per month) for non-RCRA hazardous wastes (California waste only) (Table 3.7-1).

Table 3.7-1: Berths 121-131 Terminal Hazardous and Non-Hazardous Wastes Generated in 2019

	Annual Total	Estimated Monthly Average	Average Shipment Size
Hazardous Waste	119,516 lbs	9,959 lbs	2,298 lbs
Non hazardous Waste	105,925 lbs	8,827 lbs	2,037 lbs

Note: The quantity of each actual shipment varies. The data presented in this table are averages calculated by dividing the 2019 total waste amounts by 12 months and the number of shipments for hazardous and non-hazardous wastes.

The Berths 121-131 Terminal also includes facilities that contain small amounts of hazardous material and/or hazardous wastes, including aboveground storage tanks, the Maintenance and Repair Building, a power shop at Berth 126, the transtainer maintenance area, and the Gear Shop. Berths 121-131 contracts with Clean Tech, in Whittier, CA, for transportation of hazardous and non-hazardous wastes generated from on-site operations. Berths 121-131 maintains a Spill Prevention, Control, and Countermeasures (SPCC) Plan, submits an annual tank facility statement to the Certified Unified Program Agency, submitted a Hazardous Material Business Plan to the Los Angeles County Fire Department, and has prepared a Stormwater Pollution Prevention Plan (SWPPP) that includes Best Management Practices (BMPs) for hazardous materials/waste handling.

The Berths 121-131 site is not currently included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (i.e. “Cortese List”) maintained by the California Department of Toxic Substances Control (DTSC; CalEPA 2024).

3.7.2.2 Public Emergency Services

Emergency response/fire protection for the Port is provided by the Los Angeles City Fire Department (LAFD). Landside and waterside security is provided primarily by the Los Angeles Port Police (Port Police), in addition to the United States Coast Guard (USCG) and Los Angeles Police Department (LAPD). Fireboat companies and land-based fire stations are located in the Proposed project vicinity, and fire stations equipped with fire trucks are also located in the Port and nearby in the communities of Wilmington and San Pedro.

The Safety Element of the City’s General Plan identifies the entire Port as an area that could be affected by a tsunami, as well as the areas south/southwest of the Main Channel, including the Berths 121-131 site, and potential inundation areas (City of Los Angeles 1996). NOAA’s Pacific Tsunami Warning Center (NOAA 2024) operates the federal data collection and warning system for the west coast of the U.S. The center collects seismic data and issues tsunami warnings within 10 minutes of an earthquake occurrence when a potentially tsunami-producing earthquake is greater than 7.1 on the Richter scale in the Pacific area of responsibility. LAHD has a Port-wide emergency notification system in place to warn of tsunamis and other emergency situations by telephone/email/text alerts.

Berths 121-131 maintains a written Emergency Action Plan that adopts procedures under the existing safety programs and combines them with governmental Emergency Action Plan criteria for operations at Berths 121-131. The plan involves training and routine drills and exercises. All employees are expected to follow the Emergency Action Plan in preventing or responding to emergency circumstances.

3.7.2.3 Security Measures at the Port of Los Angeles

Terrorism is an additional unknown factor for consideration of hazards, as a terrorist action could cause hazardous materials release and/or explosions that could result in substantial loss of life. Port terminals are generally not seen as iconic themselves. However, because port functions are critical to the international supply chain and, therefore, to the U.S. economy, it is possible that these facilities could be targeted for terrorist actions. Container ships are not attractive targets for terrorism in terms of loss of life or producing large fires and explosions; rather, an attack on a container ship would likely be economic in nature and designed to disrupt Port operations.

Accordingly, numerous security measures have been implemented in the Port in the wake of the terrorist attacks of September 11, 2001. Federal, state, and local agencies, as well as private industry, have implemented and coordinated many security operations and physical security enhancements. The result is a layered approach to Port security that includes the security program of LAHD and the existing Berths 121-131 Terminal. Briefly summarized, the layered approach to Port security is guided by the following principles:

- Implementing the measures in the Maritime Transportation Security Act (MTSA) (Title 33 CFR 101-106), including the Transportation Workers Identification Credential (TWIC) Program, which minimizes the potential for unauthorized handling of containers that contain hazardous materials and provides additional shoreside security at the terminal;
- Implementing the measures in the International Maritime Organization's (IMO) International Ship and Port Security Code (ISPS), which requires both ships and ports to conduct vulnerability assessments and to develop security plans with the purpose of preventing and suppressing terrorism;
- Implementing Port-specific and terminal-specific security measures such as expanded Port Police, U.S. Customs and Border Protection cargo screening and inspections, implementing facility security plans, and physical barriers to access.

3.7.2.4 Tsunamis

A tsunami event in the Port could result in injury or damage to property. A study of potential tsunami-induced wave action in the Los Angeles-Long Beach Harbor (Moffatt and Nichol 2007) examined the consequences of various combinations of large earthquakes along offshore faults (a tsunamigenic earthquake) and underwater landslides along the Palos Verdes peninsula coastline to predict maximum tsunami wave heights. The most likely, or reasonable, worst-case tsunami was predicted to have a recurrence interval of no less than 10,000 years, and the case in which the largest tsunami coincided with the 40-year highest tide was estimated to have a return interval of more than 100,000 years. The assumption of such an unlikely event represents an extremely conservative, worst-case scenario, which is not required under CEQA or NEPA; accordingly, this impact analysis is based on the reasonable worst case (i.e., a 10,000-year return interval).

The study predicted a water level rise of approximately 8.0 to 9.4 feet above Mean Lower Low Water (MLLW) for scenarios involving a large earthquake and approximately 10.0 to 25.8 feet above MLLW for scenarios involving a massive landslide. The highest anticipated water levels from the earthquake scenarios are predicted to occur in the East Channel area of the Port, and the highest anticipated water levels from the landslide scenarios would occur in the Outer Harbor and the western side of Pier 400. The report predicted that even for the landslide scenario, little overtopping of wharves would occur at most locations in the Port. The Moffatt and Nichol study was undertaken in 2007 and thus did not incorporate current predictions of sea level rise due to global climate change.

The LAHD's study recent study of SLR (LAHD 2018) assumed SLR of 24 inches by 2050 (the approximate service life of the Proposed Project) and examined potential flooding and wharf overtopping under the scenario of a 100-year storm tide. If the massive landslide modelled by Moffatt and Nichol occurred near the end of that period and coincided with a 100-year storm tide, and if 24 inches of SLR had in fact occurred, then some wharf overtopping and flooding would likely occur at the Berths 121-131 Terminal. However, such a combination of events is even more unlikely than the 40-year highest tide scenario examined by Moffatt and Nichol and is thus not a reasonable or required basis for impact assessment.

3.7.3 Applicable Regulations

The Proposed Project would be subject to numerous federal, state, and local laws and regulations including, but not limited to, those described below. Regulations applicable to the Proposed Project or alternatives are designed to regulate hazardous materials and hazardous wastes, and to limit the risk of upset during the use, transport, handling, storage, and disposal of hazardous materials. Additionally, numerous security measures have been implemented in the Port area in the wake of the terrorist actions of September 11, 2001. Although LAHD is responsible for the overall protection of the Port area, as well as reviewing tenant security operations, each tenant is individually and specifically required to comply with federal and state security and emergency regulations, which are enforced by agencies such as the USCG and LAFD.

3.7.2.5 Federal Regulations

Resource Conservation and Recovery Act of 1976 (42 U.S.C. Section 6901–6987)

The goal of the Resource Conservation and Recovery Act (RCRA), a federal statute passed in 1976, is the protection of human health and the environment, the reduction of waste, the conservation of energy and natural resources, and the elimination of the generation of hazardous waste as expeditiously as possible. The Hazardous and Solid Waste Amendments of 1984 significantly expanded the scope of RCRA by adding new corrective action requirements, land disposal restrictions, and technical requirements. Regulations in 40 CFR 260–299 provide the general framework for managing hazardous waste, including requirements for entities that generate, store, transport, treat, and dispose of hazardous waste.

Clean Water Act Oil Pollution Prevention (40 CFR Parts 110 and 112)

The Clean Water Act regulations related to oil pollution specifically require facilities that use and/or store oil or petroleum products in quantities exceeding 1,320 gallons aggregate

aboveground or 42,000 gallons underground storage (for example, fuel tanks) to prepare a Spill Prevention, Control, and Countermeasures (SPCC) Plan that details the design and operation of the facility to prevent, control, and provide countermeasures to a discharge of oil.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted in 1980 to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites; provided for liability of persons responsible for releases of hazardous waste at these sites; and established a trust fund to provide for cleanup when no responsible party could be identified. The corresponding regulation in 42 CFR 103 provides the general framework for response actions and managing hazardous waste.

Department of Transportation Hazardous Materials Regulations (49 CFR 100–185)

The U.S. Department of Transportation (USDOT) Hazardous Materials Regulations cover all aspects of hazardous materials packaging, handling, and transportation. Parts 172 (Emergency Response), 173 (Packaging Requirements), 174 (Rail Transportation), 176 (Vessel Transportation), 177 (Highway Transportation), 178 (Packaging Specifications), and 180 (Packaging Maintenance) apply to existing operations at the Berths 121-131 Terminal and would apply to the Proposed project operations.

The Hazardous Materials Transportation Act, 49 CFR 171, Subchapter C

The USDOT, FHWA, and the Federal Railroad Administration regulate transportation of hazardous materials at the federal level. The Hazardous Materials Transportation Act requires that carriers report accidental releases of hazardous materials to USDOT at the earliest practical moment. Other incidents that must be reported include deaths, injuries requiring hospitalization, and property damage exceeding $50,000.

United States Coast Guard Title 33

The USCG, through Title 33 (Navigation and Navigable Waters) and Title 46 (Shipping) of the CFR, is the federal agency responsible for vessel inspection, marine terminal operations safety, coordination of federal responses to marine emergencies, enforcement of marine pollution statutes, marine safety (such as navigation aids), and operation of the National Response Center for spill response, and is the lead agency for offshore spill response. The USCG's vessel-boarding program is designed to identify and eliminate substandard ships from U.S. waters and pursues this goal by systematically targeting the relative risk of vessels and increasing the boarding frequency on high risk (potentially substandard) vessels. The USCG is also responsible for reviewing marine terminal Operations Manuals and issuing Letters of Adequacy upon approval.

In addition to vessel operations, the USCG and Department of Homeland Security regulate the handling of dangerous cargo at waterfront facilities through 33 CFR 126. This program sets requirements for various hazardous activities at marine terminals, on vessels, and at other harbor facilities, including the proper handling of hazardous cargo in containers. The USCG also maintains a Hazardous Materials Standards Division that

develops standards and industry guidance to promote the safety of life and protection of property and the environment during marine transportation of hazardous materials. This includes transportation of bulk liquid chemicals and liquefied gases, hazardous bulk solids, and packaged hazardous cargoes, as well as hazardous materials used as ship stores and hazardous materials used for shipboard fumigation of cargo.

Emergency Planning and Community Right-To-Know Act (42 U.S.C. 11001 et seq.)

Also known as Title III of the Superfund Amendments and Reauthorization Act, the Emergency Planning and Community Right-to-Know Act was enacted by Congress as the national legislation on community safety. This law was designated to help local communities protect public health, safety, and the environment from chemical hazards. To implement this act, Congress required each state to appoint a State Emergency Response Commission. These commissions are required to divide their states into Emergency Planning Districts and to name a Local Emergency Planning Committee for each district. The act provides requirements for emergency release notification, chemical inventory reporting, and toxic release inventories for facilities that handle chemicals. The Berths 121-131 site is in Emergency Planning District I, which includes Los Angeles, Orange, Ventura, Santa Barbara, and San Luis Obispo counties (Cal-OES 2014).

3.7.2.6 State Regulations

Hazardous Material Release Response Plans and Inventory Law (California Health and Safety Code, Chapter 6.95)

California's "right-to-know law" requires businesses to develop a Hazardous Material Management Plan or a business plan for hazardous materials emergencies if they handle more than 500 pounds, 55 gallons, or 200 cubic feet of hazardous materials. In addition, the business plan includes an inventory of all hazardous materials stored or handled at the facility above these thresholds. This law is designed to reduce the occurrence and severity of hazardous materials releases. The Hazardous Materials Management Plan or business plan must be submitted to the Certified Unified Program Agency, which is, in this case, LAFD. The state has integrated the federal Emergency Planning and Community Right-to-Know Act reporting requirements into this law, and, once a facility is in compliance with the local administering agency requirements, submittals to other agencies are not required. The operator of the Berths 121-131 Terminal has a Hazardous Materials Business Plan in place to facilitate effective and safe management of any release.

Environmental Health Standards for the Management of Hazardous Waste (22 CCR 4.5)

The state regulates the management of hazardous materials through Environmental Health Standards for the Management of Hazardous Wastes. This division establishes standards applicable to generators and transporters of hazardous waste and for owners and operators of hazardous waste transfer, treatment, storage, and disposal facilities. It also establishes a permit program, as well as procedures and requirements for testing, reporting, and various other activities.

Hazardous Waste Control Law, California Health and Safety Code, Chapter 6.5

This statute is the basic hazardous waste law for California. The Hazardous Waste Control Law implements the federal RCRA cradle-to-grave waste management system in

California. California hazardous waste regulations can be found in 22 CCR 4.5, Environmental Health Standards for the Management of Hazardous Wastes. The program is administered by the California Department of Toxic Substances Control.

Hazardous Waste and Substances Site List (Government Code 65962.5)

This regulation requires the California Environmental Protection Agency, Department of Toxic Substances Control to maintain a list (the "Cortese" List) to provide information about the location of hazardous materials release sites. DTSC's Brownfields and Environmental Restoration Program (Cleanup Program) EnviroStor database provides DTSC's component of Cortese List data by identifying State Response (and/or Federal Superfund) and Backlog sites listed under Health and Safety Code section 25356. The list also provides information on the nature and remedial action status of listed sites.

Aboveground Storage of Petroleum

Through the Aboveground Petroleum Storage Act, California Health and Safety Code, sections 25270 through 25270.13, the State of California regulates construction, installation, operation, and monitoring of aboveground petroleum storage tanks. This law is designed to prevent release of hazardous materials into the environment by either leakage from tanks and associated pipelines or from overfilling and spillage. As such, the program works to reduce the occurrence of hazardous material releases.

Hazardous Materials Transport

The transport of hazardous materials in containers on the street and highway system is regulated by Caltrans procedures and the Standardized Emergency Management System prescribed under Section 8607 of the California Government Code. Compliance with other federal, state, and local laws and regulations (e.g., driver training and licensing and Caltrans packaging requirements) govern transport of cargo on the street and highway system and during rail transport. The shippers package the hazardous materials in the containers and provide labeling in compliance with Caltrans requirements.

3.7.2.7 Local Regulations

Los Angeles Municipal Code (Fire Protection: Chapter 5, Section 57, Divisions 4 and 5)

These portions of the municipal fire code regulate the construction of buildings and other structures used to store flammable hazardous materials, and the storage of these same materials. These sections ensure that the business is properly equipped and operates in a safe manner and in accordance with all applicable laws and regulations. These permits are issued by LAFD.

Los Angeles Municipal Code (Public Property: Chapter 6, Article 4)

This portion of the municipal code regulates the discharge of materials into the sanitary sewer and storm drains. It requires the construction of spill-containment structures to prevent the entry of forbidden materials, such as hazardous materials, into sanitary sewers and storm drains.

Port of Los Angeles Risk Management Plan

The Risk Management Plan (RMP), which constitutes Chapter 8 of the Port Master Plan, was adopted in 1983, in accordance with California Coastal Commission requirements and has been updated in the current version of the Port Master Plan (POLA 2018). The purpose of the RMP is to provide siting criteria relative to vulnerable resources and the handling and storage of potentially hazardous cargo such as crude oil, petroleum products, and chemicals. The RMP provides guidance for future development of the Port designed to minimize or eliminate the hazards to vulnerable resources from accidental releases. Although the applicability of the Proposed Project or alternative with this Plan would be limited—as the plan pertains primarily to marine terminals that accept crude oil, petroleum products, and chemicals, rather than container terminals—the Proposed Project is consistent with the RMP and does not pose significant risks.

Emergency Response and Evacuation Plans

LAHD, in conjunction with the City, LAFD, LAPD, Port Police, and USCG, is responsible for managing any emergency related to Port operations, depending on the severity of the emergency. The City of Los Angeles Emergency Management Department provides citywide emergency leadership, continuity, and direction to enable the City and all of its various departments and divisions to respond to, recover from, and mitigate the impact of natural, human-made, or technological disasters upon its people or property (EMD 2024). The department has prepared a City of Los Angeles Emergency Operations Organization Manual that describes the organization, responsibilities, and priorities of all City departments and local agencies in case of an emergency. The manual includes the following sections applicable to the Port area:

- LAHD Plan,
- Hazardous Materials Annex, and
- Tsunami Response Plan Annex.

Specifically, the LAHD Plan identifies very general initial policies and procedures covering LAHD's response in the event of any emergency. The Hazardous Materials Annex contains information regarding the chain of command and the general organization of any response to a hazardous material release anywhere in the City, including the Port area. The Tsunami Response Plan Annex outlines policies and procedures of City departments and identifies evacuation plans.

The City and LAHD have adopted the Standardized Emergency Management System to manage responses to multi-agency and multi-jurisdiction emergencies and facilitate communications and coordination among all levels of the system and among all responding agencies. Additionally, the City currently uses a new emergency management process that incorporates Homeland Security's National Incident Management System and Incident Command System and the application of standardized procedures and preparedness measures. The Homeland Security Division of LAHD is responsible for maintaining and implementing LAHD's Emergency Procedures Plan, which was last revised in October 2016.

Finally, each tenant at the Port is responsible for maintaining its own emergency response plan. Tenants must comply with emergency and security regulations enforced by LAFD, Port Police, Homeland Security Division, and USCG.

3.7.2.8 Other Requirements and Programs

The Safety Element of the City of Los Angeles General Plan addresses the issue of protection of its people from unreasonable risks associated with natural disasters (e.g., fires, floods, and earthquakes) (City of Los Angeles 1996). The Safety Element provides a contextual framework for understanding the relationship between hazard mitigation, response to a natural disaster, and initial recovery from a natural disaster.

The Vessel Traffic Service (VTS) is a public/private partnership service for the Ports of Los Angeles and Long Beach. VTS is jointly operated and managed by the Marine Exchange of Southern California (a nonprofit corporation) and the USCG Captain of the Port. VTS is a cooperative effort of the State of California, USCG, Marine Exchange of Southern California, and Ports of Los Angeles and Long Beach, and is under the authority of California Government Code, Section 8670.21, Harbors and Navigation Code, Sections 445–449.5 and the port tariffs of Los Angeles and Long Beach.

Terminal cargo operations involving hazardous materials are governed by LAFD in accordance with regulations of state and federal departments of transportation (49 CFR 176). Regulated hazardous materials in the Port may include maritime-use compounds, such as chlorinated solvents, petroleum products, compressed gases, paints, cleaners, and pesticides.

3.7.4 Impacts and Mitigation Measures

3.7.2.9 Methodology

Risk Probability and Criticality

NEPA and CEQA guidelines require identifying any adverse change in any of the physical conditions in the area affected by the Proposed Project or alternatives, including a change in the probability of spills or releases of hazardous materials. In addition, the risk of terrorism and any resultant environmental effects, when such risks are relevant and reasonably foreseeable, must be considered during preparation of environmental documents under NEPA (U.S. Court of Appeals for the 9th Circuit in *San Luis Obispo Mothers for Peace et al. v. Nuclear Regulatory Commission* [449 F.3d 1016 (9th Cir. 2006)]). That decision held that the risk of a terrorist attack was within the foreseeable chain of causation and dealt with likely physical effects of that terrorism.

Risk of Upset Due to Terrorism

Analysis of risk of upset is based primarily on potential frequencies of occurrence for various events and upset conditions as established by historical data. The climate of the world today has added an additional unknown factor for consideration: terrorism. There are limited data available to indicate the likelihood of a terrorist attack aimed at the Port or the Proposed Project or alternatives and, therefore, the probability component of the analysis described above contains a considerable amount of uncertainty. Nonetheless, this fact does not invalidate the analysis contained herein. Terrorism can be viewed as a potential trigger that could initiate events described in this section, such as hazardous materials release and/or explosion. The potential impact of those events, once triggered by whatever means, would remain as described herein.

Hazards Associated with Goods Movement

Increases in truck and train trips and vessel calls associated with the Proposed Project or alternatives, as well as increased container handling in the Berths 121-131 Terminal as a result of increased throughput, could result in an increase in vehicular accidents, injuries, and fatalities, cargo releases from train and in-terminal accidents, and fuel releases from vessel collisions and allisions.

The USDOT's Federal Motor Carrier Safety Administration (FMCSA) and Office of Hazardous Materials Safety maintain databases on truck-related hazardous material incidents. According to an FMCSA detailed analysis of these data (FMCSA 2001), the non-hazardous materials truck accident rate was estimated to be 0.73 accident per million vehicle miles, and the average hazardous materials truck accident rate was estimated to be 0.32 accident per million vehicle miles. To conduct a conservative analysis, the higher accident rate associated with non-hazardous-materials trucks was used to estimate the potential increase in accidents from project-related truck traffic. National Highway Traffic Safety Administration (NHTSA 2024) data indicate that an estimated 1.0% of truck crashes produce fatalities and 17% produce injuries.

The hazards of rail transport arise primarily from derailments of railcars, which can cause the containers they are carrying to rupture and release their contents. The analysis of rail-related hazards considers the configuration of the Port-area rail system, the nature of rail traffic in the Port area, and the history of train accidents. Train accident data over the 10-year period from January 2011 to December 2020 indicate that approximately 100 reported accidents happen in California each year (FRA 2024). Only four accidents involving releases of hazardous materials occurred in California during that time. The analysis of in-terminal accidents uses the frequency data presented in Section 3.7.2.1. The analysis of vessel accidents is presented in Section 3.13, Marine Transportation.

CEQA Baseline

Section 15125 of the CEQA Guidelines requires EIRs to include a description of the physical environmental conditions in the vicinity of a project that exist at the time of the NOP. As described in Section 2.7.1, for this Draft EIS/EIR the CEQA baseline year is 2019. In 2019, the Berths 121-131 Terminal encompassed approximately 186 acres, supported five cranes, and handled approximately 354,000 TEUs and 153 vessel calls. The CEQA baseline conditions are also described in Section 2.7.1 and summarized in Table 2-1.

The CEQA baseline represents the setting at a fixed point in time. The CEQA baseline differs from the No Project Alternative (Alternative 1) in that the No Project Alternative addresses what is likely to happen at the proposed project site over time, starting from the existing conditions. Therefore, the No Project Alternative allows for growth and increased activity at the project site that could be expected to occur without additional approvals, whereas the CEQA baseline does not.

NEPA Baseline

For purposes of this Draft EIS/EIR, the evaluation of significance under NEPA is defined by comparing the Proposed Project or other alternative to the NEPA baseline. The NEPA baseline conditions are described in Section 2.7.2 and summarized in Table 2-1. The NEPA baseline condition for determining significance of impacts includes the full range of construction and operational activities the applicant could implement and is likely to implement absent a federal action, in this case the issuance of a USACE permit.

The NEPA baseline, for purposes of this Draft EIS/EIR, is the same as the No Federal Action Alternative. Under the No Federal Action Alternative (Alternative 2), no dredging, discharges of dredged or fill material associated with wharf reconstruction, dredged material disposal, in-water pile installation, or crane installation/extension would occur. Expansion of the WBICTF and installation of the RMG cranes would occur, but those elements would not change the physical configuration or operational capacity of the Berths 121-131 Terminal.

The NEPA baseline assumes that by 2045 the terminal would handle up to approximately 1,332,000 TEUs annually, accommodate 208 annual ships calls at two berths, and be occupied by five wharf cranes.

3.7.2.10 Thresholds of Significance

Criteria for determining the significance of impacts related to hazards and hazardous materials are based on CEQA Guidelines Appendix G. The Initial Study for the Proposed Project concluded that there would be no impact relative to Appendix G issues VIII(e), and (f), regarding impacts related to proximity to an airport or airstrip, and VIII(h), regarding impacts relative to wildland fires, and those issues are not included in this Draft EIS/EIR. The Proposed Project or an alternative would have a significant impact related to hazards and hazardous materials if it would:

RISK-1: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

RISK-2: 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.

For this Draft EIS/EIR, Threshold RISK-2 includes the consideration of hazards associated with the potential for the release of hazardous materials resulting from damage caused by tsunami-induced flooding. The location of the Port on a coastline that could be subject to tsunami flooding both locally and remotely generated prompted LAHD, particularly in the wake of the 2011 event in Japan, to include the issue in its CEQA documents.

RISK-3: Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

RISK-4: 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.

RISK-5: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

3.7.2.11 Impact Determination

Proposed Project

Impact RISK-1: Would the Proposed Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Construction

It is unlikely that construction activities would involve the use of substantial quantities of hazardous materials, and the most likely source of such materials would be vehicles at the site. Small amounts of hazardous materials could be used to support dredge operations, but those materials would be confined to the barge and support boats.

Hazardous materials shipped, transported, handled, or otherwise stored would be in compliance with the RMP, USCG regulations, fire department requirements, and state and federal departments of transportation regulations (49 Part 176). Thus, the potential for the public or the environment to be exposed to hazardous materials in the course of the routine use and transport of such materials is insubstantial.

Operation

Because the nature of activities at the Proposed Project would be the same as under baseline conditions (marine container terminal), the Berths 121-131 Terminal would continue to be subject to the federal, state, and local safety and security regulations described in Section 3.7.3, which would limit the exposure of the public and the environment to hazardous materials. The limited quantities of hazardous materials used at the terminal would also minimize exposure.

It is reasonable to assume that the projected increase in terminal activity under the Proposed Project would proportionally increase the quantities of hazardous materials handled as cargo on ships, trains, trucks, and in the terminal. However, hazardous materials transported as cargo is subject to strict packaging and transporting rules and regulations at the international, state, and federal levels (see Section 3.7.3) that substantially limit the potential for the public or the environment to be exposed during routine handling and transport.

CEQA Impact Determination

Because, as discussed above, construction and operation of the Proposed Project would not substantially increase the hazard of exposure of the public and the environment to hazardous materials, impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

As discussed above, construction and operation of the Proposed Project would not substantially increase the hazard of exposure of the public and the environment. Accordingly, impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-2: Would the Proposed 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?

Construction

Construction activities would be conducted using best management practices (BMPs) in accordance with City guidelines (City of Los Angeles 2004), the Los Angeles Municipal Code regulations (Chapter 5, Section 57, Divisions 4 and 5; Chapter 6, Article 4), and the SWPPP required by the State General Permit for Storm Water Discharges Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ). These, along with federal and state regulations that govern the storage and handling of hazardous materials and the cleanup of spills (Section 3.7.3), would confine the potential adverse effects of releases to a small area. Applicable BMPs include, but are not limited to, training of personnel; proper vehicle and equipment fueling and maintenance to prevent fluids (such as oil, hydraulic fluid, lubricants, or brake fluids) from leaking; proper material delivery, storage, and use to prevent discharge of pollutants; SPCC plans to manage spills; management of solid and hazardous wastes; and management of contaminated soil.

It is unlikely that construction activities would involve the use of substantial quantities of hazardous materials. The most likely source of such materials would be vehicles at the site, and those materials would be confined to the immediate vicinity of the construction. The most likely spills or releases of hazardous materials during construction would involve petroleum products, such as diesel fuel, gasoline, oils, and lubricants.

Although construction-related spills do happen, such spills are typically small and localized, since the volume in any given vehicle is generally less than 50 gallons, and fuel trucks that might be present at the site would be limited to 10,000 gallons or less. Thus, the potential consequences of such accidents to people and the environment are not substantial. Hazardous materials shipped, transported, handled, or otherwise stored would be in compliance with the RMP, USCG regulations, fire department requirements, and state and federal departments of transportation regulations (49 Part 176). Implementation of the measures and procedures described above would minimize the potential for an accidental release of petroleum products or hazardous materials and explosion during construction, and would ensure effective and efficacious clean-up and remediation of releases that did occur.

There is also the potential for release of contaminated soils from excavation associated with shoreline and railyard construction. Any contaminated soil or groundwater encountered during construction of the Proposed Project would be handled, transported, remediated, or disposed of in accordance with all applicable federal, state, and local laws and regulations and in accordance with the regulatory lead agency (e.g., DTSC, LARWQCB) and LAHD requirements pertaining to site remediation and development of a contamination contingency plan.

Operation

Because the nature of activities at the Proposed Project would be the same as under baseline conditions (a marine container terminal), the Berths 121-131 Terminal would

continue to be subject to the federal, state, and local safety and security regulations described in Section 3.7.3, which would limit the severity and frequency of potential releases of hazardous materials that could result in increased exposure of people to health hazards. The limited quantities of hazardous materials used at the terminal would not likely result in a substantial spillage into the environment. However, it is reasonable to assume that the projected increase in terminal activity under the Proposed Project would proportionally increase the quantities of hazardous materials handled as cargo.

As stated in Section 3.7.2.1, the probability of a spill at a container terminal has been conservatively estimated at 3×10^{-7} per TEU, or approximately one spill for every approximately 3 million TEUs. The spills associated with future operations would be based on the spill probability per TEU times the total number of TEUs under the Proposed Project.

At maximum capacity (2050 and thereafter), the Berths 121-131 Terminal's throughput would rise to approximately 1,871,000 TEUs per year. Accordingly, predicted spills inside the terminal would increase from 0.11 to 0.56 per year under CEQA, and from 0.40 to 0.56 per year under NEPA (Table 3.7-2). In-terminal spills from containers typically do not pose risks to the public because they are limited in size, distant from sensitive receptors such as residences, schools, and hospitals, and quickly contained and cleaned up. The infrequency of such accidents, and compliance with applicable federal, state, and local laws and regulations governing emergency response to hazardous material spills, as described above, would minimize the potential for adverse public health and safety impacts.

Table 3.7-2. Proposed Project: Projected Spill Frequencies

Operations	Throughput (TEUs)	Potential Spills (per year)
CEQA Baseline (2019)	353,924	0.11
NEPA Baseline (2050)	942,806	0.29
Proposed Project (2050)	1,871,405	0.58

Potential Proposed Project-related truck accident rates can be estimated based on National Highway Traffic Safety Administration (NHSTA) national average accident rates (Section 3.7.4.1) and Port-area truck trip data. On the basis of a survey of Port-related trucks cited in SPBP (2022) that provided average trip distances for various drayage scenarios (near-dock, local/rail yard service, regional service), the average drayage truck one-way trip was assumed to be approximately 23.6 miles. Given the annual number of truck trips, the average distance of each trip, and the published accident, injury, and fatality rates, probabilities were estimated as shown in Table 3.7-3. Truck accidents associated with the Proposed Project are predicted to occur at a frequency of 24 accidents per year relative to the baseline and to result in increased injuries and fatalities. The consequence of such accidents to the public would not be substantial because the very small proportion of trucks that would be transporting hazardous materials makes it unlikely that accidents would release substantial quantities of hazardous substances.

Table 3.7-3. Proposed Project: Projected Truck Accidents

Operations	Truck Trips (per year)	Accidents (per year)	Injuries (per year)	Fatalities (per year)
CEQA Baseline (2019)	319,282	6	1.1	0.06
NEPA Baseline (2050)	798,000	15	2.7	0.1
Proposed Project (2050)	1,602,000	30	5.5	0.3
Increase over CEQA Baseline	1,282,718	24	4.4	0.2
Increase over NEPA Baseline	804,000	15	2.8	0.2

Note: numbers are rounded

LAHD has fully implemented its Clean Truck Program, which involved phasing out older trucks. In addition, the federal TWIC program helps identify and exclude truck drivers who lack the proper licensing and training. Phasing out older trucks and drivers who do not meet minimum training specifications would further reduce potential accidents, and therefore the frequency of injury and/or fatalities.

Train accidents could result in a release of hazardous materials in the form of containerized cargo. Because the number of trains would increase from 141 per year under baseline conditions to 1,059 per year at full operation (Table 2-1), the potential for train accidents would increase proportionately. However, intermodal trains in the Port area move slowly, and trains serving the Berths 121-131 Terminal encounter few at-grade road crossings outside the terminal before entering the fully grade-separated Alameda Corridor. The nearest grade crossing, at Knoll Drive/Henry S Gibson/I-110 ramps, is inside the terminal, is used almost exclusively by drayage trucks, terminal workers, and vendors, and is the tail track for the WBICTF used only to assemble and disassemble long trains. Accidents in such conditions generally involve minor derailments that do not cause loss of cargo. Furthermore, as described above, the proportion of containers that carry hazardous materials is very small, so that the likelihood of a derailment resulting in a release of hazardous materials would be very small. The infrequency of accidents involving releases of hazardous materials (4 accidents in 10 years in California; see Section 3.7.4.1) further indicates the low potential for such an incident. Accordingly, the likelihood and severity of a release of hazardous materials from train accidents in the Port area is low.

CEQA Impact Determination

Construction

Because of the small amounts of hazardous materials that would be used during construction and the controls in place to minimize the likelihood of accidents that could release hazardous materials, impacts involving the release of hazardous materials into the environment, impacts would be less than significant.

Operation

The Proposed Project would continue to operate as a container terminal, and operations would continue to be subject to federal, state, and local safety and transportation regulations, and as described above, the likelihood and severity of accidents involving hazardous materials during operations are small. Operation of the Proposed Project would not substantially increase exposure of the public to hazardous materials, including the risk of injury or death, and impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

Because of the small amounts of hazardous materials that would be used during construction and the controls in place to minimize the likelihood of accidents that could release hazardous materials, impacts involving the release of hazardous materials into the environment would be less than significant.

Operation

The Proposed Project would continue to operate as a container terminal, and operations would continue to be subject to federal, state, and local safety and transportation regulations, and as described above, the likelihood and severity of accidents involving hazardous materials during operations are small. Operation of the Proposed Project would not substantially increase exposure of the public to hazardous materials, including the risk of injury or death, and impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-3: Would the Proposed Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The schools nearest the Berths 121-131 Terminal are the Hawaiian Avenue STEAM Magnet school in Wilmington, a mile from the terminal, and the Taper Avenue and Barton Hill elementary schools in San Pedro, both approximately 0.6 mile from the terminal. No new schools are known to be proposed within one-quarter mile of the terminal.

CEQA Impact Determination

Because no schools exist or are proposed within one-quarter mile of the Proposed Project, no emissions of hazardous materials or hazardous materials handling would affect schools. Accordingly, impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Because no schools exist or are proposed within one-quarter mile of the Proposed Project, no emissions of hazardous materials or hazardous materials handling would affect schools and impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-4: Would the Proposed 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?

Construction

The project site is not on any list of hazardous materials sites, including the Cortese list. Soil contamination by petroleum products is known to have occurred at the nearby Kinder Morgan terminal (Berth 120), but that contamination was remediated in 2015. It is possible that historic releases at the site could have created contamination that could be encountered during construction. However, that possibility is unlikely given that construction would largely take place in paved areas previously developed during construction of the existing terminal and would not involve deep excavation. If contamination were encountered, the distance of the project site from the public and the controls and procedures described under RISK-2 and in Section 3.7.3 would minimize the potential for releases of, or exposure to, hazardous materials.

Operation

The project site is not on any list of hazardous materials sites, including the Cortese list. Because of the operational controls on the handling and transportation of hazardous materials described in Section 3.7.3 and RISK-2, operation of the Proposed Project, including the increase in throughput and activity, would not substantially increase the risk of releases of hazardous materials. Accordingly, the likelihood that the Berths 121-131 Terminal would become a listed site because of such releases, thereby creating a hazard to public or the environment, is small.

CEQA Impact Determination

Construction

As discussed above, the Berths 121-131 Terminal is not on a list of hazardous materials sites, and construction of the Proposed Project would likely not encounter substantial contamination that could create a significant hazard to the public or environment. Accordingly, impacts would be less than significant.

Operation

As discussed above, operation of the Proposed Project, including increased cargo throughput, would not increase the probability that the Berths 121-131 Terminal would become a listed site. Accordingly, impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

As discussed above, the Berths 121-131 Terminal is not on a list of hazardous materials sites, and construction of the Proposed Project would likely not encounter substantial contamination that could create a significant hazard to the public or environment. Accordingly, impacts would be less than significant.

Operation

As discussed above, operation of the Proposed Project, including increased cargo throughput, would not increase the probability that the Berths 121-131 Terminal would become a listed site. Accordingly, impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-5: Would the Proposed Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Construction

Emergency response and evacuation planning is a shared responsibility among LAPD, LAFD, Los Angeles Port Police, and USCG. In addition, as stated earlier in this section, the Berths 121-131 terminal has an Emergency Action Plan in place for its employees, to help prevent and respond to emergency situations when they arise. Construction of the Proposed Project would occur completely within the terminal's lease premises and would be expected to interfere with emergency responses or evacuation plans. As a standard procedure for activities occurring on Port property and within the Port area, the contractor would coordinate with the agencies responsible for the emergency response and evacuation planning (i.e., LAPD, LAFD, Port Police, and USCG). Construction activities would be subject to emergency response and evacuation systems implemented by LAFD.

LAFD requires that adequate vehicular access to project sites and their vicinity be provided and maintained during construction. Prior to commencement of construction activities, all plans would be reviewed by LAFD to ensure adequate access is maintained throughout construction. Traffic control equipment would be in place to direct local traffic around the work area. During Proposed project construction, emergency access would be maintained to all surrounding facilities. The Proposed Project would incorporate planning to ensure that possible interference with emergency response and evacuation plans does not occur.

Operation

The LAHD Emergency Operations and Organization Manual, the Tsunami Response Plan Annex, and the Hazardous Materials Annex provide general emergency response guidance to all City departments, including LAHD. In the event of an emergency, LAHD is responsible for following that guidance. In addition, LAPD, LAFD, and the Port

Police would provide adequate emergency response services during operation of the Proposed Project, as described in Section 3.7.2.2.

The Proposed Project's operations would not interfere with any existing contingency, emergency response, or evacuation systems plans because terminal operations would be identical in nature to baseline operations, which are consistent with those plans. Existing oil spill contingency and emergency response plans for the proposed project site would be revised as necessary to incorporate proposed facility changes. Because emergency management plans are commonly revised to incorporate terminal operation and regulatory changes, conflicts with existing plans are not anticipated. The Proposed Project would be required to comply with all existing regulations and plans (as may be revised) to address emergency response and evacuation.

CEQA Impact Determination

Construction

Project contractors would be required to adhere to all LAFD emergency response and evacuation regulations, ensuring compliance with existing emergency response plans. Therefore, construction activities would not substantially interfere with an existing emergency response or evacuation plan or increase the risk of injury or death, and impacts would be less than significant.

Operation

The Proposed Project would continue to operate as a container terminal, and operations would be subject to emergency response and evacuation systems implemented by LAHD and LAFD. Thus, operation of the Proposed Project would not interfere with any existing emergency response or emergency evacuation plans or increase the risk of injury or death, and impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

Project contractors would be required to adhere to all LAFD emergency response and evacuation regulations, ensuring compliance with existing emergency response plans. Therefore, construction activities would not substantially interfere with an existing emergency response or evacuation plan or increase the risk of injury or death, and impacts would be less than significant.

Operation

The Proposed Project would continue to operate as a container terminal, and operations would be subject to emergency response and evacuation systems implemented by LAHD and LAFD. Thus, Proposed project operations would not interfere with any existing emergency response or emergency evacuation plans or increase the risk of injury or death, and impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Alternative 1 – No Project

Under Alternative 1, none of the proposed construction activities would occur in water or in water-side or backland areas. The new wharf would not be built, no new cranes would be added, no dredging would occur and the WBCTF on-dock rail yard would not be expanded. Because there would be no construction under Alternative 1, there would be no construction-related impacts; accordingly, construction impacts are not considered in the following analysis. The No Project Alternative would not preclude future improvements to the Proposed project site. However, any future changes in use or new improvements with the potential to significantly impact the environment would be analyzed in a separate environmental document.

Impact RISK-1: Would Alternative 1 create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Because the nature of activities at the Proposed Project would be the same as under baseline conditions (marine container terminal), the Berths 121-131 Terminal would continue to be subject to the federal, state, and local safety and security regulations described in Section 3.7.3, which would limit the exposure of the public and the environment to hazardous materials. The limited quantities of hazardous materials used at the terminal would also minimize exposure.

It is reasonable to assume that the projected increase in terminal activity under Alternative 1 would proportionally increase the quantities of hazardous materials handled as cargo on ships, trains, trucks, and in the terminal. However, as described for the Proposed Project, packaging and transporting rules and regulations would limit the potential for the public or the environment to be exposed during routine handling and transport.

CEQA Impact Determination

Because Alternative 1 operations would not substantially increase the probable frequency and severity of consequences to people or property as a result of use or management of a hazardous or potentially explosive substance, impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The impacts of the No Project Alternative are not required to be analyzed under NEPA. NEPA requires the analysis of a No Federal Action Alternative (see Alternative 2).

Mitigation Measures

Mitigation measures are not applicable.

Residual Impacts

An impact determination is not applicable.

Impact RISK-2: Would Alternative 1 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?

As with the Proposed Project, terminal operations would continue to comply with safety regulations that govern the storage and handling of hazardous materials, which would limit the severity and frequency of potential releases of hazardous materials resulting in increased exposure of people to health hazards.

Because Alternative 1 would increase cargo throughput by nearly four times compared to the CEQA baseline, the potential for an accidental release or explosion of hazardous materials through accident involving terminal operations, trucks (Table 3.7-4) and train trips would also increase. Truck accidents associated with Alternative 1 are predicted to occur at a frequency of 18 accidents per year relative to the baseline and to result in increased injuries and fatalities. Based on the projected increase in TEUs and the probability of a spill at a container terminal of 3×10^{-7} per TEU, the frequency of project-related spills would increase by 0.30 spills per year (Table 3.7-5). Based on history, a slight possibility exists for injury, impacts to human health, or property damage to occur during one of these accidents. Compliance with applicable federal, state, and local laws and regulations governing the transport of hazardous materials and emergency response to hazardous material spills, as described above, would minimize the potential for adverse public health impacts. Implementation of the Clean Truck Program, which would lessen the potential for truck accidents, would occur under Alternative 1.

Table 3.7-4. Alternative 1: Projected Truck Accidents

Operations	Annual Truck Trips	Accidents (per year)	Injuries (per year)	Fatalities (per year)
CEQA Baseline (2019)	319,282	6	1.1	0.06
Alternative 1 (2062)	1,301,837	24	4.2	0.24
Increase over CEQA Baseline Conditions	982,555	18	3.2	0.18

Note: Numbers are rounded.

Table 3.7-5. Alternative 1: Projected Spill Frequencies

Operations	Throughput (TEUs)	Potential Spills (per year)
CEQA Baseline (2019)	353,924	0.11
No Project Alternative 1 (2062)	1,332,000	0.41
Increase over CEQA Baseline	978,076	0.30

Train accidents could result in a release of hazardous materials in the form of containerized cargo. Because the number of trains would increase from 141 per year under baseline conditions to 507 per year at full operation (Table 2-1), the potential for train accidents would increase slightly. As described for the Proposed Project, however, the slow operation of trains and relatively small amount of hazardous cargos on trains mean that the likelihood and severity of a release of hazardous materials from train accidents in the Port area is low.

CEQA Impact Determination

Alternative 1 would continue to operate as a container terminal, and operations would continue to be subject to federal, state, and local safety and transportation regulations, and as described above, the likelihood and severity of accidents involving hazardous materials during operations are small. Accordingly, operation of Alternative 1 would not substantially increase exposure of the public to hazardous materials, including the risk of injury or death, and impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The impacts of the No Project Alternative are not required to be analyzed under NEPA. NEPA requires the analysis of a No Federal Action Alternative (see Alternative 2).

Mitigation Measures

Mitigation measures are not applicable.

Residual Impacts

An impact determination is not applicable.

Impact RISK-3: Would Alternative 1 emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

As described for the Proposed Project, the Berths 121-131 site is not within one-quarter mile of any school.

CEQA Impact Determination

Because there are no schools within one-quarter mile of the site, impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The impacts of the No Project Alternative are not required to be analyzed under NEPA. NEPA requires the analysis of a No Federal Action Alternative (see Alternative 2).

Mitigation Measures

Mitigation measures are not applicable.

Residual Impacts

An impact determination is not applicable.

Impact RISK-4: Would Alternative 1 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?

As described for the Proposed Project, the Berths 121-131 Terminal is not on a hazardous materials site listed under Government Code Section 65962.5, and operation of Alternative 1 would not likely create a significant hazard to the public or the environment.

CEQA Impact Determination

Because Alternative 1 is not on the Cortese list and would not likely create a significant hazard to the public or the environment, impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The impacts of the No Project Alternative are not required to be analyzed under NEPA. NEPA requires the analysis of a No Federal Action Alternative (see Alternative 2).

Mitigation Measures

Mitigation measures are not applicable.

Residual Impacts

An impact determination is not applicable.

Impact RISK-5: Would Alternative 1 impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The LAHD Emergency Operations and Organization Manual, the Tsunami Response Plan Annex, and the Hazardous Materials Annex provide general emergency response guidance to all City departments, including LAHD. In the event of an emergency, LAHD is responsible for following that guidance. In addition, LAPD, LAFD, and the Port Police would provide adequate emergency response services during operation of Alternative 1, as described in Section 3.7.2.2.

Terminal operations would not interfere with any existing contingency, emergency response, or evacuation systems plans because terminal operations would be identical in nature to baseline operations, which are consistent with those plans. Existing oil spill contingency and emergency response plans for the Proposed project site would be revised as necessary to incorporate proposed facility changes. Because emergency management plans are commonly revised to incorporate terminal operation and regulatory changes, conflicts with existing plans are not anticipated. The Berths 121-131 Terminal under Alternative 1 would be required to comply with all existing regulations and plans (as may be revised) to address emergency response and evacuation.

CEQA Impact Determination

Alternative 1 would continue to operate as a container terminal, and operations would be subject to emergency response and evacuation systems implemented by LAHD and LAFD. Thus, terminal operations would not interfere with any existing emergency

response or emergency evacuation plans or increase the risk of injury or death, and impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The impacts of the No Project Alternative are not required to be analyzed under NEPA. NEPA requires the analysis of a No Federal Action Alternative (see Alternative 2).

Mitigation Measures

Mitigation measures are not applicable.

Residual Impacts

An impact determination is not applicable.

Alternative 2 – No Federal Action

Alternative 2 is a NEPA-required no-action alternative for purposes of this Draft EIS/EIR. Under this alternative, no wharf demolition, dredging, dredged material disposal, pile installation, or wharf construction would occur, but expansion of the WBICTF and installation of the RMG cranes would occur. Because the No Federal Action Alternative would include construction (expansion of the WBICTF railyard), this Draft EIS/EIR includes a CEQA analysis in order to evaluate impacts of that construction and the subsequent operation of the expanded WBICTF.

Impact RISK-1: Would Alternative 2 create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Construction

It is unlikely that construction activities would involve the use of substantial quantities of hazardous materials, and the most likely source of such materials would be vehicles at the site. Small amounts of hazardous materials could be used to support dredge operations, but those materials would be confined to the barge and support vessels. The most likely spills or releases of hazardous materials during construction would involve petroleum products, such as diesel fuel, gasoline, oils, and lubricants. Implementation of the measures and procedures described above would minimize the potential for an accidental release of petroleum products or hazardous materials and explosion during construction, and would ensure effective and efficacious clean-up and remediation of releases that did occur.

Although construction-related spills do occur, such spills are typically small and localized, since the volume in any given vehicle is generally less than 50 gallons, and fuel trucks that might be present at the site would be limited to 10,000 gallons or less. Thus, the potential consequences of such accidents to people and the environment are not substantial. Hazardous materials shipped, transported, handled, or otherwise stored would be in compliance with the RMP, USCG regulations, fire department requirements, and state and federal departments of transportation regulations (49 Part 176). Thus, the potential for the public or the environment to be exposed to hazardous materials in the course of the routine use and transport of such materials is insubstantial.

Operation

Because the nature of activities would be the same as under baseline conditions (marine container terminal), the Berths 121-131 Terminal would continue to be subject to the federal, state, and local safety and security regulations described in Section 3.7.3, which would limit the exposure of the public and the environment to hazardous materials. The limited quantities of hazardous materials used at the terminal would minimize exposure.

It is reasonable to assume that the projected increase in terminal activity under Alternative 2 would proportionally increase the quantities of hazardous materials handled as cargo on ships, trains, trucks, and in the terminal. However, hazardous materials transported as cargo is subject to strict packaging and transporting rules and regulations at the international, state, and federal levels (see Section 3.7.3) that substantially limit the potential for the public or the environment to be exposed during routine handling and transport.

CEQA Impact Determination

Because, as discussed above, construction and operation of Alternative 2 would not substantially increase the hazard of exposure of the public and the environment to hazardous materials, impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Because, as discussed above, construction and operation of Alternative 2 would not substantially increase the hazard of exposure of the public and the environment to hazardous materials, Alternative 2 would have no impact.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Impact RISK-2: Would Alternative 2 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?

Construction

As described for the Proposed Project, construction activities at the intermodal railyard, would be conducted using established and required BMPs. It is unlikely that construction activities would involve the use of substantial quantities of hazardous materials, and the most likely source of such materials would be vehicles at the site.

Operation

Because the nature of activities at the Proposed Project would be the same as under baseline conditions (a marine container terminal), the Berths 121-131 Terminal would continue to be subject to the federal, state, and local safety and security regulations described in Section 3.7.3, which would limit the severity and frequency of potential

releases of hazardous materials that could result in increased exposure of people to health hazards. The limited quantities of hazardous materials used at the terminal would not likely result in a substantial spillage into the environment. However, it is reasonable to assume that the projected increase in terminal activity under the Proposed Project would proportionally increase the quantities of hazardous materials handled as cargo.

As stated in Section 3.7.2.1, the probability of a spill at a container terminal has been conservatively estimated at 3×10^{-7} per TEU, or approximately one spill for every approximately 3 million TEUs. The spills associated with future operations would be based on the spill probability per TEU times the total number of TEUs under the Proposed Project.

At maximum capacity (2050 and thereafter), the Berths 121-131 Terminal's throughput under Alternative 2 would rise to approximately 1,332,000 TEUs per year. Based on the projected increase in TEUs and the probability of a spill at a container terminal of 3 x 10-7 per TEU, the frequency of project-related spills would increase by 0.30 spills per year under CEQA (see Table 3.7-5 as Alternative 1 and Alternative 2 have the same throughput increase and therefore, potential spills), and would be unchanged under NEPA. In-terminal spills from containers typically do not pose risks to the public because they are limited in size, distant from sensitive receptors such as residences, schools, and hospitals, and quickly contained and cleaned up. The infrequency of such accidents, and compliance with applicable federal, state, and local laws and regulations governing emergency response to hazardous material spills, as described above, would minimize the potential for adverse public health and safety impacts.

Table 3.7-6. Alternative 2: Projected Truck Accidents

Operations	Truck Trips (per year)	Accidents (per year)	Injuries (per year)	Fatalities (per year)
CEQA Baseline (2019)	319,282	6	1.0	0.06
Alternative 2 (2062)	1,182,265	22	3.7	0.22
Increase over CEQA Baseline Conditions	862,983	16	2.7	0.16

Because Alternative 2 would increase cargo throughput by nearly 3.7 times compared to the CEQA baseline, the potential for an accidental release or explosion of hazardous materials through accident involving operational trucks would likewise increase (Table 3.7-6). Truck accidents associated with Alternative 2 are predicted to occur at a frequency of 16 more accidents per year than under the baseline and to result in increased injuries and fatalities. Based on history, a slight possibility exists for injury, impacts to human health, or property damage to occur during one of these accidents. Compliance with applicable federal, state, and local laws and regulations governing the transport of hazardous materials and emergency response to hazardous material spills, as described above, would minimize the potential for adverse public health impacts. Implementation of the Clean Truck Program, which would lessen the potential for truck accidents, would occur under Alternative 1.

Train accidents could result in a release of hazardous materials in the form of containerized cargo. Because the number of trains would increase from 141 per year under baseline conditions to 768 per year at full operation (Table 2-1), the potential for train accidents would increase proportionately. As described for the Proposed Project,

however, the slow operation of trains and relatively small amount of hazardous cargos on trains mean that the likelihood and severity of a release of hazardous materials from train accidents in the Port area is low.

CEQA Impact Determination

Alternative 2 would continue to operate as a container terminal, and operations would continue to be subject to federal, state, and local safety and transportation regulations, and as described above, the likelihood and severity of accidents involving hazardous materials during operations are small. Accordingly, operation of Alternative 2 would not substantially increase exposure of the public to hazardous materials, including the risk of injury or death, and impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Because there would be no incremental difference between Alternative 2 and the NEPA baseline with respect to emergency response or evacuation plans, Alternative 2 would have no impact.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Impact RISK-3: Would Alternative 2 emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

As described for the Proposed Project, the Berths 121-131 Terminal is not within one-quarter mile of any school.

CEQA Impact Determination

Because there are no schools within one-quarter mile of the terminal, impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Because there would be no incremental difference between Alternative 2 and the NEPA baseline, Alternative 2 would have no impact.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Impact RISK-4: Would Alternative 2 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?

As described for the Proposed Project, the Berths 121-131 Terminal is not on a hazardous materials site listed under Government Code Section 65962.5. Accordingly, construction and operation of Alternative 2 would not likely create a significant hazard to the public or the environment.

CEQA Impact Determination

Because Alternative 1 is not on the Cortese list and would not likely create a significant hazard to the public or the environment, impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Because there would be no incremental difference between Alternative 2 and the NEPA baseline, Alternative 2 would result in no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Impact RISK-5: Would Alternative 2 impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The LAHD Emergency Operations and Organization Manual, the Tsunami Response Plan Annex, and the Hazardous Materials Annex provide general emergency response guidance to all City departments, including LAHD. In the event of an emergency, LAHD is responsible for following that guidance. In addition, LAPD, LAFD, and the Port Police would provide adequate emergency response services during operation of Alternative 2, as described in Section 3.7.2.2. The expanded railyard would not block or interfere with existing or proposed emergency access routes because it would have the same alignment and lead tracks as under baseline conditions.

Emergency response and evacuation planning is a shared responsibility among LAPD, LAFD, Los Angeles Port Police, and USCG. In addition, Berths 121-131 has an Emergency Action Plan in place for its employees, to help prevent and respond to emergency situations when they arise. Construction of the WBICTF expansion would occur completely within the Berths 121-131 Terminal's lease premises and is not expected to interfere with emergency responses or evacuation plans. As a standard procedure for activities occurring on Port property and within the Port area, the contractor

would coordinate with the agencies responsible for the emergency response and evacuation planning (i.e., LAPD, LAFD, Port Police, and USCG). Construction activities would be subject to emergency response and evacuation systems implemented by LAFD.

LAFD requires that adequate vehicular access to project sites and their vicinity be provided and maintained during construction. Prior to commencement of construction activities, all plans would be reviewed by LAFD to ensure adequate access is maintained throughout construction. Traffic control equipment would be in place to direct local traffic around the work area. During construction, emergency access would be maintained to all surrounding facilities. Construction would incorporate planning to ensure that possible interference with emergency response and evacuation plans would not occur.

Operation of Alternative 2, including the expanded railyard, would not interfere with any existing contingency, emergency response, or evacuation systems plans because terminal operations would be identical in nature to baseline operations, which are consistent with those plans. Existing oil spill contingency and emergency response plans for the Berths 121-131 site would be revised as necessary to incorporate proposed facility changes. Because emergency management plans are commonly revised to incorporate terminal operation and regulatory changes, conflicts with existing plans are not anticipated. The Berths 121-131 Terminal under Alternative 2 would be required to comply with all existing regulations and plans (as may be revised) to address emergency response and evacuation.

CEQA Impact Determination

Alternative 2 would continue to operate as a container terminal, and operations would be subject to emergency response and evacuation systems implemented by LAHD and LAFD. Thus, terminal operations would not interfere with any existing emergency response or emergency evacuation plans or increase the risk of injury or death, and impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Because there would be no incremental difference between Alternative 2 and the NEPA baseline, Alternative 2 would result in no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

3.7.2.12 Summary of Impact Determinations

Table 3.7-7 presents a summary of the CEQA and NEPA impact determinations of the Proposed Project and alternatives related to Hazards and Hazardous Materials, as described above. This table is meant to allow easy comparison between the potential impacts of the Proposed Project and alternatives with respect to this resource. Identified

potential impacts may be based on federal, state, or City significance criteria; LAHD criteria; and the scientific judgment of the report preparers.

For each impact threshold, the table describes the impact, notes the CEQA and NEPA impact determinations, describes any applicable mitigation measures, and notes the residual impacts (i.e., the impact remaining after mitigation). All impacts, whether significant or not, are included in this table.

Table 3.7-7: Summary Matrix of Potential Impacts and Mitigation Measures for Hazards and Hazardous Materials Associated with the Proposed Project and Alternatives

Alternative	Environmental Impacts	Impact Determination	Mitigation Measures	Impacts after Mitigation
Proposed Project	**RISK-1:** Would the Proposed Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant		NEPA: Less than significant
	RISK-2: Would the Proposed 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?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant		NEPA: Less than significant
	RISK-3: Would the Proposed Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant		NEPA: Less than significant
	RISK-4: Would the Proposed 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?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant		NEPA: Less than significant
	RISK-5: Would the Proposed Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant		NEPA: Less than significant

Table 3.7-7: Summary Matrix of Potential Impacts and Mitigation Measures for Hazards and Hazardous Materials Associated with the Proposed Project and Alternatives

Alternative	Environmental Impacts	Impact Determination	Mitigation Measures	Impacts after Mitigation
Alternative 1 – No Project	**RISK-1:** Would Alternative 1 create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Not Applicable	Mitigation not applicable.	NEPA: Not Applicable
	RISK-2: Would Alternative 1 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?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Not Applicable	Mitigation not applicable.	NEPA: Not Applicable
	RISK-3: Would Alternative 1 emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Not Applicable	Mitigation not applicable.	NEPA: Not Applicable
	RISK-4: Would Alternative 1 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?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Not applicable	Mitigation not applicable.	NEPA: Not applicable
	RISK-5: Would Alternative 1 impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Not applicable	Mitigation not applicable.	NEPA: Not applicable
Alternative 2 – No Federal Action	**RISK-1:** Would Alternative 2 create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: No impact		NEPA: No impact
	RISK-2: Would Alternative 2 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?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: No impact		NEPA: No impact
	RISK-3: Would Alternative 2 emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: No impact		NEPA: No impact

Table 3.7-7: Summary Matrix of Potential Impacts and Mitigation Measures for Hazards and Hazardous Materials Associated with the Proposed Project and Alternatives

Alternative	Environmental Impacts	Impact Determination	Mitigation Measures	Impacts after Mitigation
	RISK-4: Would Alternative 2 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?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: No impact		NEPA: No impact
	RISK-5: Would Alternative 2 impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: No impact		NEPA: No impact

Note: Except where specified, the impact determination is applicable for both construction and operation impacts.

3.7.2.13 Mitigation Monitoring

Neither the Proposed Project nor either of the alternatives would result in significant impacts related to Hazards and Hazardous Materials. Therefore, no mitigation measures or a monitoring program are required.

3.7.5 Significant Unavoidable Impacts

No significant unavoidable impacts or risks related to Hazards and Hazardous Materials would occur as a result of construction or operation of the Proposed Project or alternatives.