



Section 5.14:

Hazards and Hazardous Materials



5.14 HAZARDS AND HAZARDOUS MATERIALS

This section describes the means by which hazardous substances are regulated from a Federal, State, and local perspective, and discusses potential adverse impacts to human health and the environment due to exposure of hazardous materials. For this EIR, the term “hazardous material” includes any material that, because of its quantity, concentration, or physical, chemical, or biological characteristics, poses a considerable present or potential hazard to human health or safety, or to the environment. It refers generally to hazardous chemicals, radioactive materials and biohazards materials. “Hazardous waste,” a subset of hazardous material, is material that is to be abandoned, discarded, or recycled and includes chemicals, radioactive and bio-hazardous waste, including medical waste.

5.14.1 REGULATORY SETTING

The regulation of hazardous wastes is provided on both the Federal and State levels. The United States Environmental Protection Agency (U.S. EPA) and the California Department of Toxic Substance Control (DTSC) have developed and continue to update lists of hazardous wastes subject to regulation. Applicable Federal, State, and local regulatory policies and law that apply to hazards and hazardous materials are discussed below.

FEDERAL AND STATE

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA), enacted in 1976, is the principal Federal law in the United States governing the disposal of solid waste and hazardous waste. The United States Environmental Protection Agency (U.S. EPA) waste management regulations are codified at Title 40 of the Code of Federal Regulations (40 C.F.R. pts. 239-282). Regulations regarding management of hazardous waste begins at 40 C.F.R. pt. 260. Furthermore, the statute authorizes states to carry out many of the functions of RCRA through their own hazardous waste programs (and state laws), if such programs have been approved (authorized) by the U.S. EPA.

Federal Emergency Management Agency

The Federal Emergency Management Agency (FEMA) performs the following: advises on building codes and flood plain management; teaches people how to get through a disaster; helps equip local and state emergency preparedness; coordinates the federal response to a disaster; makes disaster assistance available to states, communities, businesses and individuals; trains



emergency managers; supports the nation’s fire service; and administers the national flood and crime insurance programs

California Department of Toxic Substances Control

The responsibility for implementation of the Federal Resource Conservation and Recovery Act (RCRA) was given to California EPA’s Department of Toxic Substances Control (DTSC) in August 1992. The DTSC is also responsible for implementing and enforcing California’s own hazardous waste laws, which are known collectively as the Hazardous Waste Control Law. Although similar to RCRA, the California Hazardous Waste Control Law and its associated regulations define hazardous waste more broadly and so regulate a larger number of chemicals. Hazardous wastes regulated by California but not by U.S. EPA are called “non-RCRA hazardous wastes.”

In addition to the U.S. EPA and the DTSC, the Regional Water Quality Control Board (RWQCB), San Diego Region (Region 9), is the enforcing agency for the protection and restoration of water resources, including remediation of unauthorized releases of hazardous substances in soil and groundwater.

Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

The “Unified Hazardous Waste and Hazardous Materials Management Regulatory Program” (Program) was created in 1993 by California State Senate Bill 1082 to consolidate, coordinate, and make consistent the administrative requirements, permits, inspections, and enforcement activities for environmental and emergency management programs. The Program is implemented at the local government level by Certified Unified Program Agencies (CUPA). The Program consolidates, coordinates, and makes consistent the following hazardous materials and hazardous waste programs (Program Elements):

- Hazardous Waste Generation (including on-site treatment under Tiered Permitting);
- Aboveground Petroleum Storage Tanks (only the Spill Prevention Control and Countermeasure Plan or “SPCC”);
- Underground Storage Tanks (UST);
- Hazardous Material Release Response Plans and Inventories;
- California Accidental Release Prevention Program (Cal ARP); and
- Uniform Fire Code Hazardous Material Management Plans and Inventories.



California Accidental Release Prevention Program Law

The California Accidental Release Prevention Program Law (CalARP Program) (*California Health and Safety Code* Section 25531-25543.3) provides for consistency with Federal laws (i.e., the Emergency Preparedness and Community Right-to-Know Act and the Clean Air Act) regarding accidental chemical releases and allows local oversight of both the State and Federal programs. State and Federal laws are similar in their requirements; however, the California threshold planning quantities for regulated substances are lower than the Federal quantities. Local agencies may set lower reporting thresholds or add additional chemicals to the program. The CalARP is implemented by the CUPA and requires that any business, where the maximum quantity of a regulated substance exceeds the specified threshold quantity, register with the County as a manager of regulated substances and prepare a Risk Management Plan. A Risk Management Plan must contain an off-site consequence analysis, a five-year accident history, an accident prevention program, an emergency response program, and a certification of the truth and accuracy of the submitted information. Businesses submit their plans to the CUPA, which makes the plans available to emergency response personnel. The Business Plan must identify the type of business, location, emergency contacts, emergency procedures, mitigation plans, and chemical inventory at each location.

Transportation of Hazardous Materials/Wastes

Transportation of hazardous materials/wastes is regulated by *California Code of Regulations (CCR) Title 26, Toxics*. The Federal Department of Transportation (DOT) is the primary regulatory authority for the interstate transport of hazardous materials. The DOT establishes regulations for safe handling procedures (i.e., packaging, marking, labeling and routing). The California Highway Patrol (CHP) and the California Department of Transportation (Caltrans) enforce Federal and State regulations and respond to hazardous materials transportation emergencies. Emergency responses are coordinated as necessary between Federal, State and local governmental authorities and private persons through the Murrieta Emergency Operations Plan.

Worker and Workplace Hazardous Materials Safety

Occupational safety standards exist to minimize worker safety risks from both physical and chemical hazards in the workplace. The California Division of Occupational Safety and Health (Cal/OSHA) is responsible for developing and enforcing workplace safety standards and assuring worker safety in the handling and use of hazardous materials. Among other requirements, Cal/OSHA requires many businesses to prepare Injury and Illness Prevention Plans and Chemical Hygiene Plans. The Hazard Communication Standard requires that workers be informed of the hazards associated with the materials they handle.



LOCAL

Riverside County Community Health Agency – Department of Environmental Health

The Environmental Protection and Oversight Division (EPO) is one of the two divisions of the Department of Environmental Health (DEH). The EPO Division has regulatory control over a number of hazardous materials, land use and water system based programs.

The Hazardous Materials Management Division (HMMD) is one of the three divisions of the Department of Health (DEH) of the Riverside County Community Health Agency. HMMD is the CUPA for Riverside County responsible for regulating hazardous materials business plans and chemical inventory, hazardous waste and tiered permitting, underground storage tanks, and risk management plans.

Riverside County Multi-Jurisdictional Local Hazard Mitigation Plan¹

Table 6.6-2, Riverside County Local Jurisdiction Hazard Assessment Worksheet of Section 6.6, Emergency Response, provides a detailed identification and analysis of the hazards faced by Riverside County and the City of Murrieta according to the Riverside County Multi-Jurisdictional Local Hazard Mitigation Plan (LHMP). Table 6.6-2 assigns each hazard a severity rating, indicating the amount of damage that would be done to the County and the City and its population should the hazard occur. Table 6.6-2 also assigns a probability rating, indicating the likelihood that the hazard may occur within the County and City. Both ratings are on a scale of 0-4, with 4 being the most severe or the most likely to occur. Within the County, hazardous materials accidents are assigned a severity rating of 3 and a probability rating of 3. Within the City, hazardous materials accidents are assigned a severity rating of 3 and a probability rating of 3.

Underground Storage Tank Clean Up Program

Under contract with the State Water Resources Control Board (SWRCB), the Riverside County Department of Environmental Health, Local Oversight Program (LOP) oversees the investigation and cleanup of soil and groundwater contamination resulting from unauthorized releases of petroleum products (diesel fuel, gasoline, waste oil, etc.) from leaking underground storage tanks (UST). The cleanup of these sites is necessary to protect the groundwaters of the State from contamination and to protect the public from exposure to hazardous materials.²

¹ Ibid.

² Riverside County Community Health Agency, Department of Environmental Health website, http://www.rivcoeh.org/opencms/rivcoeh/ProgServices/EPO_Division/LOP.html, accessed December 3, 2009.



Murrieta Emergency Operations Plan³

The City of Murrieta Emergency Operations Plan (EOP) addresses the planned response to extraordinary emergency situations associated with natural disasters, national security emergencies, and technological incidents affecting the City of Murrieta. The EOP describes the operations of the City of Murrieta Emergency Operations Center (EOC), which is the central management entity responsible for directing and coordinating the various City departments and other agencies in their emergency response activities. The EOC centralizes the collection and dissemination of information about the emergency and makes policy-level decision about response priorities and the allocation of resources. As part of the City's Emergency Management Program, the EOC Manager (Fire Division Chief) is responsible for ensuring the readiness of the EOC.

The City of Murrieta has developed a set of quick response references (checklist) for the Murrieta EOC. The set checklist is located in Part Two of the City's Emergency Operation Plan. The checklist enumerates issues that are related to hazardous materials accidents.

5.14.2 ENVIRONMENTAL SETTING

MAJOR SOURCES OF HAZARDOUS WASTE MATERIALS INCIDENTS

Transport of Hazardous Materials/Waste

Hazardous substance incidents are likely to occur within the City of Murrieta due to the multitude of transportation systems (highways and railways). Transportation of hazardous materials/wastes is regulated by *CCR Title 26*. Major transportation routes within the City include surface streets and freeways. Regional access to the City and its Sphere of Influence is provided primarily by Interstates 15 and 215 (I-15 and I-215, respectively), which traverse generally through the western and central portion of the City. Another significant regional roadway facility is State Route 79 (SR-79 or Winchester Road) along the eastern border of Murrieta.⁴

Fixed Facility

Many businesses within the City handle, transport, and/or store hazardous materials. Also, commercial and retail businesses in Murrieta have very small amounts of hazardous materials. Many smaller chemical users such as school laboratories and stores likely maintain hazardous materials on-site. These hazardous materials may threaten human health or the environment.

³ Murrieta Emergency Operations Plan, Part 1: Basic Plan, and City of Murrieta Emergency Operations Plan, Part 2: Supporting Documents, City of Murrieta, June 2008.

⁴ *City of Murrieta General Plan, Circulation Element*, prepared by EIP Associates, updated January 10, 2006.



Potential hazards are found in materials that are toxic, flammable, corrosive, or reactive. It should be noted that existing Federal, State, and local laws regulate the use, transport, disposal, and storage of hazardous materials within the City.

Agricultural Businesses⁵

The agricultural businesses in and around the City may also be a likely source of hazardous materials incidents. Accidental releases of fertilizers, pesticides, and other agricultural chemicals may be harmful to the public health, safety, and the environment.

Illegal Laboratories

Another source of hazardous materials incidents is the illegal manufacturing of drugs in clandestine laboratories. In many instances, the residue and hazardous waste from these laboratories are illegally dumped, posing a major public health and safety hazard and a threat to the environment.

Clandestine Dumping

Clandestine dumping of toxic materials and hazardous materials/waste on public or private property is a criminal act due to the health and safety threat it poses. As the costs and restrictions increase for legitimate hazardous waste disposal sites, it is anticipated that illegal dumping of hazardous materials would increase proportionately.

Hazardous Materials Sites

Businesses can generate hazardous waste, and generally include automotive services, dry cleaners, photo processing, printing, lithography, and medical services. Potential hazards associated with hazardous materials include fires, explosions, and leaks.

The storage of hazardous materials in businesses poses a threat to occupants, the public, neighboring occupancies and fire fighters. Hazardous materials disclosure allows for the inspection and notification of all businesses within the City that generate, store, and use hazardous materials. The Murrieta Fire Department takes an active role in the inspection of businesses with hazardous materials. The Murrieta Fire Department monitors the CUPA data to ensure that the data is timely and accurate.⁶ Monitoring of sites that have contamination associated with underground tanks used to store petroleum products is the primary responsibility of the California Department of Health Services and the Regional Water Quality Control Board.⁷

⁵ *Murrieta Emergency Operations Plan, Part 1: Basic Plan*, and *City of Murrieta Emergency Operations Plan, Part 2: Supporting Documents*, City of Murrieta, June 2008.

⁶ *Murrieta Fire Department Fire Protection Plan*, dated February 2005.

⁷ *City of Murrieta General Plan, Safety Element*, prepared by EIP Associates, updated February 6, 2001.



Through regular inspections, the Murrieta Fire Department can identify hazardous conditions and can obtain compliance through the fire code for the safety of citizens and fire fighters, should a hazardous materials fire or release occur. In the event of a hazardous materials incident within the City, the Murrieta Fire Department would initially respond with further assistance provided by the CFD Hazardous Materials Response Team and the Riverside County Health Department.⁸ The types and amounts of hazardous materials found in most communities, or passing through on freeways, have created a very real challenge to the fire service. All Murrieta Fire Department personnel receive first responder operations training for hazardous materials, and are also trained in hazardous materials decontamination procedures. Personnel are trained to determine if a problem exists, isolate the problem, and assist an advanced team when they arrive.⁹

REPORTED REGULATORY PROPERTIES

Department of Toxic Substances Control

RBF Consulting searched the City and its Sphere of Influence on the EnviroStor Database. The EnviroStor Database was developed by the DTSC to allow the public to search for properties regulated by the DTSC's Site Mitigation and Brownfields Reuse Program where extensive investigation and/or cleanup actions are planned or have been completed.¹⁰ The following search resulted in one listed regulatory property located within the boundaries of the City; refer to Table 5.14-1, DTSC & Geo Tracker Identified Regulatory Sites Within Murrieta for a detailed listing of the property and refer to Exhibit 5.14-1, Regulatory Sites Within Murrieta for the location of the property.

GeoTracker

The Geographic Environmental Information Management System (GEIMS) is a data warehouse that tracks regulatory data about underground fuel tanks, fuel pipelines, and public drinking water supplies using GeoTracker. GeoTracker and GEIMS were developed pursuant to a mandate by the California State Legislature (AB 592, SB 1189) to investigate the feasibility of establishing a Statewide GIS for leaking underground fuel tank (LUFT) sites.

⁸ *City of Murrieta Final General Plan EIR*, prepared by EIP Associates, June 1994.

⁹ *Murrieta Fire Department Fire Protection Plan*, dated February 2005.

¹⁰ RBF Consulting makes no claims as to the completeness or accuracy of EnviroStor Database; our review of EnviroStor Database's findings can only be as current as their listings and may not represent all known or potential hazardous waste or contaminated sites.



**Table 5.14-1
DTSC & GEO TRACKER Identified Regulatory Sites Within Murrieta**

Site Name/ Address	Site Information	Cleanup Status
Crossroads Investors III, LLC 24250 Adams Avenue ¹	The 20-acre site consists of a vacant lot bounded by a private elementary school to the southeast, Jefferson Avenue to the northeast, single family dwellings to the northwest, and Adams Avenue to the southwest. In the 1950's a portion of the site was used for a lead acid battery reclamation and processing facility. Since then part of the buildings were used for a Christian school (1960s to 1977). Due to the lead contamination from the battery recycling operation, the U.S. Environmental Agency (USEPA) conducted site investigation and emergency remediation at the site in 1988 at a request from the Riverside County Environmental Health Department. The emergency remediation work included scraping of contaminated soil and placing it beneath an asphalt cover on the site. Under the DTSC oversight the Draft Removal Action Workplan (RAW) proposed to remove all contaminated soil posing health risk, and dispose it off site at a regulated facility. Some less contaminated soil posing a lower health risk will be removed from the site and may be processed elsewhere for reuse.	No Cleanup Status Certified as of 12/24/02
Bear Creek Golf Course 22640 Bear Creek Drive N	Leaking Underground Tank (LUST) Cleanup Site	Completed – Case Closed
Calvary Chapel 39405 Murrieta Hot Springs Road	Leaking Underground Tank Cleanup Site	Completed – Case Closed
Chevron Station #201241 40500 California Oaks Road	Leaking Underground Tank Cleanup Site	Open – Assessment & Interim Remedial Action
Gerald Johnson Property 42451 Guava Street	Leaking Underground Tank Cleanup Site	Completed – Case Closed
Inco Development Corporation 24391 Washington	Leaking Underground Tank Cleanup Site	Completed – Case Closed
Mobil Service Station 18- BX6 39850 Los Alamos Road	Leaking Underground Tank Cleanup Site	Completed – Case Closed
Murrieta Nursery 41541 Ivy Street	Leaking Underground Tank Cleanup Site	Open – Site Assessment
Rancho California Spa II 40050 Murrieta Hot Springs	Leaking Underground Tank Cleanup Site	Completed – Case Closed
Shell Service Station 39614 Los Alamos	Leaking Underground Tank Cleanup Site	Open – Verification Monitoring
Shell Service Station 121641 25336 Madison Avenue	Leaking Underground Tank Cleanup Site	Open – Site Assessment



**Table 5.14-1 [continued]
DTSC & GEO TRACKER Identified Regulatory Sites Within Murrieta**

Site Name/ Address	Site Information	Cleanup Status
Stan's Service 41991 Ivy Street	Leaking Underground Tank Cleanup Site	Open – Remediation
AM/PM Mini Market #5471 41240 Kalmia Street	Permitted Underground Storage Tank Facilities	-
California Oaks Shell 40981 California Oaks Road	Permitted Underground Storage Tank Facilities	-
Chevron Stations Inc. #1484/201241 40500 California Oaks Road	Permitted Underground Storage Tank Facilities	-
Excalibur Fuels #5 40648 California Oaks Road	Permitted Underground Storage Tank Facilities	-
Grease Monkey Monroe Avenue	Permitted Underground Storage Tank Facilities	-
Mobil Station #18-BX6 39850 Los Alamos Road	Permitted Underground Storage Tank Facilities	-
Murrieta Shell 39614 Los Alamos Road	Permitted Underground Storage Tank Facilities	-
Rancho Springs Medical Center 25500 Medical Center Drive	Permitted Underground Storage Tank Facilities	-
SKS, Inc. 41981 Avenida Alvarado	Permitted Underground Storage Tank Facilities	-
Texaco #2128 40375 California Oaks Road	Permitted Underground Storage Tank Facilities	-
Texaco Star Mart 25336 Madison Avenue	Permitted Underground Storage Tank Facilities	-
Verizon Murrieta Company 24961 Washington Avenue	Permitted Underground Storage Tank Facilities	-



**Table 5.14-1 [continued]
DTSC & GEO TRACKER Identified Regulatory Sites Within Murrieta**

Site Name/ Address	Site Information	Cleanup Status
Verizon Temecula Company 41611 Reagan Avenue	Permitted Underground Storage Tank Facilities	-
Cole Canyon School Site Via Alisol	DTSC Cleanup Sites	No Action Required
Crossroads Investors III, LLC 24250 Adams Avenue	DTSC Cleanup Sites	Certified
Elementary School No. 9 Early Lane/Winchester Drive/Hunter Road	DTSC Cleanup Sites	No Action Required
Elementary School Site No. 10	DTSC Cleanup Sites	No Action Required
High School No. 3 Los Alamos Monroe Avenue	DTSC Cleanup Sites	No Further Action
Regional Learning Center – Murrieta 41350 Guava Street	DTSC Cleanup Sites	No Action Required
Sunny Fresh Cleaners 39605 E. Los Alamos Road, Suite E	DTSC Cleanup Sites	Refer: 1248 Local Agency
Vista Murrieta High Whitewood Road/Clinton Keith Road	DTSC Cleanup Sites	No Acton Required
Classic Cleaners 40605 California Oaks Road	Other Cleanup Sites	Open - Remediation
Las Brisas Cleaners	Other Cleanup Sites	Open – Site Assessment
Source: Geotracker website, http://geotracker.waterboards.ca.gov/map/default.asp , accessed December 7, 2009. 1. Department of Toxic Substances Control, EnviroStor Database, http://www.envirostor.dtsc.ca.gov/public/ , accessed December 7, 2009.		



Back of 11 x 17 color



RBF Consulting searched the City and its Sphere of Influence on the GeoTracker database. GeoTracker was developed pursuant to a mandate by the California State Legislature to investigate the feasibility of establishing a statewide Geographic Information System (GIS) for leaking underground fuel tank (LUFT) sites and is maintained by the SWRCB.¹¹ The following search resulted in 34 listed regulatory properties located within the boundaries of the City; refer to *Table 5.14-1* for detailed listings of the properties and refer to *Exhibit 5.14-1* for locations of the sites.

Airport Hazards

The Riverside County Airport Land Use Commission adopts plans to protect and promote the safety and welfare of airport users and residents in the airport vicinity. Specifically, these plans seek to protect the public from the adverse effects of aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures or activities encroach upon or adversely affect the use of navigable airspace. The *Riverside County Airport Land Use Compatibility Plan* contains land use restrictions for the French Valley Airport that affect land use densities and building heights within the City of Murrieta.

The French Valley Airport is a County-owned public-use airport located on SR-7, north of the City of Temecula in their Sphere of Influence, and adjacent to the Murrieta's eastern City boundary. The airport is primarily used for single engine fixed-wing general aviation aircraft. Airport activity is anticipated to increase from approximately 98,000 annual operations in 2009 to 185,000 in about 15 years. The airport's existing runway is 6,000 feet in length. Also planned is the construction of a 3,600-foot parallel runway 700 feet to the east, along with an upgraded present nonprecision instrument approach to Runway 18 (from the north).

The airport influence area boundary coincides with the outer edge of the FAR Part 77 conical surface for the airport to the north and south. To the east and west, the airport influence area encompasses the north aircraft traffic patterns.

Five compatibility zones within the airport influence area boundary have been defined in the Riverside County Airport Land Use Compatibility Plan Policy Document: Zone A (Runway Protection Zone and within Building Restriction Line), Zone B1 (Inner Approach/Departure Zone), Zone B2 (Adjacent to Runway), Zone C (Extended Approach/Departure Zone), Zone D (Primary Traffic Patterns and Runway Buffer Area), and Zone E (Other Airport Environs). In addition, certain areas have been designated within a height review overlay zone (airspace review required for objects greater than 35 feet tall).

¹¹ RBF Consulting makes no claims as to the completeness or accuracy of GeoTracker; our review of GeoTracker's findings can only be as current as their listings and may not represent all known or potential hazardous waste or contaminated sites.



Portions of the City are located within Zone B1, Zone C, Zone D, Zone E, and the height review overlay zone (refer to *Exhibit 5.1-1, French Valley Airport Compatibility Zones*). Zone C prohibits children's schools, day care centers, libraries, hospitals, nursing homes, buildings with greater than three stories of aboveground habitable floors, and highly noise-sensitive outdoor non-residential uses. Zone D prohibits highly noise-sensitive outdoor non-residential uses. Zones C, D, and E prohibit hazards to flight, which can include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. In addition, land use development that may cause the attraction of birds to increase is also prohibited. The Plan also includes compatibility policies for the French Valley Airport that address the calculation of residential densities in Zone D, intensity criteria for Zones B1 and C, non-residential intensities for Zone, and calculations regarding the concentration of people.

Uses presently existing or planned within Zones C, D, and E in the City include vacant land, rural and single-family residential, commercial, business park, and open space.

5.14.3 SIGNIFICANCE THRESHOLD CRITERIA

The issues presented in the Initial Study Environmental Checklist (Appendix G of the CEQA Guidelines) have been utilized as thresholds of significance in this Section. Accordingly, hazardous materials impacts resulting from the implementation of the proposed General Plan 2035 may be considered significant if they would result in the following:

- Create a significant hazard to the public or the environment through the routing 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.
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.
- 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.
- 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.



- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Based on these significance thresholds and criteria, the proposed General Plan 2035's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant unavoidable impact.

5.14.4 PROJECT IMPACTS AND MITIGATION MEASURES

HAZARDOUS MATERIALS USE, GENERATION, TRANSPORT, OR DISPOSAL

- **FUTURE DEVELOPMENT IN ACCORDANCE WITH THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN AN INCREASED RISK OF UPSET ASSOCIATED WITH THE ROUTINE USE, GENERATION, TRANSPORT, OR DISPOSAL OF HAZARDOUS MATERIALS, WHICH MAY POTENTIALLY POSE A HEALTH OR SAFETY HAZARD.**

Level of Significance Before Mitigation: Potentially Significant Impact.

Impact Analysis: Risk of upset can involve scenarios that could adversely affect the health of the public and scenarios that could discharge hazardous materials into the environment. Many types of businesses utilize various chemicals and hazardous materials, or their routine business operations involve chemicals that are manufactured, warehoused, or transported. Currently, a variety of existing business operations in the City use, store, or transport hazardous substances, as well as generate hazardous waste. The types and quantities of hazardous materials utilized by the various types of businesses that could locate in the City would vary tremendously and, as a result, the nature of potential hazards would also be varied. Such substances could range from common automobile oil and household pesticides to chlorine, dry-cleaning solutions, ammonia, or substances used in commercial and industrial operations. Therefore, any non-residential development that occurs within the City may result in an increase in hazardous materials use, transport, or generation of hazardous waste.

Since the proposed General Plan 2035 does not involve any specific development projects, no specific type of hazard associated with the use of these materials can be identified and the likelihood of a hazard presenting a serious health or safety hazard/risk to the public cannot be determined at this time. However, there is a possibility that future nonresidential development in the City would require or engage in operations that involve the use and transport of hazardous materials. The consequence of this increase of hazardous materials in the City is an increase in the potential for human exposure to these substances, with possible public health and safety consequences.



Chemical storage of any kind over specific quantities (such as 55 gallons of petroleum product) must be publicly reported in accordance with California Proposition 65. Business Plans for businesses storing substances above minimum reporting requirements must be prepared and kept on file with the Riverside County Hazardous Materials Management Division. Additionally, the hazardous materials disclosure would allow for the inspection by and notification to the Murrieta Fire Department of all businesses that generate, store, and use hazardous materials. Based on the disclosure information, the Murrieta Fire Department would take an active role in the inspection of businesses with hazardous materials, and would monitor the CUPA data to ensure that the data is timely and accurate.

The Murrieta Fire Department inspects these businesses every year for adequate storage, handling, and labeling practices and notes changes in quantities. Business contact names, diagrams for storage locations and emergency spill procedures are part of these Business Plans, which are submitted and approved by the Murrieta Fire Department. In addition, Proposition 65 requires a material safety data sheet (MSDS) be kept at the business, for each chemical used and stored at each business, which outlines the chemical components and safety handling measures to be followed by employees.

Monitoring of sites which have contamination associated with underground tanks used to store petroleum products is the primary responsibility of the California Department of Health Services and the Regional Water Quality Control Board. Aboveground tanks storing hazardous chemicals would have secondary containment to collect fluids that are accidentally released. Underground storage tanks and connecting piping would be double-walled and would have monitoring devices with alarms installed to constantly monitor for unauthorized releases in accordance with Federal, State, and local standards.

Elementary, middle, and high schools are located within the City (refer to [*Section 5.19, School Facilities*](#)). New businesses that locate near residential areas or within ¼-mile from a school may expose these sensitive land uses to greater risk of exposure to hazardous materials, wastes, or emissions. Methods such as a buffer in the form of a major street, channel, or intervening land use can be used to separate residential areas from industrial areas.

The proposed General Plan 2035 allows for commercial and office uses that may involve the storage and/or use of hazardous materials. Implementation of mitigation measures requiring the adoption of development standards to ensure that future developments that include residential uses near commercial or office development does not create unacceptable risk to residents to hazardous materials would reduce impacts to a less than significant level.

While the risk of exposure to hazardous materials cannot be eliminated, measures can be implemented to maintain risk to acceptable levels. Compliance with measures established by Federal, State and local regulatory agencies is considered adequate to offset the negative effects related to the use, storage and transport of hazardous materials in the City. In addition, the following goals and policies in the proposed General Plan 2035 Safety Element, as well as the



recommended mitigation measures, would further reduce hazardous materials impacts to a less than significant level.

Goals and Policies in the Proposed General Plan 2035:

SAFETY ELEMENT

Goal SAF-1 People and properties are provided with protection from natural and man-made hazards.

Policies

SAF-1.2 Coordinate public safety responses and planning for hazards with agencies at the County, regional, state, and federal levels.

SAF-1.3 Collect and maintain current information on local hazards, and make it available for public use.

SAF-1.5 Promote coordination among City departments to provide for safety in new development and/or annexation areas.

Goal SAF-8 A community that is protected from the harmful effects of hazardous materials, hazardous waste, and environmental contamination.

Policies

SAF-8.1 Require geologic investigations for sites of proposed uses that manufacture, handle, or store hazardous or explosive materials.

SAF-8.2 Ensure that land uses involved in the production, storage, transportation, handling, or disposal of hazardous materials are located and operated to reduce risk to other land uses.

SAF-8.3 Designate appropriate routes for transportation of hazardous materials that are used or produced by facilities in the City.

SAF-8.4 Require that new pipelines and other channels carrying hazardous materials avoid residential areas and other sensitive land uses to the greatest extent possible.

SAF-8.5 Raise public awareness of appropriate disposal for household hazardous waste, and publicize collection events and locations.



- SAF-8.6 Promote the use of integrated pest management techniques to keep City properties free of herbicides and pesticides.
- SAF-8.7 Encourage and educate residents and businesses to implement integrated pest management principles and reduce or discontinue the use of pesticides and herbicides on their property.
- SAF-8.8 Comply with the Riverside County Hazardous Waste Management Plan.
- SAF-8.9 Support Caltrans and California Highway Patrol efforts to ensure safe transportation of hazardous materials on freeways.
- SAF-8.10 Ensure that all personnel of the Murrieta Fire Department are trained and ready to operate at the level of Hazardous Materials First Responder.
- SAF8.11 Coordinate with other agencies to improve the containment and clean up of hazardous material spills.
- SAF-8.12 Ensure that Fire Department personnel receiving training to achieve the Hazardous Materials Technician level.
- SAF-8.13 When approving new development, ensure that the site:
- Is sufficiently surveyed for contamination and remediation, particularly for sensitive uses near existing or former toxic or industrial sites.
 - Is adequately remediated to meet all applicable laws and regulations, if necessary.
 - Is suitable for human habitation.
 - Is protected from known hazardous and toxic materials.
 - Does not pose higher than average health risks from exposure to hazardous materials.
- SAF-8.14 Strive to identify unidentified contaminated sites in the City, particularly on sites with a high likelihood of past contamination, such as old gas stations or industrial sites, and work with the property owners and applicable agencies to remediate them.

Mitigation Measures:

- HHM-1 The Community Development Department, in cooperation with the Murrieta Fire Department and the Riverside County Community Health Agency, Materials Management Division, shall provide information to businesses on viable alternatives to hazardous materials. Create an informational pamphlet with



existing hazardous material substitutions and retailers that sell the materials. Offer the information to applicable business owners who are required to file as a hazardous waste handler in the City.

- HHM-2 The Community Development Department, in cooperation with the Murrieta Fire Department and the Riverside County Community Health Agency, Materials Management Division, provide information on viable alternatives to household hazardous materials on the City's website so households may use alternatives. Information will also educate the public to the health, safety, and environmental benefits of using non-hazardous substitutions.

Level of Significance After Mitigation: Less Than Significant Impact.

ACCIDENTAL RELEASE OF HAZARDOUS MATERIALS

- **ACCIDENTAL RELEASE OF HAZARDOUS MATERIALS USED, STORED, OR TRANSPORTED IN THE CITY AS A RESULT OF IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN A PUBLIC HEALTH RISK.**

Level of Significance Before Mitigation: Potentially Significant Impact.

Impact Analysis: Implementation of the proposed General Plan 2035 would result in an increase in residential units and an increase in business park, industrial, office, commercial, and civic and institutional uses throughout the City, particularly within the five Focus Areas targeted for land use change in the proposed General Plan 2035. As noted above, the uses could increase the use and transport of hazardous materials in the City of Murrieta. The increased use and transport of hazardous materials in the City increases the potential for accidental releases of hazardous materials, which poses a threat to the health and safety of residents.

Typical incidents that could result in accidental release of hazardous materials include leaking underground storage tanks, accidents during transport causing a "spill" of a hazardous materials and/or natural disasters causing the unauthorized release of a substance. If not cleaned up immediately and completely, these and other types of incidents could cause contamination of soil, surface water and groundwater, in addition to any toxic fumes that might be generated. Depending on the nature and extent of the contamination, groundwater supplies could become unsuitable for use as a domestic water source. Human exposure to contaminated soil or water could have potential health effects depending on a variety of factors, including the nature of the contaminant and the degree of exposure.



Accidental releases would most likely occur in the commercial and industrial areas and along transportation routes leading to and from these areas. The major transportation corridors in the City of Murrieta include I-15, I-215, Murrieta Hot Springs Road, and Winchester Avenue (SR-79). It is along these roads that most of the businesses that are likely to use, transport, dispose of, or create hazardous materials are located.

The proposed General Plan 2035 has identified future growth throughout the City, which includes residential, commercial, office, business park, industrial, and civic land uses. Approval of the proposed General Plan 2035 by the City would allow for the development of those uses. The level of risk associated with hazardous materials would be evaluated on a project-by-project basis during the development process. With implementation of the aforementioned proposed General Plan 2035 goals and policies, and Mitigation Measures HM-1 through HM-2, any potential hazardous materials release pertaining to soil, surface water, and/or groundwater contamination would be confirmed and, if necessary, characterized and remediated to the standards set by the applicable Federal State, and local regulatory agencies.

The Hazardous Materials Release Response Plans and Inventory Law of 1985 (or the Business Plan Act) requires that a business that uses, handles, or stores hazardous materials above a certain quantity prepare a plan which must include an inventory of hazardous substances on the premises. A Risk Management and Prevention Plan (RMPP) may be required for businesses that use acutely hazardous substances and are located in proximity to sensitive land uses. As a part of the Risk Management and Prevention Plan, businesses that handle acutely hazardous materials must include a hazard and operability study (HAZOP), which analyzes potential hazards to sensitive populations in the vicinity. The Murrieta Hazardous Materials Management Division is the CUPA for Riverside County that is responsible for regulating hazardous materials business plans and chemical inventory, hazardous waste and tiered permitting, underground storage tanks, and risk management plans. These plans are intended to mitigate potential release of hazardous substances and minimize potential harm or damage. Oversight by the appropriate agencies and compliance with applicable regulations are considered adequate to offset the negative effects related to the accidental release of hazardous materials in the City.

Contaminated groundwater may exist from the non-active landfill located within the City. Potential accidental releases as a result of impacting groundwater during construction activities would be analyzed on a project-by-project basis. Implementation of Mitigation Measure HM-3 would reduce impacts to a less than significant level. Also, refer to [Section 5.13, Hydrology, Drainage and Water Quality](#) for further discussion regarding water quality.

Compliance with measures established by Federal, State and local regulatory agencies is considered adequate to offset the negative effects related to the reasonably foreseeable upset and accident conditions involving the release of hazardous materials in the City. In addition, the aforementioned General Plan 2035 Safety Element goals and policies, along with implementation of Mitigation Measure HHM-3, would further reduce accidental release of hazardous materials impacts to a less than significant level. Also, refer to Mitigation Measures HHM-1 through HHM-2.



Goals and Policies in the Proposed General Plan 2035: Refer to the goals and policies referenced above in this Section 5.14.

Mitigation Measures: Refer to Mitigation Measures HHM-1 and HHM-2. In addition, the following mitigation is recommended.

HHM-3 Prior to development approval on a project-by-project basis, the project applicant shall confirm the presence or absence of hazardous materials pertaining to the release of hazardous materials into the soil, surface water, and/or groundwater. If necessary, development shall undergo site characterization and remediation on a project-by-project basis, per applicable Federal, State, and/or local standards and guidelines set by the applicable regulatory agency.

Level of Significance After Mitigation: Less Than Significant Impact.

HAZARDOUS MATERIALS SITES

- **FUTURE DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD IMPACT HAZARDOUS MATERIAL SITES LISTED ON GOVERNMENT CODE SECTION 65962.5 AND CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT.**

Level of Significance Before Mitigation: Potentially Significant Impact.

Impact Analysis: Approximately 35 hazardous materials sites (refer to *Table 5.14-1*) have been listed within the City. Expansion or redevelopment of any of these sites may require remediation to meet Federal, State, and local standards. Future development would be evaluated on a project-by-project basis to determine if such sites are listed on a current regulatory hazardous materials site list. Since the proposed General Plan 2035 does not include any specific development and subsequent development would be evaluated pursuant to CEQA or other applicable Federal or State requirements, less than significant impacts are anticipated in this regard.

Goals and Policies in the Proposed General Plan 2035: Refer to the goals and policies referenced above in this Section 5.14.

Mitigation Measures: Refer to Mitigation Measures HHM-1 through HHM-3. No additional mitigation measures are required.

Level of Significance After Mitigation: Less Than Significant Impact.



AIRPORT HAZARDS

- **NEW STRUCTURES BUILT WITHIN THE VICINITY OF THE LOCAL AIRPORT OR PRIVATE AIRSTRIP COULD RESULT IN A SAFETY HAZARD FOR PEOPLE RESIDING OR WORKING WITHIN THE AREA.**

Level of Significance Before Mitigation: Potentially Significant Impact.

Impact Analysis: There are no private airstrips located within the City, but the French Valley Airport, which is a County-owned public-use airport, is located on SR-79 (Winchester Road) in unincorporated Riverside County east of Murrieta, adjacent to Temecula and Winchester. The airport is primarily used for single engine fixed-wing general aviation aircraft. Airport activity is anticipated to increase from approximately 98,000 annual operations in 2009 to 185,000 in about 15 years.

As a result of implementation of the proposed General Plan 2035, structures and individuals within the flight pattern of the French Valley Airport could be subjected to the potential of off-airport accidents. However, the proposed General Plan 2035 is not recommending any land use changes for the areas within the French Valley Airport Compatibility Zones.

The Riverside County Airport Land Use Commission has established compatibility zones. The land use restrictions for each of the compatibility zones provide the necessary limitations to reduce the potential impacts of off-airport accidents to persons and property on the ground. In addition, specific land use regulations regarding FAA notification imaginary surfaces, aircraft noise, and building heights have been implemented to reduce impacts of aircraft overflight to a less than significant level. Lastly, the following proposed General Plan 2035 Land Use Element goal and policies and Mitigation Measure HHM-4 would further reduce impacts to a less than significant level.

Goals and Policies in the Proposed General Plan 2035:

LAND USE ELEMENT

Goal LU-25 Collaboration with Federal, State, County, and other regional agencies and authorities to ensure compliance with existing and future legislation that affects the City of Murrieta.

Policies

LU-25.8 Establish land use patterns that protect the public from impacts (noise, potential accidents) associated with the French Valley Airport, through the following:



- Consult with the Riverside County Airport Land Use Commission to ensure consistency with the scope and intent of the Airport Land Use Commission Law.
- Allow development in accordance with the Riverside County Airport Land Use Compatibility Plan and the French Valley Airport Compatibility Zones.
- Prohibit structures that are determined to be a “hazard” by the Federal Aviation Administration within the Riverside County Airport Land Use Compatibility Plan.
- Monitor legislation and regulations established by the Riverside County Airport Land Use Commission.

LU-25.9 Work closely with the Riverside County Airport Land Use Commission and other involved agencies in the development and review of the French Valley Airport Land Use Plan and other planning and environmental studies.

LU-25.10 Submit tentative tract maps and parcels maps to the Riverside County Airport Land Use Commission for consistency review. This is applicable to properties designated as Large Lot Residential and Single-Family Residential in the General Plan and that are located within Compatibility Zones C and D in the French Valley Airport Land Use Compatibility Plan.

LU-25.11 Submit commercial development and places of assembly to the Riverside County Airport Land Use Commission for consistency review with the applicable average and single-acre population intensity limits in the French Valley Airport Land Use Compatibility Plan for properties within Compatibility Zones B1, C, and D.

LU-25.12 Require new development that is 10 acres or larger in area incorporate open space area in compliance with the Riverside County Airport Land Use Compatibility Plan Section 4.2.4 and in compliance with the applicable compatibility zones requirements in the French Valley Airport Land Use Compatibility Plan.

Mitigation Measures:

HHM-4 The project applicant shall comply with the requirements of the Federal Aviation Administration (FAA) should any portions of the development be within a height overlay review zone or encroach within an imaginary surface surrounding the French Valley Airport. A Notice of Proposed Construction or Alteration (Form 7460-1) may be required by the FAA in accordance with Federal Aviation Regulations Part 77.

Level of Significance After Mitigation: Less Than Significant Impact.



EMERGENCY RESPONSE

- **FUTURE DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE GENERAL PLAN 2035 COULD RESULT IN INTERFERENCE WITH AN ADOPTED EMERGENCY RESPONSE OR EVACUATION PLAN.**

Level of Significance Before Mitigation: No Impact.

Impact Analysis: The proposed General Plan 2035 does not propose any changes to the City of Murrieta Operations Plan. Rather, the proposed General Plan 2035 serves to provide goals and policies to guide development and keep residents of Murrieta as protected as possible from potential hazards. Thus, no impacts would occur in this regard.

Goals and Policies in the Proposed General Plan 2035: Refer to the goals and policies referenced above in this Section 5.14.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

5.14.5 CUMULATIVE IMPACTS AND MITIGATION MEASURES

- **DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 AND CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS TO PUBLIC HEALTH AND SAFETY.**

Level of Significance Before Mitigation: Potentially Significant Impact.

Impact Analysis: For this topic, the cumulative impacts are analyzed in terms of impacts within the City of Murrieta. An increase in population within the City of Murrieta would occur from implementation of the proposed General Plan 2035. This may increase demand on public health and safety services in the City. Additionally, new non-residential development may consist of additional facilities that use, store, produce or transport hazardous wastes, and therefore would utilize City and County health and safety services and increased exposure to residents who may also be employees of those businesses. As noted above, impacts related to hazards and hazardous materials would be reduced to less than significant with implementation



of the goals and policies of the proposed General Plan 2035, as well as implementation of the recommended mitigation measures.

As with projects resulting from implementation of the proposed General Plan 2035, regional projects would be required to evaluate their respective hazards and hazardous materials impacts on a project-by-project basis. Development occurring within the region would be required to comply with Federal, State and local regulations regarding the use, disposal and transport of hazardous materials. The additional contribution of the proposed General Plan 2035 would be less than significant regarding public health and safety impacts at a cumulative level. Thus, implementation of the proposed General Plan 2035 would not result in cumulatively considerable public health or safety impacts with implementation of recommended mitigation measures.

Goals and Policies in the Proposed General Plan 2035: Refer to the goals and policies referenced above in this Section 5.14.

Mitigation Measures: Refer to Mitigation Measures HHM-1 through HHM-4. No additional mitigation measures are required.

Level of Significance After Mitigation: Less Than Significant Impact.

5.14.6 SIGNIFICANT UNAVOIDABLE IMPACTS

Impacts related to hazardous materials, and public health and safety associated with implementation of the proposed General Plan 2035 would be less than significant by adherence to and/or compliance with goal and policies in the proposed General Plan 2035 and the recommended mitigation measures. No significant unavoidable hazardous materials or public health and safety impacts would occur as a result of buildout of the proposed General Plan 2035.

5.14.7 SOURCES CITED

City of Murrieta Final General Plan EIR, prepared by EIP Associates, June 1994.

City of Murrieta General Plan, prepared by EIP Associates, June 1994.

City of Murrieta General Plan, prepared by EIP Associates, June 21, 1994, Circulation Element, updated January 10, 2006.

City of Murrieta General Plan, prepared by EIP Associates, June 21, 1994, Safety Element, updated February 6, 2001.

City of Murrieta proposed General Plan 2035, prepared by RBF Consulting, January 2011.

Hazards and Hazardous Materials



City of Murrieta website, Fire Department, <http://www.murrieta.org/services/fire/index.asp>, accessed December 4, 2009.

Department of Toxic Substances Control, EnviroStor Database, <http://www.envirostor.dtsc.ca.gov/public/>, accessed December 4, 2009

Geotracker website, <http://geotracker.waterboards.ca.gov>, accessed December 7, 2009.

Murrieta Emergency Operations Plan, Part 1: Basic Plan, and City of Murrieta Emergency Operations Plan, Part 2: Supporting Documents, City of Murrieta, June 2008.

Murrieta Fire Department Fire Protection Plan, dated February 2005.

Riverside County Community Health Agency, Department of Environmental Health website, http://www.rivcoeh.org/opencms/rivcoeh/ProgServices/EPO_Division/LOP.html, accessed December 3, 2009.