

F. HAZARDS AND HAZARDOUS MATERIALS

A Phase I Environmental Site Assessment (1997) (**Appendix 8**) has been prepared by Law Crandall to identify the presence or absence of hazardous materials on-site, as well as perform a records check for identified sites containing significant quantities of hazardous materials or spill locations. An update to the original Phase I has been prepared by LAWGIBB Group (2001) (**Appendix 8**) to assess any change in conditions since the 1997 report. The update indicates that the findings of the 1997 report are representative of the existing conditions at the time of the update.

Existing Conditions

Hazardous Materials

Wells

The proposed Project is located within the historic boundaries of the Beverly Hills Oil Field (Wolfskill Oil Unit). The Phase I (1997, updated 2001) shows that three oil wells have been drilled on the site (Wolfskill 30, Wolfskill 43 and Wolfskill 44). The California Division of Oil and Gas indicated that all three wells were properly abandoned in the 1940's and were re-abandoned in 1970 when the existing buildings were built.²⁷

Hazardous Materials in General Maintenance

Operation of the existing facilities does not include the use of significant quantities of hazardous materials. Several products that are used and stored in small quantities for general maintenance purposes on-site could be hazardous if mishandled or spilled. Materials used for general maintenance include: hydraulic fluid, Nalco 2536 (a rust inhibitor for hot water treatment), window washer solution, turbine oil, air compressor fluid, Enzyme 80 (drain cleaner), large spill kit containers and automobile batteries. Containers storing these materials are located in a storage room near the loading docks on Level B of the parking garage. Waste oil and used oil filters from service equipment are removed by qualified specialists, Environmental Dynamics, under appropriate procedures. No indications of spills or leaks on the concrete slab were observed in any of the maintenance areas during the Phase I Assessment.

Asbestos Containing Materials

As part of the Entertainment Center's Asbestos Management Plan (AMP) there is an on-going hazardous materials abatement program for the entire site. Pursuant to this program, asbestos and other hazardous materials have been removed from the existing buildings for the past fifteen years. Asbestos Containing Materials (ACM) have been used for their acoustic, tensile, and fire resistant qualities in building materials since the 19th century. It was not until the 1970's that the inhalation of asbestos was recognized to pose a health threat for humans and its use in building materials prohibited. The two buildings to be removed during demolition are known to include ACM. Asbestos and other hazardous materials will continue to be removed from the existing buildings, according to the AMP guidelines for the site. This abatement program contemplates removal of asbestos from the existing buildings as part of the existing condition regardless of development of the new building.

Additionally, ACM's that have been removed as part of the on-going abatement program are temporarily stored on Level A of the parking garage and discarded regularly. According to the Phase I Assessment (2001), storage conditions are considered adequate. No evidence of release of the substances was observed.

²⁷ Geraghty and Miller, Inc.

South Coast Air Quality Management District (SCAQMD) Rule 1403 specifies work practice requirements to limit asbestos emissions associated with building demolition and renovation. Emissions of asbestos to outside air are to be prevented through several requirements as summarized below:

- Implementation of a thorough survey of the affected facility prior to any demolition or renovation activity, including inspection, identification, and quantification of all friable and certain non-friable ACMs;
- Notification of the SCAQMD of the intent to demolish any facility prior to any demolition or renovation activity at least 10 days prior to commencing with the activity;
- Removal of all ACMs prior to any demolition activity that would break up, dislodge, or similarly disturb the material;
- Use of prescribed procedures when removing or stripping ACMs; and
- Placement of all collected ACM waste materials in leak-tight containers or wrapping.

At least one on-site representative of the contractor removing the ACMs who has successfully completed the Asbestos Abatement Contractor/Supervisor course pursuant to the Asbestos Hazard Emergency Response Act must be present during any stripping, removing, handling or disturbing of ACMs. In addition, Rule 1403 requires the use of warning labels, signs, and markings to identify any asbestos-related health hazards created by the demolition activity.

Radon Gas

A literature review of radon gas accumulations was conducted as part of the Law Crandall Phase I analysis to determine site testing needs. In studies prepared by the United States Environmental Protection Agency (USEPA), levels of indoor radon were measured on a state by state basis. According to the survey, California indoor radon measurements range from less than 1.0 pCi/l (pico curies of activity per liter of air) to 29.1 pCi/l. The mean for California was 1.0 pCi/l. The USEPA recommends that action be taken at a level of 4 pCi/l or higher. On a local basis the results were reported per zip code within each state. The results for the subject zip code were not listed; however, the arithmetic mean for the region is 0.6 pCi/l.

Polychlorinated Biphenyl

Transformers have the potential to carry Polychlorinated Biphenyl (PCB) in the cooling oils. There are three transformers in each of two transformer station rooms located on Level B of the parking garage. Los Angeles Department of Water and Power (LADWP) personnel are the only individuals with access to these rooms. According to the LADWP, two of the transformers were installed in October 1973 and the other four were installed in April 1974. As part of the Phase I Assessment, cooling oils for the six transformers were tested for the presence of PCBs. The results of the tests showed PCB concentrations ranging from one to four parts per million (ppm). A PCB concentration of 50 ppm or less is considered acceptable.

Wastewater Discharge

Within Level F of the parking garage there are three sewer sump pits that receive wastewater from facilities located on Level B. Wastewater is pumped from the sump pits into the City's sewer system. Wastewater generated by uses above the street level drain directly in to the City's sewer system. The site has an Industrial Wastewater Discharge Permit for pumping wastewater from the sump pits into the municipal sewer system. Once a year the sump pits are cleaned and effluent from the cleaning process is removed from the site pursuant to legal disposal guidelines.

Car washing services in the parking garage, available to employees who work on-site, also generates wastewater. Water used to wash cars drains into an aboveground clarifier located on Level F of the

parking garage. The clarifier is cleaned twice a year and showed no signs of leaks or spills, according to Law Crandall (1997, updated 2001). Water from the clarifier is discharged under permit to the municipal sewer system. Water from the clarifier and the sump pits is sampled on a regular basis by the City of Los Angeles, Department of Public Works.

Based upon the findings of the Phase I study, summarized above, the existing presence of hazardous materials on the Project site does not create a significant hazard to the public or the environment.

Methane

The Project is located within the boundaries of the Beverly Hills Oil Field. Therefore, a Methane Assessment Report, dated October 9, 2001, (**Appendix 9**) was prepared by Camp Dresser & McKee, Inc. (CDM) to evaluate the potential for methane accumulation beneath and within the garage below the buildings, and to identify potential safety risks associated with construction and operation of the Project. Methane concentrations at the lowest level of the garage (Level F) are generally insignificant and not substantially elevated above background concentrations. However, elevated concentrations of methane exist in localized areas of the garage (Level F). Of the 214 locations analyzed, 14 locations yielded concentrations in excess of 10,000 parts per million volume (ppmv), or 1.0%V. Concentrations of methane at localized areas four to six feet above ground were less than significant, ranging from 100 to 500 ppmv, or 0.01% to 0.05%. Ceiling level methane concentrations within the garage were also tested, and no concentrations in excess of background air were detected. Enclosed spaces and rooms on Level F were tested for the presence of methane. Most locations yielded concentrations lower than general air space and all areas had methane concentrations less than 1.0%V. Two of the storage rooms contained elevated levels of methane concentrations of 0.7% to 0.8%V. These levels are below the lower explosive level, which is considered 5%V. The existing ventilation system for Level F was designed to meet the building code to remove hydrocarbon vapors emitted from automobile exhausts. The ventilation rate, with all supply and exhaust fans running, is 5.4 air changes per hour, or one air change every 11.2 minutes. This system, in conjunction with natural dilution and dispersion processes, appears to be effectively attenuating methane concentrations to non-problematic levels within Level F. Therefore, methane entering garage Level F is not accumulating to levels of concern and is not considered likely to reach explosive levels.

Soil below the concrete floor of the garage was sampled and tested for the presence of methane in soil gas at 61 different locations. The 61 boring locations were chosen to coincide with the location of the proposed new pilings. Twenty-five of the 61 test locations resulted in concentrations above 5%V. The elevated concentrations were found among three general areas:

- The southwest corner with concentrations ranging from 8% to 50%V;
- The central area, near the escalator lobby, with concentrations ranging from 6% to 50%V; and
- A smaller area in the northeast corner, with concentrations ranging from 8% to 31%V.

The highest concentrations of methane in soil gas were found along the southwestern wall facing Avenue of the Stars. The abandoned gas well, Wolfskill-44, is reportedly located in the southern portion of the Project area (Geraghty & Miller, 1987). It is not known if the Wolfskill-44 well is related to elevated concentrations of methane in soil gas. Records indicate that the well was properly abandoned in 1940 according to the Los Angeles Fire Department and, subsequently, re-abandoned in 1970 in compliance with appropriate state specifications at that time.

Methane rising vertically from depths below the garage floor may accumulate in sub-drain pipe, and allow lateral migration of methane into other areas prior to exiting at the floor seams or drains. Most of the elevated methane concentrations (greater than 1%V) observed in the garage are found near sub-drainage piping systems. Although these drains may serve to collect methane, the volume of methane is considered low. This conclusion is based on the lack of any significant concentration of

methane in the building air space. It is also important to note that there is an apparent cross-connection between the sub-drainage system and the positive pressure air ventilation shafts in the southwestern area of the garage, where elevated methane concentrations were detected below the garage floor. According to the methane study, it is not known if the sub-drainage system piping connections in this area are factors that contribute to elevated methane concentrations in this area.

BTEX Compounds and Hydrogen Sulfide

In addition to methane, aromatic volatile organics (BTEX) compounds and hydrogen sulfide concentrations were monitored in the CDM report. The results indicate that BTEX compounds were not detected at any sample location above the detection limit of less than 1.0 ug/L, with the exception of toluene (1.7 ug/L) and xylene (1.3 ug/L), which were detected at low concentrations. No significant hydrogen sulfide concentration was detected at any sampling location. The highest level detected was only 3 ppm. The standard threshold for toluene is 520 ppm and xylene is 210 ppm.

Regulatory Agency List Review

The site appears on the Emergency Response Notification System (ERNS) list as McDermott, Will and Emery, a law firm at 2029 Century Park East, Suite 3800. A spill involving chromium apparently occurred at 496 Bauchet Street, which is not the site. It is believed that the tenant on the site receives the documents related to the spill at the Bauchet Street facility and is, therefore, listed as the mailing address. The Phase I assessment does not consider this to represent an environmental concern to the site (Law Crandall 1997, updated 2001).

The site appears on the Site Enforcement Tracking System (SETS) list as Space Lok, Inc. at 2049 Century Park East. The SETS list identifies parties with the potential financial responsibility for remediation of uncontrolled hazardous waste sites. The listing indicates an association with the San Fernando Valley (Area 1) site. The San Fernando Valley groundwater contamination plume is over ten miles from the site. Based on this information, the site is listed only as a mailing address for issues related to this hazardous waste site, and therefore, does not represent a concern to the site.

The site appears on the Resource Conservation and Recovery Act (RCRA) Notifiers list as Pacific Building Management/ABC Entertainment at 2040 Avenue of the Stars. A permit was issued in 1989 for asbestos containing waste. It appears that this listing is related to asbestos material generated during an abatement project at the subject building, which is now completed. This does not represent an environmental concern to the site.

The site appears on the Hazardous Waste Information System (HWIS) list as the following:

- Pacific Building Management/ABC Entertainment Center at 2020 and 2040 Avenue of the Stars;
- Hospital Satellite Network at 2020 Avenue of the Stars, Suite 550;
- Twenty-Twenty The Club at 2020 Avenue of the Stars;
- Software and More One Hour Photo at 2040 Avenue of the Stars, Suite 10;
- Westside Entertainment Center at 2040 Avenue of the Stars; and
- Delta Towers Joint Venture at 2029-2049 Century Park East.

Most of the listings are related to permits issued for the removal of asbestos containing waste. A permit was issued for the One Hour Photo facility for photochemical waste. Permit details were not supplied for the remaining listings. It is believed that the other permits were issued for other types of wastes, such as waste oil. The appearance of a facility on the RCRA list merely indicates that the facility has generated and transported hazardous waste and does not necessarily imply that an environmental condition exists. Based on observations during the site reconnaissance by Law Crandall, the RCRA listings for the site do not represent an environmental concern.

On-site Aboveground/Underground Storage Tanks

The site appears on the Underground Storage Tank (UST) list as Century Plaza Towers at 2029-2049 Century Park East. Information on the list indicates a 2,000-gallon UST was installed at the site in 1975. Records at the Los Angeles City Fire Department indicate that a permit was issued in April 1995 for the abandonment of a 2,000-gallon UST, and a hazardous waste manifest was completed in March 1995 for an empty storage tank and associated fuel piping. Soil samples taken from the tank excavation during the 1995 diesel tank removal were analyzed for aromatic volatile organics (BTEX), total petroleum hydrocarbons (TPH, as diesel) and lead. BTEX and diesel were not detected above the laboratory limits. Low levels of lead ranging from 6.7 mg/kg (parts per million) to 17 mg/kg were detected. These concentrations of lead were consistent with background levels and not considered to be a concern (Law Crandall, 1997, updated 2001).

The 2,000-gallon UST was replaced by a 4,000-gallon Aboveground Storage Tank (AST) located in a storage room on Level B of the parking garage (under the south tower of the Century Plaza Towers). According to the Los Angeles City Fire Department Underground Tank Unit, there are no reports of leaks or soil contamination associated with the removed tank or its infrastructure. Additionally, the site does not appear on the Leaking Underground Storage Tank List. The Law Crandall (1997, updated 2001) report indicated that all components of the storage facility appeared to be free of staining and leaks.

As part of the update to the Phase I Assessment, two other AST's were observed on parking Level A of the subject property. The first is a 25-gallon diesel AST with secondary containment located adjacent to an emergency generator. It was observed in good condition with no indication of staining on the floor. The second AST is a 200-gallon diesel tank that feeds the 25-gallon AST from an adjacent room. The 200-gallon AST also has secondary containment and no obvious staining was observed. The fillport used to fill the 200-gallon AST is located on the Street level.

Threshold of Significance

Based upon criteria established in the City of Los Angeles Draft CEQA Thresholds Guide (1998), the proposed project would result in a significant impact to hazards or hazardous materials if:

- The proposal involved a risk of accidental explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals or radiation); or
- The proposal involved a possible interference with an emergency response plan or emergency evacuation plan.

Project Impacts

Hazardous Materials

The existing presence of hazardous materials on the Project site does not create a significant hazard to the public or the environment. Implementation of the proposed Project would not impact hazardous materials currently used on-site. Furthermore, the proposed Project would not involve the use of significant quantities of hazardous materials that could result in a reasonably foreseeable upset or accident. Therefore, the proposed Project would not have the potential to create a significant hazard to the public or environment as a result of operational activities of the Project. As with the existing uses, operation of the proposed Project would continue to involve the use, disposal and transport of small quantities of hazardous materials from routine maintenance of various types of equipment and facilities currently on-site. The existing facilities handle these materials in an acceptable manner that does not create a hazard to the public or the environment through the use of legal disposal procedures. The proposed Project would not result in a significant hazard to the public or environment through the routine use and handling of hazardous materials provided that proper handling procedures are followed.

The existing structures to be removed are known to have asbestos containing materials (ACMs). ACMs are being removed from the existing structures as a part of the on-going asbestos abatement program for the site, as discussed above in the existing conditions section. Demolition without first removing friable or potentially friable ACMs could result in the uncontrolled release of asbestos into the air. This would constitute a potentially significant impact to on-site employees and visitors, as well as adjacent employees and residents. However, the process of asbestos and hazardous materials removal, waste packing and disposal meets all applicable federal, state and local statutes and regulations, including the South Coast Air Quality Management District Rule 1403. Rule 1403 includes a comprehensive list of asbestos removal procedures governing the removal, containment, transportation and disposal of ACMs in a manner that prevents their release into the environment. The applicable codes and procedures are extensive and listed in **Appendix 5**.

Pursuant to strict controls, the asbestos containing material, after removal, is sealed and transported into heavy duty bags in the containment area and loaded into lockable, metal dumpsters that are then loaded onto trucks that transport the material to a permitted disposal facility. In addition to the asbestos containing waste already removed, the on-going abatement program for the site includes the on-going removal of over 8,000 tons of asbestos containing waste.

During the abatement process, air monitoring will be carried out by the Environmental Consultant on behalf of the Owner to verify that the building air, both within and outside the containment area and outside containment in the environment, remains uncontaminated. In the case of an accidental spill, at a minimum, all affected areas are decontaminated by wet cleaning and HEPA vacuuming. Where necessary, the affected area(s) is/are isolated by the construction of critical barriers. If decontamination of each contained work area is incomplete, the area is then re-cleaned and retested until the clearance criteria are met.

Therefore, local air currents would not carry ACMs over surrounding uses including Century Park East Condominiums, Park Place Condominiums, Century City Hospital, Century Plaza Hotel, the St. Regis Hotel or locations along the haul route. In addition, all demolition and on-going asbestos abatement and activity would be conducted in full compliance with all other Rule 1403 requirements related to notification, waste disposal and training. The requirements of Rule 1403 and all other applicable regulations alleviate potential health risks as a result of the ACM removal process. As a result of the on-going asbestos abatement program and the identified mitigation measure (HHM-1), removal of asbestos containing materials and related health impacts would be considered less than significant.

Methane

Methane concentrations are generally insignificant and not substantially elevated above background concentrations. However, elevated concentrations of methane have been detected in localized areas of the lowest level of the garage (Level F), and below the concrete slab floor of that level. Commencement of demolition and/or construction activities without proper mitigation could result in a potentially significant impact. However, implementation of mitigation measures HHM-3 through HHM-9 would reduce the potential impact to a less than significant level.

The proposed Project would not change any of the site's access points or the surrounding circulation system. Furthermore, the proposed Project would reduce the number of vehicular trips to and from the site. Fewer trips could better facilitate emergency response or evacuation. Accordingly, the proposed Project would not impair emergency response or evacuation.

Mitigation Measures

The following mitigation measures would reduce potential impacts to a less than significant level:

- HHM-1** Prior to issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant stating that all asbestos containing materials (ACM) present in the building has been abated in compliance with South Coast Air Quality Management District's Rule 1403 as well as all other applicable local, state, and federal rules and regulations.
- HHM-2** Hazardous materials generated, as a result of routine maintenance of equipment shall be disposed of in accordance with legal disposal procedures.
- HHM-3** All contractors and construction companies shall be advised of the potential risk associated with subsurface methane in soil gas below the Project site. Although soil gas monitoring did not indicate that hydrogen sulfide is a potential problem at the Project, this gas can be associated with methane gas and should be monitored during construction operations as a potential health threat and an odor concern.
- HHM-4** The contractors and construction companies shall develop a Health and Safety Plan that addresses combustible gas and hydrogen sulfide concerns and the procedures they intend to institute to minimize potential danger from explosion or exposure in the event elevated concentrations are encountered. The Plan shall comply with all applicable environmental health and safety laws and indicate, at minimum, the following:
- Precautions that will be taken to arrest any spark generation or ignition sources during construction procedures that penetrate the concrete floor.
 - Monitoring equipment and specifications should be included for continuous monitoring of methane concentrations and comparison to levels of concern such as Permissible Exposure Levels (PELs), Threshold Limit Values (TLVs), or concentrations Immediately Dangerous to Life and Health (IDLH) in the breathing zone. In addition, methane concentrations should be regularly monitored and compared against the Lower Explosive Level (LEL). Contingency responses should be established for each scenario.
 - Specifications should be included for use of the garage ventilation system, and any additional systems, to assure maximum air exchanges, as necessary, with the facility during construction operations.
- HHM-5** The cracks in the floor and seams that open below the concrete floor shall be sealed if deemed necessary by Department of Building and Safety to minimize gas migration into the garage.
- HHM-6** The operation of the ventilation system shall be modified, if determined necessary by the Department of Building and Safety, to avoid the development of negative pressures within the building during power outages.
- HHM-7** Floor sections on Level F around new pilings shall be sealed at the completion of construction to prevent gas migration into the garage from the sub-surface.
- HHM-8** All cross connections between the Level F sub-drain piping and other systems (i.e. the storm drain and ventilation systems) shall be identified and eliminated.
- HHM-9** The building shall be independently analyzed by a qualified engineer, as defined in Section 91.7102 of the Municipal Code, hired by the building owner. The engineer shall investigate and recommend mitigation measures which will prevent or retard potential methane gas seepage into the building. The owner shall implement the engineer's design recommendations subject to Department of Building and Safety and Fire Department approval.

Significant Project Impacts After Mitigation

Compliance with SCAQMD Rule 1403 requirements would reduce impacts related to the removal of ACMs from on-site buildings to the extent required by existing regulations. Required compliance and the on-going asbestos abatement program for the site would assure a less than significant ACM impact.

With implementation of the recommended mitigation measures, the proposed Project would not result in a significant adverse impact with respect to methane hazards and/or hazardous materials.

Cumulative Impacts

Asbestos may be present in buildings targeted for demolition in conjunction with the related project list. Unless ACMs are removed prior to demolition, potentially significant cumulative health hazards related to the accidental release of asbestos could occur. However, as with the proposed Project, all demolition activity associated with the related projects is assumed to be conducted in full compliance with the requirements of SCAQMD Rule 1403. Consequently, the potential for an accidental release would be minimal and cumulative impacts would be considered less than significant.

Projects included under the related project list also have the potential to contain elevated levels of methane. With the presence of methane, the related projects would generate a potentially significant cumulative risk. However, the Department of Building and Safety requires all projects in "O" zones or lots that contain or are within 1,000 feet of oil wells to prepare soil-gas surveys. This would reduce the cumulative impacts to a less than significant level.