

Chapter 2

Project Description

2.1 Introduction

This section of the Draft Subsequent Environmental Impact Report (Draft SEIR) provides background information related to existing operations at the SA Recycling Project site as well as information required of a Project Description pursuant to CEQA Guidelines Section 15124. This section also provides a discussion of the existing environmental setting (or CEQA baseline) that forms the basis of the environmental analysis in Chapter 3, Environmental Analysis.

2.2 Background and Project Overview

2.2.1 BACKGROUND

The Proposed Project site consists of approximately 26.7 acres of waterfront and backland property at Berths 210 and 211 on Terminal Island at Port of Los Angeles (POLA or Port). (See Figure 2-1, Regional Location.) Prior to 1962, the Proposed Project site was used for constructing and dismantling ships. In 1962, Hugo Neu-Proler Company began operating a scrap-metal recycling site. In 1996, POLA approved Permit No. 750 with the Hugo Neu-Proler Company along with the Certified Environmental Impact Report (EIR). Sims Group Ltd acquired substantially all of the recycling operations of Hugo Neu-Proler on October 31, 2005. In December 2005, the new company applied for a subsidiary name change to Sims Hugo Neu West. On September 1, 2007, the Sims Group and Adams Steel formed a joint venture creating SA Recycling LLC (Applicant). SA Recycling has continued operating a scrap metal recycling site at the Proposed Project site under Permit No. 750. On August 7, 2010, POLA approved an assignment of Permit No. 750 from Sims Hugo Neu West to SA Recycling LLC (Order 69250).

2.2.2 PREVIOUS ENVIRONMENTAL DOCUMENTATION

Hugo Neu-Proler Lease Renewal Project EIR, 1996

In 1996, Los Angeles Harbor Department (LAHD) certified an EIR for the Hugo Neu-Proler Lease Renewal Project (SCH No. 93071074) (1996 Certified EIR). The primary objective of the 1996 Certified EIR was a permit renewal extending operations through 2024. In addition to the renewal of the permit and continuation of the then existing current operations, the project objectives included remediation of soil and groundwater contamination at the Project site, as well as new, upgraded or replacement of on-site facilities and equipment. The project approved in the 1996 Certified EIR contemplated a maximum operation of up to 1.3 million gross tons of throughput and included the following components:

New facilities and equipment:

1. Rail trackage and associated structures to allow reintroduction of rail service to the site.
2. Landscaped, 4,000-square-foot, single-story office building and parking area at the south end of the site.
3. Fully covered the scrap processing, handling, and storage area with asphalt or concrete.
4. Additional lighting in storage, loading, and parking areas.
5. Stormwater runoff control and treatment system.
6. Noise barriers at strategic locations, as required.
7. Perimeter wall around the site to improve aesthetics.

8. Bin walls around scrap handling area to help control scrap piles.
9. Auto shredder residue storage facility.

The upgrades or replacements:

1. Upgraded the bulk ship-loading structure, used to load scrap into ships, to increase its loading rate.
2. Changed water recirculation system and feed system to the non-ferrous metal recovery equipment.
3. Improved the ferrous and non-ferrous metals storage and handling equipment.
4. Replaced the diesel fuel storage tank and provided new dispensing equipment.
5. Replaced the underground gasoline storage tanks with new aboveground gasoline storage tank and provided new dispensing equipment.
6. Added a new scale to the existing scale system to accommodate rail service.
7. Converted office building into a changing room, shower room, and conference rooms.
8. Replaced a dockside gantry crane, used to load ships, with a larger duty cycle dockside diesel hybrid electric crane.

The project approved in 1996 after completion of the Certified EIR included remediating soil and groundwater contamination on site; reducing the opportunities for future contamination; improving aesthetics of the site; controlling noise; reducing dust emissions, managing stormwater runoff; and improving efficiency, capacity, reliability, and general environmental compatibility of the operation. As noted above, with the planned new facilities and equipment modifications, the projected throughput of the site under the 1996 approved project (Approved Project) was 1,300,000 gross tons of scrap per year.

The Certified EIR determined that most potential impacts generated by the previously Approved Project were less than significant prior to mitigation or were reduced to a less than significant level with mitigation. The 1996 Certified EIR also found the following environmental impacts would be significant and unavoidable despite implementation of the identified mitigation and a Statement of Overriding Considerations was adopted:

- Air Quality (nitrogen oxides [NO_x] and nitrogen dioxide [NO₂] and volatile organic compound [VOC] emissions during construction)
- Air Quality (NO_x, VOC, and carbon monoxide [CO] emissions during operation)
- Geology (ground shaking)

LAHD also adopted the MMRP containing 19 mitigation measures to address these impacts, both during construction and operation of the 1996 lease renewal project.

Crane Replacement and Electrification Project Initial Study/Negative Declaration, 2016

In 2016, an Initial Study/Negative Declaration (IS/ND) was prepared and approved for the crane replacement and electrification project (SCH 2016021009). SA Recycling replaced an older diesel mobile crane with a new diesel electric hybrid crane.

Previously Proposed Addendum to the Hugo Neu-Proler Lease Renewal Project EIR, 2019

In 2019, the Applicant submitted an Application for Port Permit (APP) 190916-128 to the Harbor Department expressing interest to extend the existing Permit 750. In 2021, an addendum assessing an extension to the Permit was prepared by the Applicant and released for public review from August 12 to October 12, 2021. Comments received from regulatory agencies and community stakeholders requested the LAHD evaluate the Proposed Project through a more robust analysis, such as an EIR. After considering the comments and evidence received in support of those comments, the LAHD decided not to adopt the addendum and decided to conduct further environmental analysis as part of an SEIR. It was also

determined that the Proposed Project would not affect any federal permits or require any federal approvals. Therefore, no National Environmental Policy Act (NEPA) evaluation was required.

2.3 Project Purpose, Need, and Objectives

2.3.1 PURPOSE AND NEED

The Proposed Project seeks an amendment to Permit No. 750 to allow for an up to 10-year extension of existing operations, with up to 5 additional years for use of the site as a non-operational restoration period for any necessary closure and remediation activities to restore the property. The extension is for continued operation of the site as a scrap metal recycling facility with no changes to the scope of the permit or use of the Proposed Project site. No new construction or operations are proposed, other than routine maintenance or replacement of equipment. The up to an additional 5-year extension will be provided to allow for closure and restoration of the property.

2.3.2 PROJECT OBJECTIVES

The Proposed Project would address the project objectives, as summarized below:

- Extending the Applicant’s existing Permit a period of up to 10 years for continued operation and up to an additional 5 years to restore the property.
- Maintain the use of an existing permitted metal recycling site for 10 years to provide long-term scrap metal reclamation and recycling capacity consistent with applicable local and state regulatory requirements.
- Utilize an existing permitted metal recycling site to continue providing economical, efficient and safe metal recycling and bulk export by vessel in the Southern California region to meet current and future anticipated demands.
- Allow for ongoing metal recycling activities while ensuring the protection of health, safety and the environment.
- Ensure restoration of the project site consistent with foreseeable future requirements, including by removing the structures and installations from the SA Recycling premises in accordance site closure and remediation work plans, as required by the LAHD and trustee/responsible agencies.
- Prevent the release or threatened release of hazardous substances from uses on the Project site.

2.4 Project Location and Setting

2.4.1 REGIONAL SETTING

The Proposed Project is within POLA, which is in the San Pedro Bay in the City of Los Angeles in Los Angeles County, approximately 20 miles south of downtown Los Angeles. The Port is on the southern side of the City of Los Angeles and adjacent to the communities of San Pedro to the west, Wilmington to the north, the Port of Long Beach to the east, and the Pacific Ocean to the south. In total, the Port encompasses approximately 7,300 acres of land and water along 43 miles of waterfront. The Proposed Project site is shown in Figures 2-1 and 2-2.

2.4.2 SURROUNDING AND NEARBY LAND USE

The Proposed Project site is located at Berths 210 and 211 at the POLA at 901 New Dock Street on Terminal Island. The site is bounded by a channel within POLA to the north, shipping container terminals to the east and west, and New Dock Street and railroad right-of-way to the south (see Figure 2-1).

The Proposed Project site is approximately 0.25 miles north of State Route 47 (Seaside Freeway), about 2 miles east of Interstate 110, and approximately 1.3 miles west of Interstate 710 (segment on Terminal Island) (see Figure 2-2). Vehicle access to the Proposed Project site is provided from New Dock Street and Pier S Avenue. Regional vehicular access is provided from State Route 47, Interstate 710, Interstate 110, and State Route 103. Marine vessels access the Proposed Project site via channels in POLA. A railway along New Dock Street provides rail access to the Proposed Project site.

2.4.3 EXISTING LAND USE AND ZONING

The Proposed Project site is within an area covered by the Port Master Plan (PMP) (LAHD 2018). The PMP establishes policies and guidelines to direct future development of the Port. The original plan became effective in April 1980, after it was approved by the Board of Harbor Commissioners (Board) and certified by the California Coastal Commission (CCC). The PMP includes five planning areas. The Proposed Project site and the surrounding uses are in Planning Area 3, Terminal Island (LAHD 2018). Planning Area 3, the largest planning area, consists of all POLA property on Terminal Island with the exception of Fish Harbor and includes six of LAHD's nine container terminals.

The Proposed Project site has a PMP mixed land use designation of both Container and Dry Bulk. To the east of the Proposed Project site, properties have mixed land use designations of Container, Dry Bulk, and Breakbulk. To the south and west of the Proposed Project site, properties have a land use type of Container.

The City's Zoning Information and Map Access System (ZIMAS) (City of Los Angeles 2022) shows that the Proposed Project site, which includes Assessor Parcel Number 7440013907, 7440012902, 7440012902, 7440021914 and 7440029097, and surrounding properties are zoned Qualified Heavy Industrial with Height District 1 ([Q]M3-1) and have a General Plan Land Use designation of General/Bulk Cargo (Non-Hazardous Industrial and Commercial). Height District 1 does not provide a height limit for manufacturing designations but restricts floor area ratios to 1.5 to 1.



FIGURE 2-1

Regional Location

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FIGURE 2-2

Local Vicinity

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2.4.4 PROJECT SITE

Since 1962, operations on the Proposed Project site have involved scrap-metal recycling. The Applicant took over operations at the Proposed Project site in 2007. Currently, SA Recycling operates a scrap metal recycling site on the Proposed Project site under POLA Permit No. 750. Recyclable metal is transported to the Proposed Project site via truck and rail line where it is sorted, shredded or sheared, stockpiled, and eventually exported to overseas markets via bulk ships. Ferrous metals are exported via bulk ships overseas and non-ferrous metals are transported via container trucks to other Port terminals. See below for a more detailed discussion of the current operations. The long-term permit was renewed following the certification of the 1996 Certified EIR. The types of operations that are ongoing at the site today, although tonnage has varied, are similar to the types of operations when Permit No. 750 was approved in 1996, except for the subsequent improvements to operations and the environmental footprint of the site, including:

- Enclosing the downstream metal separation processing equipment.
- Installation of “best available control technology (BACT)” Air Pollution Control (APC) devices consisting of particulate and moisture filters, a regenerative thermal oxidizer (RTO), and a scrubber
- Replacement of a diesel-powered crane with a diesel electric hybrid crane for loading the deep-water ships
- Replacement of older equipment with Tier 4 equipment meeting current emissions standards

2.4.5 CURRENT OPERATIONS

The Proposed Project site is a full-service metal recycling and processing operation. The Proposed Project site is approximately 26.7 acres (see Figure 2-3, Aerial Photograph, and Figure 2-4, Dust Control and Noise Suppression Site Plan). Currently, nearly 100% of the site is paved. Only a small, landscaped area by the office at the site entrance is unpaved.

The Project site currently consists of an Office Building, Warehouse, Maintenance Shop, Motor Room, Shear Room, Shaker/Plate rooms, and two Covered Secondary Containment areas. The buildings are occupied by approximately 130 employees.

The site accepts all types of scrap metal, including ferrous metal, non-ferrous metal, end-of-life vehicles, domestic appliances, demolition scrap (plate and structural beams), busheling (brand-new manufacturing scrap), and other recycled metals.

The site prohibits the following items: asbestos, radioactive materials or closed containers, propane tanks, ammunition shells and other explosive ordnance. Any prohibited items found in loads are either returned to the customer or set aside for proper management/disposal.

The recycling services provided at the facility include manufacturing scrap services, appliance recycling, automobile recycling, certified destruction, and demolition scrap. The finished grade of scrap metal is furnace ready (ready to be melted down).

The site primarily receives scrap metal from southern California via heavy duty trucks (maximum gross vehicle weight of 80,000 pounds). Approximately 280 haul trucks visit the site per day from the Southern California region. Most truck trips average 25 to 30 miles. The trucks que on the driveway while waiting to enter the site. The waiting time to enter averages 5 minutes; however, the truck drivers entering the site must comply with the Airborne Toxic Control Measure set forth in Title 13, California Code of Regulations (CCR), Section 2485, that requires drivers of diesel-fueled commercial motor

vehicles weighing over 10,000 pounds to not idle the vehicle's primary diesel engine longer than 5 minutes at any location.

A small portion of shredded scrap metal also arrives via rail car from SA Recycling facilities in the western United States. The site receives approximately three rail cars per day.

The scrap metal is processed depending on the size and type of material involved. Heavier materials like plate and structural steels and pipe are sent to the hydraulic shears (mobile and stationary) where the material is sheared into smaller uniform lengths of less than 5 feet. The site also receives finished grades of scrap metal such as busheling and heavy melt steel, that are simply put into stockpiles to await the next ship (see Figure 2-4).

Materials such as flattened automobiles and appliances and other lighter materials are sent to the state-of-the-art mega electric/hydraulic shredder that shreds large volumes of metal in just seconds. Shredded material is separated into magnetic materials (ferrous steel) and non-magnetic materials (non-ferrous metals, copper, aluminum, and stainless steel) using drum magnets to recover magnetic materials and a non-ferrous metal recovery plant utilizing eddy-current magnetic sorting system along with other technologies to recover non-magnetic metallic materials. Materials are then moved to storage areas via conveyor belt or diesel-fueled mobile equipment where they are stockpiled for transport. The shredder is equipped with an APC system that filters particulates, oils, and moisture, an RTO powered by natural gas destroys VOCs and chlorofluorocarbons (CFCs) and a chemical scrubber that neutralizes residual acid gases. The shredder is primarily run at night due to the power demand constraints.

Materials that are too big for the shredder (such as buses, containers, and trucks) are first sheared or cut via a mobile shear and then shredded. Most vehicles arrive at the yard flattened and processed such that materials that require special handling have already been removed (drained of fluids, batteries removed, etc.). A small number of whole (non-flat) buses and trucks that arrive at the yard may be pre-processed on site. Each waste stream from this process is handled separately as hazardous waste or recyclable material and properly managed for off-site disposal.

The majority of processed materials (approximately 100,000 tons per month) are loaded onto 40,000 to 45,000 metric ton (MT) bulk ships that dock at Berths 210 and 211 and then sailed to ports primarily in Southeast Asia. The rest of the processed materials (primarily non-ferrous metals) are loaded into containers, which are transported via truck to a Port terminal for loading onto container vessels. Scrap materials are loaded onto the ships via diesel mobile equipment (2 to 3 dump trucks), and a diesel electric hybrid crane (operated in electric mode only). The ships are guided into the berths via tugboats and are usually at berth for 3 to 4 days while the vessel is being loaded.

Approximately 72% of the shredder feedstock is ferrous steel and 6% is recovered as non-ferrous metals (the remaining 22% is Metal Shredder Residue [MSR] consisting of plastics, upholstery, foam, rubber, glass, etc.). Following recovery of valuable copper, aluminum and non-ferrous metals, the waste is stabilized on site with phosphate/silicate liquid chemistry with a proprietary cement blend. This creates a stabilized mix that is transported to a landfill for use as alternative daily cover.



Photo: P1003, Environmental 14/07, P104, 01-01-2002, TDS SA Recycling/CSB/WRP/HPS

FIGURE 2-3

Aerial Photograph

SA Recycling Amendment to Permit No. 750 Project Draft Subsequent EIR

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SA RECYCLING LLC TERMINAL ISLAND (YARD 351)

ENGINEERING Department

ENGINEERING DEPARTMENT MUST PREPARE A SMPPP MAP IN ORDER TO OBTAIN COVERAGE FOR THEIR STORMWATER DISCHARGES.
IT DESCRIBES THE SMPPP DEVELOPMENT PROCESS AND PROVIDES HELPFUL GUIDANCE AND TIPS FOR DEVELOPING AND IMPLEMENTING AN EFFECTIVE SMPPP.
SCALE: 1/64" = 50'-0"
SCALED FOR A ARCH D SIZE 24" X 36" LANDSCAPE

THE ENGINEER IS THE SOLE AGENT RESPONSIBLE FOR THE ACCURACY OF THE DATA AND DESIGN INFORMATION SHOWN ON THIS DRAWING. ANY MODIFICATION OR DEVIATION FROM THE ORIGINAL DESIGN SHALL BE THE RESPONSIBILITY OF THE CLIENT. THE ENGINEER DOES NOT WARRANT THAT THE DESIGN OR ANY PART THEREOF IS FREE FROM ERRORS OR OMISSIONS. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY THE ENGINEER. THE ENGINEER IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE DESIGN OR ANY PART THEREOF. ALL RIGHTS RESERVED. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY THE ENGINEER.

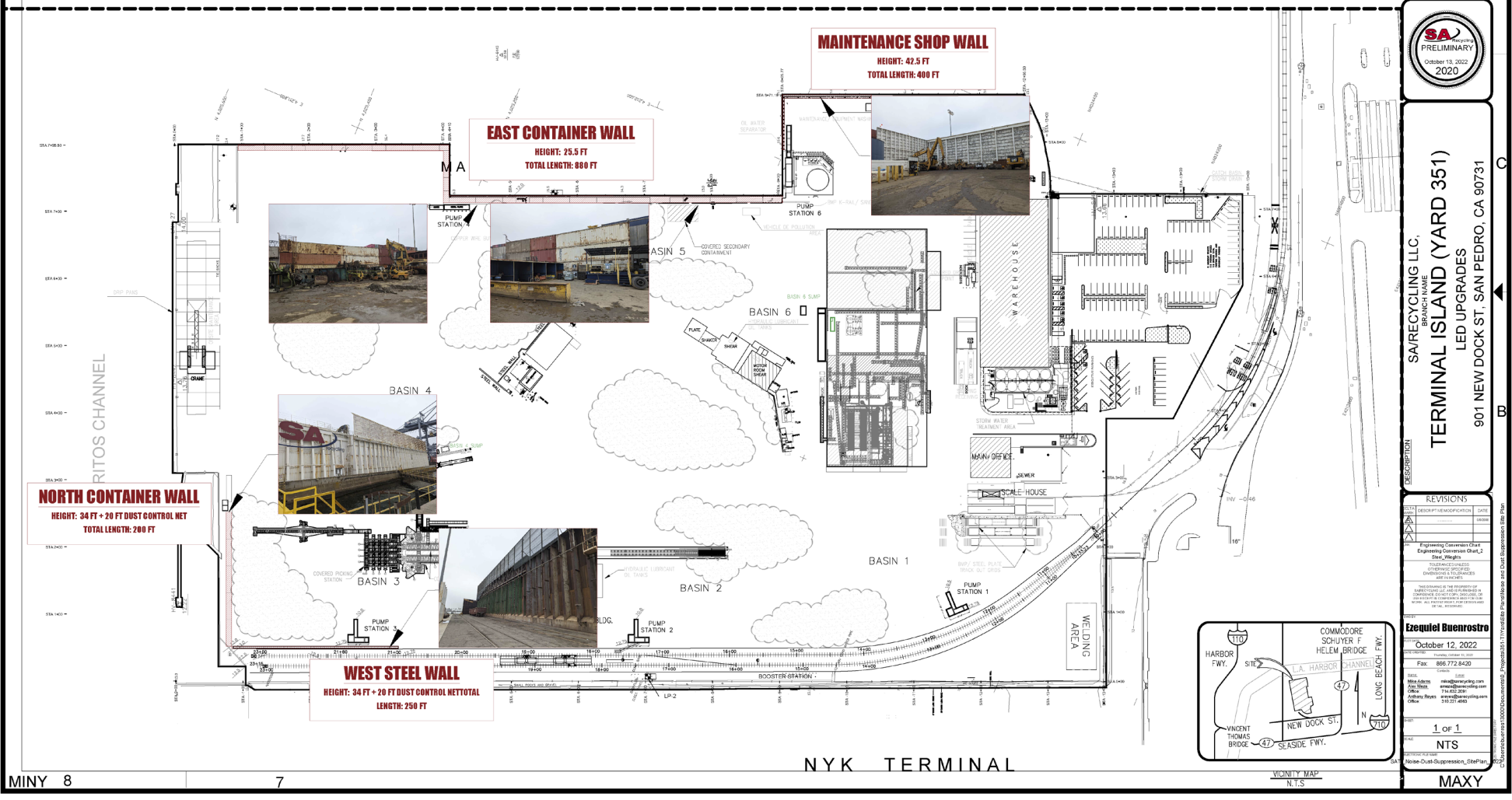
LAND AREA:
1,167,816 ± SQUARE FEET
27.0 ± ACRES

DUST CONTROL AND NOISE SUPPRESSION SITE PLAN



SA RECYCLING LLC,
BRANCH NAME
TERMINAL ISLAND (YARD 351)
LED UPGRADES
901 NEW DOCK ST., SAN PEDRO, CA 90731

REVISIONS		
NO.	DESCRIPTION	DATE
1	Engineering Consultant Check	10/12/22
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FIGURE 2-4

Dust Control and Noise Suppression Site Plan

SA Recycling Amendment to Permit No. 750 Project Draft Subsequent EIR



2 – Project Description

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2.4.6 REGULATORY AGENCY PERMITS

Air Quality

SA Recycling is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). Air permits issued by the SCAQMD include “permits to operate” for the shredder (G62700), the metals recovery plant (G63649), the shredder APC system (G70037), and the shear (G70628). Since SA Recycling acquired the Terminal Island site, they have continually added and upgraded the APC equipment, which substantially reduces potential emissions. The SCAQMD APC permit requires that the RTO VOC destruction efficiency exceed 95%. The APC consists of the following:

- A dust and mist collection system (TAME unit) that filters particulates, oils, and moisture.
- RTO, powered by natural gas, that destroys VOCs and CFCs via thermal oxidation.
- A chemical scrubber that neutralizes residual acids in the gas stream.

In addition to the APC, the site employs the following measures to control emissions:

- Non-ferrous aggregate materials are placed in containment buildings.
- Water is routinely applied to shredder feedstock.
- A vacuum sweeper truck is used to clean yard entrances and driveways.
- Water is applied to the yard, haul roads, and material piles.

The shredder and the APC are typically operated from Monday through Fridays from 8:00 p.m. to 3:00 a.m. (these hours are the non-peak hours when electricity rates from Los Angeles Department of Water and Power [DWP] are not at their peak levels as DWP disincentivizes the use of industrial equipment during such peak use hours which are normally mid- to late-afternoons). On occasion the applicant may use the shredder from 3:00 p.m. to 1:00 a.m. on Saturdays or load a ship on Sundays. The operational schedule is not substantially different in the summer versus the winter as the hours are determined primarily by the DWP rates and product volume that is available for processing.

Dust Control Measures

In order to control dust within the SA Recycling site, every dump truck load that is fed into the shredder is wetted with approximately 100 gallons of recycled water. A water truck with an 8,000 gallon capacity traverses the yard wetting the site. The water truck is refilled approximately 15 times per day with recycled water from the water reclamation treatment on site. The shredding facility uses multiple sprinklers for dust control of approximately 40,000 gallons of water per day of operations. The shredder operates a water injection that uses an average of 35,000 gallons of recycled water and fresh water for dust and temperature control. In addition, every load/swing that goes on the ship is wetted with a water cannon of approximately 60 gallons of fresh water. The site averages approximately 800 swings per vessel; thus, 50,000 gallons of fresh water is required per vessel.

Surface Water Quality

SA Recycling is under the jurisdiction of the Los Angeles Regional Water Quality Control Board (LARWQCB). Stormwater discharges from SA Recycling Terminal Island are permitted under the State Water Resources Control Board (SWRCB) General Permit to Discharge Storm Water Associated with Industrial Activity (General Permit No. CAS000001), adopted by the LARWQCB on April 1, 2014, Order No. 2014-0057-DWQ as amended in 2015 and 2018. The Waste Discharger Identification number is “419I021125.”

2 – Project Description

Nearly 100% of the Proposed Project site is paved with an impervious cap, except for small, landscaped areas by the office building. The cap undergoes inspections on a regular basis and any signs of degradation or cracks are repaired, as needed. The site is designed to capture all stormwater and dust control water from the yard for reuse on site. In rare instances, when stormwater cannot be contained for use on site, it is chemically treated and discharged to either of two storm drains, one near the site entrance and one on adjacent LAHD property. Both drains connect to the Cerritos Channel.

Stormwater is collected in underground basins throughout the site, with a total capacity of approximately 90,000 gallons. There are also 10 aboveground storage tanks on site that each have 42,000 gallon capacity. SA Recycling employs a multi-stage chemical treatment process to mitigate possible stormwater pollution. This process 1) effectively reduces the concentrations of contaminants of concern, 2) does not rely on significant changes in pH or other basic parameters, and 3) is consistent with the Best Available Technology Economically Achievable (BAT)/BACT mandate established in the General Permit. All stormwater exposed to industrial activity (i.e., receiving, shredding, depollution, dismantling, welding, torch-cutting, materials storage and recovery) is captured and reused, or treated prior to discharge.

Soil and Groundwater Quality

On August 26, 1988, a release of diesel fuel was reported for the Proposed Project site that resulted in a free-phase hydrocarbon plume on the surface of the water table in the vicinity of the warehouse. Several investigations of subsurface soil and groundwater were conducted from 1990 to 1994 under the oversight of the LARWQCB to assess the environmental impact from vadose zone soils, which were determined to be impacted by petroleum hydrocarbons, metals, polychlorinated biphenyls (PCBs), and polycyclic aromatic hydrocarbons (PAHs). Low-level detections of methyl tert-butyl ether and tert-butyl alcohol were present but were attributed to an unknown off-site source (Mittelhauser Corp. 1994). The LARWQCB required Hugo Neu-Proler to add an engineered concrete cap to all of the property and to conduct semiannual groundwater monitoring as part of the remediation plans for soil and groundwater contamination. The concrete cap was designed to prevent soil or groundwater contamination from ongoing site activities. The LARWQCB's minimum requirements for the concrete cap are 6 inches of concrete pavement over a minimum of 8 inches of base rock or other base material.

A baseline risk assessment was completed in January 1995, and the results were used to develop industrial soil cleanup levels for the Proposed Project site. In accordance with the requirements of the LARWQCB's Waste Discharge Requirements (WDR) Order No. 96-020 (File No. 90-47), issued on April 1, 1996, several requirements were established related to soil remediation activities and groundwater monitoring, in accordance with a Monitoring and Reporting Program (MRP) (File No. 7656). Remediation and free product removal associated with the underground storage tank (UST) release was continued under LARWQCB oversight separate from the WDR and associated MRP. Although on-site fixation and burial of the fixated material was approved, Hugo Neu-Proler elected to transport all excavated material off site for disposal during remediation activities. From 1999 to 2002, soils impacted above the 1996 WDR cleanup levels were excavated, and soil confirmation sampling was completed with the oversight of LAHD and LARWQCB.

Approximately 80,000 cubic yards of soil were excavated and transported off site for legal disposal. Concurrent with the excavation and sampling procedures, once an area met established cleanup levels, it was backfilled, graded, and capped with concrete. Based on this change in the site remediation program, SA Recycling requested the LARWQCB to rescind the WDR because no fixated soil was discharged to the site. The WDR was terminated on April 7, 2012.

Site activities and analytical results were summarized in quarterly "supplemental remediation progress" reports. These reports were subsequently reviewed by LAHD and the LARWQCB.

2 – Project Description

Confirmation samples collected from across the site demonstrated that all constituents were significantly below the criteria established in the 1996 WDR.

Semi-annual groundwater sampling has been conducted since 1997. Previously under the WDR and MRP, all accessible site wells were gauged quarterly, and the eight wells listed in the MRP (MW-1, MW-2, MW-4A, MW-5, MW-6, MW-7A, MW-8, and MW-16) were purged and sampled in December and June of each year. Monitoring of the well network was required by the WDR and MRP to evaluate the groundwater in order to further evaluate the free product plume on site. When the WDR and MRP were rescinded in 2012, groundwater monitoring continued in order to monitor the perimeter of the free product plume (discussed below).

Free product recovery due to the UST release is ongoing, as is associated groundwater monitoring. This monitoring is conducted under the oversight of the LARWQCB (File No 90-47). Since the WDR was rescinded in 2012, groundwater monitoring was decreased to only monitor total petroleum hydrocarbons in the gasoline, diesel, and motor oil ranges and VOCs, and only around the perimeter of the free product plume. The modified groundwater monitoring program also include semi-annual gauging of 15 wells (MW-1, MW-2, MW-5, MW-9, MW-12 through MW-18, B-1, B-2, B-13, and RW-1) and decreased the number of groundwater monitoring wells to be sampled from eight to five (MW-1, MW-2, MW-12, MW-16, and MW-18). The modified groundwater monitoring program began in June 2012. As requested by LARWQCB, a conceptual site model was prepared to estimate the light non-aqueous phase liquid (LNAPL) profile across the site. Initially, the hydrocarbon plume volume was estimated to range between 2,900 and 5,100 gallons of product covering approximately 13,500 square feet; by 2015 the estimated volume was 1,994 gallons covering approximately 9,000 square feet. Free product is removed from the site wells using a combination of passive skimmers, hand bailing, and absorbent socks. SA Recycling records LNAPL thicknesses on a weekly basis and summarizes the free product recovery volume in quarterly progress reports to the LARWQCB.

Waste and Hazardous Waste

SA Recycling receives many types of scrap metal—automobiles, consumer and industrial appliances, manufacturing scrap, demolition scrap, consumer/homeowner scrap, etc. All scrap metal brought to the site is screened by radiation detectors before being offloaded. Scrap metal is sorted, shredded or sheared, then stockpiled and loaded onto ships for transport to overseas markets. The site reported a total input tonnage to the shredder of 454,500 metric tons in fiscal year 2021/2022. The scrap metal going into the shredder consisted of 42% automobiles, 43% appliances, and 14% miscellaneous. The site has an average of 100,000 tons of ferrous and non-ferrous scrap metal on site at any given time (SA Recycling 2015).

All materials received at the site meet the definition of “scrap metal” under Title 22, CCR, Section 66260.10. Scrap metal is specifically excluded from regulation as waste.

The process of separating the metal components from the shredded scrap metal generates a non-metal residue that is generically called Metal Shredder Residue (MSR). MSRs are chemically fixated such that they do not have soluble concentrations of contaminants of concern (chemically treated MSR or CTMSR). In the late 1980s, the Department of Health (predecessor of the DTSC) determined that the metal treatment fixation process of metal shredder waste (i.e. CTMSR) was capable of lowering soluble concentrations of contaminants of concern in metal shredder residue such that the waste was rendered insignificant as a hazard to human health and safety, livestock, and wildlife. Seven facilities applied for and were granted nonhazardous waste classification letters by the Department of Health (and later DTSC), so long as they continued to use fixation technologies for metal shredder residue. The authority was issued under CCR Title 22 Section 66260.200(f), and the authorization is known as an (f) letter. Metal shredding activities at the site are covered under an (f) letter

2 – Project Description

authorization, which was issued to Hugo Neu-Proler and transferred to SA Recycling when they took over operations in 2007. The CTMSR is disposed of or used as daily cover at Class III landfills as non-hazardous waste.

The following industrial materials are listed in the site Stormwater Pollution Prevention Plan (SWPPP).

- Ferrous and non-ferrous scrap metal
- Diesel fuel
- Gasoline fuel
- Hydraulic oil
- Waste oil
- Non-RCRA hazardous waste (oily absorbent, anti-freeze, etc.
- Lead-acid batteries
- polychlorinated biphenyls (PCB) capacitors
- PCB ballasts
- Alkaline batteries
- Waste coolant
- Lubricating oil
- Spent dust collector filters
- Sodium hydroxide (25%)

Materials managed for off-site removal by recycling or waste disposal by SAR are:

- Unleaded gasoline and diesel fuel;
- Used anti-freeze and used oil;
- Sweepings;
- Stormwater sediment;
- Sodium hydroxide solids;
- Oily water;
- Oily absorbent/debris/dirt;
- Spent Air Pollution Control System Filters;
- Treated MSR;
- Waste oil;
- Lead-acid batteries;
- PCB capacitors;
- PCB ballasts; and
- Alkaline batteries

The Applicant and DTSC entered into a Consent Order, Docket No. HWCA 20187418, issued on December 12, 2023. The Consent Order alleges violations to the health and safety code (HSC) observed at the project site by DTSC. Alleged violations were documented both on- and off-site. Compliance requirements are outlined in the Consent Order, which include already implemented corrective actions and future corrective actions related to all alleged violations. Alleged offsite violations have been addressed by investigation and cleanup/removal of offsite CTMSR. Continuing evaluation and cleanup of any offsite releases will occur as described in plans prepared and submitted to DTSC. The Applicant has come into compliance with some of the alleged violations, and has agreed to come into compliance with all alleged violations and provide DTSC with evidence of changes within the schedule outlined in the Consent Order.

2.4.7 CEQA BASELINE

CEQA provides for an SEIR to assess the significance of a project’s impacts in comparison to a baseline that consists of the existing physical environment conditions at and near the Project site. Baseline conditions are normally measured at the time of the commencement of environmental review of the Proposed Project. State CEQA Guidelines, Section 15125, subdivision (a), provides:

An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time of the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determine whether an impact is significant.

Courts have recognized that there may be instances in which conditions existing at the time of the Notice of Preparation (NOP) do not accurately represent existing conditions. The courts have reasoned that by using the qualifying term “normally,” the Guidelines recognize that in appropriate situations a lead agency has discretion in representing the baseline.

Table 2-1 shows a comparison of the 1996 Certified EIR assumption for the Proposed Project operation versus the existing operations in Fiscal Year 2021/2022. This table is included to reflect the conservative nature of the SEIR’s baseline assumptions to reflect the throughput volumes that were subject to substantiation leading up to preparation and release of the NOP, as opposed to the maximum tonnage referenced in the 1996 Certified EIR. Operations under the Proposed Project are anticipated to continue to be at the baseline Fiscal Year 2021/2022 level.

Throughput volumes in 2018 and 2019 were approximately 840,000 gross tons. In 2020, throughput volumes increased to approximately 1 million gross tons, and in FY 21/22 throughput volumes were approximately of 1.2 million gross tons.

Table 2-1. 1996 Approved Project as Compared to Fiscal Year 2021/2022 Operations

	1996 Approved Project ¹	Fiscal Year 21/22 Operations ²
Gross Annual Throughput	1.3 million gross tons	1.2 million gross tons
Daily Transactions (or Deliveries)	300	280
Employees	164	140
Daily Employee Trips (inbound and outbound)	328	280
Daily Deliveries by Truck/Service/Vendors	15	15
Rail Cars Delivered per Day (for recycling)	13	3
Vessel Calls per Year	41	28
Other Truck Trips (ex. Non-Ferrous Containers)	3-4	3-4

Sources:

¹ Section 1.5.2, Proposed Changes to Processing Units and Facilities, Certified EIR, 1996.

² SA Recycling, pers. comm. 2022

Therefore, for purposes of this Draft SEIR, conditions that occurred from July 1st, 2021, through June 30th, 2022 (FY 21/22) are considered to be the baseline throughput for evaluation herein and FY 21/22 throughput levels are anticipated to be maintained during the 10-year extension of existing operations (to 2034).

2 – Project Description

2.5 Proposed Project Elements

The Proposed Project seeks an amendment to Permit No. 750 to allow for an up to 10-year extension, to the current Permit, which currently expires in 2024. The term extension will allow continued operation of the site as a scrap metal recycling facility with no changes to the scope of the Permit, use of the Proposed Project site, or new construction or operations, other than routine maintenance or replacement of equipment. Operations at the site would conclude at the end of year 10 pursuant to the terms of the Permit. Up to an additional 5-years will be granted to allow for any required removal of equipment, demolition of the existing landside structures on the project site, any necessary remediation of the Project site to satisfy LAHD and regulatory requirements and post remedial activities to restore the premises per the terms of the Permit. No recycling operations outside of those required for restoration of the site will occur during this up to 5-year term.

2.5.1 PROJECT COMPONENTS

Project activities would be broken down into two phases as follows: (1) Continued Operation for up to 10 years, and (2) Non-operational Restoration Period for up to 5 years.

Phase 1: Continued Operation

For the first up to 10 years of the permit's extension, the site would continue to be used as a scrap metal recycling facility with no changes to the scope of the permit, use of the Proposed Project site, nor new construction or operations, other than routine maintenance or replacement of equipment. The existing and ongoing monitoring and reporting of groundwater and free product recovery of the 1988 diesel fuel release would continue, and no changes are proposed. The Proposed Project analyzed in 1996 assumed up to 1.3 million gross tons of throughput, 300 transactions (or deliveries) per day and 164 employees. Operations in FY 21/22 were approximately 1.2 million gross tons of throughput, 280 transactions (or deliveries) per day and 140 employees. The site would be open to receive material Monday through Friday from 6:00 a.m. to 6:00 p.m. and on Saturday from 6:00 a.m. to 3:00 p.m. (see Table 2-2). Operations may occur 24 hours a day during operational days. No operational changes or increases from FY 21/22 levels are proposed for the 10 years of continued operation.

Table 2-2. SA Recycling Operations

Site Schedule	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Site Materials received	6:00 a.m.- 6:00 p.m.	6:00 a.m.- 6:00 p.m.	6:00 a.m.- 6:00 p.m.	6:00 a.m.- 6:00 p.m.	6:00 a.m.- 6:00 p.m.	11:00 a.m.- 3:00 p.m.	Closed
Shredder Operation	8:00 p.m.- 3:00 a.m.	8:00 p.m.- 3:00 a.m.	8:00 p.m.- 3:00 a.m.	8:00 p.m.- 3:00 a.m.	8:00 p.m.- 3:00 a.m.	Occasional*	Occasional*

Note:

* On occasions the shredder runs from 3:00 p.m. to 1:00 a.m. on Saturdays or on rare occasions for ship loading on Sundays.

Phase 2: Non-operational Restoration Period

The following wind down activities would occur during the Non-operational Restoration Period, which could last for up to 5 years:

Subphase 2.1: Truck Scales Closure

The truck scales would close and no additional material would be received by the facility.

2 – Project Description

Subphase 2.2: Demolition/Dismantling of Structures/Buildings

Dismantling of the facility structures would be performed in sequential order. Table 2-3 below shows the estimated weight of steel at each structure.

Table 2-3. Weight of Recyclable Steel for Each Department - Metal Scrap Weight

Department	lbs	Tons
Shredder (APCS included)	2,627,206	1,314
MRP	7,224,817	3,612
Shear	741,000	371
Warehouse	200,000	100
Maintenance Shop	120,000	60
Total	10,913,023	5,457

The timeline for this phase is approximately 120 days based on the amount of material that is present in each structure. The structures would be dismantled by demolition crews utilizing manlifts and mobile cranes. Once the steel is placed on the ground it would be sized down by a mobile shear and stockpiled. Then, a stationary guillotine shear would process the stockpiled steel and prepare the steel for bulk sale. All intermediate handling/movement of the steel would be completed with material handlers equipped with a grapple attachment.

Subphase 2.3: Shipping (Bulk Sale)

Recycled metals from the wind down activities would be sold and shipped out through a dry bulk vessel. With an estimated volume of 5,500 tons of scrap metal, the vessel load out would be completed with one vessel call which can be accomplished in one working day notwithstanding equipment or weather delays.

The material (scrap metal) would be transferred from stockpiles to a haul truck by material handlers with a grapple attachment. The haul truck would transfer/dump the material into a skip pan then transfer/load the scrap metal onto a dry bulk vessel by the on-site electric harbor crane. This sequence would repeat until all scrap metal has been loaded on the vessel.

Subphase 2.4A-1: Concrete Demolition – Flat Slab Concrete

A flat concrete slab encompasses almost the entirety of the property and consists of 16 inches (average) of fiber reinforced concrete. The slab would be removed using an excavator with a hydraulic concrete breaker attachment. The broken concrete would be stockpiled by a front wheel loader and later processed through a mobile concrete crusher.

The timing of this operation would be optimized to reduce dust and engine emissions. To accomplish this goal, concrete breaking operations would be conducted 5 days per week from 7 a.m. to 6 p.m. The concrete would be stockpiled throughout the week and the concrete crusher is anticipated to run only 2 days per week.

Dust control systems and all permits for the concrete crusher would be provided by a local construction company that will be contracted to operate the crusher. A separate water truck will be utilized for dust control during the breaking of the concrete slab. This Subphase would occur over an approximately 90-day period.

2 – Project Description

Subphase 2.4A-2: Concrete Demolition – Foundations

A separate phase would be required for the removal of structural foundations due to the differences entailed in their demolition. Concrete foundations consist of rebar reinforced concrete that requires a different set of equipment and procedures. The concrete would be broken utilizing the same concrete breaker as Subphase 2.4A-1 and the rebar would be separated and cut with the mobile shear as needed. Broken concrete would be stockpiled and processed through the concrete crusher. To accomplish this goal, concrete breaking operations would be conducted 5 days per week from 7 a.m. to 6 p.m.

This Subphase would occur over an approximately 90-day period. The amount of concrete that would be crushed is estimated based on existing drawings of all structures, foundations, and concrete slab as shown in Table 2-4 below.

Table 2-4. Estimated Total Volume of Concrete to be Removed

Concrete Structure	Total Volume (cu-yd)
Concrete Slab	48,000
Foundations	20,000
Total (Approx.)	68,000

Subphase 2.4B-1: Soil Removal

Any soil that is categorized as hazardous (contaminated) through testing would be transferred to a landfill licensed to accept hazardous waste. It is estimated that a worst-case scenario of 10,000 yards (20%) of soil would be contaminated, and 40,000 yards (80%) would not be contaminated. Under a worst-case scenario, a total of 1,000 truckloads of contaminated soil would be transported to Kettleman Hills Hazardous Waste Facility, in Kettleman City, California, for disposal. Some of the non-contaminated soil may not be suitable for future reuse on site. If necessary, up to 4,000 truckloads of non-hazardous soil would be transported to Simi Valley Landfill and Recycling Center, in Simi Valley, California. This would be accomplished by utilizing a bulldozer to move the soil to a stockpile where a front wheel loader would transfer it to dump trucks. A water truck would be used for dust control during this phase.

Subphase 2.4B-2: Soil Import and Regrading

Replacement soil equal to the amount of soil being removed would be hauled in as space becomes available. All imported soil would meet LAHD's Environmental Guidance for Industrial Fill Material and be approved by LAHD prior to bringing to property. Outbound haul trucks from Phase 2.4B-1 would be loaded with clean fill soil on their return trip to the facility. It is estimated that 80% of the clean soil/fill would be imported in this manner. The soil would be compacted and roughly graded using a motor grader and bulldozer. A water truck would be used for dust control during this phase.

This subphase of 2.4B-1, and 2.4B-2 would last approximately 240 days.

Phase 2.4C: Haul Residual Crushed Concrete

Based on the estimated volume of concrete present at the facility (68,000 yd) and assuming that none of the crushed concrete remains on site, 6,800 concrete dump trucks would be sent to a construction and demolition debris (CND) recycling facility. Assuming the concrete is free of any contamination, the

2 – Project Description

final destination of residual crushed concrete would likely be sent to Maitri Road Recycling located in Corona, California.

This subphase would last approximately 68 days.

Phase 2.4D: Haul Suitable Cover to Site

In order to prevent fugitive dust after site wind down, it is estimated that approximately 11,000 cubic yards of suitable ground cover (i.e., gravel, crushed aggregate base, etc.) would be required. This would require approximately 5,100 trucks to bring new material to the site.

This subphase would last approximately 68 days.

2.6 Relationship to Existing Statutes, Plans, Policies, and Other Regulatory Requirements

One of the primary purposes of the LAHD approval processes is to ensure that the Proposed Project is consistent with applicable statutes, plans, policies, and other regulatory requirements. Table 2-5 lists the statutes, plans, policies and other regulatory requirements, including environmental review and consultation requirements required by federal, state, or local laws, regulations or policies, applicable to the Proposed Project. Additional analysis of the plan consistency is contained in the individual resources' sections of Chapter 3 of this Draft SEIR.

Table 2-5. Statutes, Plans, Policies, and Other Regulatory Requirements

Act/Plan/Policy	Description
California Coastal Act of 1976	<p>The California Coastal Act (20 Public Resources Code (PRC) 30700 et seq.) identifies the Port and its facilities as "one of the state's primary economic and coastal resources and...an essential element of the national maritime industry" (PRC Section 30701). LAHD is responsible for the modernizing and construction of necessary facilities to accommodate deep-draft vessels and to accommodate the demands of foreign and domestic waterborne commerce and other traditional and water-dependent and related facilities in order to preclude the necessity for developing new ports elsewhere in the state (Sections 30007.5 and 30701 [b]). The act also establishes that the highest priority for any water or land area use within LAHD's jurisdiction will be for developments that are completely dependent on such harbor water areas and/or harbor land areas for their operations (Sections 30001.5[d], 30255, and 31260). The act further provides that LAHD should "[g]ive highest priority to the use of existing land space within harbors for port purposes, including, but not limited to, navigational facilities, shipping industries, and necessary support and access facilities" (Section 30708 [c]).</p> <p>Under the California Coastal Act, water areas may be diked, filled, or dredged when consistent with a certified PMP only for specific purposes, including: (1) construction, deepening, widening, lengthening, or maintenance of ship channel approaches, ship channels, turning basins, berthing areas, and facilities that are required for the safety and the accommodation of commerce and vessels to be served by port facilities; and (2) new or expanded facilities or waterfront land for port-related facilities.</p> <p>In accordance with provisions of the California Coastal Act, LAHD has a certified master plan that provides LAHD with coastal development permit authority for actions/developments consistent with that master plan. Inconsistent items, such as new fills in water, would require a master plan amendment through the CCC. The Proposed Project would be consistent with the master plan's provisions.</p>

Table 2-5. Statutes, Plans, Policies, and Other Regulatory Requirements

Act/Plan/Policy	Description
Coastal Zone Management Act (CZMA)	Section 307 of the federal CZMA requires that all federal agencies with activities directly affecting the coastal zone, or with development projects within that zone, comply with the state coastal acts (in this case, the California Coastal Act of 1976) to ensure that those activities or projects are consistent to the maximum extent practicable. The CCC will use this EIR when considering whether to find the Proposed Project consistent with the California Coastal Act, and agencies will use that approval as a demonstration that the Proposed Project would be in compliance with the CZMA.
Port Master Plan (PMP)	In August 2013, the LAHD Board approved an update to the PMP, which it intends to serve as a long-range plan to establish policies and guidelines for future use of Port lands within the coastal zone, as required under the California Coastal Act. The Project site is in Planning Area 3 of the updated PMP: Terminal Island. According to the PMP, Planning Area 3 designates the Project site for container/dry bulk uses. The Proposed Project would be consistent with the updated PMP.
California Coastal Plan	Under provisions of the California Coastal Act, the PMP is incorporated into the City's Local Coastal Program. LAHD has coastal development permit authority for activities throughout the Port. Therefore, if the Proposed Project would be consistent with the PMP, the Proposed Project would also be considered consistent with the Local Coastal Program.
California Tidelands Trust Act, 1911	Submerged lands and tidelands within the Port, which are under the Common Law Public Trust, were legislatively granted to the City pursuant to Chapter 656, Statutes of 1911, as amended. Those properties are held in trust by the City and administered by LAHD to promote and develop commerce, navigation, fisheries, and other uses of statewide interest and benefit, including commercial, industrial, and transportation uses; public buildings and public recreational facilities; wildlife habitat; and open space. LAHD would fund the Proposed Project with trust revenues. All property and improvements included in the Proposed Project would be dedicated to maritime-related uses; therefore, the Proposed Project would be consistent with the trust.
San Pedro Bay Ports Clean Air Action Plan (CAAP)	LAHD, in conjunction with the Port of Long Beach and with guidance from (SCAQMD, CARB, and U.S. Environmental Protection Agency, has developed the CAAP, which was approved by the Los Angeles and Long Beach Boards of Harbor Commissioners on November 20, 2006. The CAAP focuses on reducing diesel PM, NO _x , and SO _x , with two main goals: (1) to reduce Port-related air emissions in the interest of public health; and (2) to disconnect cargo growth from emissions increases. The 2010 CAAP Update (adopted by the Board on November 22, 2010), includes near-term measures implemented largely through the CEQA/NEPA process and new leases at both ports, and includes new, far-reaching goals for curbing port-related air pollution over the next decade. The Proposed Project includes air quality control measures outlined in the 2010 CAAP Update, both as mitigation that would be imposed via a lease amendment and as standard measures that would be implemented through agreements with other agencies and business entities, and LAHD contracting policies.
Port Strategic Plan Update	<p>The updated Port Of Los Angeles Strategic Plan 2012-2017, 2014 Update (LAHD 2014) serves to align the broad spectrum of activities of the Port with a focused vision - embracing a new economic era and remaining the leading container port in the nation. The Plan provides the high-level areas of focus, with which divisions and staff align their activities, and serves as the roadmap to ensure that the Port remains competitive over the coming years, aptly and proactively meeting the needs of a new era of international trade. The updated Strategic Plan for the Port includes an objective to facilitate an efficient, secure, and environmentally sustainable supply chain. To this effect, the Strategic Plan update includes Initiative 2 to strengthen Port security. Under Initiative 2, the Port would implement security and public safety strategies that support goods movement and mitigate risk. Metrics for this Initiative include:</p> <ul style="list-style-type: none"> a. Number of vessel and terminal safety inspections b. Number and effectiveness of joint preparedness exercises

Table 2-5. Statutes, Plans, Policies, and Other Regulatory Requirements

Act/Plan/Policy	Description
	<p>The modern goods movement environment requires that ports be prepared for a variety of incidents, from natural disasters to potential acts of terror. The Harbor Department has committed to the following:</p> <ul style="list-style-type: none"> • Reduce risks of interruptions to goods movement through regular inspections of facilities. • Prevent incidents and improve responses to incidents by holding joint preparedness exercises with supply chain partners for a variety of potential incidents (e.g., active shooter, hazmat release, seismic events, etc.). • Track the effectiveness of these joint exercises in order to measure the success of the strategies - to be better prepared for an actual incident.
Port Risk Management Plan (RMP)	<p>The Port RMP, an amendment to the PMP, was adopted in 1983, in accordance with requirements of CCC. The purpose of the Port 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 plan provides guidance for future development of the Port to minimize or eliminate the hazards to vulnerable resources from accidental releases (Los Angeles Harbor Department 1983). As part of the PMP Update in 2013, the Port updated and incorporated the RMP as Chapter 8 of the PMP.</p>
Port of Los Angeles and Long Beach, Water Resources Action Plan (WRAP)	<p>The WRAP is a plan to protect and improve water and sediment quality in the San Pedro Bay. The WRAP establishes programs and water quality improvement measures necessary to achieve the goals and targets established by the Regional Water Quality Control Board (RWQCB). The plan targets four basic types of potential sources of pollutants to harbor waters: Land Use Discharges, On-Water Discharges, Sediments, and Watershed Discharges. The Proposed Project would not include clean-up dredging and would help improve sediment quality in the bay by removing and properly treating or disposing of any contaminated material.</p>
City of Los Angeles: Port of Los Angeles Plan	<p>The Port of Los Angeles plan is one of 35 community plans that make up the General Plan of the City of Los Angeles (City of Los Angeles 1982). This plan provides a 20-year official guide to the continued development and operation of the Port. It is designed to be consistent with the PMP discussed above. The Proposed Project would be consistent with allowable land uses and the goals and policies of the General Plan-Port of Los Angeles Plan.</p>
City of Los Angeles: San Pedro Community Plan	<p>The San Pedro Community plan (City of Los Angeles 1999) serves as a basis for future development of the community. It is also the land use plan portion of the City's Local Coastal Program for San Pedro. The Port is not part of the San Pedro Community Plan area. However, the San Pedro Community Plan does make recommendations regarding the Port, particularly for areas adjacent to commercial and residential areas of San Pedro. The Proposed Project would be consistent with these recommendations, as LAHD has taken into consideration the residential and commercial communities of San Pedro during Proposed Project development through the scoping process.</p>
City of Los Angeles General Plan: Air Quality Element	<p>The City of Los Angeles General Plan has an Air Quality Element (City of Los Angeles 1992) that contains general goals, objectives, and policies related to improving air quality in the region. Policy 5.1.1 relates directly to the Port and requires improvements in harbor operations and facilities to reduce emissions. LAHD is actively planning for and implementing such improvements. The Proposed Project would be consistent with the Air Quality Element in that they would incorporate CAAP measures to reduce air quality impacts.</p>
Water Quality Control Plan: Los Angeles River Basin	<p>The Water Quality Control Plan for the Los Angeles River Basin (Region 4) (Basin Plan) was adopted by the LARWQCB in 1978 and updated in 1994 (RWQCB 1994), with amendments through October 2014. The Proposed Project would not affect waste discharges or changes to beneficial uses, and would be consistent with the Basin Plan.</p>
Water Quality Control Policy: Enclosed Bays	<p>In 1974, the SWRCB adopted a water quality control policy that provides principles and guidelines to prevent degradation and to protect the beneficial uses of waters of enclosed bays and estuaries. Los Angeles Harbor is considered to be an enclosed bay under this policy. The</p>

Table 2-5. Statutes, Plans, Policies, and Other Regulatory Requirements

Act/Plan/Policy	Description
and Estuaries of California	policy addresses activities such as the discharge of effluent, thermal wastes, radiological waste, dredge materials, and other materials that adversely affect beneficial uses of the bay and estuarine waters. Among other requirements, waste discharge requirements developed by the RWQCB must be consistent with this policy. The Proposed Project would be operated in conformance with objectives of the water quality control policy through controls on operations (stormwater and other discharges) and during restoration.
Air Quality Management Plan	<p>The federal Clean Air Act (CAA) and its subsequent amendments establish the National Ambient Air Quality Standards (NAAQS) and delegate the enforcement of these standards to the states. In areas that exceed the NAAQS, the CAA requires states to prepare a State Implementation Plan that details how the NAAQS would be met within mandated timeframes. The CAA identifies emission reduction goals and compliance dates based on the severity of the ambient air quality standard violation within an area. The California Clean Air Act (CCAA) outlines a program to attain the California Ambient Air Quality Standards (CAAQS) for ozone, nitrogen dioxide, sulfur dioxide, and carbon monoxide by the earliest practical date. The Lewis Air Quality Act of 1976 established the SCAQMD, created SCAQMD's jurisdiction over the four-county South Coast Air Basin, and mandated a planning process requiring preparation of an air quality management plan (AQMP). The Final 2012 AQMP was adopted by the AQMD Governing Board on December 7, 2012 (SCAQMD 2013).</p> <p>In addition, the AQMD Governing Board adopted a Clean Air Plan Amendment to include control measure IND-01 in the Final 2012 AQMP at the February 1, 2013, Governing Board meeting. The AQMD asserts that Control Measure IND-01 would ensure that the Ports of Los Angeles and Long Beach meet their voluntary commitments to reducing air pollution from port-related sources. The AQMD states that this represents a backstop measure to enforce emission reduction goals that the Ports voluntarily adopted in the clean Air Action Plan by 2015. The AQMD asserts that, under control measure IND-01, any additional port emission reductions must be technically feasible, cost-effective, and within the legal authority of the Ports.</p> <p>LAHD provided cargo forecasts that were used by the Southern California Association of Governments (SCAG) to simulate future growth and emission scenarios in the 2012 AQMP. These cargo forecasts include the operational activities associated with the handling of dry bulk cargo. As a result, activities associated with the Proposed Project would not exceed the future emission growth projections in the 2012 AQMP.</p> <p>The most recent 2016 AQMP was adopted and submitted to the Environmental Protection Agency in March 2017. The 2016 AQMP focuses on a comprehensive and integrated plan primarily focused on addressing the ozone standards. The 2016 AQMP incorporates the latest scientific and technical information and planning assumptions, including the latest applicable growth assumptions, Regional Transportation Plan/Sustainable Communities Strategy, and updated emission inventory methodologies for various source categories.</p> <p>Construction and operational activities associated with the Proposed Project would not conflict with or obstruct implementation of the applicable air quality plan.</p>
California Air Resources Board: Emission Reduction Plan for Ports and Goods Movement	CARB approved the Emission Reduction Plan for Ports and Goods Movement (CARB 2006) on April 20, 2006, and a Goods Movement Action Plan in January 2007. Many of the proposed air quality mitigation measures in this Draft EIR were developed as part of the CAAP (Port of Los Angeles and Port of Long Beach 2006). Therefore, LAHD's air quality plan complies with CARB's goals and meets and/or exceeds all reduction strategies. .
AB 32	On September 27, 2006, the Governor of California signed AB 32, the Global Warming Solutions Act. AB 32 caps California's greenhouse gas (GHG) emissions at 1990 levels by 2020. This legislation represents the first enforceable statewide program in the United States to cap all GHG emissions from major industries that includes penalties for noncompliance. It requires GARB to

Table 2-5. Statutes, Plans, Policies, and Other Regulatory Requirements

Act/Plan/Policy	Description
	<p>establish a program for statewide GHG emissions reporting and to monitor and enforce compliance with this program. The Proposed Project or an alternative would be required to comply with Port requirements, such as the CAAP, to reduce air emissions, The Proposed Project would thereby implement energy and emission reduction requirements in compliance with GHG emission reduction strategies and would thus be in compliance with AB 32.</p>
<p>Southern California Association of Governments (SCAG) Regional Plans</p>	<p>SCAG is responsible for developing regional plans for transportation management, growth, and land use, as well as developing the growth factors used in forecasting air emissions within the South Coast Air Basin. SCAG has developed a Growth Management Plan, a Regional Housing Needs Assessment, a Regional Mobility plan, and, in cooperation with the SCAQMD, the AQMPs. The Proposed Project would not generate a measurable change in population distribution, nor would it result in a change to housing demand on a regional or local scale. It would fit within population and housing projections for the local area and region as a whole and thus would be consistent with these plans.</p>
<p>Congestion Management Program (CMP)</p>	<p>The CMP is a state-mandated program intended as the analytical basis for transportation decisions made through the State Transportation Improvement Program process (Los Angeles County Metropolitan Transportation Authority 2010). The CMP was developed to: (1) link land use, transportation, and air quality decisions; (2) develop a partnership among transportation decision makers on devising appropriate transportation solutions that include all modes of travel; and (3) propose transportation projects that are eligible to compete for state gas tax funds. The CMP includes a Land Use Analysis Program, which requires local jurisdictions to analyze the impacts of land use decisions on the regional transportation system. For development projects, an EIR is required based on local determination and must incorporate a transportation impact analysis into the EIR. The Revised NOP determined that potential traffic impacts for the Proposed Project would not significantly affect CMP highways, and thus the Proposed Project is consistent with the CMP.</p>
<p>Water Resource Regulations</p>	<p>The Rivers and Harbors Act of 1899, Section 10 (33 United States Code [USC] 403); federal Water Pollution Control Act (as amended by the Clean Water Act of 1977), Section 401 and 402 (33 USC 1341 and 1342); Marine Protection, Research, and Sanctuaries Act of 1972, Section 103 (33 USC 1413); California Hazardous Waste Control Act; SWQCB, Enclosed Bays and Estuaries Plan; and Water Quality Control Plan for the Los Angeles River Basin (Region 4B), adopted by the RWQCB, Los Angeles Region. The Revised NOP evaluated potential impacts to water quality, including the federal water resources regulations associated with the Proposed Project; therefore, the Proposed Project would be consistent with water resource laws, regulations, and plans.</p>
<p>Air Quality Regulations</p>	<p>CAA, Title 40 CFR Parts 50 and 51 as amended; Titles 40 CFR Part 51.24 and 40 CFR Part 52.21 ; CCAA; AQMP of the City of Los Angeles General plan, Air Quality Element; and SCAQMD Regulations X111 and XV, New Source Review and Rules 212, 401, 403, and 431.2. Refer to Section 3.1, Air Quality and Meteorology, of this Draft SEIR for a discussion of applicable air quality laws, regulations, and plans.</p>
<p>Biological Resources Protection</p>	<p>Endangered Species Act of 1973, as amended; Marine Mammal Protection Act; Migratory Bird Conservation Act; Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972; California Endangered Species Act; Section 302 of the Marine Protection, Research, and Sanctuaries Act of 1972; U.S. Fish and Wildlife Act of 1956 (16 USC 742a <i>et seq.</i>); Fish and Wildlife Coordination Act (16 USC 661 <i>et seq.</i>); Magnuson-Stevens Fishery Conservation and Management Act, as amended; Executive Order 13112, Invasive Species; Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (P.L. 01-646), as amended by the National Invasive Species Act of 1996; Ballast Water Management for Control of Nonindigenous Species Act of 1999 (PRC Sections 71200–71271); and federal Water Pollution Control Act (as amended by the Clean Water Act of 1977). The IS/NOP for the Proposed Project (Appendix A), determined that implementation of the Proposed Project would not create any new significant impacts or</p>

Table 2-5. Statutes, Plans, Policies, and Other Regulatory Requirements

Act/Plan/Policy	Description
	substantially more severe impacts than previously analyzed in regard to compliance with the applicable laws and regulations protecting biological and marine resources.
Cultural Resources Protection	Section 106 of the National Historic Preservation Act of 1966, as amended, and Corps implementing regulations (36 CFR 800; 33 CFR 325, Appendix C); the Archaeological and Historical Preservation Act and Executive Order 11593 "Protection and Enhancement of the Cultural Environment." Section 3.2 of this Draft SEIR) determined that the Proposed Project would not affect cultural resources listed or eligible for listing on the National Register of Historic places. Therefore, compliance with federal laws, regulations, and other guidelines has occurred

2.7 Other Public Agencies Whose Approval May be Required for Operations at the Site

- SCAQMD: permits for on-site stationary equipment
- SWRCB: approval of Construction General Permit