

3.6 HAZARDS AND HAZARDOUS MATERIALS

This section describes the potential adverse impacts on human health and the environment due to exposure to hazardous materials or conditions that could be encountered as a result of implementation of the project. Potential effects include those associated with exposure to hazardous materials used, stored, transported, or disposed of during construction activities or project operations. Potential water quality effects from runoff that could contain hazardous or polluted materials during construction or operational activities are discussed in Section 3.2 (Water Resources). Impacts related to toxic air contaminants that could be emitted during operation of the project are discussed in Section 3.3 (Air Quality and Health Risk). Seismic activity that poses a potential threat to the project site is discussed in Section 3.5 (Geology and Soils).

The 2003 WTA PEIR for the expansion of ferry service in the Bay Area evaluated environmental impacts related to hazards and hazardous materials. As this is a project-level analysis that tiers from and incorporates the 2003 WTA PEIR, this section evaluates the site-specific environmental impacts related to hazards and hazardous materials. Data used to prepare this section was taken from various sources, including a Phase I Environmental Site Assessment (ESA) prepared for the project site by VERTEX Engineering Services, Inc (on file with the City and Water Transit Authority [WTA]). Full bibliographic entries for all reference materials are provided in Section 3.6.4 (References) of this section.

For the purpose of analysis in this section (Hazards and Hazardous Materials), “study area” refers to the entire Oyster Point Marina Park (Marina) (see Figure 3.6-1, Site Schematic with Sump Sites).

No comment letters related to hazards and hazardous materials were received in response to the December 17, 2004, Notice of Preparation (NOP) circulated for the project. The NOP and a summary of issues raised during the Public Scoping process are included in Appendix A of this EIR/EA.

■ Definitions

Hazard

A hazard is any situation that has the potential to cause damage to human health and the environment. The risk to human health and the ecological environment is determined by the probability of exposure to hazardous material and severity of harm such exposure would pose. That is to say, the likelihood and means of exposure, in addition to the inherent toxicity of a material, are used to determine the degree of risk to human health or the ecosystem. For example, a high probability of exposure to a low toxicity chemical would not necessarily pose an unacceptable human health or ecological risk, whereas a low probability of exposure to a very high toxicity chemical might. Various regulatory agencies, such as the U.S. Environmental Protection Agency (EPA), State Water Resources Control Board, and the Regional Boards, the California Department of Toxic Substances Control, and state and federal Occupational Safety and Health Administrations (OSHA) are responsible for developing and/or enforcing risk-based standards to protect the public and the environment.

Hazardous Material

This EIR/EA uses the following definition of a hazardous material, provided in Sections 25501(n) and (o) of the California Health and Safety Code:

Any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. “Hazardous Materials” include, but are not limited to, hazardous substances, hazardous wastes, and any material which a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or environment.

A “hazardous waste,” for the purpose of this analysis, is any hazardous material that is abandoned, discarded, or recycled, as defined by Section 25124 of the California Health and Safety Code. In addition, hazardous wastes occasionally may be generated by actions that change the composition of previously nonhazardous materials. The criteria that characterize a material as hazardous include ignitability, toxicity, corrosivity, reactivity, radioactivity, or bioactivity.

Hazard vs. Risk

Workers and general public health are potentially at risk whenever hazardous materials have been used or where an exposure to such materials could occur as a result of the presence of unidentified fill materials or historic uses of a site. Ecological communities, such as avian and terrestrial habitats and the aquatic environment, may also be at risk, depending on the type of population and location relative to potential exposure sources. Inherent in the setting and analyses presented in this section are the concepts of the “hazard” of these materials and the “risk” they pose to human health and the ecological environment.

Exposure to some chemical substances may harm internal organs or systems in the human body, ranging from temporary effects to permanent disability, or death. Aquatic, terrestrial, or avian species may also be similarly adversely affected. Hazardous materials that result in adverse effects are generally considered “toxic.” Other chemical materials, however, may be corrosive, or react with other substances to form other hazardous materials, but they are not considered toxic because organs or systems are not affected. Because toxic materials can result in adverse health effects, they are considered hazardous materials, but not all hazardous materials are necessarily “toxic.” For purposes of the information and analyses presented in this section, the terms hazardous substances or hazardous materials are used interchangeably and include materials that are considered toxic.

3.6.1 ENVIRONMENTAL SETTING

■ Regional History

Industry and community growth have been closely intertwined throughout the City’s history. The construction of the Southern Pacific Railroad (SPRR) line between San Francisco and San Jose in 1904-1907 expanded opportunities for goods shipping from the City, and steel mills began to take advantage of the

City's abundant land with excellent transportation access. A major lack of housing and services and a battle over a copper smelter precipitated incorporation, allowing the City to control its industrial future and provide the services needed to attract resident workers. When the City incorporated on September 19, 1908, it had 1,989 residents and 14 major industries.

Industries continued to locate and grow in the City in the 1920s and 1930s. Bethlehem Steel, U.S. Steel, and the Edwards Wire Rope Factory were some of the City's major establishments whose products helped build California's modern transportation and communications infrastructure. In the 1930s, shipping also emerged as a major industry. The region of the City between US 101 and the San Francisco Bay provided easy rail access and was adjacent to the Port of San Francisco, making the area attractive as a shipping terminal; the City became the central distribution point for the entire Peninsula.

■ Regional Setting

Oyster Point Marina Park (Marina) is located along the western shoreline of the Central San Francisco Bay. The project site is a part of the Oyster Point Marina Park (Marina) in the City of South San Francisco, San Mateo County, California. The site is about two miles north of San Francisco International Airport, 10 miles south of downtown San Francisco, and is directly linked to US 101, via the South San Francisco/Oyster Point Boulevard exit.

■ Project Vicinity

The Marina consists of six parcels along Oyster Point Boulevard, Marina Boulevard, and Harbor Master Road. The Marina overlies a closed landfill that was historically used for disposal of municipal and industrial liquid wastes, with the exception of a thin strip along Oyster Point Boulevard and Gull Drive.

The Marina site is developed with various facilities including: 589 marina slips (with 60 live-aboard slips), a boat launching ramp, a fuel dock, a 300-foot fishing pier, a 33-acre park with a hiking and jogging trail, picnic facilities, parking areas, and a 2.5-acre sandy beach. The fourteen on-site buildings consist of: two office buildings, an inn, a guard station, the Boat and Motor Mart, the Oyster Point Yacht Club, a bait and tackle shop, the Harbor Master's office, and five restroom buildings.

■ Project Site

The project site includes approximately 12 acres, with 4 acres of landside area and 8 acres of waterside area; located adjacent, east/southeast of the mole. The project also consists of employee and passenger parking spaces.

■ Historic Land Uses

With exception to the western edge, along Gull Drive and Oyster Point Boulevard, the site was part of the Bay until landfilling activities were initiated. The landfill was operated from 1956 through 1970 by South

San Francisco Scavenger Company (Scavenger). As of 1961, the landfill began to accept liquid industrial waste for disposal. The types of liquid waste included paints, thinners, and coagulated solvent sludge. The liquid wastes were placed in two on-site areas, designated Sump 1 and Sump 2. Sump 1 was within the landfill material just west of the present-day dry boat storage areas, and Sump 2 was beneath and just east of Gull Drive, in the southwestern corner of the site. Sump 1 was approximately 62,500 square feet (sf) in area, and Sump 2 was reportedly 10,000 sf in area. Both sumps were unlined depressions into which industrial liquid waste was disposed. Sump 1 was used from 1961 until 1966, after which Sump 2 was used until 1967. For sump locations, refer to Figure 3.6-1 (Site Map with Sump Sites). A marina was operated by the City of San Francisco on the western portion of the closed landfill starting in 1962. A waste-filled mole was constructed in 1963. The easternmost extent of the landfill was enclosed within a berm composed of bay mud around 1964. Solid waste was placed into this bermed area from 1964 to 1970. As of 1965, the Oyster Point Rod and Gun Club building was located in the northwestern corner of the site. Based on a 2000 document entitled "Post-Closure Management of the Oyster Point Landfill," this building included an indoor shooting range where firearms were discharged inside a concrete bunker. Expansion of the marina to the east of the mole was initiated in 1978 and completed by 1981. Landfill maintenance and closure activities were conducted between 1970 and 1981, and in 1987. Construction of the office complex, inn, and other structures occurred in the 1980s and 1990s. The site has been managed and maintained by the San Mateo County Harbor District under a joint powers agreement with the City since 1977. The former use of the site as a landfill is considered a recognized environmental condition.

Historical records, including aerial photographs dating to 1946, as well as historical topographic maps, were used to infer project site history. A summary of the observations noted from these materials is shown in Table 3.6-1.

■ Database Searches

Environmental Data Resources, Inc. (EDR) performed a records check in February 2005 of supplemental, federal, state, and local regulatory databases to determine whether any known contaminated sites were located in the study area. Search results determined that the study area is listed in ten of the databases.

In addition, the databases identified contamination or potential sources of contamination located off site, in the vicinity of the study area. Table 3.6-2 summarizes the total number of permitted facilities identified in the record search for each regulatory database. Search radii for each of the databases are pre-determined by the level of threat to public health the contaminant(s) identified in the databases poses. All search radii were increased by 0.25 mile due to the size of the study area. The EDR report is on file with the City and WTA.

In addition to the databases in the above table, the study area is included in one local database, the Business Inventory (BI).

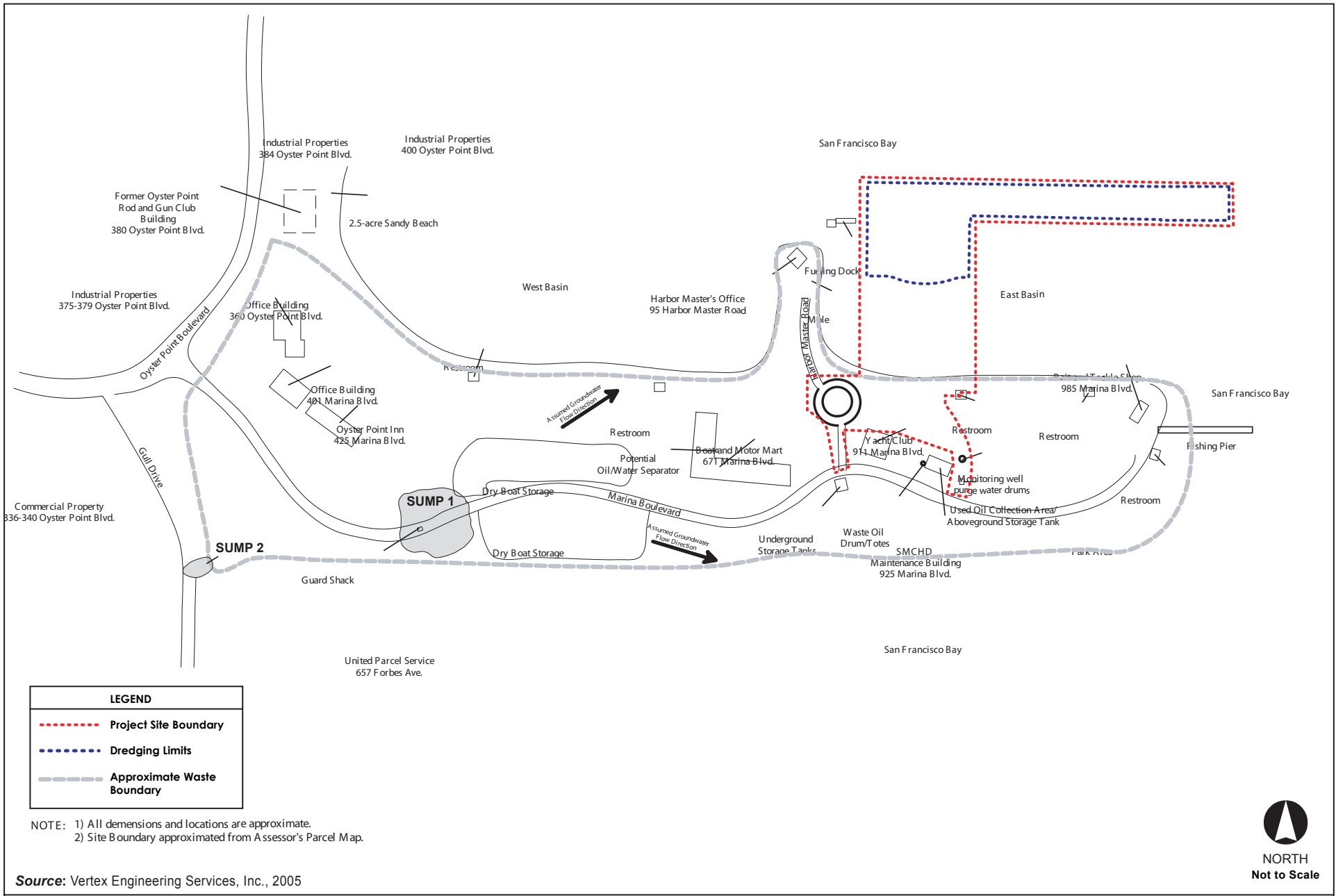


FIGURE 3.6-1
Site Schematic with Sump Sites

Table 3.6-1 Summary of Past Land Uses

Year	Observations
1913	Topographic Map Review—The site is a portion of the San Francisco Bay that has not been filled.
1946	Aerial Photography Review—The site is a portion of the San Francisco Bay that has not been filled.
1947	Topographic Map Review—The site is unchanged from the 1913 map.
1956	Aerial Photography Review—The site is unchanged from the 1946 map.
1956	Topographic Map Review—The site is unchanged from the 1947 map.
1965	Aerial Photography Review—The portion of the site south of the western basin has been filled. The eastern half of the site is partially filled. A marina with six piers has been constructed in the western basin. A mole has been constructed in the central portion of the site. An additional piece of filled land extends southward from the site into the Bay. A large building, likely the former rod and gun club, is located on the northwestern portion of the site.
1968	Topographic Map Review—The site has been filled in. The mole is depicted along the northern portion of the site. Marina piers are depicted in the western basin.
1973	Topographic Map Review—The site is unchanged from the 1968 map.
1982	Aerial Photography Review—The eastern portion of the site has been filled. Marina Boulevard and Harbor Master Road have been constructed. The southern dry boat storage area is depicted to the south of Marina Boulevard. The piers in the eastern basin have been constructed.
1993	Topographic Map Review—The site is unchanged from the 1968 map.
1993	Aerial Photography Review—Three buildings (the Oyster Point Inn and two office buildings) have been constructed in the western portion of the site. A second dry boat storage area is depicted to the north of Marina Boulevard. An L-shaped building (present day Boat and Motor Mart building) is depicted in the central portion of the site. The Harbor Master's office is depicted in the northern portion of the mole. Additionally, the present day yacht club, maintenance building, and bait and tackle building are depicted. A fishing pier extends from the eastern side of the site.
1998	Aerial Photography Review—The site is unchanged from the 1993 map.

SOURCE: VERTEX Engineering Services, Inc. 2005

It should also be noted that multiple “orphan” facilities were identified in the regulatory databases, within 1.25 miles of the study area; however, because these sites lacked complete, or accurate geographical data, they were left out of this section for analysis. A summary of these orphan facilities can be found in the EDR report (on file with the City and WTA).

Federal Regulatory Records

According to the EDR report, neither the project site, nor surrounding properties located within ASTM search distances, is listed in the NPL, CERCLIS, or RCRIS-TSD databases.

CERCLIS-NFRAP: *site that has been removed from CERCLIS. NFRAP sites may be sites where, following an initial investigation, no contamination was found, contamination was removed quickly without the need for the site to be placed on the NPL, or the contamination was not serious enough to require federal Superfund action or NPL consideration.* Study area identified in the CERCLIS-NFRAP database/Two facilities located within a one-half mile radius of the study area identified.

Table 3.6-2 EDR Database Summary			
Database	Radius (miles)	Target Property	Surrounding Facilities
Federal			
National Priorities List (NPL)	1.25	Not Listed	0
Proposed NPL	1.25	Not Listed	0
Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) Sites	0.75	Not Listed	0
CERCLIS No Further Remedial Action Planned Sites (NFRAP)	0.5	Listed	2
Resource Conservation and Recovery Act (RCRA) Corrective Action Report (CORRACTS)	1.25	Not Listed	2
Resource Conservation and Recovery Information System (RCRIS) Treatment, Storage, and Disposal (TSD) Facilities	0.75	Not Listed	0
RCRA Large and Small Quantity Waste Generators (LOG and SQG)	0.5	Listed	13
Emergency Response Notification System (ERNS)	0.25	Listed	—
State			
Annual Workplan (AWP) Sites	1.25	Not Listed	0
California Hazardous Substances Sites (Cal-Sites)	1.25	Not Listed	1
California Hazardous Material Incident Report System (CHMIRS)	0.25	Listed	0
Hazardous Waste and Substances Sites List (CORTESE)	0.75	Listed	6
Proposition 65 Records (Notify 65)	1.25	Not Listed	2
Toxic Pits Cleanup Act Sites (Toxic Pits)	1.25	Not Listed	1
Solid Waste Disposal Facilities (SWF/LF)	0.75	Listed	0
Waste Management Unit Database (WMUDS/SWAT)	0.75	Listed	0
Leaking Underground Storage Tank (LUST) List	0.75	Not Listed	10
Underground Storage Tank (UST) List	0.5	Not Listed	0
California Bond Expenditure Plan (CA BEP)	1.25	Not Listed	1
Facility Inventory Database for Active and Inactive Underground Storage Tanks (CA FID UST)	0.5	Not Listed	7
Hazardous Substance Storage Container Database (HIST UST)	0.5	Not Listed	5
California Spills, Leaks, Investigation, and Cleanup (SLIC)	0.75	Not Listed	1
Voluntary Cleanup Program (VCP)	0.75	Not Listed	1
Hazardous Waste Manifest (HAZNET)	0.25	Listed	1
Indian UST/LUST	0.5/0.75	Not Listed	0
SOURCE: VERTEX Engineering Services, Inc. 2005			

- **Oyster Point Marina Park (Marina)**—Listed on the CERC-NFRAP database. This listing is due to the closed, unlined Class III landfill that extends across the project site. Listing on this database indicates that the site was determined not to be eligible for listing on the NPL. Status of the landfill is closed, meaning that the landfill is no longer accepting waste and that it is covered with a cap. An order was issued by the San Francisco Bay Regional Water Quality Control Board (RWQCB) in response to a previous proposed development (Order No. 00-046 issued June 21, 2000). The order imposes new closure and post-closure requirements on the City as part of future development. New

closure and post-closure requirements are presented to ensure that future development and construction activities at the site:

- › Maintain the landfill cap and cutoff wall integrity
- › Minimize settlement-induced leachate generation
- › Prevent hazardous accumulations of landfill gas
- › Inhibit migration of leachate and landfill gas

In addition, quarterly monitoring of subsurface landfill conditions is ongoing. Further investigation could be required by the RWQCB in such instances as a proposed change in land use, proposed development activities, or if a release from the landfill is discovered. As such, a Development (or Redevelopment) Proposal should be submitted to the RWQCB in accordance with Order No. 00-046 for the project site.

- › In some on-site areas, the landfill cap does not meet the Title 27 prescriptions for a landfill cap (two-foot foundation layer, one-foot low permeability layer, one-foot erosion-resistant layer). These areas include portions of the proposed Corporex development area (proposed Hilton Hotel) on the western portion of the landfill, the Oyster Point Marina Inn and the proposed King Ventures development areas (proposed office/resort complex), and the northern portion of the landfill along the mole and east of the mole (project site).

CORRACTS: *database containing hazardous waste handlers with RCRA corrective action activity.* No study area parcels identified/Two facilities located within a 1.25-mile radius of the study area identified.

- **The O'Brien Corporation (450 East Grand Avenue) & Exide San Francisco Service Center (286 Lawrence Avenue)**—Listed on the CORRACTS database. Both of these facilities are located greater than one half mile away in a cross-gradient direction with respect to the project site. Based on their distance from the project site and the assumed groundwater flow direction, these facilities are not considered a concern to this assessment.

RCRIS-LQG & -SQG: *database identifying facilities that generate, treat, transport, store, and dispose large (LQG) and small (SQG) quantities of hazardous waste. A facility's inclusion on this list does not necessarily indicate that hazardous conditions exist at that location.* Study area identified in the RCRIS-SQG database/Three RCRIS-LQG facilities located within one-half mile of the project site identified & 10 RCRIS-SQG facilities located within one-half mile of the study area identified.

- **Marine Center, Inc. (671 Marina Boulevard)**—Listed as a small quantity generator of hazardous waste. This facility has been occupied by various boat sales and maintenance companies since its construction. Based on San Mateo County Health Department—Environmental Health Division (SMCHDEHD) records reviewed, wastes reported to have been generated at this facility in the past include waste oil, oily debris/filters, Safety Kleen solvent, waste acetone, waste coolant, and glycol. These wastes were generated during boat maintenance activities. Waste oil was formerly stored within a 350-gallon AST at this facility. Solvent storage sinks were formerly located within the service areas. Waste acetone was stored within a 55-gallon drum. The EDR indicates that no violations were reported in connection with hazardous waste management at this facility. Safety Kleen solvent is no longer used at this facility. Corrections noted in the most recent SMCHDEHD inspection (2000) of this facility include disposing of all unused chemicals (lube oil, batteries, diesel, gasoline, acetone), providing housekeeping beneath compressors, storing batteries and drums under

cover, and not allowing soapy water to enter the storm drain. These corrections have been implemented.

- **Axys Pharmaceuticals, Inc. (385 Oyster Point Boulevard) & ChemRX Advanced Technologies (385 Oyster Point Boulevard)**—Listed on the RCRIS-LQG database. This facility is located adjacent to the northwest and cross-gradient from the project site. Based on SMCHDEHD records reviewed, facilities currently and formerly located at this facility that generate/store hazardous waste include Oyster Cove Marina, Oxon Media, Intervention Therapeutics Corporation, AXYS Pharmaceuticals, ChemRX, and Morrow Services. Waste solvent, waste flammable liquids, waste corrosive liquids, and medical waste were reported to be generated. No significant concerns or releases were noted in hazardous waste management records for this facility.
- **Southland Industrial Contracting (384 Oyster Point Boulevard)**—Located adjacent to the north and cross-gradient from the project site. No violations were reported in connection with hazardous waste management at this facility.
- **Restoration Enterprises, Inc. (375 Oyster Point Boulevard)**—Located adjacent to the west and up-gradient from the project site. No violations were reported in connection with hazardous waste management at this facility. This facility was not listed on any databases searched by EDR that indicate that a release has occurred.
- The remaining listed RCRIS-SQG and RCRIS-LQG are either not considered a concern based on distance from the project site, groundwater flow direction, or absence of reported violations; or they are addressed in another portion of this Section.

ERNS: *national database used to collect information on reported releases of oil and hazardous material. The database contains information from spill reports made to federal authorities including the USEPA, the U.S. Coast Guard, the National Response Center, and the U.S. Department of Transportation. Study area identified in the ERNS database/No facilities located within one-quarter mile of the study area identified.*

- **Harbor Master’s Office (95 Harbor Master Road)**—Eight incidents were listed in the ERNS. These incidents included:
 - › A reported oily sheen on the eastern end of the launch ramp in 2002
 - › A release of one-half cup of diesel fuel into the bay during replacement of fuel lines at the fuel dock in 2000 (cleaned up using absorbents and booms)
 - › A release of two pounds of diesel in 1992 (contained using booms)
 - › A release of hydraulic oil from a bilge pump of a vessel due to the rain in 2000 (remediated using booms and absorbents)
 - › A 40-foot sheen of fuel from a sunken sailboat in 1998 (remediated using booms)
 - › Two other listings for 95 Harbor Master Road did not provide details
- **Boat and Motor Mart (671 Marina Boulevard)**—A release of 50 gallons of propane from a loose fitting on a propane tank.

State Regulatory Records

According to the EDR report, neither the project site, nor surrounding properties located within ASTM search distances, is listed on the AWP, UST, Indian UST, or Indian LUST databases.

CHMIRS: Study area identified in the CHMIRS database/No facilities located within one-quarter mile of the study area identified.

- **Harbor Master's Office**—According to the EDR report:
 - › An unknown sheen extending from a boat that sunk was reported in November 2002
 - › An oil release was reported at the eastern end of the launch ramp (approximately 100 yards by 100 yards area of sheen) in July 2002
- **Boat and Motor Mart**—A release of propane was reported to have occurred at in March 1993.

CORTESE: Study area identified in the Cortese database/Six facilities located within three-quarters of a mile of the study area identified.

- **Oyster Point Marina Park (Marina)** —No details were provided in the EDR report regarding this specific listing. Additional information pertaining to the site and the on site closed landfill is provided in the CERC-NFRAP discussion above.
- **Wildberg Brothers (349 Oyster Point Boulevard)**—Located 300 feet west-northwest of the project site. This facility is listed on the Cortese, LUST, BEP, San Mateo County Business Inventory (BI), and VCP databases. Based on records reviewed for this facility, a fuel oil UST was removed from this facility in 1982. In 1997, during construction activities, impacted soil from the UST was discovered under a concrete slab. According to a case closure memorandum, the groundwater beneath this facility does not have appreciable beneficial uses due to its natural salinity from its proximity to the bay. The soil was excavated and the LUST case for this facility was closed in July 2001. Its listings on the VCP database are likely due to the former use of this facility as a metals refining/metals recovery facility. Elevated metals (zinc, nickel, and antimony) were reported in groundwater beneath this facility. Remedial actions included dredging the lagoon on the northern portion of this facility, sludge removal, filling the lagoon with clean soil, and removal of a slag pile. Groundwater monitoring at this facility indicted that groundwater flowed to the north, towards the Bay. Elevated metal concentrations in groundwater do not appear to extend to the south of this facility, towards the project site, based on the data available.
- **Oyster Cove Marina (385 Oyster Point Boulevard)**—Located northwest and adjacent to the project site. This facility is listed on the Cortese, LUST, and BI databases. According to records reviewed, two 350-gallon waste oil USTs were removed from this facility in July 1992. Based on confirmation samples, these locations were over excavated in August 1992. Two monitoring wells were installed and monitored for four quarters. Groundwater was below detection limits for four quarters for total petroleum hydrocarbons as diesel (TPH-d), total petroleum hydrocarbons as motor oil (TPH-mo), and total oil and grease (TOG). The LUST case was granted closure in October 1994.
- **United Parcel Service (657 Forbes Boulevard)**—Located adjacent to the south and cross-gradient from the project site. This facility is listed on the Cortese, LUST, CA FID UST, and HIST UST databases. Based on records reviewed for this facility, four USTs (two 10,000-gallon diesel USTs, one 1,500-gallon waste oil UST, and one 1,500-gallon motor oil UST) were removed from this facility in the early 1990s and replaced with three new USTs. Polynuclear Aromatic Compounds (PNAs) were detected in soil and groundwater at this facility from fill that was placed prior to UPS's occupation. The closest monitoring wells to the project site (MW-2 and MW-3) were low to below detection limits for all analytes during the most recent monitoring events (1995). TPH-d levels were

160 and 270 ug/L in MW-2 and MW-3, respectively during the most recent (September 1995) monitoring event. These wells are approximately 100 and 200 feet south of the project site. The LUST case was granted closure in July 2000.

- The remaining Cortese facilities are not considered a concern based on their distance from the project site, the assumed groundwater flow direction, and/or their regulatory status.

Notify 65: No study area parcels identified/Two facilities located within a 1.25-mile radius of the study area identified.

- **Swift Independent (429 Cabot Road) & Unocal Service Station #4524 (901 Airport)**—Listed on the Notify 65 database. Both of these facilities are located greater than one-half mile cross-gradient from the project site.

Toxic Pits: No study area parcels identified/One facility located within a 1.25-mile radius of the study area identified.

- **Fuller O'Brian (450 East Grand Avenue)**—Located approximately three-quarters of a mile southwest and cross-gradient from the project site.

SWF/LF: Study area identified in the SWF/LF database/No facilities located within three-quarters of a mile of the study area identified.

- **South San Francisco Municipal Dump**—Listed on the SWF/LF database under the name South San Francisco Municipal Dump. The closed on site landfill is discussed in the CERC-NFRAP section above.

LUST: No study area parcels identified/10 facilities located within three-quarters of a mile of the study area identified.

- These facilities were either addressed in the Cortese section above, or are not considered a concern based on distance from the project site, the assumed groundwater flow direction, and/or their regulatory status.

CA BEP: No study area parcels identified/One facility located within a 1.25-mile radius of the study area identified.

- This facility is located nearly one mile west and up-gradient from the project site.

CA FID: No study area parcels identified/Seven facilities located within one-half mile of the study area identified.

- **Geisco (384 Oyster Point Boulevard)**—Located adjacent to the north of the project site. According to records reviewed, a UST was formerly located to the south of this facility, near the northern boundary of the project site. This UST was 1000 gallons in capacity and was formerly used for a generator at this facility. This UST was removed in August 2002. No releases from the UST were noted.

- The remaining facilities are either discussed in another portion of this Section or are not considered a concern based on distance from the project site, the assumed groundwater flow direction, the absence of reported releases, and/or their regulatory status.

HIST UST: No study area parcels identified/Five facilities located within one-half mile of the study area identified.

- These facilities are either discussed in another portion of this Section, or are not considered a concern based on distance from the project site, the assumed groundwater flow direction, the absence of reported releases, and/or their regulatory status.

VCP: No study area parcels identified/One facility located within three-quarters of a mile of the study area identified.

- **Wildberg Brothers (349 Oyster Point Boulevard)**—This facility is discussed in the Cortese section above.

Supplemental Databases

HAZNET: Study area identified in the HAZNET database/One facility located within one-quarter mile of the study area identified.

- **Oyster Point Marina Park (Marina) (925 Marina Boulevard), Marine Center, Inc. (671 Marina Boulevard), & Jennifer Russell (1 Harbor Master Road)**—Based on information provided in the EDR report, wastes transported from the site for off site disposal include organic solids; unspecified organic liquid mixture; waste oil and mixed oil; oil containing waste; hydrocarbon solvents; aqueous solution with less than 10% total organic residues; off-specification, aged, or surplus organics; and oxygenated solvents. During the most recent site visit, wastes observed to be stored at the site were within the used oil collection area and within the yard of the Harbor District maintenance building. Drums containing monitoring well purge water, one drum containing waste oil, and two totes containing waste oil were observed in the yard. Limited staining has occurred at the base of the drum and totes; however, it is limited to the surface of the asphalt.

Local Records

City of South San Francisco: No concerns were noted during the review of City records.

San Mateo County: No concerns were noted during the review of County records.

San Mateo County Health Department—Environmental Health Division: For information from the SMCHDEHD files, please refer to the federal and state databases.

South San Francisco Fire Department: Records available for the site included inspections of the on site office buildings.

- **360 Oyster Point Boulevard**—tenants have included Oyster Point Bar and Grill, California Nurses Network, a US Combustion Products office, OTS, C-Art, David Galoob Playthings,

Toymakers, American General, Farmers Insurance, Foundation For Behavioral Health, Two Way Trucking, Joliffe And Associates, Market Produce Sales, Valuation Information Technology, Asset Corporation, Dominics, and ASG, Inc. No concerns were noted during the review of fire department records.

- **401 Marina Boulevard**—tenants have included Overseas Network Inc., Hi Life, Inc., Oyster Point Village, Bank and Office relocation, First Class Reunions, Pinnacle Oil and Gas (office), and On the Fly. No concerns were noted during the review of fire department records.

San Francisco Building Department: For the complete list of building permits issued for the site, see the ESA prepared for this project (on file with the City and WTA).

San Francisco Bay RWQCB: An order was issued by the San Francisco Bay Regional Water Quality Control Board (RWQCB) in response to a previous proposed development (Order No. 00-046 issued June 21, 2000). The order imposes new closure and post-closure requirements on the City as part of future development. New closure and post-closure requirements are presented to ensure that future development and construction activities at the site:

- Maintain the landfill cap and cutoff wall integrity
- Minimize settlement-induced leachate generation
- Prevent hazardous accumulations of landfill gas
- Inhibit migration of leachate and landfill gas

In addition, quarterly monitoring of subsurface landfill conditions is ongoing. Further investigation could be required by the RWQCB in such instances as a proposed change in land use, proposed development activities, or if a release from the landfill is discovered. As such, a Development (or Redevelopment) Proposal should be submitted to the RWQCB in accordance with Order No. 00-046 for the project site.

The remaining facilities listed on supplemental, federal, state, or local regulatory databases were either addressed in a previous portion of this Section, or are not considered a concern based on distance from the project site, the assumed groundwater flow direction, the extent of release, and/or their regulatory status.

■ Potential Hazards/Hazardous Material at the Marina

Landfill Waste

Landfill waste occurs on the project site and adjacent, consisting mostly of wood and paper with plastic. It is described as soft, non-plastic, and loose, and made up of municipal waste with some construction debris. Depth ranges to about 45 feet thick and is decomposed where saturated, and intact where unsaturated. There is no visual evidence of drums or liquid industrial wastes, with the exception of a lens of industrial waste residue that occurred at approximately six feet bellow ground surface (bgs) in a test pit. There is no visual evidence of seeps.

Leachate

Leachate occurs at depths ranging from 6 to 24 feet bgs. Settlement at the old landfill has occurred, resulting in depressed areas and the emergence of gaps beneath existing structures. Up to 3 feet of additional settlements is anticipated under current conditions based on previous investigations. Potential settlement-induced leachate issues may arise if development of the landfill results in significant loading of the landfill wastes that would accelerate and increase the future settlement.

Landfill Cap

The landfill cap does not meet Title 27 prescriptions (2-foot foundation layer, 1-foot low permeability layer, 1-foot erosion-resistant layer) near the project site. These areas include portions of the proposed Corporex development area (proposed Hilton Hotel) on the western portion of the landfill, the Oyster Point Marina Inn and the proposed King Ventures development areas (proposed office/resort complex), and the northern portion of the landfill along the mole and east of the mole.

Soil Gas

Several volatile organic compounds (VOCs), primarily gasoline constituents, were detected in soil gas samples. Methane at concentrations exceeding the lower explosive limit (LEL) of 5.3 percent, was detected in more than half of the samples collected. The greatest number of VOCs detected and highest concentrations present at the site were found in the Sump 1 area, southwest of the project site. The most frequently detected compounds in soil gas were common gasoline constituents; however, other compounds detected in soil gas were halogenated solvents and solvent degradation products. Concentrations of benzene, toluene, ethylbenzene, and total xylenes (BTEX compounds) and VOCs in soil gas were lower in the Sump 2 area compared to the Sump 1 area. Concentrations of VOCs in the landfill beneath the cap exceed the US EPA Preliminary Remediation Goals (PRGs) for ambient air for some compounds at some locations.

Asbestos-Containing Materials (ACMs)

Based on the date of construction of the buildings located near the project site (1984 through 1999), it is not likely that ACMs were used during their construction; however, suspect ACMs in these buildings include: drywall with joint tape and compound, vinyl floor tiles with mastic, and drop-in acoustical ceiling panels.

Lead-Based Paint

Based on the date of construction of the buildings located near the project site, it is not likely that lead-based paint was used in or on site structures.

Polychlorinated Biphenyls (PCBs)

Pad-mounted transformers are located at various places across the study area. No stains indicative of a release are noted in the areas of the transformers. The transformers appear to be in good condition. The transformers are owned by PG&E, who would be responsible for the cleanup of any releases.

Radon

The project site is located within a Zone 2 radon area, meaning that the average indoor radon level is greater than 2 picoCuries per liter (pCi/L) and less than 4 pCi/L. Radon is emitted through cracks in subgrade walls and floors. The USEPA action level for radon is 4 pCi/L. Therefore, the site parcels are located in an area with moderate radon potential.

■ Hazardous Material Usage

Small quantities of hazardous materials (e.g. oils, paints, adhesives, cleaners) used in the San Mateo County Harbor Patrol maintenance building and the Boat and Motor Mart boat sales and maintenance facility are stored in cabinets and on shelves. Additionally, at the Boat and Motor Mart, there are solvents and an oil/water separator stored within four containers in one of the maintenance areas.

Underground Storage Tanks (USTs)

An underground storage tank area containing one 10,000-gallon diesel UST, and one 10,000-gallon unleaded gasoline UST, is located to the south of Marina Boulevard, near the boat sales and maintenance building. Piping extends underground from the USTs approximately 750 feet north to the fueling dock located northeast of the Harbor Master's office. The installation date of the on site USTs is likely 1984, when the fuel dock was constructed. No leaks from the USTs have been reported. The USTs are constructed of coated, single-walled fiberglass and upgraded with a leak detection system in 2000. This leak detection system consists of a Veerder Root TLS-350 UST monitoring system and a Vaporless PLC 5000 electronic line leak detection system. A note within the SMCDHEHD file indicates that sensors are located in the turbine sumps. No leaks or releases have been reported to the SMCDHEHD or RWQCB.

Aboveground Storage Tanks (ASTs)

One 250-gallon waste oil AST is located within the used oil collection area. This AST is within a locked shed, and made available to marina tenants for oil recycling by appointment. There is no evidence of leaks or staining in the area beneath the AST.

3.6.2 REGULATORY FRAMEWORK

The management of hazardous materials and hazardous wastes, including chemicals, radioactive materials, and biohazardous materials, is subject to numerous laws and regulations at all levels of government. Summaries of federal and state laws and regulations related to hazardous materials management are

presented below. California state law allows for certain hazardous materials regulatory programs, including those pertaining to USTs, hazardous materials storage, and hazardous materials management, to be delegated to local agencies.

■ Federal Regulations

Primary federal agencies with responsibility for hazardous materials management include the Environmental Protection Agency (EPA), Department of Labor (Federal Occupational Health and Safety Administration [OSHA]), Department of Transportation (DOT), and Nuclear Regulatory Commission (NRC). Major federal laws and issue areas include the following statutes (and regulations promulgated there under):

- *Resources Conservation and Recovery Act (RCRA)*—Hazardous waste management
- *Hazardous and Solid Waste Amendments Act (HSWA)*—Hazardous waste management
- *Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)*—Cleanup of contamination
- *Superfund Amendments and Reauthorization Act (SARA)*—Cleanup of contamination
- *Emergency Planning and Community Right-to-Know (SARA Title III)*—Business inventories and emergency response planning

■ State Regulations

Primary state agencies with jurisdiction over hazardous chemical materials management are the Department of Toxic Substances Control (DTSC) and the Regional Water Quality Control Board (RWQCB). Other state agencies involved in hazardous materials management are the Department of Industrial Relations (state Occupational Health and Safety Administration [OSHA] implementation), state Office of Emergency Services (OES—California Accidental Release Prevention implementation), Department of Fish and Game (DFG), Air Resources Board (ARB), Department of Transportation (Caltrans), state Office of Environmental Health Hazard Assessment (OEHHA—Proposition 65 implementation), and the California Integrated Waste Management Board (CIWMB).

Hazardous chemical and biohazardous materials management laws in California include the following statutes (and regulations promulgated thereunder):

- *Hazardous Materials Management Act*—Business plan reporting
- *Hazardous Waste Control Act*—Hazardous waste management
- *Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65)*—Releases of and exposure to carcinogenic chemicals
- *Hazardous Substances Act*—Cleanup of contamination
- *Hazardous Waste Management Planning and Facility Siting (Tanner Act)*
- Hazardous Materials Storage and Emergency Response
- *California Medical Waste Management Act*—Medical and biohazardous wastes

State regulations and agencies that are specifically applicable to the project site include the *Hazardous Materials Management Act* and the Occupational Health and Safety Administration, which are further described below.

Hazardous Materials Management Act

A hazardous material is any substance that possesses qualities or characteristics that could produce physical damage to the environment and/or cause deleterious effects upon human health (Title 22, CCR). The *Hazardous Materials Management Act* (HMMA) requires that businesses handling or storing certain amounts of hazardous materials prepare a Hazardous Materials Business Plan (HMBP), which includes an inventory of hazardous materials stored on site (above specified quantities), an emergency response plan, and an employee training program. Businesses that use, store, or handle 55 gallons of liquid, 500 pounds of a solid, or 200 cubic feet of a compressed gas at standard temperature and pressure require HMBPs. Plans must be prepared prior to facility operation and are reviewed/updated biennially (or within 30 days of a change).

Occupational Health and Safety Administration (OSHA)

Site safety requirements are generally based on the specifications of OSHA. Applicable specifications prepared by OSHA related to earth resources consist of Section 29 CFR Part 1926 (Department of Labor 1989), which focuses on worker safety during excavation, shoring, and trenching.

■ Regional Regulations

San Mateo County Health Department—Environmental Health Division (SMCHDEHD)

The SMCHDEHD is responsible for regulating the operations of businesses and institutions that handle hazardous materials or generate hazardous wastes in the City. As part of the state-mandated Certified Unified Program Agency (CUPA), administered by the California EPA, the SMCHDEHD coordinates regulatory and enforcement for the following programs related to hazardous materials and wastes: Hazardous Materials Business Plan/Emergency Response Plan, Hazardous Waste/Tiered Permitting, Underground Storage Tanks, Aboveground Storage Tanks (SPCC only), California Accidental Release Program.

3.6.3 IMPACTS AND MITIGATION MEASURES

■ Methodology

The analysis in this section focuses on the use, generation, disposal, transport, or management of hazardous or potentially hazardous materials on the project site. The probability for risk of upset, and the severity of consequences to people or property associated with the increased use, handling, transport, and/or disposal of hazardous materials associated with implementation of the project are also analyzed. The information in this section is based upon reviews of previously prepared reports documenting environmental investigations at the project site, including the Phase I ESA and EDR Report.

In determining the level of significance, the analysis assumes that construction and operation of the project would comply with relevant federal and state laws and regulations, City General Plan policies, and ordinances.

■ Impacts and Mitigation Measures Incorporated from 2003 WTA PEIR

The 2003 WTA PEIR (URS, 2003) included many impacts and mitigation measures that are either addressed in this document or are not applicable to this project. A table of impacts and mitigation measures from the PEIR is included as Appendix H of this document and includes a column showing how the PEIR impacts and MMs are applied to this project (i.e., *IR*—Incorporated by Reference, *AD*—Addressed in EIR, and *NA*—Not Applicable). For hazards and hazardous materials, no impacts were covered in the PEIR and are therefore not listed in Appendix H.

■ Environmental Criteria

The following Environmental Criteria are based on criteria drafted on August 15, 2005, by the WTA. The Environmental Criteria was developed in accordance with the requirements of the *California Environmental Quality Act* (CEQA), the *National Environmental Policy Act* (NEPA), and all applicable state and federal laws:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment
- Expose people to contaminants in soil, groundwater, or structures

■ Impacts and Mitigation

Threshold	Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
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Impact 3.6-1 Implementation of the proposed project would not involve the routine transport, use, or disposal of hazardous materials.

The project site would not accommodate hazardous materials, and fueling and maintenance would occur off site. Adjacent to the project site, at the maintenance building, some hazardous materials, common to the everyday operation of the marina, are expected to be utilized. The types of hazardous materials that are currently in use include, for example, fuel, oil, and maintenance products for harbored boats. Underground Storage Tanks, a drum and two plastic totes containing waste oil, and approximately ten drums containing monitoring well purge water, are located in a yard adjacent to the project site. The project would not introduce new transport, use, or disposal at the project site.

CEQA Conclusion: The impact on the public or the environment through routine transport, use, or disposal of hazardous materials would be considered less than significant. No mitigation would be required.

Threshold	Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
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Impact 3.6-2 Implementation of the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

A Post-Closure Development Standards Report was prepared for the closed Oyster Point Landfill, dated November 2000. This document was prepared in compliance with a RWQCB order (order No. 00-046) issued June 21, 2000, in anticipation of future commercial development of the western portion of the site, and California Code of Regulations Title 27, which promulgates standards for protection of public health and the environment with respect to releases from disposal sites. The order requires that each new development on the landfill submit a Development or Redevelopment Proposal to the RWQCB prior to construction. This report presents general engineering design guidelines to be incorporated into future developments at the site. Development standards are presented to ensure that future development and construction activities at the site:

- Maintain the landfill cap and cutoff wall integrity
- Minimize settlement-induced leachate generation
- Prevent hazardous accumulations of landfill gas
- Inhibit migration of leachate and landfill gas

As such, the following project requirements would be applied to ensure this impact remains less than significant.

PR 3.6A The WTA shall submit a development proposal to the RWQCB in accordance with order No. 00-046 issued June 21, 2000. The order imposes new closure and post-closure requirements on the City of South San Francisco as part of future development.

PR 3.6B The project shall be designed in accordance with guidelines set forth in the Post-Closure Development Standards Report as well as applicable local, state, and federal requirements.

CEQA Conclusion: The potentially significant impact of the release of hazardous materials into the environment would be reduced to a less than significant level through the application of PR 3.6A and PR 3.6B, which require compliance with applicable laws and regulations and monitoring.

Threshold	Would the project expose people to contaminants in soil, groundwater, or structures?
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Impact 3.6-3 Implementation of the proposed project could expose people to contaminants in the soil, groundwater, or structures.

Settlement at the landfill has occurred, resulting in depressed areas and the emergence of gaps beneath existing structures. Up to three feet of additional settlement is anticipated under current conditions based on previous investigations. Potential settlement-induced leachate issues may arise if development of the landfill results in significant loading of the landfill wastes that would accelerate and increase the future settlement. The following mitigation measure would be implemented to reduce this effect:

MM 3.6-3(a) Prior to issuance of building permits, the WTA shall perform an assessment of potential excess loading of the waste and infiltration reduction to ensure that problematic increases in leachate levels do not occur.

Methane at concentrations exceeding the lower explosive limit (LEL) of 5.3 percent was detected at the project site. The greatest number of VOCs detected and highest concentrations present at the study area were found in Sump 1, located approximately .25 miles southwest of the project site. As such, the following mitigation measure should be implemented to minimize the impacts:

MM 3.6-3(b) The WTA shall be responsible for obtaining focused soil gas sampling in areas that are to be disturbed during construction of the proposed project and structural gas control measures will be required to prevent accumulation of potentially explosive concentrations in structures and migration of methane gas to the adjacent property.

Suspect, asbestos-containing materials located in buildings near the project site include: drywall with joint tape and compound, vinyl floor tiles with mastic, and drop-in acoustical ceiling panels. Federal and state regulations would govern the remodeling and/or renovation of structures where materials containing asbestos are present; however, the project does not entail the remodeling and/or renovation of any structures on or near the project site.

During initial site inspection, landfill capping near the project site was not in compliance with state and federal regulations. In some areas, the landfill cap did not meet Title 27 prescriptions for a landfill cap (two-foot foundation layer, one-foot low-permeability layer, one-foot erosion resistant layer); however, the project site is not located on an area that does not meet Title 27 prescriptions, and project grading would maintain a 2-foot soil cover on the landfill cap. In addition, implementation of this project would try not to pierce the landfill cap.

CEQA Conclusion: The potentially significant impact of exposing people to contaminants in the soil, groundwater, or structures would be reduced to a less than significant level with implementation of mitigation measures MM 3.6-3(a) and MM 3.6-3(b).

3.6.4 REFERENCES

Department of Toxic Substances Control. 2005. www.dtsc.ca.gov/HazardousWaste/CertifiedUnifiedProgramAgencies.html. Site accessed August 22, 2005.

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