

3.6 Hazards and Hazardous Materials

3.6.1 Section Summary

This section analyzes whether hazards or hazardous materials that may affect human health or the environment exist within or adjacent to the site for the West Harbor Modification Project (Proposed Project). It also assesses whether the Proposed Project would expose individuals to these hazards or materials by being located on a hazardous-materials site or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The following discussion also discloses whether the activities proposed by the Proposed Project itself, during either the construction or operational phase, may have the potential to affect human health or the environment through the routine transport, use, or disposal of hazardous materials.

Section 3.6, *Hazards and Hazardous Materials*, includes the following:

- A description of the environmental setting for hazardous materials in the Proposed Project vicinity, including the results of a hazardous-materials database search;
- A description of regulations and policies regarding hazardous materials that are applicable to the Proposed Project;
- A discussion of the methodology used to determine whether a hazard to the public exists or could arise through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- An impact analysis of the Proposed Project; and
- A description of mitigation measures proposed to reduce significant impacts, as applicable.

Key points of Section 3.6, *Hazards and Hazardous Materials*, include the following:

- The Proposed Project would not, either during the construction or operational phase, create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and no mitigation measures are required; and
- The Proposed Project has the potential to create a significant hazard to the public or the environment by being located on a hazardous-materials site. This is due to the potential for Proposed Project implementation to expose construction personnel and the surrounding environment to hazardous waste in the form of contaminated soil. In addition, the *2009 San Pedro Waterfront (SPW) Project Environmental Impact Statement (EIS)/Environmental Impact Report (EIR)* (2009 SPW EIS/EIR) (Port 2009) concluded that abandonment and removal of the U.S. Navy fuel-surge pipeline could result in a hazardous material spill or release or an explosion. Implementation of 2009 SPW EIS/EIR mitigation measures (**MM-**) **-GW-1** and **MM-GW-2**, along with implementation of the *2016 Ports O'Call Soil Management Plan (SMP)* (Leighton Consulting, Inc., 2016), would reduce potential impacts to a less-than-significant level.

3.6.2 Introduction

A *hazardous material* is any substance that, because of its quantity, concentration, or physical or chemical properties, may pose a hazard to human health or the environment. Under California Code of Regulations (CCR) Title 22, the term *hazardous substance* refers to both hazardous materials and hazardous wastes. Both are classified according to four properties: (1) toxicity; (2) ignitability; (3) corrosivity; and (4) reactivity (CCR Title 22, Chapter 11, Article 3). A *hazardous material* is defined in CCR Title 22 as

[a] substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed (CCR Title 22, Section 66260.10).

Exposure to hazardous materials in various forms can result in death, serious injury, long-lasting health effects, or damage to buildings, homes, and other property. Hazards to human health and the environment can occur during the production, storage, transport, use, or disposal of hazardous materials.

This section describes the environmental and regulatory setting for hazards and hazardous materials. It also describes impacts related to hazards and hazardous materials that would result from implementation of the Proposed Project and provides mitigation for significant impacts, where feasible and appropriate.

3.6.3 Environmental Setting

The Proposed Project would modify 2.5 acres of the 6.4-acre Discovery Sea Amusement Area in the southern portion of the San Pedro Public Market (SPPM) Project Site, located between Los Angeles Harbor's Main Channel and Harbor Boulevard, from Berths 73-Z to 83. Improvements would also occur in the 20-acre overflow parking lot at 208 E. 22nd Street.

3.6.3.1 Hazardous Materials Database Results

An environmental database search of the Project Site was conducted in 2023 (with a focused supplemental search conducted in September 2024) using the State Water Resources Control Board (SWRCB) GeoTracker data-management system (SWRCB 2023a), Department of Toxic Substances Control's (DTSC) EnviroStor data-management system (DTSC 2023), and the California Department of Environmental Protection (Cal/EPA) Cortese List Data Resources (Cal/EPA 2023). The sites listed below were identified as being within the Proposed Project footprint.

Port of Los Angeles – Former Warehouse #12, 260 E. 22nd Street (within Proposed Improvement Areas at the 208 E. 22nd Street Parking Lot).

Former Warehouse #12 is listed as an SWRCB Cleanup Program Site with a status of Open – Assessment & Interim Remedial Action as of October 29, 2015. The site is bounded by Signal Street and the San Pedro Slip to the east, 22nd Street and the East Channel Slip to the south, and the former GATX annex site to the west. An on-site reinforced-concrete underground storage tank (UST),

historically used to store fuel for an onsite boiler-room operations, was abandoned in 1967. The UST was rediscovered in 1991, during demolition of Warehouse #12, and removed in 1993 under the purview of the Los Angeles Fire Department (LAFD). In December 1996, after subsequent soil and groundwater investigations were conducted, the Regional Water Quality Control Board (RWQCB) notified the Port of Los Angeles (Port) that no additional soil investigation would be necessary for the UST program and that the case would be transferred to the Site Cleanup Program, which requested an additional shallow-subsurface investigation focusing solely on volatile organic compounds (VOCs). No chlorinated VOC sources were found.

Subsequently, the Los Angeles Harbor Department (LAHD) and RWQCB identified other potential chemicals of concern, including VOCs, petroleum hydrocarbons, lead in soil, and petroleum hydrocarbons and VOCs in groundwater. In 2005, a Phase II supplemental investigation was conducted to further assess the extent of total petroleum hydrocarbons (TPHs) and total recoverable petroleum hydrocarbons (TRPH) in soil and groundwater within the former UST area (i.e., Warehouse #12).

In addition to the 2017 *Port of Los Angeles Former Warehouse #12, 260 East 22nd Street, San Pedro, California, Remedial Action Plan* (RAP) (Parsons 2017a), other investigations and studies have been prepared since 2005, including RAPs in 2007 and 2009, a summary report in 2011 (Parsons 2011), the *In-Situ Chemical Oxidation Pilot Study Evaluation Report* in 2013 (Parsons 2017), the *Data Gap Evaluation and Conceptual Site Model* in 2015 (Parsons 2015), and the final supplemental subsurface site assessment work plan and associated reports in 2016 and 2017 (Parsons 2017b). The 2015 *Data Gap Evaluation and Conceptual Site Model* concluded that data gaps existed on site, including the residual TPH soil impacts found at 0 to 8 feet below ground surface (bgs), but were limited to hot spots that could be excavated. Residual TPH 8 to 15 feet bgs was not fully delineated and exceeded the cleanup goals west, north, and south of the former USTs.

To address the data gaps, a supplemental subsurface site assessment was begun in 2016; it was finalized in 2017 (Parsons 2017b). Results of the supplemental subsurface site assessment indicated that TPH impacts exist in the vadose zone in portions of the site and that elevated TPH concentrations were identified in the capillary fringe zone. The supplemental subsurface site assessment report recommended limited excavation in affected areas. Subsequently, the Los Angeles RWQCB requested a new RAP, describing a proposed remedial excavation site. The 2017 RAP (Parsons 2017a) indicated that the most effective remedial alternative was removing affected shallow soils at affected locations. The 2017 RAP discussed remedial activities, permitting requirements, and the proposed schedule for implementing remedial actions. According to the 2017 RAP, the Project Site has been developed into a paved parking lot with landscaping. The former UST area is within an unpaved landscaped portion of the parking lot.

The 2023 *Site Conceptual Model Update and Data Gap Investigation Work Plan, Former Warehouse #12, San Pedro, California* (2023 Work Plan) (Parsons 2023) was prepared for the site to provide an overview of the source of and receptors for remaining contamination in the soil and groundwater on the site. Objectives of the 2023 Work Plan included updating the existing 2015 Site Conceptual Model (Parsons 2015) to reflect current site conditions and proposing additional investigations to fill data gaps in accordance with the Los Angeles RWQCB's *Low-Threat Closure Policy Guidelines* (Los Angeles RWQCB 2012). According to the 2023 Work Plan, to qualify for low-threat closure, one

remaining data gap pertaining to soil impacts would need to be addressed (i.e., sample onsite soil for methyl tert-butyl ether [MTBE]).

With respect to groundwater impacts, previous sampling suggests that remaining petroleum compounds in groundwater have been degrading without additional remedial action. Concentrations of TPH in groundwater meet the criteria for closure under the low-threat closure policy because the concentrations would not affect anticipated beneficial uses of the affected water, and reduction-oxidation data indicate that the compounds are attenuating naturally. The 2023 Work Plan also stated that VOCs originating from the GATX Annex site have migrated under the Warehouse #12 property and sorbed to soil, thereby continuing to affect water quality through matrix diffusion. According to the 2023 Work Plan, the VOCs originating from the GATX Annex site are not considered chemicals of concern for the Warehouse #12 site.

GATX Annex Terminal – San Pedro, 208 E. 22nd Street (within Proposed Improvement Areas at the 208 E. 22nd Street Parking Lot)

The site is listed as a DTSC State Response site with a status of Certified/Operation & Maintenance¹ as of May 28, 2002 (DTSC 2023). The site was used for the storage and transport of at least 60 different chemicals in aboveground tanks from 1968 to 1983. Chemicals received and handled at the site included solvents, plasticizers, coatings, adhesives, and paint additives. During the time of operation, historical hazardous-materials releases occurred. In 1972, the site sustained a fire that destroyed 17 aboveground storage tanks. As a result of the fire and onsite releases, significant soil and groundwater contamination impacts occurred. The site was decommissioned between 1983 and 1984. Site characterizations and remedial investigations indicated that soil and groundwater at the site had been affected.

A RAP (DTSC 2023) for *in situ* steam/hot-air stripping was approved in 1987 and implemented from 1989 to 1992. The RAP was modified in 1991 to include placement of a 1-foot-thick cover of clean soil over the remediated area, as well as a land-use covenant that excludes future residential use, public parks, hospitals, schools, or day-care centers. According to the AECOM *Annual Groundwater Monitoring Report* (2022), groundwater monitoring on site is ongoing, and contaminant concentrations (i.e., VOC and 1,4-dioxane) are generally decreasing or stable (AECOM 2022). The report's recommendations included moving the sampling intervals to every 5 years, based on the continuing decline in VOC concentrations. In DTSC's response letter, *Approval of Annual Groundwater Monitoring Report* (DTSC 2022) and *Conditional Approval of Groundwater Monitoring Well Decommissioning Work Plan* (DTSC 2023), DTSC had no objections to Kinder Morgan's request to reduce the frequency of monitoring from annually to every 5 years, with results presented in 5-year reviews, and abandon three wells in the network.

¹ Identifies sites that have certified cleanup in place but require ongoing operation and maintenance (O&M) activities. The certified O&M status designation means that all planned activities necessary to address the contamination problems have been implemented. However, some of these remedial activities (e.g., pumping and treating contaminated groundwater) must be continued for many years before complete cleanup will be achieved. Prior to the certified O&M designation, all institutional controls (e.g., land use restrictions) necessary to protect public health must be in place.

Unocal #0692 Marine Facility, Berth 78 (within the Proposed Project Footprint)

The site is listed as an SWRCB leaking underground storage tank (LUST) site with a status of Completed – Case Closed as of December 9, 2004. The site had a gasoline release in September 1989; gasoline was released to an aquifer used for drinking water. A letter confirming case closure, completion of a site investigation, and corrective action was issued by the California RWQCB, Los Angeles Region, in December 2004 (RWQCB 2004).

Former Unocal Station #0692, Berth 78 (within the Proposed Project footprint)

The site is associated with the site mentioned above and listed as an SWRCB LUST site with a status of Open – Remediation as of May 6, 2010. The site had a historical diesel release. After the Unocal #0692 marine facility received Completed – Case Closed status in December 2004 (as described above), a subsequent November 2006 sampling investigation (SWRCB 2023a), meant to further assess petroleum impacts from historical releases, showed diesel concentrations in soils to be as high as 100,000 milligrams per kilogram. Also, fuel-constituent concentrations in groundwater increased from relatively low concentrations, or nondetectable, to measurable. The case was reopened on May 6, 2010. Between February and July 2021, soil sampling investigations were conducted to delineate potential impacts on site (Arcadis 2021). The investigations resulted in the detection of TPH as gasoline, diesel, benzene, and tertiary butyl alcohol (TBA). In December 2021, the Los Angeles RWQCB approved a *Soil Assessment Work Plan Addendum* (Arcadis 2021) to delineate contamination beneath the property known as the SPPM. As of June 2023, the fieldwork for delineation has been completed, with the report and approval pending from the Los Angeles RWQCB. The Unocal #0692 marine facility was slated to begin remediation before December 2023, following demolition of the San Pedro Fish Market structures.

A focused September 2024 supplemental review of documents found in the SWRCB’s Geotracker site identified the Former Unocal Station #0692 site with an *Open - Eligible for Closure as of 8/14/2024* status. According to an April 2024 *Remedial Excavation Report and Request for Case Closure* report (Arcadis, 2024), the aforementioned delineation and associated report were approved by the Los Angeles RWQCB in August 2023. Therefore, soil excavation was performed on site between October 2023 and February 2024, with results presented in a subsequent 2024 *Phase II Soil Remediation Completion Report* (Pacific Edge Engineering, Inc., 2024). According to the soil remediation-completion report, site conditions met the criteria of the SWRCB’s Low-Threat Closure Policy (LTCP) and satisfied the case-closure requirements of California Health and Safety Code Section 25296.10. The *Remedial Excavation Report and Request for Case Closure* recommended environmental case closure and requested issuance of a No Further Action Required letter.

3.6.4 Regulatory Setting

3.6.4.1 Federal Regulations

Federal Toxic Substances Control Act/Resource Conservation and Recovery Act/Hazardous and Solid Waste Act

The federal Toxic Substances Control Act (1976) and the Resource Conservation and Recovery Act (RCRA) established a U.S. Environmental Protection Agency (EPA)–administered program to regulate the generation, transport, treatment, storage, and disposal of hazardous waste. The Hazardous and Solid Waste Act amended the RCRA in 1984, affirming and extending the cradle-to-grave system of regulating hazardous wastes.

Comprehensive Environmental Response, Compensation, and Liability Act/Superfund Amendments and Reauthorization Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as *Superfund*, was enacted by the U.S. Congress on December 11, 1980. This law (42 United States Code [U.S.C.] § 103) provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA established 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 can be identified. CERCLA also enabled revision of the National Contingency Plan. This plan (Title 40, Code of Federal Regulations [CFR], Part 300) provides the guidelines and procedures for responding to releases and threatened releases of hazardous substances, pollutants, and/or contaminants. The National Contingency Plan also established the National Priorities List. On October 17, 1986, the Superfund Amendments and Reauthorization Act amended CERCLA.

Occupational Safety and Health Administration

The mission of the federal Occupational Safety and Health Administration (OSHA) is to ensure the safety and health of U.S. workers by setting and enforcing standards, providing training, outreach, and education; establishing partnerships, and encouraging continual improvement in workplace safety and health. OSHA establishes and enforces protective standards and reaches out to employers and employees through technical assistance and consultation programs. OSHA standards are listed in 29 CFR 1910.

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

U.S. Department of Transportation hazardous-materials regulations cover all aspects of hazardous-materials packaging, handling, and transport. Some of the topics covered include Parts 107, *Hazardous Materials Program*, 130, *Oil Spill Prevention and Response*, 172, *Emergency Response*, 173, *Packaging Requirements*, 174, *Rail Transportation*, 176, *Vessel Transportation*, 177, *Highway Transportation*, 178, *Packaging Specifications*, and 180, *Packaging Maintenance*.

3.6.4.2 State Regulations

California Environmental Protection Agency

Cal/EPA was created in 1991. To ensure the coordinated deployment of state resources for the protection of human health and the environment, Cal/EPA unified California's environmental authority into a single cabinet-level agency, bringing the California Air Resources Board, SWRCB, RWQCB, California Department of Resources Recycling and Recovery (CalRecycle), DTSC, Office of Environmental Health Hazard Assessment (OEHHA), and Department of Pesticide Regulation under one umbrella. Cal/EPA's mission is to restore, protect, and enhance the environment and ensure public health, environmental quality, and economic vitality.

Department of Toxic Substances Control

DTSC, a department of Cal/EPA, is the primary agency in California for regulating hazardous waste, cleaning up existing contamination, and finding ways to reduce the amount of hazardous waste produced in California. DTSC regulates hazardous waste primarily under the authority of the federal RCRA and the California Health and Safety Code (primarily Division 20, Chapters 6.5–10.6, and Title 22, Division 4.5). Other laws that affect hazardous waste are specific to handling, storage, transport, disposal, treatment, reduction, cleanup, and emergency planning.

California Government Code Section U.S.C. 65962.5 (commonly referred to as the *Cortese List*) includes DTSC-listed hazardous waste facilities and sites, Department of Health Services lists of contaminated wells used for drinking water, SWRCB-listed sites with UST leaks or discharges of hazardous waste and materials into water or groundwater, and lists from local regulatory agencies of sites with known migrations of hazardous waste/materials.

Hazardous Waste Control Act

DTSC is responsible for enforcing the Hazardous Waste Control Act (California Health and Safety Code §§ 25100 *et seq.*), which created the framework under which hazardous wastes are managed in California. The law provides for the development of a state hazardous-waste program that administers and implements the provisions of the federal RCRA's cradle-to-grave waste-management system in California. It also provides for the designation of California-only hazardous waste and development of standards that are equal to or, in some cases, more stringent than federal standards.

Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program) (California Health and Safety Code, Chapter 6.11 §§ 25404–25404.9) provides authority to the Certified Unified Program Agency (CUPA). This program consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of hazardous-materials programs, including the HazMat Business Plan Program, California Accidental Release Prevention Program, UST Program, Aboveground Storage Tank Program, Hazardous Waste Generator Program, and Incident Response Program.

California Code of Regulations Title 8 – Industrial Relations

Occupational safety standards exist in federal and state laws to minimize worker safety risks from both physical and chemical hazards in the workplace. The California Division of Occupational Safety and Health (Cal/OSHA) and the federal OSHA are the agencies responsible for ensuring safety in the workplace. Cal/OSHA assumes primary responsibility for developing and enforcing standards for safe workplaces and work practices. These standards apply to construction activities.

California Labor Code (Division 5, Parts 1, 6, 7, and 7)

The California Labor Code is a collection of regulations, including workplace regulations, which call for appropriate training regarding the use and handling of hazardous materials, as well as the operation of equipment and machines that use, store, transport, or dispose of hazardous materials. Division 5, Part 1, Chapter 2.5, ensures that employees who are in charge of handling hazardous materials are appropriately trained and informed with respect to the materials they handle. Division 5, Part 7, ensures that employees who work with volatile flammable liquids are outfitted with appropriate safety gear and clothing.

State Water Resources Control Board Municipal Separate Storm Sewer System Permits

Municipal separate storm sewer system (MS4) permits require cities and counties to develop and implement programs and measures, including best management practices (BMPs), control techniques, system designs, engineering methods, and other measures, as appropriate, to reduce the discharge of pollutants into stormwater to the maximum extent possible. As part of permit compliance, MS4 permit holders have created stormwater-management plans for their respective locations. These plans, which outline the requirements for municipal operations, industrial and commercial businesses, construction sites, and planning and land development, may include multiple measures to control pollutants in stormwater discharges. During implementation of specific projects under the MS4 program, project applicants are required to follow the guidance contained in the stormwater-management plans.

Construction General Permit

SWRCB issued a statewide National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activity (Order No. 2022-0057-DWQ) (Construction General Permit), effective September 8, 2022. Construction projects that disturb 1 acre of land or more, or projects that disturb less than 1 acre, but are part of a larger common plan of development that disturbs more than 1 acre of land, require coverage under the Construction General Permit. To obtain coverage, the landowner, or other applicable entity, must file permit-registration documents, including a Notice of Intent (NOI), site drawings and maps, and a Stormwater Pollution Prevention Plan (SWPPP) prepared by a qualified SWPPP developer, prior to the commencement of construction activity. The appropriate permit fee is then mailed to SWRCB.

Construction activities subject to the Construction General Permit include clearing, grading, and disturbances to the ground, such as stockpiling or excavation, which result in soil disturbances of at least 1 acre of total land area. The SWPPP has two major objectives: (1) to help identify the sources

of sediment and other pollutants that affect the quality of stormwater discharges; and (2) to describe and ensure the implementation of BMPs that reduce or eliminate sediment and other pollutants in stormwater and nonstormwater discharges. BMPs are intended to reduce impacts to the maximum extent practicable, which is a standard that the U.S. Congress created to allow regulators the flexibility necessary for tailoring programs to the site-specific nature of municipal stormwater discharges. The SWPPP is required to be implemented and monitored regularly by a qualified SWPPP practitioner. Reducing impacts to the maximum extent practicable generally relies on BMPs that emphasize pollution prevention and source control, with additional structural controls as needed. The Construction General Permit requires specific minimum BMPs to be incorporated into the SWPPP, depending on a project's sediment risk to receiving waters, which is based on a project's erosion potential and the receiving water's sensitivity to sediment.

3.6.4.3 Local Regulations

Certified Unified Program Agency

The Los Angeles County Fire Department (LACFD) functions as the CUPA for Los Angeles County. The Unified Program consolidates the administrative, permitting, inspection, and enforcement activities of the following environmental and emergency-management programs:

- Aboveground Petroleum Storage Act Program;
- Area Plans for Hazardous Materials Emergencies;
- California Accidental Release Prevention Program;
- Hazardous Materials Business Plan Program;
- Hazardous Material Management Plan and Hazardous Material Inventory Statements (California Fire Code);
- Hazardous Waste Generator and On-site Hazardous Waste Treatment (Tiered-Permitting) Programs; and
- UST Program.

City of Los Angeles Planning and Zoning Code

The Los Angeles Municipal Code contains provisions regarding water quality–related requirements applicable to the Proposed Project. The provisions deal with runoff pollution and pollution control measures.

- **Section 64.70, *Stormwater and Urban Runoff Pollution Control*:** This article sets forth uniform requirements and prohibitions for discharges and places of discharge into the storm-drain system and receiving waters necessary to adequately enforce and administer all federal and state laws, legal standards, and orders that provide for the protection, enhancement, and restoration of water quality.
- **Section 64.72, *Stormwater Pollution Control Measures for Development Planning and Construction Activities*:** This section contains requirements for construction activities and facility

operations of development and redevelopment projects to comply with the land-development requirements of the MS4 permit by integrating low-impact development practices and standards for stormwater-pollution mitigation and maximizing open, green, and pervious space within all developments and redevelopments consistent with the City's landscape ordinance and other related requirements in the *Development Best Management Practices Handbook* (Los Angeles Stormwater, 2011).

3.6.5 Prior Mitigation Measures and Revisions Applicable to the Proposed Project

The 2009 SPW EIS/EIR concluded that pursuant to the exposure levels that Cal/EPA's OEHHA established, human health and safety impacts resulting from the Proposed Project would be significant. Several mitigation measures were included to reduce potential impacts to less-than-significant levels. The following are descriptions of **MM-GW-1**, **MM-GW-1a**, **MM-GW-1b**, **MM-GW-1c**, and **MM-GW-2**, as paraphrased from the *2016 Addendum to the San Pedro Waterfront Project Environmental Impact Statement/Environmental Impact Report for the San Pedro Public Market Project* (2016 SPPM Addendum) (ICF 2016).

MM-GW-1: Complete Site Remediation.

Unless otherwise authorized by the lead regulatory agency for a given site, LAHD will remediate contaminated soils, as necessary, within Proposed Project boundaries prior to or during demolition and grading activities. Remediation will occur in compliance with federal, state, and local regulations, as described in Section 3.6.4.3, *Impacts and Mitigation*, of the 2009 SPW EIS/EIR and as LACFD, DTSC, and/or RWQCB directs.

Soil remediation will be completed such that contamination levels will be below health-screening levels established by the California OEHHA and/or applicable action levels established by the lead regulatory agency with jurisdiction over the Project Site. Use of localized soil capping/paving, combined with agency-approved deed restrictions, may be an acceptable remediation measure in upland areas and/or for risk-based soil assessments, but would be subject to the discretion of the lead regulatory agency.

Existing groundwater contamination throughout the Proposed Project boundary will continue to be monitored and remediated, simultaneously and/or subsequent to site redevelopment, in accordance with direction that the RWQCB and/or DTSC provides.

Unless otherwise authorized by the lead regulatory agency for any given site, areas of soil contamination that will be remediated prior to or in conjunction with Proposed Project demolition, grading, and construction would include, but not be limited to, properties within and adjacent to the Project Site, as listed in Tables 3.6-3 and 3.6-4 of the 2009 SPW EIS/EIR.

MM-GW-1a: Remediate the Former GATX Site in Area E.

The GATX Annex terminal facility is subject to land-use restrictions imposed by the DTSC. Because of this, prior to implementing the previously listed mitigation measures, it will be necessary to negotiate with the DTSC conditions for remediation and construction at this

property. The current proposed use of the GATX Annex terminal facility is a park. Currently, DTSC land-use restrictions exclude this use. If LAHD intends to redevelop the area as a park, it will be necessary to modify the land-use restriction. If the land-use restriction is to be modified, it will very likely be necessary to follow DTSC's remedial investigation/feasibility study or remedial-action work plan process under an environmental consultative-oversight agreement. The work will very likely involve additional site characterizations, including preparation of a health-based risk assessment, removal of contaminated hot spots, and, possibly, an extensive public-comment process. If LAHD is planning the construction of buildings and structures on the site, then the requirement will be more extensive.

MM-GW-1b: Remediate Former Oil Wells in Area A.

Locate the well using geophysical or other methods. Contact the Division of Oil, Gas, and Geothermal Resources (DOGGR) to review abandonment records and inquire whether re-abandonment is necessary prior to any future construction related to the Proposed Project or its alternatives. Implement corrective measures as directed by DOGGR.

MM-GW-1c: Abandon and Remove Navy Fuel Surge Line.

Locate the well using geophysical or other methods. Contact DOGGR to review abandonment records and inquire whether re-abandonment is necessary prior to any future construction related to the Proposed Project or its alternatives. Implement corrective measures as directed by DOGGR. Abandonment and removal of the pipeline would include submittal of a work plan to the California State Fire Marshall and other applicable agencies, as appropriate. The portion of the fuel-surge line to be excavated will be drained of all fluids, cleaned, flushed, and then capped. Materials from the purged fuel-surge line will be characterized for disposal and disposed of at an appropriately certified hazardous-waste facility. Testing will occur prior to the abandonment of the line and prior to any excavation of the North Harbor. Should contamination be found, then appropriate remedial or removal action will occur prior to or concurrent with construction, under approval of the appropriate oversight agency.

MM-GW-2: Create a Contamination Contingency Plan.

LAHD will prepare a contamination contingency plan for nonspecific facilities. The Project Site has a long history of industrial activity; therefore, it is possible that future construction activity could encounter historical soil or groundwater contamination that had not been previously reported to regulatory agencies. The contingency plan outlined below will be implemented to address previously unknown contamination during demolition, grading, and construction.

1. All trench excavation and fill operations will be observed for the presence of chemicals of potential concern and petroleum products. Soils that are suspected to be affected with these chemicals and/or products will be segregated from clean soil. Indications of contaminated/affected soil may include, but are not limited to, discolored soil, petroleum or organic odors, and/or visible sheen. In the event that unexpected suspected chemically affected material (i.e., soil or water) is encountered during construction, the contractor will notify LAHD's Chief Harbor Engineer, Director of Environmental Management, and Risk Management's Industrial Hygienist. LAHD will confirm the presence of the suspected material, direct the

- contractor to remove, stockpile, or contain the material, and characterize the suspected material identified within the boundaries of the construction area. Continued work at a contaminated site will require the approval of the Chief Harbor Engineer.
2. As warranted, appropriate air-monitoring equipment (e.g., photoionization detector, combustible gas indicator, organic vapor analyzer) will be present during grading and/or excavation activities in soils that are suspected to be affected with chemicals of concern and/or petroleum products.
 3. Excavation of VOC-affected soil will require obtaining and complying with a South Coast Air Quality Management District Rule 1166 permit.
 4. The remedial option(s) selected will be dependent on a number of criteria (e.g., types of chemical constituents, concentration of the chemicals, health and safety issues, time constraints, cost) and determined on a site-specific basis. Both offsite and onsite remedial options will be evaluated.
 5. The extent of removal actions will be determined on a site-specific basis. At a minimum, the chemically affected area(s) within the boundaries of the construction area will be remediated to the satisfaction of the Project Site's lead regulatory agency. The LAHD Project Manager overseeing removal actions will inform the contractor when the removal action is complete.
 6. Copies of hazardous-waste manifests or other documents indicating the amount, nature, and disposition of such materials will be submitted to the Chief Harbor Engineer within 30 days of Proposed Project completion.
 7. In the event that suspected contaminated soil is encountered, all onsite personnel handling the suspected contaminated material will be trained in accordance with the federal Hazardous Waste Operations and Emergency Response (HAZWOPER) standard. This training provides precautions and protective measures for workers remediating contaminated sites. Workers not certified with HAZWOPER training will not be allowed to resume work in suspected contaminated areas until appropriate site characterization confirms that contaminated soil, groundwater, and soil vapor are not present.
 8. As warranted, real-time perimeter and ambient air-monitoring stations will be established during all grading, excavation, trenching, and/or soil-handling activities associated with contaminated soil.
 9. All excavations will be filled with structurally suitable fill material that is free from contamination.

2016 Ports O'Call Soil Management Plan

All work at the Amphitheater site will comply with the 2016 Ports O'Call SMP, where applicable, for any unforeseen contamination on the site. The 2016 SMP is designed to protect human health and the environment. It includes protocols, measures, and techniques for the proper handling, management, and disposition of affected soils found on site and in any areas of offsite work during site preparation and grading activities. The 2016 SMP is also designed to protect workers and offsite receptors during site activities and ensure the proper characterization, management, and/or disposal of contaminated environmental media that is above applicable environmental-screening levels. Leighton Consulting,

Inc., prepared the 2016 SMP, which was stamped by an appropriately licensed professional. The 2016 SMP will be implemented throughout all ground-disturbing work.

3.6.6 Methodology

The baseline for hazards and hazardous materials includes the SPW Project, as defined in the certified 2009 SPW EIS/EIR, and the SPPM Project updates included in the 2016 SPPM Addendum. Within the context of the baseline, this section provides a qualitative discussion of the potential impacts on hazards and hazardous materials that could result from the Proposed Project.

The analysis that follows employed the most-recent available data, using SWRCB's GeoTracker data management system, DTSC's EnviroStor data management system, and Cal/EPA's Cortese List Data Resources to represent current Project Site conditions with respect to hazardous materials. This section provides a qualitative discussion of the potential risks involving hazards and hazardous materials resulting from the Proposed Project.

The IS/Environmental Checklist (Appendix A of this Subsequent Environmental Impact Report [SEIR]) determined that the Proposed Project would have no significant impacts related to hazards and hazardous materials. However, historical hazardous-materials sites/listings are found within portions of the Proposed Project footprint and therefore will be analyzed further in this SEIR. The California Environmental Quality Act (CEQA) Appendix G hazards and hazardous materials topics not discussed in this section include hazardous-material emissions near a school (the closest school is 15th Street Elementary School, approximately 0.45 mile west of the Project Site), safety hazards or excessive noise as a result of being located near an airport (the closest airport is Long Beach Airport, approximately 8.5 miles northeast of the Project Site), interference with an adopted emergency-response plan or emergency-evacuation plan (the Proposed Project would adhere to Homeland Security, Port Police, LAFD/LACFD, and other applicable federal, state, and local emergency-response and -evacuation regulations), and potential risks involving wildfires (no wildlands exist near the Project Site, and the site is not in a California Department of Forestry and Fire Protection Very High Fire Hazard Severity Zone). The analysis under **Impact HAZ-2** discusses the potential of the Proposed Project being located on a site that is included on a list of hazardous-materials sites compiled pursuant to Government Code Section 65962.5.

3.6.7 Thresholds of Significance

Based on CEQA Guidelines, Appendix G (Environmental Checklist), the Proposed Project would have a significant impact related to hazards and hazardous materials if it would result in the following:

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

HAZ-2: Create a significant hazard to the public or the environment by being located on a hazardous-materials site and through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Impact HAZ-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?

Summary of 2009 San Pedro Waterfront Project Environmental Impact Statement/Environmental Impact Report Findings

The 2009 SPW EIS/EIR determined that construction and demolition activities for the SPW Project would not involve the handling of significant amounts of hazardous materials. The 2009 SPW EIS/EIR concluded that implementation of construction and demolition standards, including BMPs, and compliance with the federal and state requirements for the transport, handling, and storage of any hazardous materials during construction and demolition phases, would minimize the potential for an accidental release of petroleum products and/or hazardous materials and/or accidental explosion during construction and demolition activities.

Summary of 2016 Addendum to the San Pedro Waterfront Project Environmental Impact Report for the San Pedro Public Market Project Findings

The 2016 SPPM Addendum determined that the SPPM Project would not result in new significant impacts, substantially increase the severity of a previously analyzed impact, nor require new mitigation measures that were not already addressed in the 2009 SPW EIS/EIR. The 2016 SPPM Addendum concluded that hazards and hazardous-materials impacts resulting from the Proposed Project would be less than significant, and there would be no substantial change from the findings in the 2009 SPW EIS/EIR.

Impacts of the Proposed Project

Construction

Proposed Project construction would involve the routine transport, use, and disposal of hazardous materials (e.g., solvents, paints, oils, grease, fuel). Although these hazardous materials would be transported, used, and disposed of during construction, they are typically used in construction projects and would not represent the transport, use, and disposal of acutely hazardous materials. Moreover, these hazardous materials are generally used in small amounts, and any potential construction-related hazardous releases or emissions would be from such commonly used materials as those previously mentioned and would not include substances listed in 40 CFR 355 Appendix A, *Extremely Hazardous Substances and Their Threshold Planning Quantities*. Releases involving hazardous materials common to construction would be small and localized, and spills that may occur would be contained and cleaned according to the material's Safety Data Sheet (SDS) in the appropriate manner. A hazardous-material SDS would include accidental-release cleanup measures, such as appropriate techniques for neutralizing, decontaminating, and cleaning or vacuuming, along with information regarding adsorbent materials. In addition, projects requiring more than 1 acre of soil disturbance would be required to obtain NPDES coverage under the Construction General Permit (SWRCB 2023b). The Construction General Permit would require development and implementation of an

SWPPP that includes BMPs to regulate and prevent contamination of stormwater runoff.

Construction BMPs can include, but are not limited to, the following:

- Maintenance activities, maintenance schedules, and long-term inspection procedures;
- Controls for reducing or eliminating the discharge of pollutants; and
- Procedures for the proper disposal of waste.

The transport, use, and disposal of hazardous materials during construction activities would be conducted according to all applicable regulations and requirements; thus, construction would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Operations

The Proposed Project would consist of an outdoor Amphitheater, Amusement Attractions, a 175-foot-diameter Ferris wheel, and overflow parking. Commercial and recreational uses associated with the Proposed Project would use hazardous chemicals that are typical in these types of settings and could include common materials such as toners, paints, restroom cleaners, and other maintenance materials. Therefore, the likelihood of any spill involving the transport, use, or disposal of these materials would be minimal, and the amount would be small and localized. Spills that may occur would be contained and cleaned up as they occur. In some cases, maintenance could involve the use of pesticides and/or herbicides. However, these materials would also be used in small amounts, intermittently, and with proper care, as dictated by their accompanying SDS(s). Thus, Proposed Project operations are not expected to create a significant hazard to the public or the environment related to the routine transport, use, or disposal of hazardous materials. This impact would not be new and would be consistent with the 2009 SPW EIS/EIR and the 2016 SPPM Addendum.

Previous Mitigation Measures Applicable to the Proposed Project

No previous mitigation measures are applicable to the Proposed Project.

New Mitigation Measures Applicable to the Proposed Project

No new mitigation measures are applicable to the Proposed Project. Impacts would be less than significant, and no new mitigation measures would be required.

Significance after Mitigation

The Proposed Project, including the 208 E. 22nd Street Parking Lot, would not lead to a new significant environmental impact nor a substantial increase in the severity of previously identified significant impacts. The 2009 SPW EIS/EIR finding of a less-than-significant impact remains valid for this Proposed Project.

Impact HAZ-2. Would the Proposed Project be located on a site that is included on a list of hazardous-materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?

Summary of 2009 San Pedro Waterfront Project Environmental Impact Statement/Environmental Impact Report Findings

Historical Releases

The 2009 SPW EIS/EIR determined that affected soil and groundwater exist in limited areas of the SPW Project site because of releases associated with historic onsite industrial land uses. As such, the 2009 SPW EIS/EIR concluded that onsite disturbance, including grading and excavation activities, could expose construction personnel, existing personnel, and future site occupants to affected soil. In addition, grading conducted in the proposed park and open space areas as part of the SPW Project could also expose construction personnel and future recreational users to affected soil. It was concluded that human health and safety impacts would be significant, pursuant to exposure levels established by Cal/EPA's OEHHA. Several mitigation measures were included to reduce potential impacts to less-than-significant levels. As detailed in Section 3.6.5, *Prior Mitigation Measures and Revisions Applicable to the Proposed Project*, above, the measures included the following:

- **MM-GW-1:** *Complete Site Remediation;*
- **MM-GW-1a :** *Remediate the Former GATX Site in Area E;*²
- **MM-GW-1b:** *Remediate Former Oil Wells in Area A;*³
- **MM-GW-1c:** *Abandon and Remove Navy Fuel Surge Line;* and
- **MM-GW-2:** *Create a Contamination Contingency Plan.*

Decommissioning

The 2009 SPW EIS/EIR determined that decommissioning of the Westway Terminal and the Southern Pacific Railyard would require adherence to the Emergency Planning and Community Right-to-Know Act, LAFD/LACFD regulations, and other federal and state regulations and guidelines governing the decommissioning and remediation of hazardous materials. In addition, decommissioning activities would include remediation efforts due to onsite historical releases (as described above). Specifically, the 2009 SPW EIS/EIR concluded that abandonment and removal of the U.S. Navy fuel surge pipeline could result in a hazardous-material spill, release, or explosion. Implementation of **MM-GW-1c** during decommissioning activities would reduce impacts to less-than-significant levels.

² According to the 2009 SPW EIS/EIR, Area E is bounded to the north by Area D, to the east by the Main Channel, to the south by Los Angeles Harbor, and to the west by the community of San Pedro.

³ According to the 2009 SPW EIS/EIR, Area A is bounded to the north by the Vincent Thomas Bridge, to the east by the Main 6 Channel, to the south by Area B, and to the west by North Palos Verdes Street and 7 South Harbor Boulevard.

Summary of 2016 Addendum to the San Pedro Waterfront Project Environmental Impact Report for the San Pedro Public Market Project Findings

The 2016 SPPM Addendum determined that the SPPM Project would be consistent with the analysis contained in the 2009 SPW EIS/EIR. The SPPM Project would occur mostly within the same footprint analyzed in the 2009 SPW EIS/EIR, which concluded that construction activities could encounter previously undocumented historical soil or groundwater contamination. Specific to the SPPM Project, and as part of implementation of **MM-GW-1** (taken from the 2009 SPW EIS/EIR), recommendations presented in a site-specific 2013 Phase II Environmental Site Assessment (ESA) were required prior to development of the site, as follows:

- Soil would be removed or additional characterization at the location of the black-stained soil would be provided;
- Soils disturbed by grading or excavation would be properly managed in accordance with their waste characteristics, as determined by additional laboratory confirmation testing during excavation and grading; and
- Potential vapor intrusion would be evaluated once development plans are finalized.

In addition, recommendations included in a 2016 Ports O'Call SMP would be required to be implemented prior to site development. The SMP provided protocols for addressing potential groundwater and soil impacts related to hazardous materials and included the following:

- Protocols for managing known contaminated soils and previously undocumented contamination during redevelopment of the Ports O'Call area;
- Identification of proper handling and management practices to minimize waste creation and protocols for disposing of waste generated during construction activities;
- Prevention of exposure to hazardous conditions and materials for onsite workers and the public; and
- Protection of the environment through efficient resource allocation and recycling.

In addition, a Human Health Risk Assessment (HHRA) prepared in 2014 (ERM 2014) was to be re-evaluated once the final Proposed Project design was approved. Any recommendations resulting from the re-evaluation would be identified in a revised HHRA and implemented either prior to or concurrent with development of the Proposed Project.

The 2016 SPPM Addendum noted that the aforementioned measures did not represent a substantial change in what was previously evaluated in the 2009 SPW EIS/EIR. **MM-GW-1** and **MM-GW-2** (refer to Section 3.6.5, *Prior Mitigation Measures and Revisions Applicable to the Proposed Project*, above) would address conditions discovered as part of the SPPM Project. Thus, it was determined that the Proposed Project would not result in new significant impacts, substantially increase the severity of a previously analyzed impact, nor require new mitigation measures that have not already been addressed in the 2009 SPW EIS/EIR. Therefore, no substantial change from the findings in the 2009 SPW EIS/EIR was noted.

Impacts of the Proposed Project

Construction

Hazardous Material Sites

As discussed under Section 3.6.3, *Environmental Setting*, and under the two summaries for the 2009 SPW EIS/EIR and 2016 SPPM Addendum, the Proposed Project area has a history of contamination and has undergone a series of environmental investigations. An environmental-database search was conducted in 2023 using SWRCB's GeoTracker data-management system, DTSC's EnviroStor data-management system, and Cal/EPA's Cortese List Data Resources. The following listings remain active and have some potential to affect implementation of the Proposed Project.

Port of Los Angeles – Former Warehouse #12, 260 E. 22nd Street

As mentioned, the 2023 *Site Conceptual Model Update and Data Gap Investigation Work Plan* (Parsons 2023) was prepared as an update to the existing Site Conceptual Model to reflect current site conditions and propose additional investigations. A remaining data gap for low-threat closure is associated with sampling of onsite soil for MTBE. Concentrations of TPH in groundwater meet the criteria for closure because they would not affect the anticipated beneficial use of affected water, and reduction-oxidation data indicate that compounds are attenuating naturally.

Soil disturbance as part of the Proposed Project implementation could expose construction personnel and the surrounding environment to hazardous waste in the form of contaminated soil.

Implementation of **MM-HAZ-1**, which would require the development of a SMP, would reduce potential impacts to less than significant.

GATX Annex Terminal – San Pedro, 208 East 22nd Street

Historical site characterizations and remedial investigations indicate that soil and groundwater at this site have been affected. A 1987 RAP called for a 1-foot-thick cover of clean soil over the site's remediated area and a land-use covenant to exclude future residential use. According to the May 2000 First Amendment to Agreement 1784 between the LAHD and DTSC, LAHD is responsible for and has successfully conducted maintenance at the soil cover, ensured site security, conducted voluntary monthly and required semiannual site inspections, and prepared annual sit- inspection reports.

According to a 2022 *Annual Groundwater Monitoring Report* (DTSC 2022), groundwater monitoring on site is ongoing, and contaminant concentrations (i.e., VOC and 1,4-dioxane) are decreasing or stable. Soil disturbance as part of Proposed Project implementation could expose construction personnel and the surrounding environment to hazardous waste in the form of affected soil.

Implementation of **MM-HAZ-1** would reduce potential impacts to less than significant.

Former Unocal Station #0692, Berth 78

A soil sampling investigation was conducted in 2021 (SWRCB 2023a) to delineate potential impacts on site. The investigations resulted in the detection of TPH as gasoline, diesel, benzene, and TBA. In December 2021, the Los Angeles RWQCB approved additional soil delineation at the property known as the San Pedro Fish Market. The soil delineation was completed in June 2023 (SWRCB 2023a). Remediation was scheduled to begin before December 2023 and be completed prior to

Proposed Project implementation. Remediation of onsite soil and potential groundwater impacts would reduce potential impacts on construction personnel or the surrounding environment to less-than-significant levels.

Previous Mitigation Measures Applicable to the Proposed Project

No previous mitigation measures are applicable to the Proposed Project.

New Mitigation Measures Applicable to the Proposed Project

MM-HAZ-1: Develop a Soil Management Plan (SMP) for the 208 E. 22nd Street Parking Lot Site. The Proposed Project sponsor will retain the services of a qualified environmental-engineering firm to prepare and implement an SMP during site preparation and grading activities. The SMP will be designed to protect human health and the environment. It will include protocols, measures, and techniques for the proper handling, management, and disposition of affected soils found on site and in any areas of offsite work during site preparation and grading activities. The SMP will also be designed to protect workers and offsite receptors during site activities and ensure the proper characterization, management, and/or disposal of contaminated environmental media that is above applicable environmental-screening levels. A commercial environmental-engineering firm with demonstrated expertise and experience in the preparation of SMPs will prepare the SMP, which will be stamped by an appropriately licensed professional. The SMP will be implemented throughout all ground-disturbing work and would apply to the Proposed Project.

Significance after Mitigation

The Proposed Project, including the 208 E. 22nd Street Parking Lot, would not lead to a new, significant impact or a substantial increase in the severity of previously identified impacts. Implementation of **MM-HAZ-1** would ensure that potential impacts would be reduced to a less-than-significant level.

3.6.8 Alternatives Impact Determination

3.6.8.1 Alternative 1 – No Project Alternative, and Alternative 2 – Half-Capacity Amphitheater Alternative

Alternative 1 is defined as a No Project Alternative. Under Alternative 1, conditions are assumed to be consistent with the previously approved projects in both the 2009 SPW EIS/EIR and 2016 SPPM Addendum. Under Alternative 1, the Proposed Project would not be implemented; thus, no new impacts related to hazards and hazardous materials would occur.

Alternative 2 includes an Amphitheater similar to the one that would be developed as part of the Proposed Project, but with an anticipated maximum capacity of 3,100. Construction and operational activities would remain similar to those of the Proposed Project, but with fewer attendees.

Demolition, construction, and operational activities for the alternatives would not involve the handling of a significant amount of hazardous materials. Implementation of construction and operational standards, including BMPs, and compliance with federal and state requirements for the

transport, handling, and storage of any hazardous materials during construction and demolition phases would minimize the potential for an accidental release of petroleum products and/or hazardous materials and/or an accidental explosion. However, because the Project Site is located at the Port, which has a history of industrial activity, **MM-HAZ-1** would be implemented to ensure that construction and operational impacts would be less than significant with mitigation incorporated. The impact conclusions would be similar for the Proposed Project and its alternatives.

3.6.9 Impact Summary

Table 3.6-1 summarizes the Proposed Project’s impacts with respect to hazards. As presented in Table 3.6-1, no new significant or substantially more-severe impacts than those previously analyzed would occur. For each type of potential impact, the table describes the impact, notes the 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 Table 3.6-1.

Table 3.6-1. Summary Matrix of Potential Impacts and Mitigation Measures for Hazards Associated with the Proposed Project

Environmental Impacts	Impact Determination	MM(s)	Impact After Mitigation
<i>Proposed Project</i>			
Impact HAZ-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?	The 2009 SPW EIS/EIR findings of “less-than-significant impacts” remains valid for the Proposed Project.	None required.	Less than significant. No new or substantially more severe significant impacts would occur.
Impact HAZ-2: Would the Proposed Project create a significant hazard to the public or the environment by being located on a hazardous-materials site and through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	The 2009 SPW EIS/EIR findings of “significant” remains valid for the Proposed Project.	MM-HAZ-1	Less than significant with mitigation. No new or substantially more severe significant impacts would occur.
<i>Alternative 1 – No Project Alternative</i>			
Impact HAZ-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?	The 2009 SPW EIS/EIR findings of “less-than-significant impacts” remains valid for Alternative 1.	None required.	Less than significant. No new or substantially more severe significant impacts would occur.
Impact HAZ-2: Would the Proposed Project create a significant hazard to the public or the environment by being located on a hazardous-materials site and through	The 2009 SPW EIS/EIR findings of “significant impacts” remains	None required.	Significant. No new or substantially more severe significant impacts would occur.

Environmental Impacts	Impact Determination	MM(s)	Impact After Mitigation
reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	valid for Alternative 1.		
Alternative 2 – Half-Capacity Amphitheater Alternative			
Impact HAZ-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?	The 2009 SPW EIS/EIR findings of “less-than-significant impacts” remains valid for Alternative 2.	None required.	Less than significant. No new or substantially more severe significant impacts would occur.
Impact HAZ-2: Would the Proposed Project create a significant hazard to the public or the environment by being located on a hazardous-materials site and through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment	The 2009 SPW EIS/EIR findings of “significant impacts” remains valid for Alternative 2.	MM-HAZ-1	Less than significant with mitigation. No new or substantially more severe significant impacts would occur.

EIR = Environmental Impact Report; EIS = Environmental Impact Statement; MM = mitigation measure; SPPM = San Pedro Public Market; SPW = San Pedro Waterfront

3.6.10 Mitigation Monitoring Program

The mitigation monitoring program outlined in Table 3.6-2 is applicable to the Proposed Project.

Table 3.6-2. Mitigation Monitoring Program

MM-HAZ-1: Develop a Soil Management Plan (SMP) for the 208 E. 22nd Street Parking Lot Site. The Proposed Project sponsor will retain the services of a qualified environmental-engineering firm to prepare and implement an SMP during site preparation and grading activities. The SMP will be designed to protect human health and the environment and include protocols, measures, and techniques for the proper handling, management, and disposition of affected soils found on site and in any areas of offsite work during site preparation and grading activities. The SMP will also be designed to protect workers and offsite receptors during site activities and ensure the proper characterization, management, and/or disposal of contaminated environmental media that is above applicable environmental-screening levels. A commercial environmental-engineering firm with demonstrated expertise and experience in the preparation of SMPs will prepare the SMP, which will be stamped by an appropriately licensed professional. The SMP will be implemented throughout all ground-disturbing work.	
Timing	Prior to issuance of a grading permit and start of construction activities
Methodology	The plan would protect human health and the environment by including protocols, measures, and techniques for the proper handling, management, and disposition of contaminated soils that result from Proposed Project implementation. The plan would protect workers and offsite receptors during site activities and ensure the proper characterization, management, and/or disposal of contaminated media.

SMP = Soil Management Plan

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