Section 3.9

Hazards and Hazardous Materials

SECTION SUMMARY

This section characterizes the existing hazards and hazardous materials within the proposed project area and assesses how the construction and operation of the proposed Project and alternatives would alter them. This evaluation analyzes the effects of the proposed Project and alternatives on increasing the risk probability and criticality of hazardous spills or releases, risk of upset due to terrorism, and potential impact of increased truck traffic on regional injury and fatality rates. Features of the proposed Project and alternatives that could contribute to increased risks include deepening Berths 217–220 and Berths 214–216, extending the 100-foot gauge crane rail, expanding the TICTF on-dock rail, delivering and installing up to four new cranes, and making backland surface improvements.

Section 3.9, Hazards and Hazardous Materials, provides the following:

- a description of existing environmental setting in the Port area;
- a description of the existing hazards and hazardous materials stored at the proposed project site;
- a list of historic container-related hazardous spills within the Port Complex;
- a list of liquid bulk facilities close to the proposed project site;
- a description of applicable local, state, and federal regulations and policies regarding hazardous materials or hazardous substances that may require special handling if encountered during construction of the proposed Project or an alternative;
- a discussion on the methodology used to determine whether the proposed Project or alternatives would adversely change the existing physical conditions or increase the probability of hazardous spills or releases;
- an impact analysis of the proposed Project and alternatives; and
- a description of any mitigation measures proposed to reduce any potential impacts, as applicable.

Key Points of Section 3.9:

The proposed Project would increase the throughput capacity of an existing container terminal, and its operations would be consistent with other uses and container terminals in the proposed project area.

Neither the proposed Project nor any of the alternatives would result in a significant impact to hazards and hazardous materials under either CEQA or NEPA, as specified below:

- The proposed Project and alternatives would not significantly increase the risks associated with increased probability and criticality of hazardous spills or releases.

- The proposed Project and alternatives would not increase the risk or frequency of potential acts of terrorism.
- The proposed Project and Alternative 3 would increase the throughput (TEUs) and associated truck-related traffic; however, the increase is not expected to significantly increase the risk of regional injury and fatality rates.

3.9.1 Introduction

This section addresses the potential impacts of hazards and hazardous materials on the proposed Project and alternatives, as well as potential impacts of proposed Project- and alternative-related releases of hazardous materials to the environment. This section also describes impacts on public health and safety that could result from the proposed Project or an alternative. These potential impacts include fires, explosions, and releases of hazardous materials associated with construction and operation of the proposed facilities. This section also addresses potential effects of the release of hazardous materials associated with tsunami-induced flooding and other seismic events. The potential risks of inundation associated with tsunami-related flooding are discussed in Section 3.5, Geology.

Potential health and safety impacts associated with encountering contaminated soil and groundwater during construction are discussed in Section 3.8, Groundwater and Soils.

3.9.2 Environmental Setting

3.9.2.1 Hazardous Materials

Hazardous materials are the raw materials for a product or process that may be classified as toxic, flammable, corrosive, or reactive. Classes of hazardous materials that may be transported at the Port include:

- Corrosive materials: solids, liquids, or gases that can damage living material or cause fire.
- Explosive materials: any compound that is classified by the National Fire Protection Association as A, B, or C explosives.
- Oxidizing materials: any element or compound that yields oxygen or reacts when subjected to water, heat, or fire conditions.
- Toxic materials: gases, liquids, or solids that may create a hazard to life or health by ingestion, inhalation, or absorption through the skin.
- Unstable materials: those materials that react from heat, shock, friction, and contamination and are capable of violent decomposition or autoreaction but which are not designed primarily as an explosive.
- Radioactive materials: those materials that undergo spontaneous emission of radiation from decaying atomic nuclei.
- Water-reactive materials: those materials that react violently or dangerously upon exposure to water or moisture.

Hazardous materials that are transported in containers are stored in individual containers specifically manufactured for storing and transporting the material. In addition, shipping companies prepare, package, and label hazardous materials shipments in accordance with federal requirements (49 CFR 170–179) to facilitate surface transport of the containers. All hazardous materials in containers are required to be properly manifested. Hazardous material manifests for inbound containerized hazardous materials are reviewed and approved by the Port Security and the City Fire Department before they can be unloaded.

Containers of hazardous materials are transported from the terminal via truck. While in the Port, they are only handled by authorized workers. The Transportation Worker Identification Credential (TWIC) program is a Transportation Security Administration (TSA) and United States Coast Guard (USCG) initiative to provide a tamper-resistant biometric security credential to (1) maritime workers who require unescorted access to secure areas of Port facilities and vessels regulated under the Maritime Transportation Security Act of 2003 (MTSA) and (2) all USCG-credentialed merchant mariners. To obtain a TWIC, an individual must provide biographic and biometric information such as fingerprints, sit for a digital photograph, and successfully pass a security threat assessment conducted by TSA. The TWIC program reduces the potential for unauthorized handling of containers that contain hazardous materials.

As indicated by the National Response Center's (NRC's) 2009–2012 data, there have been several minor releases of hazardous materials from containers or other sources within the Port (NRC 2013).[1] No deaths have resulted from releases of hazardous materials at the Port, and no injuries associated with accidental releases of hazardous materials have been reported at hazardous liquid bulk storage facilities closest to the proposed project site, which are those located across the East Basin Channel and the Cerritos Channel to the north (identified further in this section).

The California Office of Emergency Services maintains the Response Information Management System database, which includes detailed information on all reported hazardous material spills in California and corresponds to the NRC data. All spills that occur in the Port, both hazardous and nonhazardous, are reported to the California Office of Emergency Services and entered into the database. This database includes spills that may not result in a risk to the public but could be considered to be an environmental hazard.

The historical hazardous material spill notification databases available on the Governor's Office of Emergency Services website were evaluated from 2009 to 2012 for the number of spills (greater than 10 gallons) that have occurred at ships/port/harbor and waterways in the cities of Los Angeles, San Pedro, Terminal Island, and Wilmington, in the County of Los Angeles. The data indicated approximately 35 hazardous material spills known to be greater than 10 gallons had occurred between 2009 and 2012 (California Emergency Management Agency 2013).[2] The spills include fuel and other spills from vessels serving the terminals. During this period, the total throughput of the container terminals at the Port of Los Angeles was 30,599,122 TEUs (POLA 2013). Therefore, the probability of a spill involving a hazardous material at the container terminals can be estimated at 1.14×10^{-6} per TEU (35 spills divided by 30,599,122 TEUs). This spill probability is a conservative estimate because it includes materials that would not be considered a risk to public safety (e.g., food grease) but would still be considered an environmental hazard.

[1] The NRC is the federal government's national communications center, which is staffed 24 hours a day by USCG officers and marine science technicians. The NRC is the sole national point of contact for reporting oil, chemical, radiological, biological, and etiological discharges into the environment anywhere in the U.S. and its territories. The NRC's spill data for 1982 through 2012 are available at: http://www.nrc.uscg.mil/download.html

[2] If unknown spill quantities are taken into consideration, the number of hazardous material spills greater than 10 gallons and of unknown quantities increases to 53 spills between 2009 and 2012. In an attempt to be more definitive while calculating the risk of spills, only spills that were known to be greater than 10 gallons have been considered while estimating spill probability.

There are no bulk liquid facilities adjacent to the proposed project site. The closest bulk liquid facilities are operated by Shell Oil at Berths 167—169 across the East Basin Channel approximately 0.2 mile north of the proposed project site, and by Vopak Liquid Bulk Terminal at Berths 187–191, approximately 0.2 miles across Cerritos Channel to the north of the proposed project site.

The YTI Terminal is a small quantity generator (greater than 100 kilogram but less than 1,000 kilogram hazardous waste per month) for Resource Conservation and Recovery Act (RCRA) hazardous wastes, and a large quantity generator (greater than 1,000 kilogram hazardous waste per month) for non-RCRA hazardous wastes (California waste only) (LAFD 2012b). Table 3.9-1 presents the wastes generated at the proposed project site in 2012. In addition to the hazardous and nonhazardous wastes presented in the table, universal wastes are also generated; however, these are recycled (Hansen pers. comm.).

Table 3.9-1: Berths 212–224 [YTI] Hazardous and Nonhazardous Wastes Generated in 2012

	Annual Total	Estimated Monthly Average	Average Shipment Size
Hazardous Waste	815 gal	67.9 gal	45.3 gal
	6,997 lbs	583.1 lbs	368.3 lbs
Nonhazardous	8,915 gal	742.9 gal	1,114.4 gal
Waste	76,070 lbs	6,339.2 lbs	5,433.6 lbs

Note: The quantity of each actual shipment varies. The data presented in this table an average calculate by dividing the 2012 total waste amounts by 12 months and the number of shipments for hazardous and nonhazardous wastes.
lbs = pounds; gal = gallons

Source: Hansen pers. comm.

Hazardous and nonhazardous waste volumes are not expected to increase much over time and YTI would continue to comply with all applicable federal, state, and local laws, ordinances, regulations, and standards related to hazardous and nonhazardous materials and wastes.

The proposed project site includes several facilities that contain small amounts of hazardous material and/or hazardous wastes (see Table 3.9-2). Gasoline and diesel are stored on site in two aboveground storage tanks (ASTs), each with a capacity of 12,060 gallons. The fuel dispensing system on the gasoline AST is covered by, and permitted annually under, Air Quality Management District Rule 461. YTI holds a 2012 permit and submitted application funds for the 2013 permit in July 2013 (Hansen pers. comm.). In compliance with the EPA's regulations on Oil Pollution Prevention (40 CFR 110 and 112), YTI maintains a Spill Prevention, Control, and Countermeasures (SPCC) Plan[3]

[3] Oil Pollution Prevention (40 CFR Parts 110 and 112) regulations specifically require facilities that use and/or store oil or petroleum products in quantities exceeding 1,320 gallons aggregate aboveground or 42,000 underground storage to prepare a SPCC Plan that details the design and operation of the facility to prevent, control, and provide countermeasures to a discharge of oil. In addition, the State of California has issued regulations via the Aboveground Petroleum Storage Act (Sections 25270 through 25270.13 of the Health and Safety Code) that parallel the federal regulations. The requirements do not apply to containers less than 55 gallons in capacity or oil stored or used on vehicles related to transportation (other than those used exclusively within the boundaries of the facility).

(Hansen pers. comm.). In addition, in compliance with Section 25270.6 of the Aboveground Petroleum Storage Act, YTI submits an annual tank facility statement to the Certified Unified Program Agency that lists key information regarding the facility and the oil materials present at the site (LAFD 2012a). YTI has also submitted a Hazardous Material Business Plan to the Los Angeles County Fire Department in accordance with California Health and Safety Code Chapter 6.95 Section 25504 (b) and 19 CCR Section 2729–2732 and has prepared a Stormwater Pollution Prevention Plan (SWPPP) in accordance with California National Pollutant Discharge Elimination System (NPDES) permit CAS000001 for stormwater discharges associated with industrial activities (LAFD 2012b; Hansen pers. comm.).

YTI contracts Asbury Environmental Services in Compton and Safety-Kleen Systems, Inc. in Santa Ana for transportation of hazardous and nonhazardous wastes generated from on-site operations. In 2012, hazardous and nonhazardous waste disposal services were also provided by two additional companies: Siemens Industry, Inc. in Los Angeles and Demenno-Kerdoon in Compton. In the event of a spill, Patriot Environmental Services of Wilmington would serve as first responders to the proposed project site for cleanup operations (Hansen pers. comm.).

Table 3.9-2: Facilities Containing Potentially Hazardous Materials and Hazardous Wastes at Berths 212–224 (YTI) Container Terminal

Chemical Location	Chemical Stored (Hazardous Components)	Quantity Stored Average Daily/ Maximum Daily Amounts	Hazardous Material	Hazardous Waste
Power shop, chassis shop, crane shop canopy, and mobile vans	Acetylene	2,950/3,500 cf	Yes	No
Power shop	Antifreeze (ethylene glycol)	200/225 gal	Yes	Yes
Power Shop	Antifreeze (waste) (ethylene glycol)	60/120 gal	Yes	Yes
Power shop, chassis shop, crane shop, and M&R Vans	Armakleen™ 4 in 1 Cleaner cleaning solution (sodium carbonate, sodium hydroxide, fatty acids C8, propylene glycol, and polyethoxylated alcohols)	55/100 gal	Yes	No
Power shop	Argon and carbon dioxide mixture	2,000/3,500 cf	Yes	No
West end of chassis shop	Firefighting foam concentrate (Chemguard 3% AFFF C-303) (propylene glycol t-butyl ether, magnesium sulfate, proprietary hydrocarbon surfactant, and proprietary fluorosurfactant)	110 gal	Yes	No
AST and three fuel trucks east of power shop and two emergency generators at facility entrance	Diesel (diesel fuel and naphthalene)	9,000/17,436 gal	Yes	No

Table 3.9-2: Facilities Containing Potentially Hazardous Materials and Hazardous Wastes at Berths 212–224 (YTI) Container Terminal

Chemical Location	Chemical Stored (Hazardous Components)	Quantity Stored Average Daily/ Maximum Daily Amounts	Hazardous Material	Hazardous Waste
Power shop	Drive train fluid (highly refined mineral oil and zinc dialkyl dithiophosphate)	75/120 gal	Yes	No
Administration building—2nd floor	Fire extinguishing agent (FM-200) (Heptafluoropropane and HFC 227ea)	253 lbs	Yes	No
AST and two fuel trucks east of power shop	Gasoline (gasoline, benzene, n-Butane, ethyl alcohol, and n-Hexane)	7,000/13,284 gal	Yes	No
Crane shop and power shop	Gear oil (highly refined mineral oil and zinc dialkyl dithiophosphate)	200/340 gal	Yes	No
Crane shop and power shop	Hydraulic oil (distillates, petroleum, solvent, light, and heavy paraffin; proprietary ingredients; and zinc alkyldithiophosphate)	450/725 gal	Yes	No
Crane shop, power shop, and chassis shop	Motor oil (highly refined petroleum distillates, zinc compounds, and polymer additives)	850/1,295 gal	Yes	No
Crane shop, power shop, and chassis shop	Waste oil (highly refined petroleum distillates, zinc compounds, and polymer additives)	500/1,000 gal	Yes	No
Crane shop, power shop, chassis shop, and M&R Vans	Oxygen	3,000/6,000 cf	Yes	No
End of wash rack	Propane	350/495 lbs	Yes	No
Power shop and chassis shop	Transmission fluid (highly refined mineral oil and zinc dialkyl dithiophosphate)	350/260 gal	Yes	No

Source: LAFD 2012b.
Notes: cf = cubic feet; lbs = pounds; gal = gallons

3.9.2.2 Public Emergency Services

Emergency response/fire protection for the Port is provided by the Los Angeles City Fire Department (LAFD). Landside and waterside security is provided primarily by the Los Angeles Port Police (Port Police), in addition to the USCG and Los Angeles Police Department (LAPD). Fireboat companies and land-based fire stations are located in the proposed project vicinity, and fire stations equipped with fire trucks are also located in

the Port and nearby in the communities of Wilmington and San Pedro. Section 3.13, Public Services, provides further details regarding emergency response services.

Additionally, the West Coast and Alaska Tsunami Warning Center operates the federal data collection and warning system for tsunami hazards in its area of responsibility, which includes the west coast of the U.S., Alaska, Atlantic Ocean and seaboard, Puerto Rico, Virgin Islands, Gulf of Mexico coastal areas, and the east and west coasts of Canada. The center collects seismic data from various seismic networks throughout its area of responsibility (NOAA 2011a).[4] These data are processed, automatically and interactively, to quickly determine the tsunami potential of an earthquake, and bulletins are issued based initially on this first analysis of seismic data. If a tsunami could be generated, sea level data, tsunami models, and historical tsunami information are analyzed to estimate impact level (NOAA 2011b; National Tsunami Hazard Mitigation Program and NOAA 2010).[5]

The West Coast and Alaska Tsunami Warning Center issues tsunami warnings within 10 minutes of an earthquake occurrence when a potentially tsunami-producing earthquake is greater than 7.0 on the Richter scale in the Pacific area of responsibility. Warnings also may be issued when potentially tsunami-producing earthquakes (greater than 7.5) outside the area of responsibility occur and are likely to affect it. The geographic extent of the warning is based on the size of the earthquake, tsunami travel times throughout the area of responsibility, and expected impact zones (NOAA 2011a).

The center broadcasts tsunami bulletins and warnings through standard National Weather Service dissemination methods such as National Oceanic and Atmospheric Administration (NOAA) Weather Radio All Hazards, the Emergency Alert System, and the Emergency Managers Weather Information Network. State emergency service agencies receive the message through the Federal Emergency Management Agency's National Warning System and the NOAA Weather Wire Service. The states immediately pass warnings to local jurisdictions (NOAA 2011a). The USCG also relays the message via radio. The Safety Element of the City's General Plan identifies the entire Port as an area that could be affected by a tsunami, as well as the areas south/southwest of the Main Channel, including the proposed project site, and potential inundation areas (City of Los Angeles Planning Department 1996). LAHD has a Port-wide emergency notification system in place to warn of tsunamis and other emergency situations by telephone/email/text alerts (Malin pers. comm. 2011).

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

[4] The West Coast and Alaska Tsunami Warning Center's website provides detailed information related to tsunami warning and disaster preparedness and is available at: http://wcatwc.arh.noaa.gov/faq/frequently.php.

[5] Additional information pertaining to tsunami data and information is available through NOAA's National Weather Service and the NOAA National Geophysical Data Center websites at: http://nthmp.tsunami.gov/media-corner/guidebook.php and http://www.ngdc.noaa.gov/hazard/tsu.shtml, respectively.

3.9.2.3 Homeland Security

Terrorism Risk

Prior to the events of September 11, 2001, the prospect of a terrorist attack on a U.S. port facility or a commercial vessel in a U.S. port would have been considered highly speculative under CEQA and NEPA, and not analyzed. The climate of the world today has an additional unknown factor for consideration (i.e., terrorism). There are limited data available to indicate the likelihood of a terrorist attack aimed at the Port or the proposed project site; therefore, the probability component of the analysis contains a considerable amount of uncertainty. Nonetheless, this fact does not invalidate the analysis presented herein. A terrorist action could be the cause of events described in this section, such as hazardous materials release and/or explosion. The potential impact of those events is described herein.

Application of Risk Principles

Terrorism risk can be generally defined by the combined factors of threat, vulnerability, and consequence. In this context, terrorism risk represents the expected consequences of terrorist actions taking into account the likelihood that these actions will be attempted, and the likelihood that they will be successful. Of the three elements of risk, the threat of a terrorist action cannot be directly affected by activities in the Port. The vulnerability of the Port and of individual cargo terminals can be reduced by implementing security measures. The expected consequences of a terrorist action can also be affected by certain measures, such as emergency response preparations.

Terrorism Risk Associated with Port Cargo Facilities

Port facilities could be subject to terrorist actions from the land, air, or water, and there could be attempts to disrupt cargo operations through various types of actions. The cargo facilities in the Port are the locations where cargo moving through the international supply chain is transferred between vessels and land transportation (either over the road tractor-trailers or railroad). Port terminals are generally not seen as iconic themselves. However, because port functions are critical to the international supply chain and, therefore, to the U.S. economy, it is possible that these facilities could be targeted for terrorist actions. During operational periods, people on these terminals are generally limited to terminal staff members, longshore workers, and truck drivers. There is no public access to these terminals.

Terrorism Risk Associated with Commercial Vessels

Commercial vessels in the Port could be subject to terrorist action while at berth or during transit. These vessels could be subject to several types of actions, including an attack from the land, air, surface of the water, or beneath the surface of the water. During their transit in the Port, some vessels (especially larger vessels) are highly restricted in their maneuverability.

Container ships are not attractive targets in terms of loss of life or producing large fires and explosions; rather, an attack on a container ship would likely be economic in nature and designed to disrupt Port operations. A catastrophic attack on a vessel in Port waters could block key channels and disrupt commerce, thus resulting in potential economic losses.

Terrorism Risk Associated with Containerized Cargo

Containerized cargo represents a substantial segment of maritime commerce and is the focus of much of the attention regarding seaport security. Containers are used to transport a wide variety of goods. A large container ship can carry anywhere between 5,000 and 18,000 containers, several hundred of which might be offloaded at a given port. Once offloaded from ships, containers are transferred to rail cars or tractor-trailers.

Intermodal cargo containers could be used to transport a harmful device into the Port. This could include a weapon of mass destruction, or a conventional explosive device. The likelihood of such an attack would be based on the desire to cause harm to the Port. The probability of an attack would have no relationship to project-related throughput. The potential environmental effects of such an action, if it resulted in release of hazardous material, would be akin to the accidental release of hazardous materials that are addressed herein.

Additionally, the use of cargo containers to smuggle weapons of mass destruction through the Port with the intention to harm another location, such as a highly populated and/or economically important region, is another possible use of a container by a terrorist organization. However, the likelihood of such an event would not be connected to project-related throughput, but would rather be based on the terrorists' desired outcome. Cargo containers represent only one of many potential methods to smuggle weapons of mass destruction and, with current security initiatives, may be less desirable than other established smuggling routes (e.g., land-based ports of entry, cross-border tunnels, illegal vessel transportation).

3.9.2.4 Security Measures at the Port of Los Angeles

Numerous security measures have been implemented in the Port in the wake of the terrorist attacks of September 11, 2001. Federal, state, and local agencies, as well as private industry, have implemented and coordinated many security operations and physical security enhancements. The result is a layered approach to Port security that includes the security program of LAHD and the existing YTI Terminal.

Security Regulations

MTSA resulted in maritime security regulations in 33 CFR 101–106. These regulations apply to cargo terminals in the Port, including at the YTI Terminal. Title 33 Part 105 requires that cargo terminals meet minimum security standards for physical security, access control, cargo handling security, and interaction with berthed vessels. These regulations require that terminal operators submit a Facility Security Plan to the USCG Captain of the Port for review and approval prior to conducting cargo operations. The requirements for submission of the security plans became effective on December 31, 2003. Operational compliance was required by July 1, 2004.

The International Ship and Port Facility Security (ISPS) Code was adopted by the International Maritime Organization in 2003. This code requires both ships and ports to conduct vulnerability assessments and to develop security plans with the purpose of preventing and suppressing terrorism against ships, improving security aboard ships and ashore, and reducing risk to passengers, crew, and port personnel on board ships and in port areas, for vessels and cargo. The ISPS Code applies to all cargo vessels 300 gross

tons or larger and ports servicing those regulated vessels, and it is very similar to the MTSA regulations.

USCG is responsible for enforcement of the MTSA and ISPS Code regulations discussed above. Due to the parallel nature of the MTSA and ISPS requirements, compliance with the MTSA is tantamount to compliance with the ISPS. If either the terminal or a vessel berthed at the terminal is found to be in noncompliance with these security regulations, the USCG may not permit cargo operations and the terminal and/or vessel operators may be subject to fines. In accordance with its responsibilities for land-based security under 33 CFR 105, the USCG may impose additional control measures related to security.

In July 2005, the Port Tariff was modified to require all Port terminals subject to MTSA regulations to fully comply with these regulations, and to provide the Port with a copy of their approved Facility Security Plan.

YTI Container Terminal Security Measures

Security at YTI is conducted in accordance with an existing Facility Security Plan that was approved on April 28, 2008 by the Captain of the Port for Sector Los Angeles-Long Beach. The facility perimeter is defined by a fence line and dock face. The facility is defined as a Secure Area.

As part of the Facility Security Plan, YTI uses required Maritime Security (MARSEC) Access Control Measures. MARSEC Levels are designed to easily communicate to the USCG and maritime industry partners any pre-planned scalable responses for credible threats. If the Secretary of Homeland Security issues a National Terrorism Advisory System Alert, the Commandant of the USCG would adjust the MARSEC Level, if appropriate, based on the commensurate risk, any maritime nexus, and/or Commandant consultation with the Secretary of Homeland Security.

MARSEC Levels are set to reflect the prevailing threat environment to the marine elements of the national transportation system, including ports, vessels, facilities, and critical assets and infrastructure located on or adjacent to waters subject to the jurisdiction of the U.S. MARSEC Levels apply to vessels, USCG-regulated facilities inside the U.S., and the USCG.

- MARSEC Level 1 means the level for which minimum appropriate security measures are maintained at all times.
- MARSEC Level 2 means the level for which appropriate additional protective security measures are maintained for a period of time as a result of heightened risk of a transportation security incident.
- MARSEC Level 3 means the level for which further specific protective security measures are maintained for a limited period of time when a transportation security incident is probable, imminent, or has occurred, although it may not be possible to identify the specific target.

MARSEC Level 1 generally applies in the absence of a National Terrorism Advisory System Alert or when the Commandant determines that the alert is not applicable to the Marine Transportation System. If an alert is applicable, the Commandant would consider a MARSEC Level change for the maritime industry, USCG, or both.

Vessel Security Measures

All cargo vessels 300 gross tons or larger that are flagged by International Maritime Organization signatory nations adhere to the ISPS Code standards discussed in the Security Regulations section above. These requirements include:

1) Ships must develop security plans that address monitoring and controlling access; monitoring the activities of people, cargo, and stores; and ensuring the security and availability of communications.
2) Ships must have a Ship Security Officer.
3) Ships must be provided with a ship security alert system. These systems transmit ship-to-shore security alerts to a competent authority designated by the Flag State Administration, which may communicate the company name, identify the ship, establish its location, and indicate that the ship security is under threat or has been compromised. For the west coast, this signal is received by the Coast Guard Pacific Area Command Center in Alameda.
4) International port facilities that ships visit must have a security plan, including focused security for areas having direct contact with ships.
5) Ships may have certain equipment on board to help maintain or enhance the physical security of the ship, including:
    a. monitoring and controlling access;
    b. monitoring the activities of people and cargo;
    c. ensuring the security and availability of communications; and
    d. completing a Declaration of Security signed by the Facility Security Officer and Ship Security Officer that ensures that areas of security overlapping between the ship and facility are adequately addressed.

Vessels flagged by nations that are not International Maritime Organization signatory are subject to special USCG vessel security boarding prior to entering port.

Security Credentialing

The TWIC program is a TSA and USCG initiative that includes issuance of a tamper-resistant biometric credential to maritime workers requiring unescorted access to secure areas of Port facilities and vessels regulated under the MTSA. The TWIC program minimizes the potential for unauthorized handling of containers that contain hazardous materials and provides additional shoreside security at the terminal. In order to obtain a TWIC, an individual must successfully pass a security threat assessment conducted by TSA. This assessment includes a criminal history check and a citizenship or immigration status check of all applicants. The Port is currently involved in initial implementation of the TWIC program, including a series of field tests at selected Port terminals.

Cargo Security Measures

U.S. Customs and Border Protection (CBP) is the federal agency with responsibility for the security of cargo being shipped into the U.S. CBP is the lead agency for screening and scanning cargo that is shipped through the Port. Neither the YTI Terminal nor LAHD have responsibilities related to security scanning or screening of cargo entering

the Port. However, the Port Police may inspect cargo if there is probable cause on a case-by-case basis.

CBP conducts several initiatives related to security of the supply chain. Through the Container Security Initiative program, CBP inspectors pre-screen U.S.-bound marine containers at foreign ports prior to loading aboard vessels bound for U.S. ports. The Customs Trade Partnership Against Terrorism offers importers expedited processing of their cargo if they comply with CBP measures for securing their entire supply chain. Details of CBP cargo security programs can be found at the CBP's website: http://cbp.gov/.

Port of Los Angeles Security Initiatives

In 2012, the Port of Los Angeles adopted a five-year Strategic Plan for 2012–2017 (POLA 2012), which focuses on three key result areas: competitive operations, strong relationships, and financial strength. In support of one of the strategic objectives identified in this plan, "increase stakeholder and community awareness and support," the plan includes two initiatives related to strengthening security measures. These are:

> *Initiative 4*
>
> Enhance the passage of critical information between the Port and local stakeholders through enhanced use of Web media.
>
> **Metric:** Develop a "See Something, Say Something" iWatch-type interactive Web site that fosters more collaboration and real-time communication and notification capability between Port Police, the ILWU workforce, community members and other stakeholders who have a role or interest in Port safety and security.
>
> *Initiative 5*
>
> Provide hands-on training in areas such as security and emergency response.
>
> **Metric:** Provide six classes per year for ILWU, two classes per year for facility security officers and terminal personnel, and four classes per year for community members in FY 2012/13, FY 2013/14 and FY 2014/15 respectively.

3.9.3 Applicable Regulations

3.9.3.1 List of Regulations

Regulations applicable to the proposed Project or alternatives are designed to regulate hazardous materials and hazardous wastes. These regulations also are designed to limit the risk of upset during the use, transport, handling, storage, and disposal of hazardous materials. Additionally, as described earlier, numerous security measures have been implemented in the Port area in the wake of the terrorist actions of September 11, 2001. Although LAHD is responsible for the overall protection of the proposed project area, as well as reviewing tenant security operations, each tenant is individually and specifically required to comply with federal and state security and emergency regulations, which are enforced by agencies such as the USCG and LAFD. The proposed Project would be

subject to numerous federal, state, and local laws and regulations including, but not limited to, those described below.

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

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

Comprehensive Environmental Response, Compensation, and Liability Act

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

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

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

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

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

United States Coast Guard Title 33

The USCG, through Title 33 (Navigation and Navigable Waters) and Title 46 (Shipping) of the CFR, is the federal agency responsible for vessel inspection, marine terminal

operations safety, coordination of federal responses to marine emergencies, enforcement of marine pollution statutes, marine safety (such as navigation aids), and operation of the National Response Center for spill response, and is the lead agency for offshore spill response. The USCG implemented a revised vessel-boarding program in 1994 designed to identify and eliminate substandard ships from U.S. waters. The program pursues this goal by systematically targeting the relative risk of vessels and increasing the boarding frequency on high risk (potentially substandard) vessels. The relative risk of each vessel is determined through the use of a matrix that factors the flag of the vessel, owner, operator, classification society, vessel particulars, and violation history. Vessels are assigned a boarding priority from I to IV, with priority I vessels being the potentially highest risk and priority IV having relatively low risk. The USCG is also responsible for reviewing marine terminal Operations Manuals and issuing Letters of Adequacy upon approval.

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

This statute is the basic hazardous waste law for California. The Hazardous Waste Control Law implements the federal RCRA cradle-to-grave waste management system in California. California hazardous waste regulations can be found in 22 CCR 4.5, Environmental Health Standards for the Management of Hazardous Wastes. The program is administered by the California Department of Toxic Substances Control.

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

Also known as Title III of the Superfund Amendments and Reauthorization Act, the Emergency Planning and Community Right-to-Know Act was enacted by Congress as the national legislation on community safety. This law was designated to help local communities protect public health, safety, and the environment from chemical hazards. To implement this act, Congress required each state to appoint a State Emergency Response Commission. These commissions are required to divide their states into Emergency Planning Districts and to name a Local Emergency Planning Committee for each district. The act provides requirements for emergency release notification, chemical inventory reporting, and toxic release inventories for facilities that handle chemicals.

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

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

have a Hazardous Materials Business Plan in place to facilitate effective and safe management of any release.

Aboveground Storage of Petroleum

California Health and Safety Code, Chapter 6.67 regulates construction, installation, operation, and monitoring of aboveground petroleum storage tanks. This law is designed to prevent release of hazardous materials into the environment by either leakage from tanks and associated pipelines or from overfilling and spillage. As such, the program works to reduce the occurrence of hazardous material releases.

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

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

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

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

Port of Los Angeles Risk Management Plan

The Risk Management Plan (RMP), an element of the Port Master Plan, was adopted in 1983, in accordance with California Coastal Commission requirements. The purpose of the RMP is to provide siting criteria relative to vulnerable resources and the handling and storage of potentially hazardous cargo such as crude oil, petroleum products, and chemicals. The RMP provides guidance for future development of the Port designed to minimize or eliminate the hazards to vulnerable resources from accidental releases. As part of the Port Master Plan Update in 2013, the Port updated and incorporated the RMP as Chapter 8 of the Port Master Plan (POLA 2013). Although the applicability of the proposed Project or alternative with this Plan would be limited—as the plan pertains primarily to marine terminals that accept crude oil, petroleum products, and chemicals, rather than container terminals—the proposed Project is consistent with the existing and Draft Port RMP and does not pose significant risks.

Emergency Response and Evacuation Plans

LAHD, in conjunction with the City, LAFD, LAPD, Port Police, and USCG, is responsible for managing any emergency related to Port operations, depending on the severity of the emergency.

The City of Los Angeles Emergency Preparedness Department provides citywide emergency leadership, continuity, and direction to enable the City and all of its various departments and divisions to respond to, recover from, and mitigate the impact of natural,

human-made, or technological disasters upon its people or property (EMD 2013). The department has prepared a City of Los Angeles Emergency Operations Organization Manual that describes the organization, responsibilities, and priorities of all City departments and local agencies in case of an emergency (EOO 2006). The manual is maintained by the Emergency Preparedness Department and is organized by type of emergency as well as by the City departments that are responsible for responding to certain emergencies. The manual includes the following sections applicable to the Port area:

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

Generally, these various plans established the following emergency operational priorities for the Port:

- provide Port security,
- evacuate vessels for the safety of crew members,
- evacuate Port facilities and the Port area,
- regulate the movement and anchorage of vessels,
- establish liaison with other City/government agencies,
- procure and maintain emergency supplies and equipment,
- establish damage assessment and prioritization procedures,
- identify shelter facilities, and
- provide employee emergency preparedness training.

Specifically, the LAHD Plan of the City of Los Angeles Emergency Operations Organization Manual identifies very general initial policies and procedures covering LAHD's response in the event of any emergency.

The Hazardous Materials Annex contains information regarding the chain of command and the general organization of any response to a hazardous material release anywhere in the City, including the Port area (EOO 1993). It includes an emergency checklist for LAHD to follow should a hazardous materials release occur within the Port area. The checklist identifies specific pre-event, response, and recovery action items and identifies the respective LAHD divisions (i.e., Port Police) that are responsible for carrying out the action items.

The Tsunami Response Plan Annex identifies the Port area as a Tsunami Inundation Zone and outlines policies and procedures of nine different City departments (including LAHD, LAPD, LAFD, and EMD) in the event of a tsunami (EOO 2007). The Tsunami Response Plan identifies evacuation routes for the San Pedro area and the harbor area and specifies evacuation locations to which evacuees should retreat. The plan identifies that the mission of LAHD with respect to a tsunami is to provide employees, tenants, and the public with a safe, well-planned, and organized method of evacuating the Port district. It outlines several actions that the Port Police are responsible for, including following the established evacuation checklist, evacuating the affected Tsunami Inundation Zone, and

activating notification procedures. The divisional organization and basic functions that would support the Tsunami Response Plan for the Port area are consistent with LAHD's emergency plan and procedures.

The City and LAHD have adopted the Standardized Emergency Management System to manage responses to multi-agency and multi-jurisdiction emergencies and facilitate communications and coordination among all levels of the system and among all responding agencies. Additionally, the City currently uses a new emergency management process that incorporates Homeland Security's National Incident Management System and Incident Command System and the application of standardized procedures and preparedness measures (Malin pers. comm. 2011).

In addition to the emergency response plans EPD maintains, LAHD maintains emergency response and evacuation plans. The Homeland Security Division of LAHD is responsible for maintaining and implementing LAHD's Emergency Procedures Plan. This plan was last revised in 2012. LAHD's Emergency Procedures Plan references LAHD's evacuation plan. The evacuation plan is maintained and implemented by the Port Police and in consultation with the Homeland Security Division and USCG. LAHD's evacuation plan was last updated in 2005, and subsequent reviews by LAHD have concluded an update is not needed at this time.

Finally, each tenant at the Port is responsible for maintaining its own emergency response plan (Malin pers. comm. 2008). Tenants must comply with emergency and security regulations enforced by LAFD, Port Police, Homeland Security Division, and USCG.

3.9.3.2 Other Requirements

California regulates the management of hazardous wastes through Health and Safety Code Section 25100 et seq., and through 22 CCR 4.5, Environmental Health Standards for the Management of Hazardous Wastes, as well as 26 CCR, Toxics.

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

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

Numerous facilities handle, store, or transport hazardous materials in the Port. Activities that involve hazardous liquid bulk cargoes (e.g., fuels) at the Port are governed by the Port of Los Angeles RMP, which is now part of the updated Port Master Plan (POLA 2013). The RMP helps measure and control the risks inherit in handling and storing hazardous cargoes within the Port. The policies of this plan are intended to be used in siting and expanding hazardous cargo facilities relative to high density populations and

critical impact facilities (i.e., vulnerable resources). This plan provides for a methodology for assessing and the potential risks of the storage and transfer of hazardous commodities occurring at liquid bulk terminals within the Port.

Hazardous materials inside cargo containers fall under the primary jurisdiction of the federal Department of Homeland Security and USCG (33 CFR 126) while the containers are at sea, in Port waters, and at waterfront facilities. Under the jurisdiction of the Department of Homeland Security, the USCG maintains an Office of Operating and Environmental Standards Division, which develops national regulations and policies on marine environmental protection. This division coordinates with appropriate federal, state, and international organizations to minimize conflicting environmental requirements. The USCG also maintains a Hazardous Materials Standards Division (HMSD), which develops standards and industry guidance to promote the safety of life and protection of property and the environment during marine transportation of hazardous materials. This includes transportation of bulk liquid chemicals and liquefied gases, hazardous bulk solids, and packaged hazardous cargoes, as well as hazardous materials used as ship stores and hazardous materials used for shipboard fumigation of cargo.

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

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

The risk of terrorism and any resultant environmental effects, when such risks are relevant and reasonably foreseeable, must be considered during preparation of environmental documents under NEPA (U.S. Court of Appeals for the 9th Circuit in *San Luis Obispo Mothers for Peace, et al. v. Nuclear Regulatory Commission* [449 F.3d 1016 (9th Cir. 2006)]). The decision by the court held that the risk of terrorist attack was within the foreseeable chain of causation and dealt with likely *physical* effects of that terrorism.

3.9.4 Impacts and Mitigation Measures

3.9.4.1 Methodology

Risk Probability and Criticality

The NEPA and CEQA guidelines require identifying any adverse change in any of the physical conditions in the area affected by the proposed Project or alternatives, including a change in the probability of spills or releases of hazardous materials. For incidents that may affect environmental health and public safety, a risk matrix is commonly used to

evaluate the expected frequencies of scenarios versus the severity of potential consequences to determine the level of significance (see Table 3.9-3). The potential for significant safety impacts increases proportionally to the frequency of occurrence and potential consequences of an event. Frequency is typically classified into six categories (frequent, periodical, occasional, possible, improbable, and extraordinary) based on a predefined expected level of occurrence. The severity of consequence is classified into five categories (negligible, minor, major, severe, and disastrous) based on the potential environmental and safety impact on the public.

Table 3.9-3: Risk Matrix

Probability

Consequences	Extraordinary >1,000,000 years	Improbable >10,000 <1,000,000 years	Possible >100 <10,000 years	Occasional >10 and <100 years	Periodic >1 and <10 years	Frequent (>1year)
Catastrophic (> 100 severe injuries, more than 10 fatalities or >357,142 bbls)	4	3	2	1	1	1
Severe (up to 100 severe injuries, up to 10 fatalities, or 2,380–357,142 bbls)	4	3	3	2	2	2
Moderate (up to 10 severe injuries or 238–2,380 bbls)	4	4	3	3	3	3
Slight (a few minor injuries or 10–238 bbls)	4	4	4	4	4	4
Negligible (no minor injuries or <10 bbls)	4	4	4	4	4	4

Note: Incidents that fall in the dark-shaded area of the risk matrix (with cell entries of 1 and 2) would be classified as significant in the absence of mitigation, while the lighter-shaded areas (with cell entries of 3) would be significant in the absence of engineering and/or administrative controls. Unshaded areas (with cell entries of 4) would be considered less than significant.
bbl = barrel that is 42 gallons.
Sources: LACFD 1991; Santa Barbara County 1995; Aspen Environmental Group 1996.

Table 3.9-3 specifies values in each category of consequence and frequency classification typically used in the industry. Incidents that fall in the shaded area of the risk matrix would be classified as significant, unless, for the lighter shaded areas, there are engineering and/or administrative controls in place. The risk matrix approach follows the Los Angeles County Fire Department (LACFD) risk management guidelines that were originally developed for the California Risk Management and Prevention Program (RMPP) and also include the criticality classifications presented in Table 3.9-4 (LACFD 1991). The RMPP used the combination of accident frequency and consequences to

define the significance of a potential accident in terms of impacts on public safety (i.e., potential injuries and/or fatalities). Santa Barbara County added additional criteria to address the significance of oil spills and environmental hazards, which for the proposed Project or alternatives would include fuel spills from container ships (Santa Barbara County 1995). The potential significance of impacts on public safety and the environment are evaluated using the risk matrix approach. The extent of environmental damage is evaluated in the relevant issue areas (e.g., biological resources, water quality).

Table 3.9-4: Criticality and Frequency Classifications

Criticality Classification		
Classification	Description of Public Safety Hazard	Environmental Hazard—Oil Spill Size
Negligible	No significant risk to the public, with no injuries	Less than 10 bbls (420 gal)
Slight	At most a few minor injuries	10–238 bbls (420–10,000 gal)
Moderate	Up to 10 severe injuries	238–2,380 bbls (10,000–100,000 gal)
Severe	Up to 100 severe injuries or up to 10 fatalities	2,380–357,142 bbls (100,000–15,000,000 gal)
Catastrophic	More than 100 severe injuries or more than 10 fatalities	Greater than 357,142 bbls (15,000,000 gal)
Frequency Classification		
Classification	Frequency per Year	Description of the Event
Extraordinary	Less than once in 1,000,000 years	Has never occurred but could occur.
Improbable	Between once in 10,000 and once in 1,000,000 years	Occurred on a worldwide basis, but only a few times. Not expected to occur.
Possible	Between once in 100 and once in 10,000 years	Is not expected to occur during the project lifetime.
Occasional	Between once in 10 and once in 100 years	Would probably occur during the project lifetime.
Periodic	Between once per year and once in 10 years	Would occur about once a decade.
Frequent	Greater than once in a year	Would occur once in a year on average.

Sources: Santa Barbara County 1995; Aspen Environmental Group 1996.

The risk criticality matrix shown in Table 3.9-4 combines accidental probability with the severity of consequences to identify the risk criticality. Four categories of risk have been defined by LACFD (2012):

1) Critical. Mitigate within 6 months with administrative or engineering controls (to reduce the Risk Code to 3 or less).
2) Undesirable. Mitigate within 1 year with administrative or engineering controls (to reduce the Risk Code to 3 or less).

3) Acceptable. Verify need for engineering controls, or that administrative controls are in place for hazard.

4) Acceptable. No mitigating action required for the identified hazard.

The risk criticality matrix was originally developed for use in evaluating the probability and significance of a release of acutely hazardous materials under the requirements of Section 25532(g) of the Health and Safety Code, and has been modified over the years to include other environmental and public safety hazards.

Risk of Upset Due to Terrorism

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

Hazards Associated with Truck Transportation

The proposed Project/alternative-related increases in truck trips could result in an increase in vehicular accidents, injuries, and fatalities. Therefore, potential impacts from increased truck traffic on regional injury and fatality rates have been evaluated.

The Federal Motor Carrier Safety Administration (FMCSA), within USDOT, operates and maintains the Motor Carrier Management Information System (MCMIS). MCMIS contains information on the safety fitness of commercial motor carriers and hazardous material shippers subject to FMCSA Regulations and 49 CFR (Parts 171.8, 172, 173.403, 173.8, and 397.101) Hazardous Materials Regulations. As part of these requirements, reportable accident rates are generated for various types of carriers, including carriers of hazardous materials. More than 500,000 motor carriers are included in the database, approximately 40,000 of which carry hazardous materials. A USDOT-reportable accident is an accident that produces either a fatality or a hospitalization, or requires the vehicle be towed.

The Hazardous Materials Information System is another system of databases managed by the Office of Hazardous Materials Safety within USDOT. The database maintains information on transportation-related hazardous material incidents.

According to an FMCSA detailed analysis (FMCSA 2001), the estimated nonhazardous materials truck accident rate is more than twice the hazardous materials truck accident rate. The nonhazardous materials truck accident rate was estimated to be 0.73 accident per million vehicle miles, and the average hazardous materials truck accident rate was estimated to be 0.32 accident per million vehicle miles.

Based on the National Highway Traffic Safety Administration (NHTSA 2008), of the estimated 380,000 truck crashes in 2008 (causing fatalities, injuries, or property damage), an estimated 1.07% (4,066 truck crashes) produced fatalities and 17.4% (66,000 truck

crashes) produced injuries. The Fatality Analysis Reporting System and the Trucks Involved in Fatal Accidents survey were the sources of data for this analysis, which primarily examines fatalities associated with vehicle impact and trauma.

CEQA Baseline

Section 15125 of the CEQA Guidelines requires EIRs to include a description of the physical environmental conditions in the vicinity of a project that exist at the time of the NOP. These environmental conditions normally would constitute the baseline physical conditions by which the CEQA lead agency determines if an impact is significant. The NOP for the proposed Project was published in April 2013. For purposes of this Draft EIS/EIR, the CEQA baseline takes into account the throughput for the 12-month calendar year preceding NOP publication (January through December 2012) in order to provide a representative characterization of activity levels throughout the complete calendar year preceding release of the NOP. In 2012, the YTI Terminal encompassed approximately 185 acres under its long-term lease, supported 14 cranes (10 operating), and handled approximately 996,109 TEUs and 162 vessel calls. The CEQA baseline conditions are also described in Section 2.7.1 and summarized in Table 2-1.

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

NEPA Baseline

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

Unlike the CEQA baseline, which is defined by conditions at a point in time, the NEPA baseline is not bound by statute to a "flat" or "no-growth" scenario. Instead, the NEPA baseline is dynamic and includes increases in operations for each study year (2015, 2016, 2017, 2020, and 2026), which are projected to occur absent a federal permit. Federal permit decisions focus on direct impacts of the proposed Project to the aquatic environment, as well as indirect and cumulative impacts in the uplands determined to be within the scope of federal control and responsibility. Significance of the proposed Project or the alternatives under NEPA is defined by comparing the proposed Project or the alternatives to the NEPA baseline.

The NEPA baseline, for purposes of this Draft EIS/EIR, is the same as the No Federal Action Alternative. Under the No Federal Action Alternative (Alternative 2), no dredging, dredged material disposal, in-water pile installation, or crane installation/extension would occur. Expansion of the TICTF and extension of the crane rail would also not occur. The No Federal Action Alternative includes only backlands improvements consisting of slurry sealing, deep cold planning, asphalt concrete overlay, restriping, and removal, relocation, or modification of any underground conduits and

pipes necessary to complete repairs. These activities do not change the physical or operational capacity of the existing terminal.

The NEPA baseline assumes that by 2026 the terminal would handle up to approximately 1,692,000 TEUs annually, accommodate 206 annual ships calls at two berths, and be occupied by 14 cranes (10 operating).

3.9.4.2 Thresholds of Significance

Criteria for determining the significance of impacts related to hazards and hazardous materials are based on the *L.A. CEQA Thresholds Guide* (City of Los Angeles 2006) and federal and state standards, regulations, and guidelines. The proposed Project or an alternative would have a significant impact related to hazards and hazardous materials if:

RISK-1: It would substantially increase the probable frequency and severity of consequences to people or property as a result of a potential accidental release or explosion of a hazardous substance, as defined in Tables 3.9-3 and 3.9-4.

RISK-2: It would substantially increase the probable frequency and severity of consequences to people from exposure to health hazards, as defined in Tables 3.9-3 and 3.9-4.

RISK-3: It would substantially interfere with an existing emergency response or evacuation plan, thereby increasing risk of injury or death, as defined in Tables 3.9-3 and 3.9-4.

RISK-4: It would not comply with applicable regulations and policies governing hazardous materials and activities at the Port.

RISK-5: Proposed Project- or alternative-related terminal modifications would result in an increased probability of an accidental spill as a result of a tsunami-induced flooding or other seismic event.

RISK-6: Proposed Project- or alternative-related terminal modifications would result in a measurable increase in the probability of a terrorist attack, which would result in adverse consequences to the proposed project site and nearby areas.

3.9.4.3 Impact Determination

Proposed Project

Impact RISK-1: The proposed Project would not substantially increase the probable frequency and severity of consequences to people or property as a result of an accidental release or explosion of a hazardous substance.

Construction

Construction activities would be conducted using best management practices (BMPs) in accordance with City guidelines, as detailed in the *Development Best Management Practices Handbook—Part A, Construction Activities* (City of Los Angeles 2004) and the Los Angeles Municipal Code regulations (Chapter 5, Section 57, Divisions 4 and 5;

Chapter 6, Article 4). Federal and state regulations that govern the storage of hazardous materials in containers (i.e., the types of materials and the size of packages containing hazardous materials) and the separation of containers holding hazardous materials would confine the potential adverse impacts of contamination to a relatively small area. Standard BMPs would be used during construction activities to minimize runoff of contaminants and clean up any spills, in compliance with the State General Permit for Storm Water Discharges Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ) and the proposed Project-specific SWPPP that has been prepared in accordance with California NPDES permit CAS000001 2013 (Hansen pers. comm.). Further, BMPs would be implemented at Berths 214–216 and 217–220 during dredging and disposal of the dredged material. Some of the applicable BMPs as listed in the *Development Best Management Practices Handbook—Part A, Construction Activities,* include, but are not limited to: training of personnel; proper vehicle and equipment fueling and maintenance to prevent fluids (such as oil, hydraulic fluid, lubricants, or brake fluids) from leaking; proper material delivery, storage, and use to prevent discharge of pollutants; Spill Prevention, Control, and Countermeasure plans to manage spills; management of solid and hazardous wastes; and management of contaminated soil.

Implementation of the aforementioned construction standards would minimize the potential for an accidental release of petroleum products or hazardous materials and explosion during construction activities at the proposed project site. In addition to prevention measures, construction standards include procedures designed to effectively and efficaciously clean up spills and immediately implement remedial actions. It is unlikely that construction activities would involve the use of substantial quantities of hazardous materials, and the most likely source of these materials would be from vehicles at the site. There could be small amounts of hazardous materials used to support dredge operations; however, these materials would be confined to the barge. Thus, the most likely spills or releases of hazardous materials during construction would involve petroleum products, such as diesel fuel, gasoline, oils, and lubricants. Because construction-related spills are not uncommon, the probability of a spill occurring is classified as "frequent" (more than once a year). However, such spills are typically short-term and localized. This is attributable to the fact that the volume in any single source vehicle is generally less than 50 gallons, and fuel trucks that might be present at the site would be limited to 10,000 gallons or less. Thus, the potential consequence of such accidents is classified as "slight," resulting in a Risk Code of 4, which is "acceptable." However, there is also potential for release of contaminated soils from dredging approximately 27,000 cubic yards at Berths 214–216 and Berths 217–220. All of the dredged material would be disposed of at an approved site, which may include LA-2, the Berths 243–245 confined disposal facility (CDF), or another approved location. A sampling and analysis program would be implemented to determine suitability for any offshore disposal of material at LA-2. In addition, any contaminated soil or groundwater encountered during construction of the proposed Project would be handled, transported, remediated, or disposed of in accordance with all applicable federal, state, and local laws and regulations and in accordance with the regulatory lead agency (e.g., DTSC, LARWQCB) and LAHD mitigation measures pertaining to site remediation (GW-1) and development of a contamination contingency plan (GW-2) (see Section 3.8, Groundwater and Soils).

Operation

YTI Terminal operations would be subject to safety regulations that govern the shipping, transport, storage, and handling of hazardous materials, which would limit the severity and frequency of potential releases of hazardous materials resulting in increased exposure of people to health hazards (i.e., Port RMP, USCG, and LAFD regulations and requirements, and USDOT regulations). For example, as discussed in Section 3.9.3.1, List of Regulations, and summarized below, the USCG maintains an HMSD, under the jurisdiction of the federal Department of Homeland Security (33 CFR 126), which develops standards and industry guidance to promote the safety of life and protection of property and the environment during marine transportation of hazardous materials. In addition, USDOT Hazardous Materials Regulations (Title 49 CFR 100–185) regulate almost all aspects of terminal operations. Parts 172 (Emergency Response), 173 (Packaging Requirements), 174 (Rail Transportation), 176 (Vessel Transportation), 177 (Highway Transportation), 178 (Packaging Specifications) and 180 (Packaging Maintenance) would all apply to the proposed project activities.

YTI Terminal operations involving hazardous materials are also governed by LAFD in accordance with regulations of state and federal departments of transportation (49 CFR 176). The transport of hazardous materials in containers on the street and highway system is regulated by Caltrans procedures and the Standardized Emergency Management System prescribed under Section 8607 of the California Government Code. These safety regulations strictly govern the storage of hazardous materials in containers (i.e., types of materials and size of packages containing hazardous materials). Implementation of increased hazardous materials inventory control and spill prevention controls associated with these regulations would limit both the frequency and severity of potential releases of hazardous materials.

Terminal maintenance activities would involve the use of hazardous materials such as petroleum products, solvents, paints, and cleaners. Quantities of hazardous materials that exceed the thresholds provided in Chapter 6.95 of the California Health and Safety Code would be subject to a Release Response Plan (RRP) and a Hazardous Materials Inventory (HMI). Implementation of increased inventory accountability and spill prevention controls associated with the RRP and HMI would limit both the frequency and severity of potential releases of hazardous materials. Limited quantities of hazardous materials used at the terminal that are below the thresholds of Chapter 6.95 would not likely result in a substantial spillage into the environment. However, it is expected that the projected increase in terminal operations under the proposed Project would proportionally increase the potential for an accidental release or explosion of hazardous materials.

As stated above in Section 3.9.2.1, the probability of a spill at a container terminal has been estimated at 1.14×10^{-6} per TEU (35 spills over 4 years [2009 to 2012] divided by 30,599,122 TEUs, which is the total throughput of the container terminals at the Port of Los Angeles over the same 4-year period [2009 to 2012]). This means that for every 874,000 TEUs, a spill is probable. This spill probability conservatively represents the baseline hazardous material spill probability because it includes materials that would not be considered a risk to public safety (e.g., food grease), but would still be considered an environmental hazard. The probability of spills associated with future operations would be based on the spill probability per TEU times the increase in TEUs under the proposed Project.

CEQA Impact Determination

Construction

As discussed above, construction would not substantially increase the probable frequency and severity of consequences to people or property as a result of an accidental release or explosion of a hazardous substance and impacts would be less than significant under CEQA.

Operation

In 2012, the YTI Terminal handled 996,109 TEUs. With build-out of the proposed Project, operations would rise to approximately 1,913,000 TEUs per year when functioning at maximum capacity (in 2026). This would equate to an almost 2-fold increase in throughput capacity over CEQA baseline conditions, thereby proportionally increasing the potential for an accidental release or explosion of hazardous materials.

Based on the estimated probability of a spill at a container terminal of 1.14×10^{-6} per TEU, the frequency of proposed project-related spills can be estimated as shown in Table 3.9-5.

Table 3.9-5: Proposed Project: Existing and Projected Cargo Throughput Volumes at YTI Terminal

Operations	Overall Throughput (TEUs)	Increase in TEUs (%)	Potential Spills (per year)
CEQA Baseline*	996,109	NA	1.1
Proposed Project (2026)	1,913,000	92 %	2.2

Note:
*CEQA Baseline: January 2012—December 2012
TEU = 20-foot equivalent unit

Based on the projected increase in TEUs, the frequency of potential proposed Project-related spills would increase to 2.2 spills per year from 1.1 spills under the baseline, which equates to an increase in the number of annual spills by 1.1 under the proposed Project. This spill frequency would be classified as "frequent" (greater than once per year). Based on history, a slight possibility exists for injury and/or property damage to occur during one of these frequent accidents; therefore, the potential consequence of such accidents is classified as "slight," resulting in a Risk Code of 4, which is "acceptable." Compliance with applicable federal, state, and local laws and regulations governing the transport of hazardous materials and emergency response to hazardous material spills, as described above, would minimize the potential for adverse public health impacts. Therefore, under CEQA, proposed project operations would not substantially increase the probable frequency and severity of consequences to people or property as a result of a potential accidental release (including spill from vessels) or explosion of a hazardous substance. Impacts would be less than significant under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

As discussed above, construction would not substantially increase the probable frequency and severity of consequences to people or property as a result of an accidental release or explosion of a hazardous substance. Impacts would be less than significant under NEPA.

Operation

Under the NEPA baseline, the YTI terminal could handle up to approximately 1,692,000 TEUs by year 2026. Operation of the proposed Project would handle approximately 1,913,000 TEUs per year when functioning at maximum capacity (in 2026). This would equate to a more than 1.1-fold increase in throughput capacity over NEPA baseline conditions.

Based on the estimated probability of a spill at a container terminal of 1.14×10^{-6} per TEU, the frequency of proposed Project-related spills can be estimated as shown in Table 3.9-6.

Table 3.9-6: Proposed Project: Existing and Projected Cargo Throughput Volumes at YTI Terminal

Operations	Overall Throughput (TEUs)	Increase in TEUs (%)	Potential Spills (per year)
NEPA Baseline (2026)	1,692,000	NA	1.9
Proposed Project (2026)	1,913,000	13.1 %	2.2

Note:
TEU = 20-foot equivalent unit

Based on the projected increase in TEUs, the frequency of potential proposed Project-related spills would increase to 2.2 spills per year from 1.9 spills under the baseline, which equates to an increase in the number of annual spills by 0.3 under the proposed Project. This increase in spill frequency would be classified as "periodic" (between once per year and once in ten years). Based on history, a slight possibility exists for injury and or property damage to occur during one of these frequent accidents; therefore, the potential consequence of such accidents is classified as "slight," resulting in a Risk Code of 4, which is "acceptable." Compliance with applicable federal, state, and local laws and regulations governing the transport of hazardous materials and emergency response to hazardous material spills, as described above, would minimize the potentials for adverse public health impacts. Therefore, under NEPA, proposed project operations would not substantially increase the probable frequency and severity of consequences to people or property as a result of a potential accidental release (including spill from vessels) or explosion of a hazardous substance. Impacts would be less than significant under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-2: The proposed Project would not substantially increase the probable frequency and severity of consequences to people from exposure to health hazards.

Construction

Construction activities would be conducted using BMPs in accordance with City guidelines, as detailed in the *Development Best Management Practices Handbook—Part A, Construction Activities* (City of Los Angeles 2004), and the Los Angeles Municipal Code (Chapter 5, Section 57, Divisions 4 and 5; Chapter 6, Article 4). Quantities of hazardous materials that exceed the thresholds provided in Chapter 6.95 of the California Health and Safety Code would be subject to an RRP and an HMI. Implementation of increased inventory accountability and spill prevention controls associated with the RRP and HMI, such as limiting the types of materials stored and size of packages containing hazardous materials, would limit both the frequency and severity of potential releases of hazardous materials, thus minimizing potential health hazards and/or contamination of soil or water during construction activities. These measures would reduce the frequency and consequences of spills by requiring proper packaging for the material being shipped, limits on package size and thus potential spill size, and proper response measures for the materials being handled. Impacts from contamination of soil or water during construction activities would apply to not only construction personnel, but to people and property occupying operational portions of the proposed project area, because Berths 212–213 and Berths 214–216 would remain in operation during Phase I, and Berths 212–213 and the newly improved Berths 217–220 would be in operation during Phase II of construction.

Construction activities would include dredging, transport, and disposal of materials from Berths 214–216 and Berths 217–220. Approximately 27,000 cubic yards of sediments would be removed, which would be disposed of at an approved site, which may include LA-2, the Berths 243–245 CDF, or another approved location. A sampling and analysis program would be implemented to determine suitability for any offshore disposal of material at LA-2.

During construction, hazardous materials shipped to and within the Port could be released in the event a ship is involved in an accident with a dredge or during dredging activities, which could pose a threat to the public. However, hazardous materials shipped, transported, handled, or otherwise stored would be in compliance with the RMP, USCG regulations, fire department requirements, and state and federal departments of transportation regulations (49 Part 176).

Implementation of these preventative measures would minimize the potential for spills to affect members of the public, including on-site employees, and confine the adverse impacts of contamination to a relatively small area.

Operation

The proposed Project would include siting facilities that would potentially handle hazardous materials and increase other hazards to the public. These hazards would

include the similar containerized hazardous materials that were handled at the proposed project site under existing conditions, but the volume of hazardous materials under the proposed Project would increase proportionally with the increase in TEU throughput (relative to existing conditions). Likewise, the increased throughput volume would increase the chance of a fire or explosion at the terminal, as well as hazards associated with container transportation. The handling and storing of increased quantities of hazardous materials would increase the probability of a local accident involving a release, spill, fire, or explosion, which would be proportional to the size of the terminal and its throughput as addressed in Impact RISK-1.

However, it is expected that the projected increase in terminal operations under the proposed Project would proportionally increase the potential truck transportation-related accidents. Potential proposed Project-related increases in truck trips could result in an increase in vehicular accidents, injuries, and fatalities. Therefore, potential impacts of increased truck traffic on regional injury and fatality rates are evaluated.

According to an FMCSA detailed analysis (FMCSA 2001), the estimated nonhazardous materials truck accident rate is more than twice the hazardous materials truck accident rate. The nonhazardous materials truck accident rate was estimated to be 0.73 accident per million vehicle miles, and the average hazardous materials truck accident rate was estimated to be 0.32 accident per million vehicle miles. The hazardous materials truck accident rate is not directly applicable to the proposed Project-related container trucks because such trucks are generally limited to bulk hazardous material carriers. Therefore, to conduct a conservative analysis, the higher accident rate associated with nonhazardous materials trucks was used.

Based on the NHTSA (NHTSA 2008), of the estimated 380,000 truck crashes in 2008 (causing fatalities, injuries, or property damage), an estimated 1.07% (4,066 truck crashes) produced fatalities and 17.4% (66,000 truck crashes) produced injuries.

CEQA Impact Determination

Construction

Because construction-related spills are not uncommon, the probability of a spill occurring is classified as "frequent" (more than once a year). However, because such spills are typically short-term, localized, and small (less than 10 gallons) (FSEL 2006), the potential consequence of such accidents is classified as "slight," resulting in a Risk Code of 4, which is "acceptable." Therefore, construction activities, including dredging activities at Berths 214–216 and Berths 217–220 and the associated disposal, would not substantially increase the probable frequency and severity of consequences to people from exposure to health hazards. Impacts would be less than significant under CEQA.

Operation

Because projected terminal operations under the proposed Project would accommodate approximately a 1.9-fold increase in containerized cargo compared to the CEQA baseline, the potential for increased truck transportation-related accidents would also occur.

Potential proposed Project-related truck accident rates can be estimated based on national average accident rates and the average number of miles per cargo truck trip. Based on the air pollutant emission inventory of the Port, it was determined that the average truck

trip was approximately 50.4 miles (Starcrest 2013). Given the annual number of truck trips, the average distance of each trip, and the published accident, injury, and fatality rates, probabilities were estimated as shown in Table 3.9-7.

Table 3.9-7: Proposed Project: Existing and Projected Truck Trips at YTI Terminal Relative to CEQA Baseline

Operations	Annual Truck Trips	Accident Rate (per year)	Injury Probability (per year)	Fatality Probability (per year)
CEQA Baseline (2012)	901,762	33.18	5.77	0.36
Proposed Project (2026)	1,308,342	48.14	8.38	0.52
Increase over CEQA Baseline Conditions	406,580	14.96	2.60	0.16

Note: numbers are rounded

LAHD has fully implemented its Clean Truck Program, which involved phasing out older trucks. In addition, the federal TWIC program will help identify and exclude truck drivers who lack the proper licensing and training. The phasing out of older trucks would reduce the probability of accidents that occur as a result of mechanical failure by approximately 10% (ADL 1990). Proper driver training, or more specifically the reduction in the number of drivers who do not meet minimum training specifications, would further reduce potential accidents. This would further result in fewer injury and/or fatality conditions.

Because the occurrence of truck accidents associated with the proposed Project could occur at a frequency greater than one per year, truck accidents are considered a "frequent" event. As noted in Table 3.9-7, the possibility for increased injury and/or fatality to occur relative to CEQA baseline conditions is approximately 2.76 (2.60 injury probability + 0.16 fatality probability). The consequence of such accidents is classified as "moderate" because it is less than 10, resulting in a Risk Code of 3. According to the LACFD risk criticality (see Table 3.9-4), an impact with a Risk Code of 3 is classified as "acceptable" with additional engineering or administrative controls to mitigate the adverse impacts.

The potential total injuries and fatality probability relative to the baseline would be reduced with administrative controls, which would not reduce the consequence classification or Risk Code. Due the implementation of administrative controls, proposed project operations would not substantially increase the probable frequency and severity of consequences to people from exposure to health hazards. Therefore, potential impacts under CEQA would be considered less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

Because construction-related spills are not uncommon, the probability of a spill occurring is classified as "frequent" (more than once a year). However, because such spills are typically short-term localized, and small (less than 10 gallons) (FSEL 2006), the potential consequence of such accidents is classified as "slight," resulting in a Risk Code of 4, which is "acceptable." Therefore, construction activities, including dredging activities at Berths 214–216 and Berths 217–220 and the associated disposal, would not substantially increase the probable frequency and severity of consequences to people from exposure to health hazards. Impacts would be less than significant under NEPA.

Operation

Because projected terminal operations under the proposed Project would accommodate approximately a 1.1-fold increase in containerized cargo compared to the NEPA baseline, the potential for increased truck transportation-related accidents would also occur.

Potential proposed Project-related truck accident rates can be estimated based on national average accident rates and the average number of miles per cargo truck trip. Based on the air pollutant emission inventory of the Port, it was determined that the average truck trip was approximately 50.4 miles (Starcrest 2013). Given the annual number of truck trips, the average distance of each trip, and the published accident, injury and fatality rates, probabilities were estimated as shown in Table 3.9-8.

Table 3.9-8: Proposed Project: Existing and Projected Truck Trips at YTI Terminal Relative to NEPA Baseline

Operations	Annual Truck Trips	Accident Rate (per year)	Injury Probability (per year)	Fatality Probability (per year)
NEPA Baseline (2026)	1,184,069	43.56	7.58	0.47
Proposed Project (2026)	1,308,342	48.14	8.38	0.52
Increase over NEPA Baseline Conditions	124,273	4.57	0.80	0.05

Note: numbers are rounded

Compared to NEPA baseline conditions, the proposed Project would result in a negligible change in injury and/or fatality of 0.85 (0.80 injury probability + 0.05 fatality probability), as noted in Table 3.9-8. The consequence of such accidents is classified as "negligible" because the probable number of injuries is less than 1, which equates to a Risk Code of 4. An impact with a Risk Code of 4 is classified as "acceptable" and would be less than significant. Therefore, potential impacts under NEPA would be considered less than significant**.**

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-3: The proposed Project would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.

Construction

Emergency response and evacuation planning is a shared responsibility among LAPD, LAFD, Los Angeles Port Police, and USCG. In addition, as stated earlier in this section, YTI has an Emergency Action Plan in place for its employees, to help prevent and respond to emergency situations when they arise. Proposed project construction would occur completely within YTI's lease premises and is not expected to interfere with emergency responses or evacuation plans. As a standard procedure for activities occurring on Port property and within the Port area, the contractor would coordinate with the agencies responsible for the emergency response and evacuation planning: LAPD, LAFD, Port Police, and USCG. Construction activities would be subject to emergency response and evacuation systems implemented by LAFD.

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

Operation

The proposed Project would optimize terminal operations by improving the existing terminal. The proposed terminal operations would not interfere with any existing contingency plans, because the terminal improvements and related terminal operations would be confined to the proposed project site. Furthermore, current activities are consistent with the contingency plans, and the proposed Project would not add any additional activities that would be inconsistent with these plans. In addition, existing oil spill contingency and emergency response plans for the proposed project site would be revised to incorporate proposed facility and operational changes. Because existing management plans are commonly revised to incorporate terminal operation changes, conflicts with existing contingency and emergency response plans are not anticipated.

The following emergency plans apply to the Port area:

- LAHD's Emergency Operations and Organization Manual (September 2006);
- Tsunami Response Plan Annex of the Emergency Operations and Organization Manual (January 2008);
- Hazardous Materials Annex of the Emergency Department Master Plan and Procedures (July 2008);

- LAHD's Emergency Procedures Plan (January 2011); and
- LAHD's evacuation plans.

The LAHD Emergency Operations and Organization Manual, the Tsunami Response Plan Annex, and the Hazardous Materials Annex provide general emergency response guidance to all City departments, including LAHD. In the event of an emergency, LAHD is responsible for following this guidance. Furthermore, LAPD, LAFD, and the Port Police would be able to provide adequate emergency response services during operation of the proposed Project (see Section 3.13, Public Services, for more information regarding police and fire response capabilities).

The proposed project site would be secured, with access allowed only to authorized personnel. Proposed project operations would also be subject to emergency response and evacuation systems implemented by LAHD and LAFD, which would review all plans to ensure that adequate access in the proposed project vicinity is maintained. Therefore, the proposed Project would not substantially interfere with the existing LAHD Emergency Operations and Organization Manual, Tsunami Response Plan, or Hazardous Materials Annex. YTI Terminal personnel, including dock laborers and equipment operators, would be trained in emergency response and evacuation procedures. All proposed project contractors would be required to adhere to plan requirements.

CEQA Impact Determination

Construction

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

Operation

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

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

Project contractors would be required to adhere to all LAFD emergency response and evacuation regulations, ensuring compliance with existing emergency response plans. Therefore, construction activities would not substantially interfere with an existing

emergency response or evacuation plan or increase the risk of injury or death and impacts would be less than significant under NEPA.

Operation

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

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-4: The proposed Project would comply with applicable regulations and policies guiding development within the Port.

Construction

As described in Section 3.9.3.1, List of Regulations, the proposed Project would be subject to numerous regulations for development and operation of the proposed facilities. For example, construction would be completed in accordance with RCRA, CERCLA, CCR Title 22 and Title 26, and the California Hazardous Waste Control Law, which would govern proper containment, spill control, and disposal of hazardous waste generated during construction activities. Implementation of increased inventory accountability, spill prevention controls, and waste disposal controls associated with these regulations would limit both the frequency and severity of potential releases of hazardous materials.

Potential releases of hazardous substances during construction would be addressed through the federal Emergency Planning and Right-to-Know Act, which is administered in California by the SERC, and the Hazardous Material Release Response Plans and Inventory Law. In addition, construction would be completed in accordance with the Los Angeles Municipal Fire Code (LAFC), which regulates the construction of buildings and other structures used to store flammable hazardous materials, and the LAMC (Public Works and Property), which regulates the discharge of materials into the sanitary sewer and storm drain. The latter requires the construction of spill-containment structures to prevent the entry of forbidden materials, such as hazardous materials, into sanitary sewers and storm drains. LAHD maintains compliance with these federal, state, and local laws through a variety of methods, including internal compliance reviews, preparation of regulatory plans, and agency oversight. These regulations would be adhered to during construction of the proposed Project. Implementation of increased spill prevention controls, spill release notification requirements, and waste disposal controls associated with these regulations would limit both the frequency and severity of potential releases of hazardous materials.

Construction activities would be conducted using BMPs in accordance with City guidelines, as detailed in the *Development Best Management Practices Handbook—Part*

A, Construction Activities (City of Los Angeles 2004). Some of the applicable BMPs include, but are not limited to: training of personnel; proper vehicle and equipment fueling and maintenance to prevent fluids (such as oil, hydraulic fluid, lubricants, or brake fluids) from leaking; proper material delivery, storage, and use to prevent discharge of pollutants; Spill Prevention, Control, and Countermeasure plans to manage spills; management of solid and hazardous wastes; and management of contaminated soil. Proposed project plans and specifications would be reviewed by LAFD for conformance to the LAFC, as a standard practice. Implementation of increased spill prevention controls associated with these BMPs would limit both the frequency and severity of potential releases of hazardous materials.

Operation

The proposed Project would be subject to numerous regulations for operation of the improved terminal. LAHD has implemented various plans and programs to ensure compliance with these regulations, which must be adhered to during terminal operation. For example, as discussed in Section 3.9.3.1, List of Regulations, USCG maintains an HMSD, under the jurisdiction of the federal Department of Homeland Security (33 CFR 126), which develops standards and industry guidance to promote the safety of life and protection of property and the environment during marine transportation of hazardous materials. Among other requirements, the proposed Project would conform to the USCG requirement to provide a segregated cargo area for containerized hazardous materials. Terminal cargo operations involving hazardous materials are also governed by LAFD in accordance with regulations of state and federal departments of transportation (49 CFR 176). The transport of hazardous materials in containers on the street and highway system is regulated by Caltrans procedures and the Standardized Emergency Management System prescribed under Section 8607 of the California Government Code. These safety regulations strictly govern the storage of hazardous materials in containers (i.e., types of materials and size of packages containing hazardous materials).

LAHD maintains compliance with these state and federal laws through a variety of methods, including internal compliance reviews, preparation of regulatory plans, and agency oversight. Most notably, the Port RMP, as presented in the Port Master Plan update, includes a framework within which the LAHD can implement the RMP for hazardous liquid bulk cargo and vulnerable resources to minimize or eliminate the overlap of hazardous footprints on vulnerable resources (POLA 2013). This would be achieved mainly through physical separation as well as through facility design features, fire protection, and other risk management methods. There are two primary categories of vulnerable resources: people and facilities. People are further divided into subgroups. The first subgroup comprises residents, recreational users, and visitors. Within the Port setting, residents and recreational users are considered vulnerable resources. The second subgroup comprises workers in high density (i.e., generally more than 10 people per acre, per employer). There are certain facilities in the Port that are important to the local, regional, or national economies. These facilities, if damaged or destroyed, could have a critical impact on the ability of the Port to accommodate cargo movements. The Badger Avenue Bridge and the Vincent Thomas Bridge are identified as being vulnerable resources under the RMP. LAHD may identify and approve future critical impact facilities on an individual basis (POLA 2013).

Container terminals have never been considered vulnerable resources in risk analyses completed by LAHD and LAFD (POLA 2008). Because container terminals are not

considered vulnerable resources, and because the proposed terminal improvements would not expose the residential or recreational users to increased risk, the proposed Project would not conflict with the RMP.

Proposed project plans and specifications would be reviewed by LAFD for conformance to the LAFC, as a standard practice.

Operation of the proposed Project would be required to comply with all existing hazardous waste laws and regulations, including the federal RCRA and CERCLA, and CCR Title 22 and Title 26. The proposed Project would comply with these laws and regulations, which would ensure that potential hazardous materials handling would occur in an acceptable manner.

CEQA Impact Determination

Construction

Proposed project construction would be completed using standard BMPs and in accordance with LAHD plans and programs, LAFD regulations, LAMC requirements, and applicable hazardous waste laws and regulations. Therefore, impacts relating to compliance with applicable regulations and policies guiding development in the Port would be less than significant under CEQA.

Operation

Operations at the proposed project site would not conflict with RMP guidelines. Proposed project plans would be reviewed by LAFD for conformance to the LAFC, and operation of the proposed Project would be required to comply with all existing applicable hazardous waste laws and regulations. Therefore, proposed project operations would comply with applicable regulations and policies guiding development in the Port. Impacts would be less than significant under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

Proposed project construction would be completed using standard BMPs and in accordance with LAHD plans and programs, LAFD regulations, LAMC requirements, and applicable hazardous waste laws and regulations. Therefore, impacts relating to compliance with applicable regulations and policies guiding development in the Port would be less than significant under NEPA.

Operation

Operations at the proposed project site would not conflict with RMP guidelines. Proposed project plans would be reviewed by LAFD for conformance to the LAFC, and operation of the proposed Project would be required to comply with all existing

applicable hazardous waste laws and regulations. Therefore, proposed project operations would comply with applicable regulations and policies guiding development in the Port. Impacts would be less than significant under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-5: Tsunami-induced flooding and seismic events could result in fuel releases from construction equipment or hazardous substances releases from containers under the proposed Project, which in turn would result in risks to persons and/or the environment.

Construction

As discussed in Section 3.5, Geology, there is the potential for a major earthquake or a large tsunami to affect the Port. Either event occurring during construction could lead to a fuel spill from construction equipment, as well as from containers of petroleum products and hazardous substances used during the construction period. However, the volume of spilled fuel is expected to be relatively low. While there would be fuel-containing equipment present during construction, most would be equipped with watertight tanks, thereby making it most likely that water would infiltrate into the tank and fuel combustion chambers, and very little fuel would spill. Thus, the volume spilled in the event of a tsunami or other seismic risk is expected to be less than 10,000 gallons, which is considered "slight" as a consequence classification.

A tsunami event could result in damage to property or injury related to in-water construction. The Port is subject to diurnal tides, meaning two high tides and two low tides during a 24-hour day. The average of the lowest water level during low tide periods each day is typically set as a benchmark of 0 feet and is defined as the Mean Lower-Low Water level (or MLLW). For purposes of this discussion, all proposed project structures and land surfaces are expressed as height above (or below) MLLW. The mean sea level (MSL) in the Port is +2.8 feet above MLLW (NOAA 2011c). This height reflects the arithmetic mean of hourly heights observed over the National Tidal Datum Epoch (19 years) and, therefore, reflects the mean of both high and low tides in the Port. The recently developed Port Complex model described in Section 3.5.2 predicts tsunami wave heights with respect to MSL, rather than MLLW, and, therefore, can be considered a reasonable average condition under which a tsunami might occur. The Port MSL of +2.8 feet must be considered in comparing projected tsunami run-up (i.e., amount of wharf overtopping and flooding) to proposed wharf height and topographic elevations, which are measured with respect to MLLW.

A reasonably foreseeable scenario for generation of a tsunami or seiche in the Port Complex includes the recently developed Port Complex model, which predicts a maximum tsunami wave height, or reasonable worst-case scenario, of approximately 5.2 to 6.6 feet above MSL for the earthquake scenario and approximately 7.2 to 23.0 feet above MSL for the landslide scenario at certain locations within the Port. The highest

anticipated water levels from the earthquake scenarios are predicted to occur in the East Channel area of the Port. The highest anticipated water levels from the landslide scenarios would occur in the Outer Harbor area and the western side of Pier 400. The report determined that, for the worst-case landslide scenario, water levels could exceed the adjacent deck levels in some localized areas (Pier 400) and some limited overtopping of the wharves could occur; however, no overtopping is expected at the Port for any of the other scenarios analyzed. Additionally, none of the scenarios modeled, including the two with the most significant sea level rise (Palos Verdes Landslide scenario and Catalina Fault: 7 Segments scenario), denoted a sea water level rise impact in the YTI Terminal area. The Port Complex model also identified the lowest deck elevations throughout the Port using various sources of data. According to the study, the lowest deck elevations near the proposed project site are adjacent to the East Basin Channel at approximately 11.2 feet above MSL (Moffatt and Nichol 2007). Based on the lowest deck elevation (near the YTI Terminal) presented above and the data provided in the Port Complex study, tsunami-induced flooding would not occur at the proposed project site under any of the earthquake and landslide scenarios. Therefore, localized tsunami-induced flooding is not expected to occur within the proposed project site.

While the analysis above considers the greatest reasonably foreseeable seismic risk based on a maximum seismic event, with respect to MSL, a theoretical maximum worst-case wave action from a tsunami would result if the single highest tide predicted over the next 40 years at the Port Complex coincided with the seismic event, which could result in damage to property or injury related to in-water construction. The single highest tide predicted over the next 40 years is 7.3 feet above MLLW. This condition is expected to occur less than one percent of the time over this 40-year period. Given the limited duration of in-water construction activities and very low likelihood of a worst-case tsunami occurring during construction activities, this scenario is unlikely to occur.

The most likely worst-case tsunami scenario was based partially on a magnitude 7.6 earthquake on the offshore Santa Catalina fault. The recurrence interval for a magnitude 7.5 earthquake along an offshore fault in the Southern California Continental Borderland is about 10,000 years. The recurrence interval of a magnitude 7.0 earthquake is about 5,000 years, and the recurrence interval of a magnitude 6.0 earthquake is about 500 years. However, there is no certainty that any of these earthquake events would result in a tsunami, because only about 10% of earthquakes worldwide result in a tsunami. In addition, available evidence indicates that tsunamigenic landslides are extremely infrequent and occur less often than large earthquakes. This suggests recurrence intervals for such landslide events would be longer than the 10,000-year recurrence interval estimated for a magnitude 7.5 earthquake (Moffatt and Nichol 2007). Thus, the probability of the worst-case combination of a large tsunami and extremely high tides would be less than once in a 100,000-year period.

The coincidence of two unlikely events—the occurrence of the single highest tide predicted over the next 40 years and the theoretical maximum wave action from a tsunami event occurring during construction—is extremely unlikely, and such an assumption represents an extremely conservative, worst-case scenario, which is not required under CEQA or NEPA.

Operation

As discussed in Section 3.5, Geology, and above, there is the potential for a large tsunami to affect the Port. Based on the lowest deck elevation (near the YTI Terminal) presented

above and the data provided in the Port Complex study, tsunami-induced flooding would not occur at the proposed project site under any of the earthquake and landslide scenarios. Therefore, localized tsunami-induced flooding is not expected to occur within the proposed project site. However, a large tsunami could potentially lead to a fuel spill if a moored vessel is present, as each ship contains large quantities of fuel oil (up to 5,000 barrels). While in transit, the tankers are exposed to insignificant and, in most cases, imperceptible, hazards. However, while docked, a ship could be subject to significant movement in the event that tsunami strikes the Port. Most likely, the vessel would stay secured to the berth and ride out the tsunami; however, it is possible that the motion during a tsunami would cause the mooring lines of the vessel to break free and the vessel to be set adrift. Under the first scenario, the transmitted energy of the tsunami wave would go through the vessel moored at berth and into the wharf. Forces transmitted through the vessel would be transferred to the fendering system of the wharf and then to the wharf structure. Under the second scenario, a vessel set adrift in the Port area could experience serious consequences from a potential collision, including a potential hull breach and possible fuel spill.

Containers of hazardous substances on ships or on berths could similarly be damaged as a result of a large tsunami. Such damage could result in releases of both hazardous and nonhazardous cargo to the environment, adversely affecting persons and/or the marine waters. However, containers carrying hazardous cargo would not necessarily release their contents in the event of a large tsunami. USDOT regulations (49 CFR 172–180) covering hazardous material packaging and transport would minimize potential release volumes, since packages must meet minimum integrity specifications and size limitations.

The owners or operators of tanker vessels are required to have on board approved Tank Vessel Response Plans and qualified individuals in the U.S. with full authority to implement removal actions in the event of an oil spill incident, and to contract with the spill response organizations to carry out cleanup activities in case of a spill. The existing oil spill response capabilities in the Port would be sufficient to isolate spills with containment booms and recover the maximum possible spill from an oil tanker.

Various studies have shown that double-hull tank vessels have a lower probability of releases when tanker vessels are involved in accidents. Because of these studies, USCG issued regulations addressing double-hull requirements for tanker vessels. These regulations establish a timeline for eliminating single-hull vessels from operating in the navigable waters or the Exclusive Economic Zone of the U.S. after January 1, 2010, allowing only double-bottom or double-sided vessels by January 1, 2015. Only vessels equipped with a double hull, or with an approved double containment system, will be allowed to operate after those times. It is unlikely that single-hull vessels would use the proposed project terminal facilities, given the current proposed project schedule and the planned phase-out of these vessels.

Impacts due to seismically induced tsunamis and seiches are typical for the entire California coastline, and would not be increased by construction of the proposed Project. Because a major tsunami is not expected during the life of the proposed Project, but could occur (see Section 3.5, Geology, and above for additional information on the probability of a major tsunami), the probability of a major tsunami occurring is classified as "improbable." The potential consequence of such an event is classified as "moderate," resulting in a Risk Code of 4, which is "acceptable." The volume of spilled fuel is also

expected to be relatively low, because all fuel storage containers at the proposed project site would be quite small in comparison to the significance criteria volumes. Given that single-hulled vessels would not be used, there would be a minimal chance of a substantive fuel spill. While there would be fuel-containing equipment present during construction, most would be equipped with watertight tanks, thereby making it most likely that water would infiltrate into the tank and fuel combustion chambers, and very little fuel would spill. Further, any spills that occur as a result of a large tsunami would be subject to compliance with applicable federal, state, and local laws and regulations governing emergency response to hazardous material spills.

CEQA Impact Determination

Construction

The volume spilled in the event of a tsunami would likely be less than 10,000 gallons, which is considered "slight." A major tsunami is not expected during construction of the proposed Project, but one could occur; therefore, the probability of a major tsunami occurring during construction of the proposed Project is classified as "improbable," resulting in a Risk Code of 4, which is "acceptable." In light of such a low probability and acceptable risk of a large tsunami, impacts under CEQA would be less than significant as they pertain to hazardous materials spills.

Operation

A major tsunami is not expected during the life of the proposed Project, but one could occur; therefore, the probability of a major tsunami occurring is classified as "improbable." The potential consequence of such an event would be classified as "moderate," resulting in a Risk Code of 4, which is "acceptable." In light of the low probability and acceptable risk of a large tsunami, impacts under CEQA would be less than significant as they pertain to hazardous materials spills.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

The volume spilled in the event of a tsunami would likely be less than 10,000 gallons, which is considered "slight." A major tsunami is not expected during construction of the proposed Project, but one could occur; therefore, the probability of a major tsunami occurring during construction of the proposed Project is classified as "improbable," resulting in a Risk Code of 4, which is "acceptable." In light of such a low probability and acceptable risk of a large tsunami, impacts would be less than significant as they pertain to hazardous materials spills under NEPA.

Operation

A major tsunami is not expected during the life of the proposed Project, but one could occur; therefore, the probability of a major tsunami occurring is classified as

"improbable." The potential consequence of such an event would be classified as "moderate," resulting in a Risk Code of 4, which is "acceptable." In light of the low probability and acceptable risk of a large tsunami, impacts under NEPA would be less than significant as they pertain to hazardous materials spills.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-6: Proposed Project–related terminal modifications would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the proposed project site and nearby areas.

Risk of Terrorist Actions

Construction

The proposed project site is an existing container terminal and would not constitute a new potential target for terrorists. The probability of a terrorist attack on the proposed project facilities is not likely to appreciably change during construction compared to existing conditions. It is possible that the increase in construction vessel traffic in the vicinity of the YTI Terminal could lead to a greater opportunity of a successful terrorist attack by providing increased chances for unauthorized terminal access and smuggling of harmful devices into the terminal; however, existing Port security measures would counter this potential increase in unauthorized access to the terminal. Berths 212–213 and Berths 214–216 would remain operational during Phase I, and Berths 212–213 and the newly improved Berths 217–220 would be operational during Phase II of construction; therefore, the risks associated with terrorism discussed in Section 3.9.2.3 would apply to the terminal during this period. Such risks are addressed in the discussion of operational impacts below. Existing Port and YTI Terminal security measures would help minimize the risk of a successful terrorist attack and counter any potential increase in unauthorized access to the terminal. The Port has a layered approach to security that includes the security program of LAHD and the existing YTI Terminal. The vulnerability of the Port and of individual cargo terminals, including the YTI Terminal, can be reduced by implementing security measures, and the potential consequences of a terrorist action could be affected by certain measures, such as emergency response preparations.

Compliance with maritime security regulations, including the MTSA and ISPS Code, would minimize any potential increase in the risk of terrorist attacks during construction and operation of the proposed Project. The MTSA regulations specify for cargo terminals minimum security standards for physical security, access control, cargo handling security, and interaction with berthed vessels, and they require that terminal operators submit a Facility Security Plan to the USCG Captain of the Port for review and approval prior to conducting cargo operations. The ISPS Code regulations require both ships and ports to conduct vulnerability assessments and to develop security plans with the purpose of preventing and suppressing terrorism against ships, improving security aboard ships and ashore, and reducing risk to passengers, crew, and Port personnel on board ships and in port areas, for vessels and cargo.

The YTI Terminal security is conducted in accordance with an existing Facility Security Plan approved by the Captain of the Port for Sector Los Angeles-Long Beach in 2008, and YTI uses mandatory MARSEC Access Control Measures. MARSEC levels are set to reflect the prevailing threat environment to the marine elements of the national transportation system and are designed for easy communication with the USCG and maritime industry partners on any pre-planned scalable responses for credible threats. Further, all cargo vessels 300 gross tons or larger that are flagged by International Maritime Organization signatory nations adhere to ISPS code requirements as discussed above and detailed in Section 3.9.2.4. LAHD is currently involved in initial implementation of the TWIC program, which includes issuance of a tamper-resistant biometric credential to maritime workers to minimize the potential for unauthorized handling of containers that contain hazardous materials and provide additional shoreside security at the terminal. The U.S. CBP enforces screening and scanning checks to ensure security of cargo being shipped into the U.S. Further, LAHD continues to improve Port security measures. For instance, in its latest five-year Strategic Plan for 2012–2017 (POLA 2012), LAHD describes two initiatives related to strengthening security measures, including using Web media to enhance passage of critical information between LAHD and local stakeholders, and delivering hands-on training in security and emergency response.

Implementation and enforcement of the above security measures would serve to counter any potential increase in risks of a successful terrorist attack at the YTI Terminal.

Operation

The probability of a terrorist attack on the proposed project facilities is not likely to appreciably change during operation compared to existing conditions. The proposed project site is an existing container terminal and would not constitute a new potential target for terrorists. Operation of the proposed Project would support higher container throughput and make the terminal more efficient, but the terminal improvements are not expected to make the existing YTI Terminal more attractive to terrorists. It is possible that the increase in vessel traffic at the terminal as a result of the proposed Project could lead to a greater opportunity of a successful terrorist attack by providing increased chances for unauthorized terminal access and smuggling of harmful devices into the terminal; however, existing Port security measures as described above under construction impacts would counter the potential for increase in unauthorized access to the terminal. Further, the likelihood of such an event would not be affected by proposed Project-related throughput increases, but would depend on the terrorist's desired outcome and the ability of safeguards and security measures, unaffected by the proposed Project, to thwart the attack. Container ships are not attractive targets in terms of loss of life or producing large fires and explosions. Also, containers represent only one of many potential methods to smuggle harmful weapons (e.g., weapons of mass destruction or conventional explosive devices) into the Port. With current security initiatives, cargo containers may actually be less desirable than other established smuggling routes (e.g., land-based ports of entry, cross-border tunnels, illegal vessel transportation).

Consequences of Terrorist Attack

The potential consequences of a terrorist action on a container terminal would be catastrophic, specifically in terms of environmental and economic impacts. It could block key road access points and waterways and result in economic disruption. These

impacts would likely be limited to the area surrounding the point of attack and would be responded to by emergency response providers.

A terrorist action involving a container vessel while at berth may result in a fuel and/or commodity spill and associated environmental damage to the marine environment, with associated degradation of water quality and damage to marine biological resources. Within the Port, a terrorist action could block key waterways and result in economic disruption. Container ships typically carry up to 5,000 barrels of fuel oil, but would not be full when arriving at the Port. Impacts would be limited to the area surrounding the point of attack and would be contained by the relevant oil spill response contractor. A potential fire associated with a terrorist attack could result in short-term impacts to local air quality. Potential impacts to the environment are addressed in specific resource sections, including Section 3.2, Air Quality and Meteorology; Section 3.3, Biological Resources; and Section 3.15, Water Quality, Sediments, and Oceanography.

The consequences associated with the smuggling of weapons of mass destruction would be substantial in terms of impacts to the environment and public health and safety. However, the consequences of a weapon of mass destruction attack would not be affected by the proposed Project. Furthermore, the likelihood of such an event would not be impacted by proposed Project-related infrastructure or throughput increases, but would depend on the terrorist's desired outcome and the ability of safeguards, unaffected by the proposed Project, to thwart it. Cargo containers represent only one of many potential methods to smuggle weapons of mass destruction and, with current security initiatives, (see Section 3.9.2.4) may be less plausible than other established smuggling routes (e.g., land-based ports of entry, cross-border tunnels, and illegal vessel transportation).

Any increase in the volume of container vessels visiting the proposed project site would not change the probability or consequences of a terrorist attack on the YTI Terminal because the terminal is already considered a potential economic target, and increased throughput is not expected to affect any motivation for a potential attack or the potential mode to smuggle a weapon into the U.S..

CEQA Impact Determination

Construction

The potential for unauthorized access to the terminal site during construction by land, water, and/or air is limited. Existing Port and terminal security measures would counter any potential increase in unauthorized access to the terminal site through the use of vehicles or vessels. The potential for a terrorist attack that would result in catastrophic consequences (greater than 100 injuries or 10 fatalities) to areas near the proposed project site during the construction period is considered extraordinarily improbable given the limited construction duration and the limited access to the construction areas. This combination would result in a Risk Code of 4, which is "acceptable," and impacts would be less than significant under CEQA.

Operation

The proposed Project would not change the vulnerability of the proposed project area or the seriousness of the consequences. The environmental consequences of a terrorist action, including threats to human health arising from the action and from the release, explosion, or spill of hazardous materials would not substantially change. Security initiatives have improved both terminal and cargo security, and have resulted in enhanced

cargo screening. Therefore, potential impacts under CEQA associated with a potential terrorist attack on the YTI Terminal are considered less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

The potential for unauthorized access to the terminal site during construction by land, water, and/or air is limited. Existing Port and terminal security measures would counter any potential increase in unauthorized access to the terminal site through the use of vehicles or vessels. The potential for a terrorist attack that would result in catastrophic consequences (greater than 100 injuries or 10 fatalities) to areas near the proposed project site during the construction period is considered extraordinarily improbably given the limited construction duration and the limited access to the construction areas. This combination would result in a Risk Code of 4, which is "acceptable," and impacts would be less than significant under NEPA.

Operation

The proposed Project would not change the vulnerability of the proposed project area or the seriousness of the consequences. The environmental consequences of a terrorist action, including threats to human health arising from the action and from the release, explosion, or spill of hazardous materials would not substantially change. Security initiatives have improved both terminal and cargo security, and have resulted in enhanced cargo screening. Therefore, potential impacts under NEPA associated with a potential terrorist attack on the YTI Terminal are considered less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Alternative 1 – No Project

Under Alternative 1, none of the proposed construction activities would occur in water or in water-side or backland areas. The Port would not undergo any terminal improvements. No new cranes would be added, and no dredging would occur. The No Project Alternative would not include the 100-foot gauge crane rail extension, expansion of the TICTF on-dock rail yard, or backland repairs.

Under the No Project Alternative, the existing YTI Terminal would continue to operate as an approximately 185-acre container terminal. Based on the Port's throughput projections, the YTI Terminal is expected to operate at its capacity of approximately 1,692,000 TEUs with 206 ship calls by 2026.

The No Project Alternative would not preclude future improvements to the proposed project site. However, any future changes in use or new improvements with the potential to significantly impact the environment would be analyzed in a separate environmental document.

Impact RISK-1: Alternative 1 would not increase the probable frequency and severity of consequences to people or property as a result of accidental release or explosion of a hazardous substance.

CEQA Impact Determination

Construction

Alternative 1 would not result in any construction-related activities. Because no construction would occur, there would be no construction impacts under CEQA.

Operation

Under Alternative 1, the YTI Terminal site would accommodate a maximum of 1,692,000 TEUs per year at maximum capacity (2026), compared to 996,109 TEUs under existing conditions (January 2012 to December 2012). As with the proposed Project, terminal operations would be subject to safety regulations that govern the storage and handling of hazardous materials, which would limit the severity and frequency of potential releases of hazardous materials resulting in increased exposure of people to health hazards. In addition, USDOT Hazardous Materials Regulations (49 CFR 100–185) regulate almost all aspects of terminal operations.

Implementation of increased hazardous materials inventory control and spill prevention controls associated with state and federal regulations would limit both the frequency and severity of potential releases of hazardous materials.

Quantities of hazardous materials used in terminal maintenance activities that exceed the thresholds provided in Chapter 6.95 of the California Health and Safety Code would be subject to an RRP and an HMI, which would limit both the frequency and severity of potential releases of hazardous materials. Limited quantities of hazardous materials used at the terminal that are below the thresholds of Chapter 6.95 would not likely result in a substantial spillage into the environment.

Because projected terminal operations under Alternative 1 would accommodate an approximate 1.7-fold increase in containerized cargo compared to the CEQA baseline, the potential for an accidental release or explosion of hazardous materials would also be expected to increase proportionally. Based on the estimated probability of a spill at a container terminal of 1.14×10^{-6} per TEU, the frequency of project-related spills can be estimated as shown in Table 3.9-9.

Table 3.9-9: Alternative 1: Existing and Projected Cargo Throughput Volumes at YTI Terminal Relative to CEQA Baseline

Operations	TEUs	Increase in TEUs (%)	Potential Spills (per year)
CEQA Baseline*	996,109	NA	1.1
Alternative 1 (2026)	1,692,000	69.9 %	1.9

Note:
*CEQA Baseline: January 2012 to December 2012
TEU = 20-foot equivalent unit

Based on the projected increase in TEUs occupying the terminal site, the frequency of potential Alternative 1-related spills would increase to 1.9 spills per year from 1.1 spills under the baseline, which equates to an increase in the number of annual spills by 0.8 under Alternative 1. This spill frequency would be classified as "periodic" (between once per year and once in ten years). Based on history, a slight possibility exists for injury and or property damage to occur during one of these frequent accidents; therefore the consequence of such accidents is classified as "slight," resulting in a Risk Code of 4, which is "acceptable." Compliance with applicable federal, state, and local laws and regulations governing the transport of hazardous materials and emergency response to hazardous material spills, as described above, would minimize the potential for adverse public health impacts. Therefore, Alternative 1 operations would not substantially increase the probable frequency and severity of consequences to people or property as a result of an accidental release or explosion of a hazardous substance. Impacts under CEQA would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

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

Mitigation Measures

Mitigation measures are not applicable.

Residual Impacts

An impact determination is not applicable.

Impact RISK-2: Alternative 1 would not substantially increase the probable frequency and severity of consequences to people or property from exposure to health hazards.

CEQA Impact Determination

Construction

Alternative 1 would not result in any construction-related activities. Because no construction would occur, there would be no construction impacts under CEQA.

Operation

Under Alternative 1, YTI Terminal operations would accommodate a maximum of 1,692,000 TEUs per year at maximum capacity (in 2026) compared to 996,109 TEUs under CEQA baseline conditions (January 2012 to December 2012). This increased volume would increase the chance of a fire or explosion at the terminal. The handling and storing of increased quantities of hazardous materials would increase the probability of a local accident involving a release, spill, fire, or explosion, which would be proportional to the size of the terminal and TEUs at the site as addressed in Impact RISK-1.

Given the annual number of truck trips, the average distance of each trip, and the published accident, injury and fatality rates, probabilities were estimated as shown in Table 3.9-10.

Table 3.9-10: Alternative 1: Existing and Projected Truck Trips at YTI Terminal Relative to CEQA Baseline

Operations	Annual Truck Trips	Accident Rate (per year)	Injury Probability (per year)	Fatality Probability (per year)
CEQA Baseline	901,762	33.18	5.77	0.36
Alternative 1 (2026)	1,184,069	43.56	7.58	0.47
Increase over CEQA Baseline Conditions	282,307	10.39	1.81	0.11

Note: Numbers are rounded.

Because the occurrence of truck accidents associated with Alternative 1 could occur at a frequency greater than one per year, truck accidents are considered a "frequent" event. Because the possibility exists for increased injury and/or fatality to occur relative to CEQA baseline conditions is approximately 1.92 (1.81 injury probability + 0.11 fatality probability), as noted in Table 3.9-10, the consequence of such accidents is classified as "moderate," because it is less than 10, resulting in a Risk Code of 3. An impact with a Risk Code of 3 is classified as "acceptable" with additional engineering or administrative controls to mitigate the adverse impacts, per the LACFD risk criticality (Table 3.9-4). The same administrative controls that would occur under the proposed Project would also occur under Alternative 1. Due to the implementation of these administrative controls, Alternative 1 operations would not substantially increase the probable frequency and

severity of consequences to people from exposure to health hazards, and potential impacts under CEQA would be considered less than significant**.**

Mitigation Measure

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

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

Mitigation Measures

Mitigation measures are not applicable.

Residual Impacts

An impact determination is not applicable.

Impact RISK-3: Alternative 1 would not substantially interfere with an existing emergency response or emergency evacuation plan, thereby increasing risk of injury or death.

CEQA Impact Determination

Construction

Alternative 1 would not result in any construction-related activities. Because no construction would occur, there would be no construction impacts under CEQA.

Operation

Under Alternative 1, the YTI Terminal would continue to operate as a container terminal handling cargo and freight. Therefore, Alternative 1 would not interfere with any existing contingency plans, because the current activities are consistent with the contingency plans, and Alternative 1 would not add any additional activities that would be inconsistent with these plans.

All emergency response and evaluation plans and procedures as described under Impact RISK-3 for the proposed Project would apply during Alternative 1 operations. YTI Terminal personnel, including laborers and equipment operators, would be trained in emergency response and evacuation procedures, and all contractors would be required to adhere to plan requirements.

Because the terminal would continue to be operated as a container terminal, Alternative 1 operations would continue to be subject to emergency response and evacuation systems implemented by the LAFD and LAHD. Operation of Alternative 1 would not interfere with any existing emergency response or emergency evacuation plans or increase the risk of injury or death. Therefore, impacts would be less than significant under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

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

Mitigation Measures

Mitigation measures are not applicable.

Residual Impacts

An impact determination is not applicable.

Impact RISK-4: Alternative 1 would comply with applicable regulations and policies guiding development within the Port.

CEQA Impact Determination

Construction

Alternative 1 would not result in any construction-related activities. Because no construction would occur, there would be no construction impacts under CEQA.

Operation

Operation of Alternative 1 would be subject to the same regulations and procedures as described under Impact RISK-4 for the proposed Project. LAHD has implemented various plans and programs to ensure compliance with these regulations, which must be adhered to during Alternative 1 operations. The transport of hazardous materials in containers on the street and highway system is regulated by Caltrans procedures and the Standardized Emergency Management System, prescribed under Section 8607 of the California Government Code. Any facilities identified as either a hazardous cargo facility or a vulnerable resource would be required to conform to the RMP, which includes packaging constraints and the provision of a separate storage area for hazardous cargo.

LAHD maintains compliance with these state and federal laws through a variety of methods, including internal compliance reviews, preparation of regulatory plans, and agency oversight, most notably the Port RMP. Because container terminals are not considered vulnerable resources, and because Alternative 1 would not expose the residential or recreational users to increased risk, this alternative would not conflict with the RMP.

Plans and specifications of existing facilities have been reviewed by LAFD for conformance to the LAFC, as a standard practice. Operation of Alternative 1 would be required to comply with all existing hazardous waste laws and regulations, including the federal RCRA and CERCLA, and CCR Title 22 and Title 26. Operation of Alternative 1

would comply with these laws and regulations, which would ensure that potential hazardous materials handling would occur in an acceptable manner. Operation of Alternative 1 would not conflict with RMP guidelines or the LAFC and would be required to comply with all applicable existing hazardous waste laws and regulations. Therefore, under CEQA, Alternative 1 operations would comply with applicable regulations and policies guiding development in the Port. Impacts under CEQA would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

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

Mitigation Measures

Mitigation measures are not applicable.

Residual Impacts

An impact determination is not applicable.

Impact RISK-5: Tsunami-induced flooding and seismic events could result in fuel releases from ships or hazardous substances releases from containers under Alternative 1, which in turn could result in risks to persons and/or the environment.

CEQA Impact Determination

Construction

Because no construction would occur, there would be no construction impacts as they pertain to hazardous materials spills.

Operation

As discussed in Section 3.5, Geology, and under RISK-5 for the proposed Project, there is the potential for a large tsunami to impact the Port. Based on the lowest deck elevation (near the YTI Terminal) presented above and the data provided in the Port Complex study, tsunami-induced flooding would not occur at the proposed project site under any of the earthquake and landslide scenarios. Therefore, localized tsunami-induced flooding is not expected to occur within the proposed project site. However, a large tsunami could potentially lead to a fuel spill if a moored vessel is present as each ship contains large quantities of fuel oil (up to 5,000 barrels). While in transit, the tankers are exposed to insignificant and, in most cases, imperceptible, hazards. However, a tsunami striking the Port could cause significant ship movement to docked ships, including a hull breach, if the ship is pushed against the wharf.

Because a major tsunami is not expected during the life of Alternative 1, but could occur (see Section 3.5, Geology, and RISK-5 under the proposed Project for additional information on the probability of a major tsunami and potential volume of spilled fuel), the probability of a major tsunami occurring is classified as "improbable." The consequence of such an event is classified as "moderate," resulting in a Risk Code of 4, which is "acceptable." The volume spilled in the event of a tsunami would likely be less than 10,000 gallons, which is considered "slight." In light of such low probability and acceptable risk of a large tsunami or other seismic risk, impacts under CEQA would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

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

Mitigation Measures

Mitigation measures are not applicable.

Residual Impacts

An impact determination is not applicable.

Impact RISK-6: Alternative 1–related terminal modifications would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the proposed project site and nearby areas.

CEQA Impact Determination

Construction

Alternative 1 would not result in any construction-related activities. Because no construction would occur, there would be no construction impacts under CEQA.

Operation

An increase in the number of container vessels calling at the YTI Terminal under Alternative 1 would not change the probability or consequences of a terrorist attack on the terminal, because it is already considered a potential economic target, and increased throughput is not expected to affect any motivation for a potential attack. The risks associated with terrorism discussed under the proposed Project above would also apply to the terminal during operations under Alternative 1. The security initiatives described in Section 3.9.2.4 would serve to reduce the potential for a successful terrorist attack on the YTI Terminal.

Compliance with maritime security regulations, including the MTSA and ISPS Code, would minimize any potential increase in the risk of terrorist attacks during operation of Alternative 1. Implementation and enforcement of security measures by LAHD, YTI, and U.S. CBP would serve to counter the potential for increase in unauthorized access to the terminal due to increased vessel traffic and help minimize any potential increase in risk of a successful terrorist attack. Alternative 1 would not change the seriousness of the consequences of a terrorist action on a container terminal, which could be catastrophic, specifically in terms of environmental and economic impacts. However, these impacts would likely be limited to the area surrounding the point of attack and would be responded to by emergency response providers. Potential impacts to the environment are addressed in specific resource sections, including Section 3.2, Air Quality and Meteorology; Section 3.3, Biological Resources; and Section 3.15, Water Quality, Sediments, and Oceanography. Security initiatives have improved both terminal and cargo security, and have resulted in enhanced cargo screening. Therefore, potential impacts under CEQA associated with a potential terrorist attack on the YTI Terminal are considered less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

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

Mitigation Measures

Mitigation measures are not applicable.

Residual Impacts

An impact determination is not applicable.

Alternative 2 – No Federal Action

Alternative 2 is a NEPA-required no action alternative for purposes of this Draft EIS/EIR. This alternative includes the activities that would occur absent a USACE permit and could include improvements that require a local permit. Absent a USACE permit, no dredging, dredged material disposal, in-water pile installation, or crane installation/extension would occur. Expansion of the TICTF and extension of the crane rail also would not occur. The No Federal Action alternative includes only backlands improvements consisting of slurry sealing; deep cold planing; asphalt concrete overlay; restriping; and removal, relocation, or modification of any underground conduits and pipes necessary to complete the repairs. These activities would not change the capacity of the existing terminal.

The site would continue to operate as an approximately 185-acre container terminal where cargo containers are loaded to/from vessels, temporarily stored on backlands, and transferred to/from trucks or on-dock rail. Based on throughput projections, under the No

Federal Alternative, the YTI Terminal is expected to reach its operating capacity of approximately 1,692,000 TEUs with 206 ship calls by 2026.

Impact RISK-1: Alternative 2 would not increase the probable frequency and severity of consequences to people or property as a result of accidental release or explosion of a hazardous substance.

CEQA Impact Determination

Construction

Alternative 2 would result in only minor construction-related activities associated with backlands improvements. Similar to construction activities described for the proposed Project under RISK-1, these minor construction-related activities would be conducted using BMPs in accordance with City guidelines, and in compliance with federal and state regulations governing hazardous materials, the State General Permit for Storm Water Discharges Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ), and the proposed Project–specific SWPPP that has been prepared in accordance with California NPDES permit CAS000001 2013 (Hansen pers. comm.).

It is unlikely that construction activities would involve the use of substantial quantities of hazardous materials, and the most likely spills or releases of hazardous materials during construction would involve petroleum products, such as diesel fuel, gasoline, oils, and lubricants from vehicles at the site. Because construction-related spills are not uncommon, the probability of a spill occurring is classified as "frequent" (more than once a year). However, such spills are typically short-term and localized. This is attributable to the fact that the volume in any single source vehicle is generally less than 50 gallons, and fuel trucks that might be present at the site would be limited to 10,000 gallons or less. Thus, the potential consequence of such accidents is classified as "slight," resulting in a Risk Code of 4, which is "acceptable." Any contaminated soil or groundwater encountered during construction under Alternative 2 would be handled, transported, remediated, or disposed of in accordance with all applicable federal, state, and local laws and regulations and in accordance with the regulatory lead agency and LAHD mitigation measures pertaining to site remediation (GW-1) and development of a contamination contingency plan (GW-2) (see Section 3.8, Groundwater and Soils).

Proposed construction activities under Alternative 2 would not substantially increase the probable frequency and severity of consequences to people or property as a result of an accidental release or explosion of a hazardous substance. Impacts would be less than significant under CEQA.

Operation

As described for the proposed Project, terminal operations would be subject to safety regulations that govern the storage and handling of hazardous materials, which would limit the severity and frequency of potential releases of hazardous materials resulting in increased exposure of people to health hazards. In addition, USDOT Hazardous Materials Regulations (Title 49 CFR 100–185) regulate almost all aspects of terminal operations. Implementation of increased hazardous materials inventory control and spill prevention controls associated with these regulations would limit both the frequency and severity of potential releases of hazardous materials. Quantities of hazardous materials used in terminal maintenance activities that exceed the thresholds provided in Chapter

6.95 of the California Health and Safety Code would be subject to an RRP and an HMI, which would limit both the frequency and severity of potential releases of hazardous materials. Limited quantities of hazardous materials used at the terminal that are below the thresholds of Chapter 6.95 would not likely result in a substantial spillage into the environment.

As with Alternative 1, under Alternative 2 the YTI Terminal site would accommodate a maximum of 1,692,000 TEUs per year at maximum capacity (2026), compared to 996,109 TEUs under CEQA baseline conditions (January 2012 to December 2012), which would represent an approximate 1.7-fold increase in containerized cargo compared to the CEQA baseline, and thus the potential for an accidental release or explosion of hazardous materials would also be expected to increase proportionally. As determined for Alternative 1 in Table 3.9-9, the frequency of potential Alternative 2-related spills would also increase to 1.9 spills per year from 1.1 spills under the baseline, which equates to an increase in the number of annual spills by 0.8 under Alternative 2. This spill frequency would be classified as "periodic" (between one per year and once in ten years), and the consequence of such accidents is classified as "slight," resulting in a Risk Code of 4, which is "acceptable." Compliance with applicable federal, state, and local laws and regulations governing the transport of hazardous materials and emergency response to hazardous material spills, as described above, would minimize the potential for adverse public health impacts. Therefore, under CEQA, Alternative 2 operations would not substantially increase the probable frequency and severity of consequences to people or property as a result of an accidental release or explosion of a hazardous substance. Impacts under CEQA would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Alternative 2 would include only backlands improvements consisting of slurry sealing; deep cold planing; asphalt concrete overlay; restriping; and removal, relocation, or modification of any underground conduits and pipes necessary to complete repairs. No construction of in-water or over-water features would occur under Alternative 2. The No Federal Action Alternative would involve the same construction activities as would occur under the NEPA baseline. Therefore, there would be no incremental difference between Alternative 2 and the NEPA baseline. As a consequence, Alternative 2 would result in no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Impact RISK-2: Alternative 2 would not substantially increase the probable frequency and severity of consequences to people or property from exposure to health hazards.

CEQA Impact Determination

Construction

Alternative 2 would result in only minor construction-related activities associated with backlands improvements. Similar to construction activities described for the proposed Project under RISK-1, these minor construction-related activities would be conducted using BMPs in accordance with City guidelines, as detailed in the *Development Best Management Practices Handbook—Part A, Construction Activities* (City of Los Angeles 2004), and the Los Angeles Municipal Code (Chapter 5, Section 57, Divisions 4 and 5; Chapter 6, Article 4). Quantities of hazardous materials that exceed the thresholds provided in Chapter 6.95 of the California Health and Safety Code would be subject to an RRP and an HMI, which would minimize potential health hazards and/or contamination of soil or water during construction activities. Impacts from contamination of soil or water during construction activities would apply to not only construction personnel, but also to people and property occupying operational portions of the proposed Alternative 2 area because Berths 212–213 and Berths 214–216 would remain in operation during the nominal construction activities.

Hazardous materials shipped, transported, handled, or otherwise stored would be in compliance with the RMP, USCG regulations, fire department requirements, and state and federal departments of transportation regulations (49 Part 176). Implementation of the abovementioned preventative measures would minimize the potential for spills to affect members of the public, including on-site employees, and would confine the adverse impacts of contamination to a relatively small area.

Because construction-related spills are not uncommon, the probability of a spill occurring is classified as "frequent" (more than once a year). However, because such spills are typically short-term and localized, the potential consequence of such accidents is classified as "slight," resulting in a Risk Code of 4, which is "acceptable." Construction activities under Alternative 2 would not substantially increase the probable frequency and severity of consequences to people from exposure to health hazards. Impacts would be less than significant under CEQA.

Operation

Like Alternative 1, under Alternative 2 the YTI Terminal operations would accommodate a maximum of 1,692,000 TEUs per year at maximum capacity (2026), compared to 996,109 TEUs under CEQA baseline conditions (January 2012 to December 2012). This increased volume would increase the chance of a fire or explosion at the terminal. The handling and storing of increased quantities of hazardous materials would increase the probability of a local accident involving a release, spill, fire, or explosion, which would be proportional to the size of the terminal and TEUs at the site as addressed in Impact RISK-1.

Given the annual number of truck trips under Alternative 2 would be the same as under Alternative 1, the potential for increased injury and/or fatality to occur under Alternative 2 relative to CEQA baseline conditions would be the same as was determined for

Alternative 1 in Table 3.9-10, thereby resulting in a Risk Code of 3. An impact with a Risk Code of 3 is classified as "acceptable" with additional engineering or administrative controls to mitigate the adverse impacts, according to the LACFD risk criticality (Table 3.9-4). The same administrative controls that would occur under the proposed Project would also occur under Alternative 2. Due to the implementation of these administrative controls, Alternative 2 operations would not substantially increase the probable frequency and severity of consequences to people from exposure to health hazards, and potential impacts under CEQA would be considered less than significant**.**

Mitigation Measure

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Alternative 2 would include only backlands improvements consisting of slurry sealing; deep cold planing; asphalt concrete overlay; restriping; and removal, relocation, or modification of any underground conduits and pipes necessary to complete repairs. No construction of in-water or over-water features would occur under Alternative 2. The No Federal Action Alternative would involve the same construction activities as would occur under the NEPA baseline. Therefore, there would be no incremental difference between Alternative 2 and the NEPA baseline. As a consequence, Alternative 2 would result in no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Impact RISK-3: Alternative 2 would not substantially interfere with an existing emergency response or emergency evacuation plan, thereby increasing risk of injury or death.

CEQA Impact Determination

Construction

Emergency response and evacuation planning is a shared responsibility among LAPD, LAFD, Los Angeles Port Police, and USCG. YTI has an Emergency Action Plan in place for its employees to help prevent and respond to emergency situations when they arise. Construction related to Alternative 2 would occur on site and is not expected to interfere with emergency responses or evacuation plans. The contractor would coordinate with LAPD, LAFD, Port Police, and USCG, and construction activities would be subject to emergency response and evacuation systems implemented by LAFD. All standard procedures for activities occurring on Port property and within the Port area, as discussed under Impact RISK-3 for the proposed Project, would be followed during construction of Alternative 2, and the contractor would coordinate with the agencies responsible for the emergency response and evacuation planning. The nominal

construction planned under Alternative 2 would incorporate planning to ensure that possible interference with emergency response and evacuation plans does not occur. As such, emergency access to these sites would not be adversely impacted during construction. Therefore, impacts would be less than significant under CEQA.

Operation

Under Alternative 2, the YTI Terminal would continue to operate as a container terminal handling cargo and freight. Therefore, Alternative 2 would not interfere with any existing contingency plans, because the current activities are consistent with the contingency plans and Alternative 2 would not add any additional activities that would be inconsistent with these plans.

All emergency response and evaluation plans and procedures as described under Impact RISK-3 for the proposed Project would apply during Alternative 2 operations. YTI Terminal personnel, including laborers and equipment operators, would be trained in emergency response and evacuation procedures, and all contractors would be required to adhere to plan requirements.

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

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Alternative 2 would include only backlands improvements consisting of slurry sealing; deep cold planing; asphalt concrete overlay; restriping; and removal, relocation, or modification of any underground conduits and pipes necessary to complete repairs. No construction of in-water or over-water features would occur under Alternative 2. The No Federal Action Alternative would involve the same construction activities as would occur under the NEPA baseline. Therefore, there would be no incremental difference between Alternative 2 and the NEPA baseline. As a consequence, Alternative 2 would result in no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Impact RISK-4: Alternative 2 would comply with applicable regulations and policies guiding development within the Port.

CEQA Impact Determination

Construction

Construction proposed under Alternative 2 would be subject to numerous regulations as described in Section 3.9.3.1, List of Regulations. Implementation of increased inventory accountability, spill prevention controls, and waste disposal controls associated with these regulations would limit both the frequency and severity of potential releases of hazardous materials.

LAHD maintains compliance with federal, state, and local laws discussed under Impact RISK-4 for the proposed Project through a variety of methods, including internal compliance reviews, preparation of regulatory plans, and agency oversight. These regulations would be adhered to during construction under Alternative 2. Implementation of increased spill prevention controls, spill release notification requirements, and waste disposal controls associated with state and federal regulations would limit both the frequency and severity of potential releases of hazardous materials.

Construction activities would be conducted using BMPs in accordance with City guidelines. Proposed Alternative 2 construction plans and specifications would be reviewed by LAFD for conformance to the LAFC, as a standard practice. Implementation of increased spill prevention controls associated with these BMPs would limit both the frequency and severity of potential releases of hazardous materials. Therefore, impacts would be less than significant under CEQA.

Operation

Alternative 2 operations would be subject to the same regulations and procedures as described under Impact RISK-4 for the proposed Project. LAHD has implemented various plans and programs to ensure compliance with these regulations, which must be adhered to during Alternative 2 operations. The transport of hazardous materials in containers on the street and highway system is regulated by Caltrans procedures and the Standardized Emergency Management System, prescribed under Section 8607 of the California Government Code. Any facilities identified as either a hazardous cargo facility or a vulnerable resource would be required to conform to the RMP, which includes packaging constraints and the provision of a separate storage area for hazardous cargo.

LAHD maintains compliance with these state and federal laws through a variety of methods, including internal compliance reviews, preparation of regulatory plans, and agency oversight, most notably the Port RMP. Because container terminals are not considered vulnerable resources, and because Alternative 2 would not expose the residential or recreational users to increased risk (none are located next to the expansion area), this alternative would not conflict with the RMP.

Plans and specifications of existing facilities have been reviewed by LAFD for conformance to the LAFC, as a standard practice. Operation of Alternative 2 would be required to comply with all existing hazardous waste laws and regulations, including the federal RCRA and CERCLA, and CCR Title 22 and Title 26. Alternative 2 operations

would comply with these laws and regulations, which would ensure that potential hazardous materials handling would occur in an acceptable manner. Alternative 2 operations would not conflict with RMP guidelines or the LAFC and would be required to comply with all applicable existing hazardous waste laws and regulations. Therefore, under CEQA, Alternative 2 operations would comply with applicable regulations and policies guiding development in the Port. Impacts under CEQA would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Alternative 2 would include only backlands improvements consisting of slurry sealing; deep cold planing; asphalt concrete overlay; restriping; and removal, relocation, or modification of any underground conduits and pipes necessary to complete repairs. No construction of in-water or over-water features would occur under Alternative 2. The No Federal Action Alternative would involve the same construction activities as would occur under the NEPA baseline. Therefore, there would be no incremental difference between Alternative 2 and the NEPA baseline. As a consequence, Alternative 2 would result in no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Impact RISK-5: Tsunami-induced flooding and seismic events could result in fuel releases from ships or hazardous substances releases from containers under Alternative 2, which in turn could result in risks to persons and/or the environment.

CEQA Impact Determination

Construction

As discussed in Section 3.5, Geology, and RISK-5 under the proposed Project, there is the potential for a major or great earthquake or large tsunami to affect the Port. Impacts due to major or great earthquakes and seismically induced tsunamis and seiches are typical for the entire California coastline and would not be increased by construction of Alternative 2. As stated under RISK-5 for the proposed Project, based on the lowest deck elevation (near the YTI Terminal) presented above and the data provided in the Port Complex study, tsunami-induced flooding would not occur at the proposed project site under any of the earthquake and landslide scenarios. Therefore, localized tsunami-induced flooding is not expected to occur within the proposed project site. Either an earthquake or a tsunami could lead to a fuel spill from construction equipment, as well as

from containers of petroleum products and hazardous substances used during the construction period, if such events occur during construction. However, as described under RISK-5 for the proposed Project, the volume spilled in the event of a tsunami would likely be less than 10,000 gallons, which is considered "slight." A major tsunami is not expected during construction of Alternative 2, but could occur; thus, the probability of a major tsunami occurring during construction of Alternative 2 is classified as "improbable," resulting in a Risk Code of 4, which is "acceptable." In light of such a low probability and acceptable risk of a large tsunami, impacts under CEQA would be less than significant as they pertain to hazardous materials spills.

Operation

As discussed in Section 3.5, Geology, and under RISK-5 for the proposed Project, there is the potential for a large tsunami to impact the Port. Based on the lowest deck elevation (near the YTI Terminal) presented above and the data provided in the Port Complex study, tsunami-induced flooding would not occur at the proposed project site under any of the earthquake and landslide scenarios. Therefore, localized tsunami-induced flooding is not expected to occur within the proposed project site. However, a large tsunami could potentially lead to a fuel spill if a moored vessel is present, as each ship contains large quantities of fuel oil (up to 5,000 barrels). While in transit, the tankers are exposed to insignificant and, in most cases, imperceptible, hazards. However, a tsunami striking the Port could cause significant ship movement to dock ships, including a hull breach, if the ship is pushed against the wharf.

Impacts due to seismically induced tsunamis and seiches are typical for the entire California coastline and would not be increased by Alternative 2 operations. Because a major tsunami is not expected during the life of Alternative 2, but could occur (see Section 3.5, Geology, and RISK-5 under the proposed Project for additional information on the probability of a major tsunami and potential volume of spilled fuel), the probability of a major tsunami occurring is classified as "improbable." The consequence of such an event is classified as "moderate," resulting in a Risk Code of 4, which is "acceptable." Given that single-hulled vessels would not be used, there would be a minimal chance of a substantive fuel spill. In light of the low probability and acceptable risk of a large tsunami, impacts under CEQA would be less than significant as they pertain to hazardous materials spills.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Alternative 2 would include only backlands improvements consisting of slurry sealing; deep cold planing; asphalt concrete overlay; restriping; and removal, relocation, or modification of any underground conduits and pipes necessary to complete repairs. No construction of in-water or over-water features would occur under Alternative 2. The No Federal Action Alternative would involve the same construction activities as would occur under the NEPA baseline. Therefore, there would be no incremental difference between

Alternative 2 and the NEPA baseline. As a consequence, Alternative 2 would result in no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Impact RISK-6: Alternative 2–related terminal modifications would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the proposed project site and nearby areas.

CEQA Impact Determination

Construction

Construction of Alternative 2 would result in similar probability of a terrorist attack as described for the proposed Project: it is not likely to appreciably change over existing conditions. The proposed Alternative 2 site is an existing container terminal and would not constitute a new potential target for terrorists. The potential for unauthorized access to the terminal site during construction by land, water, and/or air is limited. Compliance with maritime security regulations, including the MTSA and ISPS Code, and implementation and enforcement of existing Port and terminal security measures by LAHD, YTI, and U.S. CBP would counter any potential increase in unauthorized access to the terminal site due to the use of increased construction vehicles during the planned minor construction activities. Berths 212–213 and Berths 214–216 would remain operational during construction; therefore, the risks associated with terrorism discussed in Section 3.9.2.3 and discussed under the proposed Project above would also apply to the terminal during construction of Alternative 2. The potential for a terrorist attack that could result in catastrophic consequences (greater than 100 injuries or 10 fatalities) to areas near the proposed project site during the construction period is considered extraordinarily improbable given the limited construction duration and the limited access to the construction areas. This combination would result in a Risk Code of 4, which is "acceptable," and impacts would be less than significant under CEQA.

Operation

An increase in the number of container vessels calling at the YTI Terminal under Alternative 2 would not change the probability or consequences of a terrorist attack on the terminal, because it is already considered a potential economic target, and increased throughput is not expected to affect any motivation for a potential attack. The risks associated with terrorism discussed under the proposed Project above would also apply to the terminal during operation of Alternative 2. Compliance with maritime security regulations, including the MTSA and ISPS Code, would minimize any potential increase in the risk of terrorist attacks during operation of Alternative 2. Implementation and enforcement of security measures by LAHD, YTI, and U.S. CBP would serve to counter the potential for increase in unauthorized access to the terminal due to increased vessel traffic and help minimize any potential increase in risk of a successful terrorist attack. Alternative 2 would not change the seriousness of the consequences of a terrorist action

on a container terminal, which could be catastrophic, specifically in terms of environmental and economic impacts. However, these impacts would likely be limited to the area surrounding the point of attack and would be responded to by emergency response providers. Potential impacts to the environment are addressed in specific resource sections, including Section 3.2, Air Quality and Meteorology; Section 3.3, Biological Resources; and Section 3.15, Water Quality, Sediments, and Oceanography. Security initiatives have improved both terminal and cargo security and have resulted in enhanced cargo screening. Therefore, potential impacts under CEQA associated with a potential terrorist attack on the YTI Terminal are considered less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Alternative 2 would include only backlands improvements consisting of slurry sealing; deep cold planing; asphalt concrete overlay; restriping; and removal, relocation, or modification of any underground conduits and pipes necessary to complete repairs. No construction of in-water or over-water features would occur under Alternative 2. The No Federal Action Alternative would involve the same construction activities as would occur under the NEPA baseline. Therefore, there would be no incremental difference between Alternative 2 and the NEPA baseline. As a consequence, Alternative 2 would result in no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Alternative 3 – Reduced Project: Improve Berths 217—220 Only

This alternative includes all components of the proposed Project except dredging and pile driving at Berths 214–216. The following components of the proposed Project are unchanged under the Reduced Project Alternative:

- modifying up to six existing cranes;
- replacing up to four existing non-operating cranes;
- dredging 6,000 cy from a depth of -45 to -47 feet MLLW (with an additional 2 feet of overdredge depth, for a total depth of -49 feet MLLW), and installing 1,200 linear feet of sheet piles and king piles to support and stabilize the existing wharf structure at Berths 217–220;
- disposing of dredged material at LA-2, the Berths 243–245 CDF, or another approved upland location;

- extending the existing 100-foot gauge landside crane rail through Berths 217–220;
- performing ground repairs and maintenance activities in the backlands area; and
- expanding the TICTF on-dock rail by adding a single rail loading track.

Under this alternative, there would be three operating berths after construction, similar to the proposed Project, but Berths 214–216 would remain at their existing depth. This alternative would require less dredging (by approximately 21,000 cy) and pile driving and a shorter construction period than the proposed Project. Based on the throughput projections, this alternative is expected to operate at its capacity of approximately 1,913,000 TEUs by 2026, similar to the proposed Project. However, while the terminal could handle similar levels of cargo, the reduced project alternative would not achieve the same level of efficient operations as achieved by the proposed Project. This alternative would not accommodate the largest vessels (13,000 TEUs). The depth achieved at Berths 217–220 would only be capable of handling vessels up to 11,000 TEUs, requiring additional vessels to call on the terminal to meet future growth projections up to the capacity of the terminal. Therefore, under this alternative, 232 vessels would call on the terminal in 2020 and 2026, compared to 206 vessels for the proposed Project. Additionally, because of the higher number of annual vessel calls, this alternative would result in a maximum of five peak day ship calls (over a 24-hour period) compared to four for the proposed Project.

Impact RISK-1: Alternative 3 would not substantially increase the probable frequency and severity of consequences to people or property as a result of accidental release or explosion of a hazardous substance.

CEQA Impact Determination

Construction

As described for proposed project-related construction activities under RISK-2, construction under Alternative 3 would be conducted using BMPs in accordance with City guidelines and in compliance with federal and state regulations governing hazardous materials, the State General Permit for Storm Water Discharges Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ), and the proposed Project–specific SWPPP that has been prepared in accordance with California NPDES permit CAS000001 2013 (Hansen pers. comm.).

Construction equipment associated with Alternative 3 could result in accidental spills of oil, gas, or fluids during normal usage or during refueling, resulting in potential health and safety impacts to not only construction personnel, but to people and property occupying operational portions of the proposed project area. However, it is unlikely that construction activities would involve the use of substantial quantities of hazardous materials, and the most likely spills or releases of hazardous materials during construction would involve petroleum products, such as diesel fuel, gasoline, oils, and lubricants from vehicle at the site. Because construction-related spills are not uncommon, the probability of a spill occurring is classified as “frequent” (more than once a year). However, such spills are typically short-term and localized. This is attributable to the fact that the volume in any single source vehicle is generally less than 50 gallons, and fuel trucks that might be present at the site would be limited to 10,000 gallons or less.

Thus, the potential consequence of such accidents is classified as "slight," resulting in a Risk Code of 4, which is "acceptable."

However, there is also potential for release of contaminated soils from dredging approximately 27,000 cubic yards at Berths 214–216 and Berths 217–220. All of the dredged material would be disposed of at an approved site, which may include LA-2, the Berths 243–245 CDF, or another approved location. A sampling and analysis program would be implemented to determine suitability for any offshore disposal of material at LA-2. In addition, any contaminated soil or groundwater encountered during construction of Alternative 3 would be handled, transported, remediated, or disposed of in accordance with all applicable federal, state, and local laws and regulations and in accordance with the regulatory lead agency and LAHD mitigation measures pertaining to site remediation (GW-1) and development of a contamination contingency plan (GW-2) (see Section 3.8, Groundwater and Soils).

Proposed construction activities under Alternative 3 would not substantially increase the probable frequency and severity of consequences to people or property as a result of an accidental release or explosion of a hazardous substance. Impacts would be less than significant under CEQA.

Operation

As described for the proposed Project, terminal operations would be subject to safety regulations that govern the shipping, transport, storage, and handling of hazardous materials, which would limit the severity and frequency of potential releases of hazardous materials resulting in increased exposure of people to health hazards. In addition, the USDOT Hazardous Materials Regulations (49 CFR 100–185) regulate almost all aspects of terminal operations. Implementation of increased hazardous materials inventory control and spill prevention controls associated with state and federal regulations would limit both the frequency and severity of potential releases of hazardous materials. Quantities of hazardous materials used in terminal maintenance activities that exceed the thresholds provided in Chapter 6.95 of the California Health and Safety Code would be subject to an RRP and an HMI, which would limit both the frequency and severity of potential releases of hazardous materials. Limited quantities of hazardous materials used at the terminal that are below the thresholds of Chapter 6.95 would not likely result in a substantial spillage into the environment.

As with the proposed Project, under Alternative 3 the YTI Terminal site would accommodate a maximum of 1,913,000 TEUs per year at maximum capacity (2026), compared to 996,109 TEUs under CEQA baseline conditions (January 2012 to December 2012), which would represent almost a twofold increase in containerized cargo compared to the CEQA baseline, and thus the potential for an accidental release or explosion of hazardous materials would also be expected to increase proportionally. Under Alternative 3, 232 vessels would call on the terminal in 2020 and 2026 for the YTI Terminal to reach its operating capacity of 1,913,000 TEUs. As determined for the proposed Project in Table 3.9-5, the frequency of potential Alternative 3-related spills would also increase to 2.2 spills per year from 1.1 spills under the baseline, which equates to an increase in the number of annual spills by 1.1 under Alternative 3. This increase in spill frequency would be classified as "frequent" (greater than once per year), and the consequence of such accidents is classified as "slight," resulting in a Risk Code of 4, which is "acceptable." Compliance with applicable federal, state, and local laws and regulations governing the transport of hazardous materials and emergency response

to hazardous material spills, as described above, would minimize the potential for adverse public health impacts. Therefore, under CEQA, Alternative 3 operations would not substantially increase the probable frequency and severity of consequences to people or property as a result of an accidental release or explosion of a hazardous substance. Impacts under CEQA would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

As discussed above, construction activities associated with Alternative 3 would not substantially increase the probable frequency and severity of consequences to people or property as a result of an accidental release or explosion of a hazardous substance. Impacts under NEPA would be less than significant.

Operation

As with the proposed Project, under Alternative 3 YTI Terminal operations could handle approximately 1,913,000 TEUs per year when optimized and functioning at maximum capacity (2026), as compared to the NEPA baseline (2026) of 1,692,000 TEUs. This would equate to an approximately 1.1-fold increase in containerized cargo compared to the NEPA baseline, thereby proportionally increasing the potential for an accidental release or explosion of hazardous materials. As determined for the proposed Project in Table 3.9-6, the frequency of potential Alternative 3-related spills would also increase to 2.2 spills per year from 1.9 spills under the NEPA baseline, which equates to an increase in the number of annual spills by 0.3 under Alternative 3. This increase in spill frequency would be classified as "periodic" (between once per year and once in ten years), and the consequence of such accidents is classified as "slight," resulting in a Risk Code of 4, which is "acceptable." Compliance with applicable federal, state, and local laws and regulations governing the transport of hazardous materials and emergency response to hazardous material spills, as described above, would minimize the potential for adverse public health impacts. Therefore, under NEPA, Alternative 3 operations would not substantially increase the probable frequency and severity of consequences to people or property as a result of an accidental release or explosion of a hazardous substance. Impacts under NEPA would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-2: Alternative 3 would not substantially increase the probable frequency and severity of consequences to people from exposure to health hazards.

CEQA Impact Determination

Construction

Under Alternative 3, no dredging and pile driving would occur at Berths 214–216 and the construction period would be shorter relative to the proposed Project.

As with the proposed Project, all construction activities would be conducted using BMPs and in accordance with City guidelines. Quantities of hazardous materials that exceed the thresholds provided in Chapter 6.95 of the California Health and Safety Code would be subject to an RRP and an HMI, which would minimize potential health hazards and/or contamination of soil or water during construction activities. Impacts from contamination of soil or water during construction activities would apply to not only construction personnel, but to people and property occupying operational portions of the project area, as Berths 212–213 and Berths 214–216 would be operating during construction activities at Berths 217–220 and other terminal improvements.

Hazardous materials shipped, transported, handled, or otherwise stored would be in compliance with the RMP, USCG regulations, fire department requirements, and state and federal departments of transportation regulations (49 Part 176). Implementation of the abovementioned preventative measures would minimize the potential for spills to affect members of the public, including on-site employees, and would confine the adverse impacts of contamination to a relatively small area.

Because construction-related spills are not uncommon, the probability of a spill occurring is classified as "frequent" (more than once a year). However, because such spills are typically short-term and localized, the potential consequence of such accidents is classified as "slight," resulting in a Risk Code of 4, which is "acceptable." Construction activities under Alternative 3 would not substantially increase the probable frequency and severity of consequences to people from exposure to health hazards. Impacts would be less than significant under CEQA.

Operation

Alternative 3 would include siting facilities that would potentially handle hazardous materials and increase other hazards to the public. The handling and storing of increased quantities of hazardous materials (in containers) would increase the probability of a local accident involving a release, spill, fire or explosion, which is proportional to the size of the terminal and its throughput.

However, it is expected that the projected increase in terminal operations under Alternative 3 would proportionally increase the potential truck transportation-related accidents. Potential Alternative 3-related increases in truck trips could result in an increase in vehicular accidents, injuries, and fatalities. Therefore, the potential impact of increased truck traffic on regional injury and fatality rates are evaluated.

Given that the annual number of truck trips under Alternative 3 would be the same as under the proposed Project, the potential for increased injury and/or fatality to occur

under Alternative 3 relative to CEQA baseline conditions would be the same as was determined for the proposed Project in Table 3.9-7, thereby resulting in a Risk Code of 3. An impact with a Risk Code of 3 is classified as "acceptable" with additional engineering or administrative controls to mitigate the adverse impacts, according to the LACFD risk criticality (Table 3.9-4). The same administrative controls that would occur under the proposed Project would also occur under Alternative 3. Due to the implementation of these administrative controls, Alternative 3 operations would not substantially increase the probable frequency and severity of consequences to people from exposure to health hazards, and potential impacts under CEQA would be considered less than significant**.**

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

As discussed above, construction activities under Alternative 3 would not substantially increase the probable frequency and severity of consequences to people from exposure to health hazards. Based on criterion RISK-2, impacts would be less than significant under NEPA.

Operation

Because projected terminal operations under Alternative 3 would accommodate approximately a 1.1-fold increase in containerized cargo compared to the NEPA baseline, the potential for increased truck transportation-related accidents would also occur.

Potential Alternative 3-related truck accident rates can be estimated based on national average accident rates and the average number of miles per cargo truck trip. Given that the annual number of truck trips under Alternative 3 would be the same as under the proposed Project, the potential for increased injury and/or fatality to occur under Alternative 3 relative to the NEPA baseline conditions would be the same as was determined for the proposed Project in Table 3.9-8, thereby resulting in a Risk Code of 4. An impact with a Risk Code of 4 is classified as "acceptable" and would be less than significant. Therefore, potential impacts under NEPA would be considered less than significant**.**

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-3: Alternative 3 would not substantially interfere with an existing emergency response or evacuation plans, thereby increasing risk of injury or death.

CEQA Impact Determination

Construction

Emergency response and evacuation planning is the responsibility of LAPD, LAFD, Port Police, and USCG. YTI also has an Emergency Action Plan in place for its employees to help prevent and respond to emergency situations. Construction activities would be subject to emergency response and evacuation systems implemented by LAFD. During construction activities, LAFD would require that adequate vehicular access to the site be provided and maintained. Prior to commencement of construction activities, all plans would be reviewed by LAFD to ensure adequate access is maintained throughout construction. All standard procedures for activities occurring on Port property and within the Port area, as discussed under Impact RISK-3 for the proposed Project, would be followed during construction of Alternative 3, and the contractor would coordinate with the agencies responsible for the emergency response and evacuation planning. Alternative 3 contractors would be required to adhere to all LAFD emergency response and evacuation regulations, ensuring compliance with existing emergency response plans. Therefore, under CEQA, construction activities associated with Alternative 3 would not substantially interfere with an existing emergency response or evacuation plan or increase risk of injury or death. Impacts under CEQA would be less than significant.

Operation

The YTI Terminal would continue to operate as a container terminal; therefore, proposed terminal operations would not interfere with any existing contingency plans, because the current activities are consistent with the contingency plans, and Alternative 3 would not add any additional activities that would be inconsistent with existing contingency plans. In addition, existing oil spill contingency and emergency response plans for the site would be revised to incorporate proposed facility and operational changes. Because existing management plans are commonly revised to incorporate terminal operation changes, conflicts with existing contingency and emergency response plans are not anticipated.

All emergency response and evaluation plans and procedures as described under Impact RISK-3 for the proposed Project would apply during Alternative 3 operations. YTI Terminal personnel, including laborers and equipment operators, would be trained in emergency response and evacuation procedures, and all contractors would be required to adhere to plan requirements.

Alternative 3 would continue to operate as a container terminal similar to other terminal operations in the Port area, and Alternative 3 operations would be subject to emergency response and evacuation systems implemented by LAHD and LAFD. Thus, Alternative 3 operations would not interfere with any existing emergency response or emergency evacuation plans or increase the risk of injury or death, and impacts would be less than significant under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

Alternative 3 contractors would be required to adhere to all LAFD emergency response and evacuation regulations, ensuring compliance with existing emergency response plans. Therefore, under NEPA, construction activities associated with Alternative 3 would not substantially interfere with an existing emergency response or evacuation plan or increase risk of injury or death. Impacts under NEPA would be less than significant.

Operation

Alternative 3 would continue to operate as a container terminal similar to other terminal operations in the Port area, and Alternative 3 operations would be subject to emergency response and evacuation systems implemented by LAHD and LAFD. Thus, Alternative 3 operations would not interfere with any existing emergency response or emergency evacuation plans or increase the risk of injury or death, and impacts would be less than significant under NEPA based on criterion RISK-3.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-4: Alternative 3 would comply with applicable regulations and policies guiding development within the Port.

CEQA Impact Determination

Construction

As described in Section 3.9.3.1, List of Regulations, Alternative 3 would be subject to numerous regulations during construction. Implementation of increased inventory accountability, spill prevention controls, and waste disposal controls associated with state and federal regulations would limit both the frequency and severity of potential releases of hazardous materials.

LAHD maintains compliance with federal, state, and local laws discussed under Impact RISK-4 for the proposed Project through a variety of methods, including internal compliance reviews, preparation of regulatory plans, and agency oversight. These regulations would be adhered to during construction proposed under Alternative 3. Implementation of increased spill prevention controls, spill release notification requirements, and waste disposal controls associated with these regulations would limit both the frequency and severity of potential releases of hazardous materials.

Construction activities would be conducted using BMPs in accordance with City guidelines, and implementation of increased spill prevention controls associated with

BMPs would limit both the frequency and severity of potential releases of hazardous materials.

As with the proposed Project, because Alternative 3 construction would be completed using standard BMPs and in accordance with LAHD plans and programs, LAFD regulations, LAMC requirements, and all applicable hazardous waste laws and regulations, potential impacts relating to compliance with applicable regulations and policies guiding development in the Port would be less than significant under CEQA.

Operation

Alternative 2 operations would be subject to the same regulations and procedures as described under Impact RISK-4 for the proposed Project. LAHD has implemented various plans and programs to ensure compliance with its regulations, which must be adhered to during terminal operation. The transport of hazardous materials in containers on the street and highway system is regulated by Caltrans procedures and the Standardized Emergency Management System prescribed under Section 8607 of the California Government Code. In addition, any facility constructed at the site, identified as either a hazardous cargo facility or a vulnerable resource, would be required to conform to the RMP, which includes packaging constraints and the provision of a separate storage area for hazardous cargo.

LAHD maintains compliance with these state and federal laws through a variety of methods, including internal compliance reviews, preparation of regulatory plans, and agency oversight, most notably the Port RMP. Because Alternative 3 would not increase the exposure of the residential or recreational users to increased risk (none are located next to the expansion area), this alternative would not conflict with the RMP.

Alternative 3 plans and specifications would be reviewed by LAFD for conformance to the LAFC, as a standard practice. Operation of Alternative 3 would be required to comply with all existing hazardous waste laws and regulations, including the federal RCRA and CERCLA, and CCR Title 22 and Title 26. Alternative 3 operations would comply with these laws and regulations, which would ensure that potential hazardous materials handling would occur in an acceptable manner. Alternative 3 operations would not conflict with RMP guidelines or the LAFC and would be required to comply with all applicable existing hazardous waste laws and regulations. Therefore, under CEQA, Alternative 3 operations would comply with applicable regulations and policies guiding development in the Port. Impacts under CEQA would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

As with the proposed Project, because Alternative 3 construction would be completed using standard BMPs and in accordance with LAHD plans and programs, LAFD regulations, LAMC requirements, and all applicable hazardous waste laws and

regulations, impacts relating to compliance with applicable regulations and policies guiding development in the Port would be less than significant under NEPA.

Operation

Alternative 3 operations would not conflict with RMP guidelines. Alternative 3 plans and specifications would be reviewed by LAFD for conformance to the LAFC, and operation of Alternative 3 would be required to comply with all applicable existing hazardous waste laws and regulations. Operations under Alternative 3 would comply with applicable regulations and policies guiding development in the Port. Therefore, impacts under NEPA would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-5: Tsunami-induced flooding and seismic events could result in fuel releases from construction equipment, ships, or hazardous substances releases from containers under Alternative 3, which in turn could result in risks to persons and/or the environment.

CEQA Impact Determination

Construction

As discussed in Section 3.5, Geology, and RISK-5 under the proposed Project, there is the potential for a major or great earthquake or large tsunami to affect the Port. Impacts due to major or great earthquakes and seismically induced tsunamis and seiches are typical for the entire California coastline and would not be increased by construction of Alternative 3. Based on the lowest deck elevation (near the YTI Terminal) presented above and the data provided in the Port Complex study, tsunami-induced flooding would not occur at the proposed project site under any of the earthquake and landslide scenarios. Therefore, localized tsunami-induced flooding is not expected to occur within the proposed project site. Either an earthquake or a tsunami could lead to a fuel spill from construction equipment, as well as from containers of petroleum products and hazardous substances used during the construction period, if such events occur during construction. However, as discussed under RISK-5 for the proposed Project, the volume spilled in the event of a tsunami is expected to be low and would likely be less than 10,000 gallons, which is considered "slight." A major tsunami is not expected during construction of Alternative 3, but could occur; thus, the probability of a major tsunami occurring during construction of Alternative 3 is classified as "improbable," resulting in a Risk Code of 4, which is "acceptable." In light of such a low probability and acceptable risk of a large tsunami, impacts under CEQA would be less than significant as they pertain to hazardous materials spills.

Operation

As discussed in Section 3.5, Geology, and under RISK-5 for the proposed Project, there is the potential for a large tsunami to impact the Port. Based on the lowest deck elevation

(near the YTI Terminal) presented above and the data provided in the Port Complex study, tsunami-induced flooding would not occur at the proposed project site under any of the earthquake and landslide scenarios. Therefore, localized tsunami-induced flooding is not expected to occur within the proposed project site. However, a large tsunami would potentially lead to a fuel spill if a moored vessel is present. While in transit, the tankers are exposed to insignificant and, in most cases, imperceptible, hazards. However, a tsunami striking the Port could cause significant ship movement to docked ships, including a hull breach, if the ship is pushed against the wharf.

Because a major tsunami is not expected during the life of Alternative 3, but could occur (see Section 3.5, Geology, and RISK-5 under the proposed Project for additional information on the probability of a major tsunami and potential volume of spilled fuel), the probability of a major tsunami occurring is classified as "improbable." The consequence of such an event is classified as "moderate," resulting in a Risk Code of 4, which is "acceptable." Given that single-hulled vessels would not be used, there would be a minimal chance of a substantive fuel spill. In light of the low probability and acceptable risk of a large tsunami, impacts under CEQA would be less than significant as they pertain to hazardous materials spills.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

The volume spilled in the event of a tsunami would likely be less than 10,000 gallons, which is considered "slight." A major tsunami is not expected during construction of Alternative 3, but one could occur; therefore, the probability of a major tsunami occurring during construction of the proposed Project is classified as "improbable," resulting in a Risk Code of 4, which is "acceptable." In light of such low probability and acceptable risk of a large tsunami or other seismic risk, impacts under NEPA associated with Alternative 3 would be less than significant.

Operation

A major tsunami is not expected during the life of Alternative 3, but one could occur; therefore, the probability of a major tsunami occurring is classified as "improbable." The potential consequence of such an event would be classified as "moderate," resulting in a Risk Code of 4, which is "acceptable." In light of the low probability and acceptable risk of a large tsunami, impacts under NEPA would be less than significant as they pertain to hazardous materials spills.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-6: Alternative 3–related terminal modifications would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the proposed project site and nearby areas.

CEQA Impact Determination

Construction

Construction of Alternative 3 would result in similar probability of a terrorist attack as described for the proposed Project: it is not likely to appreciably change over existing conditions. The proposed Alternative 3 site is an existing container terminal and would not constitute a new potential target for terrorists. The potential for unauthorized access to the terminal site during construction by land, water, and/or air is limited. Compliance with maritime security regulations, including the MTSA and ISPS Code, and implementation and enforcement of existing Port and terminal security measures by LAHD, YTI, and U.S. CBP would counter any potential increase in unauthorized access to the terminal site due to increased construction vehicular traffic. The YTI Terminal would be operating during the construction period; therefore, the risks associated with terrorism discussed in Section 3.9.2.3 and under the proposed Project above would also apply to the terminal during construction under Alternative 3. The potential for a terrorist attack that could result in catastrophic consequences (greater than 100 injuries or 10 fatalities) to areas near the proposed project site during the construction period is considered extraordinarily improbable given the limited construction duration and the limited access to the construction areas. This combination would result in a Risk Code of 4, which is "acceptable," and impacts would be less than significant under CEQA.

Operation

An increase in the number of container vessels calling at the YTI Terminal under Alternative 3 would not change the probability or consequences of a terrorist attack on the terminal, because it is already considered a potential economic target, and increased throughput is not expected to affect any motivation for a potential attack. The risks associated with terrorism discussed under the proposed Project above would also apply to the terminal during construction and operation of Alternative 3. Compliance with maritime security regulations, including the MTSA and ISPS Code, would minimize any potential increase in the risk of terrorist attacks during operation of Alternative 3. Implementation and enforcement of security measures by LAHD, YTI, and U.S. CBP would serve to counter the potential for increase in unauthorized access to the terminal due to increased vessel traffic and help minimize any potential increase in risk of a successful terrorist attack. Alternative 3 would not change the seriousness of the consequences of a terrorist action on a container terminal, which could be catastrophic, specifically in terms of environmental and economic impacts. However, these impacts would likely be limited to the area surrounding the point of attack and would be responded to by emergency response providers. Potential impacts to the environment are addressed in specific resource sections, including Section 3.2, Air Quality and Meteorology; Section 3.3, Biological Resources; and Section 3.15, Water Quality, Sediments, and Oceanography. Security initiatives have improved both terminal and cargo security and have resulted in enhanced cargo screening. Therefore, potential impacts under CEQA associated with a potential terrorist attack on the YTI Terminal are considered less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

The potential for unauthorized access to the terminal site during construction by land, water, and/or air is limited. Existing Port and terminal security measures would counter any potential increase in unauthorized access to the terminal site through the use of vehicles or vessels. The potential for a terrorist attack that would result in catastrophic consequences (greater than 100 injuries or 10 fatalities) to areas near the Alternative 3 site during the construction period is considered extraordinarily improbable given the limited construction duration and the limited access to the construction areas. This combination would result in a Risk Code of 4 that is "acceptable"; therefore, impacts under NEPA would be less than.

Operation

Alternative 3 would not change the vulnerability of the proposed project area or the seriousness of the consequences. The environmental consequences of a terrorist action, including threats to human health arising from the action and from the release, explosion, or spill of hazardous materials would not substantially change. Security initiatives have improved both terminal and cargo security, and have resulted in enhanced cargo screening. Therefore, potential impacts under NEPA associated with a potential terrorist attack on the YTI Terminal are considered less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

3.9.4.4 Summary of Impact Determinations

Table 3.9-11 presents a summary of the CEQA and NEPA impact determinations of the proposed Project and alternatives related to Hazards and Hazardous Materials, as described above. This table is meant to allow easy comparison between the potential impacts of the proposed Project and alternatives with respect to this resource. Identified potential impacts may be based on federal, state, or City significance criteria; LAHD criteria; and the scientific judgment of the report preparers.

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

Table 3.9-11: Summary Matrix of Potential Impacts and Mitigation Measures for Hazards and Hazardous Materials Associated with the Proposed Project and Alternatives

Alternative	Environmental Impacts	Impact Determination	Mitigation Measures	Impacts after Mitigation
Proposed Project	**RISK-1:** The proposed Project would not substantially increase the probable frequency and severity of consequences to people or property as a result of accidental release or explosion of a hazardous substance.	CEQA: Less than significant NEPA: Less than significant	No mitigation is required.	CEQA: Less than significant NEPA: Less than significant
	RISK-2: The proposed Project would not substantially increase the probable frequency and severity of consequences to people from exposure to health hazards.	CEQA: Less than significant NEPA: Less than significant	No mitigation is required.	CEQA: Less than significant NEPA: Less than significant
	RISK-3: The proposed Project would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.	CEQA: Less than significant NEPA: Less than significant	No mitigation is required.	CEQA: Less than significant NEPA: Less than significant
	RISK-4: The proposed Project would comply with applicable regulations and policies guiding development within the Port.	CEQA: Less than significant NEPA: Less than significant	No mitigation is required.	CEQA: Less than significant NEPA: Less than significant
	RISK-5: Tsunami-induced flooding and seismic events could result in fuel releases from construction equipment or hazardous substances releases from containers under the proposed Project, which in turn could result in risks to persons and/or the environment.	CEQA: Less than significant NEPA: Less than significant	No mitigation is required.	CEQA: Less than significant NEPA: Less than significant
	RISK-6: Proposed Project–related terminal modifications would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the proposed project site and nearby areas.	CEQA: Less than significant NEPA: Less than significant	No mitigation is required.	CEQA: Less than significant NEPA: Less than significant

Table 3.9-11: Summary Matrix of Potential Impacts and Mitigation Measures for Hazards and Hazardous Materials Associated with the Proposed Project and Alternatives

Alternative	Environmental Impacts	Impact Determination	Mitigation Measures	Impacts after Mitigation
Alternative 1 – No Project	**RISK-1:** Alternative 1 would not substantially increase the probable frequency and severity of consequences to people or property as a result of accidental release or explosion of a hazardous substance.	CEQA: Construction: No impact Operation: Less than significant	No mitigation is required.	CEQA: No impact
		NEPA: Not Applicable	Mitigation not applicable	NEPA: Not Applicable
	RISK-2: Alternative 1 would not substantially increase the probable frequency and severity of consequences to people from exposure to health hazards.	CEQA: Construction: No impact Operation: Less than significant	No mitigation is required.	CEQA: No impact
		NEPA: Not Applicable	Mitigation not applicable	NEPA: Not Applicable
	RISK-3: Alternative 1 would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.	CEQA: Construction: No impact Operation: Less than significant	No mitigation is required.	CEQA: No impact
		NEPA: Not Applicable	Mitigation not applicable	NEPA: Not Applicable
	RISK-4: Alternative 1 would comply with applicable regulations and policies guiding development within the Port.	CEQA: Construction: No impact Operation: Less than significant	No mitigation is required.	CEQA: No impact
		NEPA: Not Applicable	Mitigation not applicable	NEPA: Not Applicable
	RISK-5: Tsunami-induced flooding and seismic events could result in fuel releases from construction equipment or hazardous substances releases from containers under Alternative 1, which in turn could result in risks to persons and/or the environment.	CEQA: Construction: No impact Operation: Less than significant	No mitigation is required.	CEQA: No impact
		NEPA: Not Applicable	Mitigation not applicable	NEPA: Not Applicable
	RISK-6: Alternative 1–related terminal modifications would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the proposed project site and nearby areas.	CEQA: Construction: No impact Operation: Less than significant	No mitigation is required.	CEQA: No impact
		NEPA: Not applicable	Mitigation not applicable	NEPA: Not applicable

Table 3.9-11: Summary Matrix of Potential Impacts and Mitigation Measures for Hazards and Hazardous Materials Associated with the Proposed Project and Alternatives

Alternative	Environmental Impacts	Impact Determination	Mitigation Measures	Impacts after Mitigation
Alternative 2 – No Federal Action	**RISK-1:** Alternative 2 would not substantially increase the probable frequency and severity of consequences to people or property as a result of accidental release or explosion of a hazardous substance.	CEQA: Less than significant NEPA: No impact	No mitigation is required.	CEQA: Less than significant NEPA: No impact
	RISK-2: Alternative 2 would not substantially increase the probable frequency and severity of consequences to people from exposure to health hazards.	CEQA: Less than significant NEPA: No impact	No mitigation is required.	CEQA: Less than significant NEPA: No impact
	RISK-3: Alternative 2 would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.	CEQA: Less than significant NEPA: No impact	No mitigation is required.	CEQA: Less than significant NEPA: No impact
	RISK-4: Alternative 2 would comply with applicable regulations and policies guiding development within the Port.	CEQA: Less than significant NEPA: No impact	No mitigation is required.	CEQA: Less than significant NEPA: No impact
	RISK-5: Tsunami-induced flooding and seismic events could result in fuel releases from construction equipment or hazardous substances releases from containers under Alternative 2, which in turn could result in risks to persons and/or the environment.	CEQA: Less than significant NEPA: No impact	No mitigation is required.	CEQA: Less than significant NEPA: No impact
	RISK-6: Alternative 2–related terminal modifications would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the proposed project site and nearby areas.	CEQA: Less than significant NEPA: No impact	No mitigation is required.	CEQA: Less than significant NEPA: No impact

Table 3.9-11: Summary Matrix of Potential Impacts and Mitigation Measures for Hazards and Hazardous Materials Associated with the Proposed Project and Alternatives

Alternative	Environmental Impacts	Impact Determination	Mitigation Measures	Impacts after Mitigation
Alternative 3 – Reduced Project: Improve Berths 217–220 Only	**RISK-1:** Alternative 3 would not substantially increase the probable frequency and severity of consequences to people or property as a result of accidental release or explosion of a hazardous substance.	CEQA: Less than significant NEPA: Less than significant	No mitigation is required.	CEQA: Less than significant NEPA: Less than significant
	RISK-2: Alternative 3 would not substantially increase the probable frequency and severity of consequences to people from exposure to health hazards.	CEQA: Less than significant NEPA: Less than significant	No mitigation is required.	CEQA: Less than significant NEPA: Less than significant
	RISK-3: Alternative 3 would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.	CEQA: Less than significant NEPA: Less than significant	No mitigation is required.	CEQA: Less than significant NEPA: Less than significant
	RISK-4: Alternative 3 would comply with applicable regulations and policies guiding development within the Port.	CEQA: Less than significant NEPA: Less than significant	No mitigation is required.	CEQA: Less than significant NEPA: Less than significant
	RISK-5: Tsunami-induced flooding and seismic events could result in fuel releases from construction equipment or hazardous substances releases from containers under Alternative 3, which in turn could result in risks to persons and/or the environment.	CEQA: Less than significant NEPA: Less than significant	No mitigation is required.	CEQA: Less than significant NEPA: Less than significant
	RISK-6: Alternative 3–related terminal modifications would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the proposed project site and nearby areas.	CEQA: Less than significant NEPA: Less than significant	No mitigation is required.	CEQA: Less than significant NEPA: Less than significant

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

3.9.4.5 Mitigation Monitoring

Neither the proposed Project nor any of the alternatives would result in significant impacts on Hazards and Hazardous Materials. Therefore, no mitigation measures or a monitoring program are required.

3.9.5 Significant Unavoidable Impacts

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