
4.5 - Hazards and Hazardous Materials

4.5.1 - Introduction

This section provides an evaluation of hazards and hazardous materials. The analysis for the proposed Walmart concludes that there are no mitigation measures required because similar to the approved 158,000 square foot “Large Box Retail” use, the 170,000 square foot proposed Walmart will result in less than significant impacts related to hazards and hazardous materials. The following is a list and location of information reviewed in preparation of this section:

- City of Wasco General Plan. June 2010. City of Wasco. This document is not contained in the Draft SEIR appendices but is instead available for review at the City of Wasco Community Development Department at 764 E Street, Wasco, California, 93280. Pursuant to CEQA Guidelines § 15150, the City of Wasco General Plan is hereby incorporated by reference.
- EDR Radius Map Report. September 2008. Environmental Data Resources, Inc. This information is located in ~~Draft~~ [Final](#) SEIR Appendix G.
- Kern County Emergency Operations Plan. August 2008. Kern County. This document is not contained in the ~~Draft~~ [Final](#) SEIR appendices but is instead available at the Kern County Fire Department at 5642 Victor Street, Bakersfield, California, 93308. Pursuant to CEQA Guidelines § 15150, the Kern County Emergency Operations Plan is hereby incorporated by reference.
- Phase I Environmental Site Assessment. January 2009. Earth Systems Pacific. This information is located in ~~Draft~~ [Final](#) SEIR Appendix G.
- Phase II Environmental Site Assessment. March 2009. Earth Systems Pacific. This information is located in Appendix G of the ~~Draft~~ [Final](#) SEIR appendices.

Generally, the terms “hazardous substances,” “hazardous materials,” and “hazardous wastes” refer to chemicals regulated by federal, State, and local laws and regulations enacted for the protection of human and environmental health. These materials require special handling, storage, transport, and disposal. Hazardous materials are generally substances that, by their nature and reactivity, have the capacity to cause harm or create a health hazard during normal exposure or accidental release. Construction and operations activities that use or manage hazardous or potentially hazardous materials could create a hazardous situation in the event that these substances are released into the surrounding environment. Circumstantial conditions, including the type of material, quantity used or managed, and the nature of the associated activities, affect the probability, frequency, and severity of consequences resulting from a hazardous situation. Various federal, State, and local laws regulate the management of hazardous or potentially hazardous materials.

The Environmental Protection Agency (EPA) classifies a material as hazardous if it has one or more of the following properties:

- Ignitability
- Corrosivity
- Reactivity
- Toxicity

Many common household materials, referred to as household hazardous wastes (HHWs), display one or more of the above properties. HHWs consist of any material discarded from homes that could threaten human or environmental health when disposed of improperly. These products include household cleaners, landscaping products, swimming pool chemicals, paint products, photographic chemicals, batteries, and automotive products and fluids. These HHWs can also be associated with commercial uses.

The American Society for Testing and Materials (ASTM) has developed a standard for Phase I Environmental Site Assessment (ESA) written to satisfy the appropriate inquiry requirement of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The ASTM standard is the most widely accepted nationwide protocol for environmental assessment of commercial properties and seeks to identify “recognized environmental conditions” (RECs) on a property. The most current ASTM standard for a Phase I ESA is ASTM E 1527-05, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.

The ASTM Phase I standard typically includes the following tasks:

- Site Reconnaissance
- Regulatory Database Review
- Interviews with Knowledgeable Individuals
- Historical Land Title Records Review
- Historical Aerial Photograph Review
- Topographic Map Review

Data supporting this analysis was primarily obtained from the Phase I ESA for the 17-acre project site performed by Earth Systems Pacific in January 2009. The Phase I ESA prepared included a site reconnaissance and a review of federal and State regulatory databases in accordance with ASTM standard E 1527-05 to identify sites known to use, generate, store, treat, or dispose of hazardous materials and chemicals, and to determine whether any release incident of such materials has impacted the project site.

In addition to the Phase I ESA, a Phase II ESA was prepared for the project site in March 2009 by Earth Systems Pacific. The Phase II ESA included the evaluation of soil borings on the project site to determine the presence of hazardous materials on the site.

4.5.2 - Environmental Setting

The project site comprises approximately 17 acres of the 112-acre Wasco Center. The 17-acre site is located on the west side of Central Avenue, has relatively flat terrain, and currently contains walnut orchards. The area surrounding the 17-acre site contains fallow agriculture land to the north, and walnut orchards to the west, south, and east. In addition, a commercial center is located southeast of the project site at the intersection of Central Avenue and SR-46.

The approved and not yet constructed Wasco Center contains 98.6 acres of commercial retail that includes 273,000 sq ft of large box retail, 105,000 sq ft of shopping center, 75,000 sq ft of movie theater, 67,500 sq ft of restaurants, ~~206,000~~ 206,000 sq ft of community retail, 11,900 sq ft of recreation, and a 100-room hotel. The Wasco Center includes 14 acres approved for 123 units of high density residential directly across from the project site on the east side of Central Avenue.

Field Reconnaissance

A site reconnaissance, including a visual observation of the 17-acre project site and its surrounding properties, was conducted by environmental assessor Earth Systems Pacific on October 3, 2008. The objective of the site reconnaissance was to identify hazardous materials and petroleum products present onsite, including soils, surface waters, and groundwater.

The assessor noted that the project site was part of a larger parcel containing walnut and almond orchards. In addition to the orchards, the project site contained an unpaved road, an irrigation standpipe, sparse growth of grass, indications of the presence of buried irrigation pipes, and some areas that appeared to have been sprayed with herbicide and/or disked for weed abatement.

No structures were present on the site, nor was there indication of former structures, such as foundations or other building infrastructure. Therefore, asbestos containing building materials are not an onsite environmental concern. There was no obvious evidence of the presence of underground storage tanks (USTs), and wells or pumping equipment were absent from the project site. No pole or pad-mounted transformers were observed. No indication of the improper use, storage, or disposal of hazardous materials were observed onsite or on contiguous parcels during the site reconnaissance.

Earth Systems Pacific also identified the existing land uses and potential hazardous uses on adjacent properties. Based on the observed uses of the properties located immediately adjacent to the project site, the Phase I ESA concluded that there was no evidence of environmental concerns of RECs on the adjacent properties. The following observations were noted in the report:

- **North of the project site:** Walnut orchard, irrigated alfalfa, irrigation pond.
- **South of the project site:** Continuation of the walnut and almond orchards present onsite.
- **East of the project site:** Continuation of the almond orchards present onsite.
- **West of the project site:** Continuation of the walnut and almond orchards present onsite.

Pesticide Use

Since the project site has historically been used for agricultural activities, chemical residues from previous application of pesticides could be present in onsite surface soils at concentrations of concern. The past use of agricultural chemicals presents a potential impact to development and construction activities occurring at the project site. In the short-term, chemical residues in surface soils can become airborne during grading and construction activities, while long-term they can potentially leach into groundwater supplies. Legally applied agricultural chemicals are generally exempt from environmental regulations, assuming that they do not present an unacceptable risk to human health or the environment if used properly. However, once land use changes, residual concentrations of these chemicals may exceed acceptable thresholds for exposure. The degree to which these health and environmental impacts could affect the project site was ascertained by a Phase II ESA.

As part of the Phase II ESA, fifteen shallow borings were drilled at the project site in February 2009. Thirty-three discrete soil samples from the borings were analyzed for three classes of agricultural chemicals, metals, and nitrogen. The results indicated that organophosphate pesticides and phenoxy acid herbicides were not detectable in site soils. Three organochlorine compounds were detected in surface soils; these chemicals include DDT, DDD, and DDE. The chemicals are present as a result of historic agricultural operations. Metals concentrations were within normal background ranges, and nitrate/nitrite levels are typical of agriculture sites, and do not present an environmental concern.

A health risk evaluation was prepared using the organochlorine pesticide data gathered during the assessment. The intent of the evaluation was to estimate the excess cancer risk posed by the chemicals of concern to future on and offsite receptors. The evaluation was conducted using guidance published by the California Environmental Protection Agency (Cal EPA), and assumed a commercial use scenario, in light of the project site's proposed use as a retail store.

The health risk evaluation produced an estimated excess cancer risk of 1.0×10^{-7} , which is below the target risk of 1.0×10^{-6} . In view of these results, the evaluation concluded that levels of compounds detected during the Phase II ESA do not present an environmental concern, and should not affect the proposed development of the project site.

Regulatory Records Review

CEQA requires that the lead agency consults the lists of hazardous materials sites compiled by various regulatory agencies, pursuant to Government Code § 65962.5 (California Public Resources Code § 21092.6). Databases from federal and State regulatory agencies were reviewed to identify sites known to use, generate, store, treat and/or dispose of hazardous materials, as well as release incidents of such materials. Earth Systems Pacific reviewed the available regulatory databases provided by Environmental Data Resources, Inc. (EDR) in September 2008. The environmental and regulatory databases that were included in the review follow the ASTM standard E1527-05 guidelines.

To compile a comprehensive list that includes the project site and surrounding area, EDR conducted the database search by designating a central point within the project site and then expanding the database search to varying distances depending on the specific database searched. ASTM standards establish specific search radii for each database searched depending upon the particular nature of that database. A description of each database included in the search, as well as detailed results of the search, are included in ~~Draft~~ [Final](#) SEIR Appendix G, Hazards and Hazardous Materials.

Federal Database Records

There is one site listed on a Federal ASTM database that is located within the search radii of the project site. A listing was reported on the following federal database:

- Resource Conservation and Recovery Act Small-Quantity Generator (RCRA SQG)

The following site is listed on a federally maintained database:

- Ranch 75 Lab - The mapping of this listing in Appendix G is near the intersection of SR-46 and Central Avenue. However, the address for this facility (30788 Highway 46) is located approximately five miles east of the site. The site description in the RCRA SQG database describes the site as located within 0.2 miles south of the project site. This facility is listed on the RCRA SQG database. Facilities listed on this database include those that generate, transport, store, treat, and/or dispose hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). No releases, unauthorized discharges of waste, or any other violations have been reported regarding this facility. The Ranch 75 Lab site is listed solely on the basis of generating regulated quantities of hazardous waste. It is located more than 1,000 feet from of the project site, whether located south or east of the site, and as such, the ESA concluded that it does not constitute a REC.

State Database Records

There are five sites listed on a State ASTM database that are located within the search radii of the project site. Listings were reported on the following State databases:

- Bond Expenditure Plan (CA Bond Exp. Plan)
- Cortese Hazardous Waste and Substances Sites List (Cortese)
- Recycler Database (SWRCY)
- Geotracker's Leaking Underground Fuel Tank Report (LUST)
- Active UST Facilities (UST)

The following sites are listed on State maintained databases:

- Wasco Airport - McCombs/Palms Avenues, located within 0.85 mile northeast of the project site. This facility is listed on the CA Bond Exp. Plan database. The Airport was listed in 1979 due to improper disposal of pesticide rinse waters from crop-dusting operations. Considering

the airport's distance from the project site and cross-gradient topographic position relative to the site, the ESA concluded that it does not constitute a REC.

- Greenfields One-Stop - 2033 Highway 46, located within 0.5 mile east of the project site. This facility is listed on the Cortese, UST, and LUST databases. The Greenfields One-Stop site is a service station facility with a reported release from its underground tank system. The site has a regulatory status of "closed," indicating the release has been remediated to the satisfaction of regulatory agency personnel. Given its distance from the project site and its regulatory status, the ESA concluded that it does not constitute a REC.
- RB Recycling - 2150 Highway 46, located 0.4 mile east of the project site. This facility is listed on the SWRCY database. The RB Recycling Site is listed due to the presence of recycling stations on the property. No releases have been reported from the site. Based on the nature of its listing, the ESA concluded that it does not constitute a REC.
- Recyclo/Savemart - 2425 Highway 46, located 0.25 mile southeast of the project site. This facility is listed on the SWRCY database. The Recyclo/Savemart Site is listed due to the presence of recycling stations on the property. No releases have been reported from the site. Based on the nature of its listing, the ESA concluded that it does not constitute a REC.
- Rolf Jacobson Jr. - The description of this listing includes an address of 29339 Highway 46, which is located approximately 1.5 miles east of the project site. The description within the Active UST database is that the facility is located 0.15 mile southwest from the project site. This facility is listed on the UST database. The Rolf Jacobson Jr. site is listed due to the presence of a registered underground storage tank on the property. No releases have been reported for the site. Moreover, if the site is located southwest of the site, it would be down-gradient from the project site. Based on the nature of its listing and its distance from the project site, whether located southwest or east of the site, the ESA concluded that it does not constitute a REC.

Historical Aerial Photographs

To determine past uses that could have an environmental impact on the project site, historical aerial photographs were reviewed. The information below is a summary of the review of photographs of the site taken in 1946, 1956, 1967, 1975, 1984, 1994, 2002, and 2005:

- **1946-1956:** The site is part of a larger parcel used for agriculture; judging by tonal patterns, the agriculture appears to be a row crop, as opposed to the orchards currently present. The irrigation pond north of the site is present, as well as what appears to be a farm residence and outbuildings. Additional farm buildings are present several hundred yards east and south of the site; otherwise, uses on surrounding properties are also agricultural.

- **1967:** The northern part of the site has been planted with trees; the southern part is still used for row crops. Orchards have also been planted on parcels north, west, and east of the site. Residential development is present southeast of the site, on the south side of the Highway 46.
- **1975:** The entire site has been planted as an orchard; otherwise, no changes are visible from the 1967 photograph.
- **1984:** The site remains planted as an orchard. Additional residential development is present on the south side of Highway 46, with land north of the Highway remaining agricultural.
- **1994:** The northern part of the site has been cleared of mature trees, and appears to have been recently re-planted with an orchard; otherwise, the site appears similar to the 1984 photograph. A large commercial building has been built south of the site, at the southeast corner of Central Avenue and Highway 46. The area north of Highway 46 remains agricultural.
- **2002-2005:** Conditions on the site appear similar to those observed during the October 2008 site reconnaissance. The site is planted with the existing orchard, as well as parcels to the east, west, and south. Some additional commercial development is visible to the southeast, on the south side of Highway 46; otherwise, no changes from the 1994 photograph are visible.

Kern County Environmental Health Department

The records custodian for the Kern County Environmental Health Department was contacted on October 8, 2008, to inquire about known problems related to hazardous materials at the project site. County staff indicated that the County has no hazardous materials files for the project site.

Phase I ESA Interview

Mr. Jack Farrior, the farm manager for the existing orchard at the site, was interviewed by telephone on November 5, 2008. Mr. Farrior has been associated with the property for the past three years, and provided the following information:

- The property is used solely for crop production; no fuels or agricultural chemicals are stored onsite. Agricultural chemicals used at the site are stored at a different ranch and brought to the site only when needed.
- The site is irrigated by flooding. Buried concrete irrigation pipes are present within the orchard.
- Mr. Farrior was not aware of any hazardous materials spills or releases having occurred at the site.

4.5.3 - Regulatory Setting

Since hazardous materials and wastes are increasingly used and disposed of in urban settings and since they represent such a serious potential threat to human health and safety, numerous laws and regulations have been developed to control their use, storage, disposal, and transport.

Federal Regulations

The U.S. Department of Transportation (DOT), along with the Federal Highway Administration and the Federal Railroad Administration, regulate the transportation and handling of hazardous materials through the Federal Hazardous Materials Transportation (HMT) Act and through the Resource Conservation and Recovery Act (RCRA). Through these regulations, Congress directed the Environmental Protection Agency (EPA) to create regulations to manage hazardous materials from “the cradle to the grave.” Under this mandate, the EPA developed strict requirements for all aspects of hazardous materials management, including the treatment, storage, and disposal of hazardous substances. In addition to those federal requirements, states may develop more stringent requirements that are broader in scope than the federal regulations.

In California, the California Department of Transportation (Caltrans) implements and the California Highway Patrol enforces these regulations. Carriers that violate these regulatory requirements subject themselves to possible civil and criminal liability.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 introduced active federal involvement to emergency response, site remediation, and spill prevention of release of hazardous substances, most notably the Superfund program. The act was intended to be comprehensive in encompassing both the prevention of, and response to, uncontrolled hazardous substances releases or threatened releases that may endanger public health or the environment. The act deals with environmental response, providing mechanisms for reacting to emergencies and to chronic hazardous material releases. In addition to establishing procedures to prevent and remedy problems, it establishes a system for compensating appropriate individuals and assigning appropriate liability. The law authorizes two kinds of response actions: short-term removals, where actions may be taken to address releases or threatened releases requiring prompt response, and long-term remedial response actions, which permanently and significantly reduce the dangers associated with releases or threats of releases of hazardous substances that are serious, but not immediately life threatening.

State Regulations

Statewide, the California Department of Health Services - Toxic Substances Control Division (DTSC) regulates the generation, handling, storage, disposal, and transportation of hazardous waste, oversees the remediation of contaminated sites, and seeks to reduce the quantity of hazardous waste produced in California. While DTSC primarily focuses upon commercial and industrial operations, DTSC also oversees waste evaluation programs, assists in waste determinations to identify harmful substances and concentrations, and implements programs that focus on removing dangerous substances from

homes and preventing their improper and unlawful release into the environment. The California Hazardous Substances Control Law establishes regulations and incentives that ensure that generators of hazardous waste employ technology and management practices for proper handling, treatment, recycling, and destruction of these substances prior to disposal.

The State Emergency Response Act requires that local jurisdictions establish a Standardized Emergency Management System (SEMS) Multi-Hazard Functional Plan. Accordingly, the Office of Emergency Services, in coordination with all interested State and local agencies, jointly established a standardized emergency management system for use by all emergency response agencies.

California Assembly Bill (AB) 2185 (Hazardous Materials Storage and Emergency Response) requires local agencies to regulate the storage and handling of hazardous materials and requires development of a plan to mitigate the release of hazardous materials. Businesses handling any of the specified hazardous materials must submit to government agencies a Business Plan - an inventory of onsite hazardous materials, an emergency response plan, and an employee training program. The business plan must provide a description of the types of hazardous materials and/or waste stored onsite and the location of these substances. The information in the business plan is then used in the event of an emergency to determine the appropriate response action, the need for public notification, and the need for evacuation. In Kern County and the City of Wasco, the Kern County Environmental Health Services Department (KCEHSD) has the responsibility of implementing AB 2185.

California Health and Safety Code (Hazardous Waste Control Laws)

The California Environmental Protection Agency has established rules governing the use of hazardous materials and the management of hazardous wastes. California Health and Safety Code Sections 25531, et seq. incorporates the requirements of Superfund Amendments and Reauthorization Act and the Clean Air Act as they pertain to hazardous materials. Health and Safety Code Section 25534 directs facility owners storing or handling acutely hazardous materials in reportable quantities to develop a Risk Management Plan (RMP). The RMP must be submitted to the appropriate local authorities, the designated local administering agency, and the EPA for review and approval.

Local Regulations

Locally, the KCEHSD has the primary responsibility for hazardous waste disposal and regulation. The KCEHSD has adopted hazardous materials response policies pursuant to the requirements in AB 2185 to ensure that local agencies are prepared to manage potential or threatened release of hazardous materials. KCEHSD's Hazardous Materials Emergency Response Program, which, in the event of a release incident, involves a health assessment to evaluate actual or potential environmental contamination and human exposure. Following a potential incident, the KCEHSD will provide recommendations for short- and long-term cleanup and coordinates the cleanup activities performed by the responsible parties or environmental assessment firms.

Additionally, the Kern County Waste Management Department operates the Conditionally Exempt Small Quantity Generator (CESQG) program. A CESQG is an operation that generates no more than 27 gallons or 220 pounds of hazardous waste, or 2.2 pounds of extremely hazardous waste per month. In accordance with the program, CESQGs are required to use a licensed hazardous waste transporter to manifest and transport their waste. Additionally, the Regional Water Quality Control Board - Central Valley Region, the San Joaquin Valley Air Pollution Control District, and the Kern County Fire Department are responsible for implementing and enforcing hazardous materials and waste regulations, with respect to potential surface or ground water contamination, toxic air emissions, hazardous materials storage, accident prevention, and response plans.

Kern County Emergency Operations Plan

The Kern County Emergency Operations Plan (KCEOP) establishes an emergency management organization and assigns functions and tasks consistent with California's Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS). As defined by the SEMS, an Operational Area is defined as an intermediate level of the State emergency services organization, consisting of a county and all political subdivisions within the county boundary. The County of Kern is the lead agency for the Kern Operational Area and is tasked to coordinate emergency activities between the county, cities, and special districts and to serve as a communications link focusing on the collection, processing, and dissemination of vital disaster information.

The KCEOP provides for the integration and coordination of planning efforts of the County/Operational Area with those of its cities, special districts, and the State. The content is based on guidance provided by the California Emergency Management Agency, the Federal Emergency Management Agency and Department of Homeland Security. The intent of the KCEOP is to facilitate emergency response and short-term recovery by providing a framework for response to all significant emergencies, regardless of the nature of the event (Kern County Fire Department 2010).

City of Wasco General Plan

The City of Wasco General Plan contains the following objectives and policies that address issues related to hazardous materials:

Safety Element (Emergency Planning)

- Objective A Reduce the potential for loss of life and property resulting from natural and manmade hazards to a minimum.
- Objective B Coordinate responses in the event of a local or regional natural or manmade disaster.
- Policy 1 The City will maintain its emergency preparedness, including evacuation procedures, to address potential natural and manmade hazards. These procedures shall be developed in coordination with Kern County's emergency operations plans.

Safety Element (Public Safety Standards)

Objective A Adopt and implement safety standards for varying hazards.

4.5.4 - Thresholds of Significance

According to the CEQA Guidelines' Appendix G Environmental Checklist, to determine whether hazards and hazardous materials impacts are significant environmental effects, the following questions are analyzed and evaluated. Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the hazardous materials into the environment?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Refer to Section 7, Effects Found Not To Be Significant.)
- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Refer to Section 7, Effects Found Not To Be Significant.)
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Refer to Section 7, Effects Found Not To Be Significant.)
- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Refer to Section 7, Effects Found Not To Be Significant.)
- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Refer to Section 7, Effects Found Not To Be Significant.)

For the purpose of the proposed Walmart, the following threshold has been added to evaluate the project's consistency with applicable objectives and policies related to hazards and hazardous materials.

- Conflict with any applicable local objectives or policies?

4.5.5 - Impact Analysis and Mitigation Measures

Routine Use

Impact HHM-1: **The proposed Walmart would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.**

Project Specific Impact Analysis

During the Phase I ESA, a regulatory agency database search was performed to determine whether the project site or its surrounding were identified as a hazardous substance site. Based on the assessment, and a review of photographic, historical, and regulatory information, there is no evidence of a REC on or near the project site, including asbestos-containing materials or lead-based paint, past or present releases of hazardous substances, or other potential or existing environmental conditions. Moreover, testing of onsite surface and subsurface soils during the Phase II ESA concluded that any contaminants remaining from previous agricultural operations are below levels of concern. Thus, future clearing, grading, and development activities that involve soil disturbance would not result in impacts associated with hazardous materials.

Grading and construction activities may involve the limited transport, use, or disposal of hazardous materials, such as the fueling and servicing of construction vehicles and equipment. Such activity would be short-term in nature and subject to federal, State, and local regulations. Additionally, during construction, the project applicant could potentially participate in the Kern County Waste Management Department (KCWMD) administered Conditionally Exempt Small Quantity Generator Program (CESQG), ensuring that any hazardous waste generated onsite would be transported by a licensed agent and discarded in a lawful manner. Any waste would be transported to the Kern County Special Waste Facility in Bakersfield, California, a fully permitted hazardous waste facility, licensed to receive, store, treat, and landfill a variety of hazardous and non-hazardous waste streams.

Typically, commercial retail businesses such as the proposed Walmart do not generate, transport, use, or dispose of significant quantities of hazardous materials. The types of hazardous materials associated with operation of the proposed Walmart would be consistent with those associated with similar commercial retail businesses, such as, household cleaners, mild solvents, etc. The proposed Walmart would include a tire and lube center and an outdoor garden center that would involve the use of HHWs and other hazardous materials. Additionally, general maintenance and repair activities would use commercial cleaners, degreasers, lubricants, paints, and herbicides and pesticides, among others.

All hazardous materials would be required to be transported, used, and disposed of according to applicable federal, State, and local regulations. The City of Wasco General Plan outlines a goal to reduce the potential loss of life and property resulting from manmade hazards, including hazardous incidents, to a minimum. State regulations require all businesses handling or managing hazardous materials to complete a Business Plan with the KCEHSD and make themselves available for inspection every three years. These Business Plans include provisions such as maintaining

appropriate storage areas, installing or affixing appropriate warning signs and labels, and contracting with services that specialize in the disposal and recycling of hazardous materials. Adherence to the aforementioned regulations would minimize the potential impacts of hazardous materials. Therefore, less than significant impacts associated with the routine transport, use, or disposal of hazardous materials would result from project development.

Cumulative Impact Analysis

The proposed and cumulative projects would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. For both the proposed and cumulative projects, construction activities and associated transport, use, and disposal of hazardous materials would be temporary in nature. Adherence to federal, State, and local regulations would be required of both the proposed and cumulative projects to reduce the probability of a hazard to the public or environment.

Once all projects become operational, an increase in the quantities of HHWs and other hazardous wastes being transported, used, and disposed of throughout the community should be expected. However, continued compliance with federal, State, and local regulations, as well as annual submittal of a Business Plan, should individually reduce the cumulative contributions of the proposed and cumulative projects to less than significant levels. Therefore, the project's cumulative impacts associated with the transport, use, and disposal of hazardous wastes would not be deemed cumulatively considerable, and therefore, less than significant.

Mitigation Measures

Project Specific

No mitigation measures are required.

Cumulative

No mitigation measures are required.

Level of Significance After Mitigation

Project Specific

Less than significant impact.

Cumulative

Less than significant impact.

Accident Conditions

Impact HHM-2:	The proposed Walmart 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.
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Project Specific Impact Analysis

Both construction and operation of the proposed Walmart would be required to follow the guidelines established by federal, State, and local agencies, including the KCEHSD, to prevent the accidental release of hazardous materials into the environment. Grading and construction activities could

involve the temporary and limited transport, storage, use, or disposal of hazardous materials, such as the fueling and servicing of construction vehicles and equipment. As with any such activity, there is the potential for an accidental release. Strict compliance with regulations and cooperation with agencies would reduce this potential impact to less than significant.

Based on the Phase I and Phase II ESAs, soils found on the project site were found to contain chemicals used during agricultural operations; however, the concentration of these chemicals are below the regulatory limits and do not present an environmental concern and are not considered hazardous. Therefore, disturbing soils on the project site would result in less than significant hazardous materials impacts.

Once operation of the proposed Walmart commences, the types of hazardous materials associated with operation of the proposed Walmart would be consistent with those associated with similar commercial retail businesses. The proposed Walmart would include a tire and lube center and an outdoor garden center that would involve the use of HHWs and other hazardous materials. Additionally, general maintenance and repair activities would use commercial cleaners, degreasers, lubricants, paints, and herbicides and pesticides, among others. With proper use and management, these chemicals would not result in hazardous or unhealthful conditions for employees, consumers, or residents. Such requirements typically include maintaining appropriate storage areas for hazardous materials, installing or affixing appropriate warning signs and labels, and contracting with services that specialize in the disposal and recycling of hazardous materials. In accordance with the KCEHSD, a Business Plan will be completed and the proposed Walmart will be inspected every three years for compliance. Adherence with these standards and regulations would reduce the impacts associated with the accidental release of hazardous materials to less than significant levels.

Cumulative Impact Analysis

The proposed Walmart or cumulative projects would not create a significant public or environmental hazard involving the release of hazardous materials into the environment. Impacts associated with an accidental release of hazardous materials are primarily site specific in nature and would not contribute to a greater cumulative impact. Although the approved Wasco Center would share the proposed Walmart's southern, western, and eastern property lines, the Walmart's 17-acre parcel is expansive enough that the probability of an accidental release affecting adjacent properties is unlikely. Likewise, the probability of contamination from an accidental release occurring at other adjacent and cumulative projects affecting the Walmart project is low. Moreover, these cumulative projects are not anticipated to use HHWs or other materials that are substantially more hazardous than those used by the proposed Walmart. Therefore, the project's cumulative impacts associated with the accidental release of hazardous materials would not be deemed cumulatively considerable, and therefore, less than significant.

Mitigation Measures

Project Specific

No mitigation measures are required.

Cumulative

No mitigation measures are required.

Level of Significance After Mitigation

Project Specific

Less than significant impact.

Cumulative

Less than significant impact.

Emergency Plans

Impact HHM-3: The proposed Walmart would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Project Specific Impact Analysis

According to the City of Wasco General Plan, the City's emergency response plan, including evacuation procedures, are developed in coordination with the Kern County Emergency Operations Plan (KCEOP). The KCEOP establishes an emergency management organization and assigns functions and tasks consistent with California's Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS). The KCEOP provides for the integration and coordination of the planning efforts of Kern County with those of its cities, towns, and unincorporated areas. The intent of the KCEOP is to facilitate emergency response and short-term recovery by providing a framework for response to all significant emergencies, regardless of the nature of the event.

Project implementation would not hinder the City of Wasco's ability to coordinate with Kern County on its emergency response and emergency evacuation plans. As the primary east-west transportation corridor through the City, the adjacent SR-46 serves as an obvious route for both emergency response and emergency evacuation purposes. An increase in short-term construction traffic is anticipated and could temporarily affect traffic flow on SR-46. However, SR-46 includes wide paved lanes that could be used by vehicles to allow emergency vehicles to pass. Once the proposed Walmart is operational, an increase in traffic volumes compared to the "Large Box Retail" component of Wasco Center is anticipated. However, this change would not affect the level of service along SR-46 to the extent that emergency response and emergency evacuation plans are impaired. The traffic improvements proposed as part of the proposed Walmart and the 112-acre Wasco Center would allow the intersections and roadway segments along SR-46 to operate at acceptable levels of service, as discussed in Section 4.9, Transportation/Traffic. Less than significant impacts associate with the

impairment of emergency response and emergency evacuation plans would occur as a result of project development.

Cumulative Impact Analysis

Implementation of the proposed Walmart and cumulative projects would not affect the City of Wasco’s ability to coordinate with Kern County on its emergency response and emergency evacuation plans. As noted above, the proposed Walmart would not impair such plans. Development of the proposed Walmart in conjunction with cumulative projects could increase traffic flow in the area and affect level of service, as discussed in Section 4.9, Transportation/Traffic. However, the resulting level of service along SR-46 would remain acceptable with the implementation of the proposed traffic improvements, as discussed in Section 4.9, Transportation/Traffic. Therefore, project’s cumulative impacts associated with emergency response and emergency evacuation plans would not be deemed cumulatively considerable, and therefore, less than significant.

Mitigation Measures

Project Specific

No mitigation measures are required.

Cumulative

No mitigation measures are required.

Level of Significance After Mitigation

Project Specific

Less than significant impact.

Cumulative

Less than significant impact.

Objectives or Policies Related to Hazards and Hazardous Materials

Impact HHM-4	The proposed Walmart would not conflict with local objectives or policies regarding hazards and hazardous materials.
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Project Specific Impact Analysis

Table 4.5-1 provides a discussion of the project’s consistency with the objectives and policies contained in the City of Wasco General Plan pertaining to hazards and hazardous materials. As discussed in Table 4.5-1, the proposed Walmart would be consistent with all of the relevant hazards and hazardous materials objectives and polices set forth in the General Plan. Therefore, no impacts associated with the hazards and hazardous materials objectives and policies would occur with project implementation.

Table 4.5-1: Consistency of the Wasco Center Walmart Project with the City of Wasco General Plan

Objectives and Policies	Project Consistency
<i>Safety Element (Emergency Planning)</i>	
Objective A. Reduce the potential for loss of life and property resulting from natural and manmade hazards to a minimum.	Implementation of the proposed Walmart would include compliance with all local, State, and federal emergency prevention and response regulations, including those associated with hazardous materials. In the City of Wasco, the Kern County Environmental Health Services Department (KCEHSD) has the primary responsibility for hazardous waste disposal and regulation. The project would fully cooperate with the KCEHSD. Therefore, the proposed Walmart is consistent with this objective.
Objective B. Coordinate responses in the event of a local or regional natural or manmade disaster.	Implementation of the proposed Walmart would include compliance with all local, State, and federal emergency prevention and response regulations, including those associated with hazardous materials. In the City of Wasco, the KCEHSD has the primary responsibility for hazardous waste disposal and regulation. The project would fully cooperate with the KCEHSD. Therefore, the proposed Walmart is consistent with this objective.
Policy 1. The City will maintain its emergency preparedness, including evacuation procedures, to address potential natural and manmade hazards. These procedures shall be developed in coordination with Kern County’s emergency operations plans.	Implementation of the proposed Walmart would include compliance with all local, State, and federal emergency prevention and response regulations, including those associated with hazardous materials. The City of Wasco coordinates with Kern County on the Kern County Emergency Operations Plan (KCEOP), which establishes an emergency management organization and assigns functions and tasks consistent with federal and State regulations and agencies. The project would fully cooperate with the KCEOP. Therefore, the proposed Walmart is consistent with this policy.
<i>Safety Element (Public Safety Standard)</i>	
Object A. Adopt and implement safety standards for varying hazards.	Implementation of the proposed Walmart would include compliance with all local, State, and federal emergency prevention and response regulations, including those associated with hazardous materials. The City of Wasco coordinates with Kern County on the KCEOP, which establishes an emergency management organization and assigns functions and tasks consistent with federal and State regulations and agencies. The project would fully cooperate with the KCEOP. Therefore, the proposed Walmart is consistent with this policy.
Source: City of Wasco. June 2010. City of Wasco General Plan	

Cumulative Impact Analysis

Based on the above consistency analysis, the proposed Walmart would not contribute to the potential cumulative impact on the local objectives and policies related to hazards and hazardous materials.

Mitigation Measures

Project Specific

No mitigation measures are required.

Cumulative

No mitigation measures are required.

Level of Significance After Mitigation

Project-Specific

No impact.

Cumulative

No impact.