3.8 HAZARDS AND HAZARDOUS MATERIALS

3.8.1 Affected Environment

The Old River and Connection Slough sites are located in rural area where the primary source of contaminants is pesticides and fertilizers used for agricultural operations. Neither site is listed on the California Department of Toxic Substances Control's (DTSC) Hazardous Waste and Substances Sites List (also known as the Cortese List) (DTSC 2009). There are no Superfund National Priorities List (NPL) sites within 5 miles of these sites (EPA 2008). The Roberts Island # 1 disposal site is an existing facility and does not contain hazardous materials. All sediment is tested for physical and chemical characteristics in accordance with CVRWQCB requirements (2004) in order to ensure that it is suitable for placement in this upland disposal site.

The project area contains peat soils. Once ignited, peat fires pose a special hazard because they are very difficult to extinguish. In some cases, islands have been flooded into extinguish peat fires, although even flooding may not always put out the fires (San Joaquin County 1992). The Old River site is classified as having over 9.5 days per year of Critical Fire Weather (Contra Costa County 2005), the highest classification in the county.

Comment [BB1]: delete

3.8.2 Regulatory Setting

3.8.2.1 Clean Water Act

The Spill Prevention Control and Countermeasures requirements (Title 40 CFR Part 112) were developed pursuant to the Clean Water Act. Spill Prevention Control and Countermeasures are intended to reduce the threat of spills of hydrocarbons to navigable waters of the United States.

3.8.2.2 Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (42 U.S.C. Section 6922) (RCRA) establishes requirements for the management of hazardous wastes from the time of generation to the point of ultimate treatment or disposal. 42 U.S.C. Section 6922 requires generators of hazardous waste to comply with record keeping requirements relating to the identification of quantities of hazardous wastes generated and their disposition, labeling practices and use of appropriate containers, use of a manifest system for transportation, and submission of periodic reports to the EPA or authorized state.

3.8.2.3 Title 40, Code of Federal Regulations, Part 260

These regulations were promulgated by the EPA to implement the requirements of RCRA as described above. The regulations define the characteristics of hazardous waste in terms of ignitability, corrosivity, reactivity, and toxicity and list specific types of wastes deemed hazardous.

3.8.2.4 Hazardous Materials

Title 22 of the CCR, Division 4.5, Chapter 11 contains regulations for the classification of hazardous wastes. A waste is considered a hazardous waste if it is toxic (causes human health effects), ignitable (has the ability to burn), corrosive (causes severe burns or damage to materials), or reactive (causes explosions or generates toxic gases) in accordance with the criteria

established in Article 3 Characteristics of Hazardous Waste. Article 4 lists specific hazardous wastes, and Article 5 identifies specific waste categories, including RCRA hazardous wastes, non-RCRA hazardous wastes, extremely hazardous wastes, and special wastes.

3.8.2.5 Worker Safety

Occupational safety standards exist in federal and state laws to minimize worker safety risks from both physical and chemical hazards in the workplace. The California Occupational Safety and Health Administration is responsible for developing and enforcing workplace safety standards and assuring worker safety in the handling and use of hazardous materials.

Among other requirements, California Occupational Safety and Health Administration obligates 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. For example, manufacturers are to appropriately label containers, Material Safety Data Sheets are to be available in the workplace, and employers are to properly train workers.

3.8.2.6 Wildland Fire

The California PRC includes fire safety regulations that: restrict the use of equipment that may produce a spark, flame, or fire; require the use of spark arrestors on construction equipment that has an internal combustion engine; specify requirements for the safe use of gasoline-powered tools in fire hazard areas; and specify fire suppression equipment that must be provided onsite for various types of work in fire-prone areas.

Comment [BB2]: What is PRC?

3.8.2.7 Local General Plans

Both the Contra Costa County (2005) and San Joaquin County (1992) General Plans contain general goals and policies intended to protect public safety.

3.8.3 Environmental Consequences

3.8.3.1 No Action Alternative

The No Action alternative would not affect hazards or hazardous materials because no development would occur.

3.8.3.2 Proposed Action

The Proposed Action would not require the routine transport, use, or disposal of hazardous materials. Commonly used hazardous materials would be used during construction (e.g., fuels, lubricants), and diesel would be required to power the generators during operations until power was obtained from the PG&E grid. All materials would be handled in accordance with regulatory requirements intended to prevent significant hazards to the public and the environment.

During construction, heavy equipment and vehicles would be present at the project sites. All contractors would be required to adhere to mandatory federal Occupational Safety and Health Administration regulations. Most of this equipment requires a number of petroleum products such as fuel, hydraulic fluids, and lubricants for effective operation. Lubricant and hydraulic

fluid changes and replenishment would be required less frequently. Typically, service trucks deliver these types of fluids to the site and then perform the necessary fuel and oil transfers. The risk of small fuel or oil spills is considered possible, but this would have a negligible impact on public health. Any spills would be cleaned up in accordance with permit conditions, as outlined in Section 2. During non-working hours, heavy equipment and vehicles in areas that could be accessed by the public would be secured in a general contractor's staging area that would not pose a safety hazard.

Comment [BB3]: Just confirming that permit conditions related to fuel spills are in Section 2?

Most construction would occur in the water, and thus would not pose a fire hazard. Some construction activities would occur in the laydown areas. The fuel tanks on board some construction equipment can contain fuel volumes ranging from 100 to 500 gallons. Accidental ignition could result in a fire, which, depending on the location, could spread. Moreover, given the peat soils, a fire could be difficult to contain because peat fires burn below the ground surface. All construction vehicles and equipment are required by Contra Costa and San Joaquin counties to have fire suppression equipment on board, or they are required to be otherwise present at the work site. They also are required to ensure the availability of an adequate on-site supply of water with all-weather access for fire-fighting equipment and emergency vehicles. Therefore, adherence to Contra Costa and San Joaquin County codes and requirements during construction would reduce the potential for significant fire hazard impacts.