# 3.8 Hazards and Hazardous Materials

Information contained in this section for the VEGA 6 project is summarized from the *Phase I Environmental Site Assessment Report for the VEGA 6 Solar Site* (Phase I ESA) prepared by GS Lyon Consultants, Inc. The Phase I ESA was used to assess the potential hazards and hazardous materials found on-site or near the VEGA 6 project site. This report is included in Appendix H of this EIR. Additionally, supporting information in this section is summarized from review of data from Envirostor, GeoTracker, and relevant Imperial County plans to present the existing conditions, in addition to identifying potential environmental impacts. For the Ramon Substation expansion area, the analysis relied on a review of DTSC's EnviroStor database, SWRCB's Geotracker database, and relevant Riverside County plans.

## 3.8.1 Existing Conditions

### VEGA 6

The solar energy facility site is located within unincorporated Imperial County and consists of approximately 320 acres of privately-owned vacant desert land. The solar energy facility site has been vacant desert land since prior to 1937. Minor surface mining for clay and sandy soils has occurred in the southern and northwestern portions of the solar energy facility site. The solar energy facility site is bound by undeveloped Open Space/BLM land immediately to the west and south, and active agricultural land to the north and east. A citrus orchard is located to the east and farm fields are located to the north.

The proposed project includes an approximately 4-mile gen-tie transmission line that would connect to the IID's existing 161 kV "L" Line. The entire gen-tie route would be on federal lands managed by the BLM.

#### *VEGA 6 Records Review*

The Phase I ESA includes a review of historic aerial photographs, historic topographic maps, governmental regulatory databases, and other regulatory and agency databases to evaluate the potentially adverse environmental conditions resulting from previous uses at the VEGA 6 project site.

##### REGULATORY DATABASE REVIEW

GS Lyon Consultants contracted Environmental Data Resources, Inc. (EDR) of Shelton, Connecticut which queries and maintains comprehensive environmental databases and historical information, including proprietary databases, aerial photography, topographic maps, Sanborn Maps, and city directories to generate a compilation of Federal, State, and Tribal regulatory lists containing information regarding hazardous materials occurrences on or within the prescribed radii of the American Society of Testing Materials (ASTM) E1527-13. The search of each database was conducted using the approximate minimum search distances from the project site defined by the ASTM 1527-13 Standard. The purpose of the records review is to obtain and review reasonably ascertainable records that will help identify recognized environmental conditions (RECs) or historical recognized environmental conditions (HRECs) in connection with the project site. The full results of the background review are presented in the Phase I ESA (Appendix H of this EIR). The following summarizes the sites that were identified during the regulatory database review.

#### *FEDERAL RESOURCE RECOVERY ACT LIST*

The Federal Resource Conservation Act (RCRA) Notifiers List was reviewed to determine if RCRA treatment, storage, or disposal sites are located within 1 mile of the VEGA 6 project site. The RCRA Correction Action Sites List (CORRACTS) is maintained for risk sites which are undergoing a "correction action". A corrective action order is issued when there has been a release of hazardous waste constituents into the environmental from a RCRA facility.

The RCRA and RCRA CORRACTS database searches identified one RCRA CORRACTS site within ½ mile of the VEGA 6 project site:

- The Laidlaw Environmental facility (currently operated by Clean Harbors) located at 5295 South Garvey Road is located approximately 2 miles northwest of the solar energy facility site, but a portion of the proposed gen-tie route runs along the southern boundary of the Clean Harbors facility.

#### *DEPARTMENT OF TOXIC SUBSTANCES CONTROL SITE MITIGATION AND BROWNFIELDS REUSE PROGRAM'S ENVIROSTOR DATABASE*

The Department of Toxic Substances Control's (DTSC) Site Mitigation and Brownfields Reuse Program's EnviroStor database identifies sites that have known contamination or sites for which there may be reasons to investigate further.

The EnviroStor database search identified one risk site within 1 mile of the VEGA 6 project site as described below:

- The Laidlaw Environmental facility

Because of the distance of the facility from the VEGA 6 project site, the environmental risk to the project site is considered very low (Appendix H of this EIR).

#### *STATE AND TRIBAL UNDERGROUND AND ABOVEGROUND STORAGE TANK SITES*

The California State Water Resource Control Board (SWRCB) underground storage tank (UST) and above ground storage tank (AST) inventory list was reviewed to determine if any UAST's are located on or adjacent to the VEGA 6 project site.

One AST site was identified within ¼ mile of the VEGA 6 project site as described below:

- Imperial Farming, located at 5253 Garvey Road is listed as having an AST. No information was provided concerning the type of material stored or any reported leaks or spills.

#### *ADDITIONAL ENVIRONMENTAL RECORD SOURCES*

The EnviroStor database and the GeoTracker database were queried for environmental data in September 2020. No reported cases were round on the VEGA 6 project site. No risk sites were located within ½ mile of the VEGA 6 project site.

Additionally, the DTSC Imperial Certified Unified Program Agencies (CUPA) office was contacted for a records search of the VEGA 6 project site. The DTSC indicated that records are filed per address, and with no known address associated with the VEGA 6 project site, no records were found associated with the VEGA 6 project site.

#### HISTORICAL USE RECORDS

ASTM E1527-13 requires the environmental professional to identify all obvious uses of the property from the present back to the project site's first developed use or 1940, whichever is earliest. To identify RECs in connection with the project site, standard historical sources are reviewed including aerial photographs, fire insurance maps, property tax files, land title records, topographic maps, city directories, telephone directories, building department records, and zoning/land use records.

The Phase I ESA indicated that no past ownership or easements would indicate environmentally hazardous uses at the site and no Sanborn Fire Insurance Maps were available for the VEGA 6 project site.

Aerial photographs obtained from EDR dating back to 1947, IID archives dating back to 1949, and Google Earth aerial photographs dating back to 1996 were reviewed for historical development at the project site.

- From 1937 to 1953, aerial photographs shows the solar energy facility site and gen-tie line route as vacant desert land.
- The 1976 aerial photograph shows the solar energy facility site and gen-tie route as being vacant desert lands. Surrounding properties were also vacant desert lands except for an orchard to the east of the site and along the proposed route for the gen-tie line.
- The 1986 aerial photograph shows the solar energy facility site as being dominantly vacant desert land. There appears to be an area in the southeast corner of the solar energy facility site that has been mined for sand material and in the northwest corner where clay material has been mind. Orchards are present to the east of the solar energy facility site and along the east side of the gen-tie line route. The Laidlaw Environmental (Clean Harbors) facility has been developed to the north of the proposed gen-tie line.
- By 2003 the aerial photographs showed additional surface mining of sand soils in the southern portion of the solar energy facility site and the 2012 and 2016 aerial photographs were similar with additional surface mining in the east-central portion of the solar energy facility site.

Based on a review of historical information, the solar energy facility site has been vacant desert land since prior to 1937. Minor surface mining for clay and sandy soils has occurred in the southern and northwestern portions of the solar energy facility site.

## Ramon Substation Expansion

The Ramon Substation expansion area is located within unincorporated Riverside County and consists of approximately 4 acres of vacant and undeveloped land.

### *Ramon Substation Expansion Database Records Review*

Based on a review of DTSC's EnviroStor database in October 2023, no hazardous material sites are located within a 1-mile radius of the Ramon Substation expansion area (DTSC 2023). A review of DTSC's Cortese List in October 2023 did not identify the Ramon Substation expansion area as a hazardous waste and substances site.

Based on a review of the Geotracker database in October 2023, no hazardous material sites are associated with the Ramon Substation expansion area. However, there are several LUST clean-up sites within 2.5 miles of the of the expansion area. All LUST clean-up sites are located east of the expansion area and are marked as complete/case closed for their clean-up statuses (SWRCB 2023).

## Site Reconnaissance

A site reconnaissance of the VEGA 6 project site was performed on September 5, 2020. The site visit consisted of a walking the perimeter of the VEGA 6 project site and randomly crossing the VEGA 6 project site. The reconnaissance included visual observations of surficial conditions at the VEGA 6 project site and observation of adjoining properties to the extent that they were visible from public areas. The site reconnaissance was limited to visual and/or physical observation of the exterior and interior of the VEGA 6 project site and its improvements, the current uses of the property and adjoining properties, and the current condition of the property. The site visit evaluated the VEGA 6 project site and adjoining properties for potential hazardous materials/waste and petroleum product use, storage, disposal, or accidental release, include the following: presence of tank and drum storage; mechanical or electrical equipment likely to contain liquids; evidence of soil or pavement staining or stressed vegetation; ponds, pits, lagoons, or sumps; suspicious odors; fill and depressions; or any other condition indicative of potential contamination. The site reconnaissance did not observe any of these conditions on the VEGA 6 project site.

## Asbestos Containing Materials and Lead-Based Paint

### *VEGA 6*

The potential for asbestos containing materials (ACM) and lead-based paint residues existing at the VEGA 6 project site is considered very low due to the lack of structures on the project site.

### *Ramon Substation Expansion*

The potential for ACM and lead-based paint residues existing at the Ramon Substation expansion area is considered very low due to the lack of structures on-site.

## Pesticides

### *VEGA 6*

The VEGA 6 project site has not been in agricultural use. Therefore, the likelihood of residues of currently available pesticides and currently banned pesticides such as DDT/DDE existing on the VEGA 6 project site is very low.

### *Ramon Substation Expansion*

The Ramon Substation expansion area has not been previously used for agricultural purposes. Therefore, the likelihood of residues of currently available pesticides and currently banned pesticides such as DDT/DDE existing in the expansion area is very low.

## Airports

### *VEGA 6*

The nearest public airport is the Brawley Municipal Airport located approximately 9.8 miles southeast of the VEGA 6 project site. The VEGA 6 project site is outside of the airport compatibility zones of the Brawley Municipal Airport (County of Imperial 1996).

#### *Ramon Substation Expansion Area*

The nearest public airport is the Palm Springs International Airport located approximately 7 miles north of the expansion area. The expansion area is located outside of the airport compatibility zones of Palm Springs International Airport (County of Riverside 2005).

### Fire Hazard

#### *VEGA 6*

According to the California Department of Forestry and Fire Protection (CAL Fire), the VEGA 6 project site is not located within or near a state responsibility area or lands classified as very high severity zones (California Department of Forestry and Fire Protection 2007). The VEGA 6 project site is located within a local responsibility area.

#### *Ramon Substation Expansion Area*

The Ramon Substation expansion area is located within the unincorporated area of Riverside County. According to the WCVAP Wildfire Susceptibility Map, the expansion area is not located within an area susceptible to wildfire (County of Riverside 2021).

## 3.8.2 Regulatory Setting

This section identifies and summarizes federal, state, and local laws, policies, and regulations that are applicable to the project.

### Federal

#### *Comprehensive Environmental Response, Compensation, and Liability Act*

The Comprehensive Environmental Response, Compensation, and Liability Act, commonly known as Superfund, was enacted by Congress on December 11, 1980. This law created a tax on the chemical and petroleum industries and provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Over 5 years, $1.6 billion was collected and the tax went to a trust fund for cleaning up abandoned or uncontrolled hazardous waste sites. The Comprehensive Environmental Response, Compensation, and Liability Act established prohibitions and requirements concerning closed and abandoned hazardous waste sites; provided for liability of persons responsible for releases of hazardous waste at these sites; and established a trust fund to provide for cleanup when no responsible party could be identified.

#### *Emergency Planning Community Right-to-know Act of 1986 (42 United States Code 11011 et seq.)*

The Emergency Planning Community Right-to-Know Act was included under the Superfund Amendments and Reauthorization Act (SARA) law and is commonly referred to as SARA Title III. Emergency Planning Community Right-to-Know was passed in response to concerns regarding the environmental and safety hazards posed by the storage and handling of toxic chemicals. These concerns were triggered by the disaster in Bhopal, India, in which more than 2,000 people suffered death or serious injury from the accidental release of methyl isocyanate. To reduce the likelihood of such a disaster in the U.S., Congress imposed requirements on both states and regulated facilities.

Emergency Planning Community Right-to-Know establishes requirements for federal, state, and local governments, Indian Tribes, and industry regarding emergency planning and "Community Right-to-Know" reporting on hazardous and toxic chemicals. SARA Title III requires states and local emergency planning groups to develop community emergency response plans for protection from a list of Extremely Hazardous Substances (40 CFR 355). The Emergency Planning Community Right-to-Know provisions help increase the public's knowledge and access to information on chemicals at individual facilities, their uses, and releases into the environment. In California, SARA Title III is implemented through the California Accidental Release Prevention.

### *Federal Insecticide, Fungicide, and Rodenticide Act*

The objective of Federal Insecticide, Fungicide, and Rodenticide Act is to provide federal control of pesticide distribution, sale, and use. All pesticides used in the U.S. must be registered (licensed) by the EPA. Registration assures that pesticides would be properly labeled and that, if used in accordance with specifications, they would not cause unreasonable harm to the environment. Use of each registered pesticide must be consistent with use directions contained on the label or labeling.

### *Federal Water Pollution Control Act (Clean Water Act)*

The objective of the Federal Water Pollution Control Act, commonly referred to as the CWA, is to restore and maintain the chemical, physical, and biological integrity of the nation's waters by preventing point and nonpoint pollution sources, providing assistance to publicly owned treatment works for the improvement of wastewater treatment, and maintaining the integrity of wetlands. The oil SPCC Program of the CWA specifically seeks to prevent oil discharges from reaching waters of the U.S. or adjoining shorelines. Further, farms are subject to the SPCC rule if they:

- Store, transfer, use, or consume oil or oil products
- Could reasonably be expected to discharge oil to waters of the U.S. or adjoining shorelines. Farms that meet these criteria are subject to the SPCC rule if they meet at least one of the following capacity thresholds:
    - Aboveground oil storage capacity greater than 1,320 gallons
    - Completely buried oil storage capacity greater than 42,000 gallons

However, the following are exemptions to the SPCC rule:

- Completely buried storage tanks subject to all the technical requirements of the underground storage tank regulations
- Containers with a storage capacity less than 55 gallons of oil
- Wastewater treatment facilities
- Permanently closed containers
- Motive power containers (e.g., automotive or truck fuel tanks)

### *Hazardous Materials Transport Act – Code of Federal Regulations*

The Hazardous Materials Transportation Act was published in 1975. Its primary objective is to provide adequate protection against the risks to life and property inherent in the transportation of hazardous material in commerce by improving the regulatory and enforcement authority of the Secretary of

Transportation. A hazardous material, as defined by the Secretary of Transportation is, any “particular quantity or form” of a material that “may pose an unreasonable risk to health and safety or property.”

### *Occupational Safety and Health Administration*

Occupational Safety and Health Administration’s (OSHA) mission is to ensure the safety and health of America's workers by setting and enforcing standards; providing training, outreach, and education; establishing partnerships; and encouraging continual improvement in workplace safety and health. OSHA standards are listed in 29 CFR Part 1910.

The OHSA Process Safety Management of Highly Hazardous Chemicals (29 CFR Part 110.119) is intended to prevent or minimize the consequences of a catastrophic release of toxic, reactive, flammable, or explosive highly hazardous chemicals by regulating their use, storage, manufacturing, and handling. The standard intends to accomplish its goal by requiring a comprehensive management program integrating technologies, procedures, and management practices.

### *Resource Conservation and Recovery Act*

The goal of the Resource Conservation and Recovery Act, a federal statute passed in 1976, is the protection of human health and the environment, the reduction of waste, the conservation of energy and natural resources, and the elimination of the generation of hazardous waste as expeditiously as possible. The Hazardous and Solid Waste Amendments of 1984 significantly expanded the scope of RCRA by adding new corrective action requirements, land disposal restrictions, and technical requirements. The corresponding regulations in 40 CFR 260-299 provide the general framework for managing hazardous waste, including requirements for entities that generate, store, transport, treat, and dispose of hazardous waste.

## State

### *California Department of Conservation, Division of Oil, Gas, and Geothermal Resources*

The Division of Oil, Gas, and Geothermal Resources was formed in 1915 to address the needs of the state, local governments, and industry by regulating statewide oil and gas activities with uniform laws and regulations. The Division supervises the drilling, operation, maintenance, and plugging and abandonment of onshore and offshore oil, gas, and geothermal wells, preventing damage to: (1) life, health, property, and natural resources; (2) underground and surface waters suitable for irrigation or domestic use; and (3) oil, gas, and geothermal reservoirs. The Division’s programs include: well permitting and testing; safety inspections; oversight of production and injection projects; environmental lease inspections; idle-well testing; inspecting oilfield tanks, pipelines, and sumps; hazardous and orphan well plugging and abandonment contracts; and subsidence monitoring.

### *California Department of Toxic Substances Control*

DTSC regulates hazardous waste, cleans-up existing contamination, and looks for ways to reduce the hazardous waste produced in California. Approximately 1,000 scientists, engineers, and specialized support staff are responsible for ensuring that companies and individuals handle, transport, store, treat, dispose of, and clean-up hazardous wastes appropriately. Through these measures, DTSC contributes to greater safety for all Californians, and less hazardous waste reaches the environment.

On January 1, 2003, the Registered Environmental Assessor program joined DTSC. The program certifies environmental experts and specialists as being qualified to perform a number of environmental

assessment activities. Those activities include private site management, Phase I ESAs, risk assessment, and more.

### *California Division of Occupational Safety and Health*

The California Division of Occupational Safety and Health protects workers and the public from safety hazards through its programs and provides consultative assistance to employers. California Division of Occupational Safety and Health issues permits, provides employee training workshops, conducts inspections of facilities, investigates health and safety complaints, and develops and enforces employer health and safety policies and procedures.

### *California Environmental Protection Agency*

California Environmental Protection Agency and the SWRCB establish rules governing the use of hazardous materials and the management of hazardous waste. Applicable state and local laws include the following:

- Public Safety/Fire Regulations/Building Codes
- Hazardous Waste Control Law
- Hazardous Substances Information and Training Act
- Air Toxics Hot Spots and Emissions Inventory Law
- Underground Storage of Hazardous Substances Act
- Porter-Cologne Water Quality Control Act

Within Cal-EPA, DTSC has primary regulatory responsibility, with delegation of enforcement to local jurisdictions that enter into agreements with the state agency, for the management of hazardous materials and the generation, transport, and disposal of hazardous waste under the authority of the Hazardous Waste Control Law.

### *California Emergency Response Plan*

California has developed an Emergency Response Plan to coordinate emergency services provided by federal, state, and local government and private agencies. Response to hazardous materials incidents is one part of this plan. The plan is managed by the State Office of Emergency Services (OES), which coordinates the responses of other agencies including Cal-EPA, the California Highway Patrol, CDFW, RWQCB, Imperial County Sheriff's Department, ICFD, and the City of Imperial Police Department.

## Local

### *Imperial County General Plan*

The Seismic and Public Safety Element identifies goals and policies that will minimize the risks associated with natural and human-made hazards and specify the land use planning procedures that should be implemented to avoid hazardous situations. The purpose of the Seismic and Public Safety Element is to reduce the loss of life, injury, and property damage that might result from disaster or accident. In addition, the Element specifies land use planning procedures that should be implemented to avoid hazardous situations. The policies listed in the Seismic and Public Safety Element are not

applicable to the proposed project, as they address human occupancy development. The proposed project is a solar project and does not propose residential uses.

### *Imperial County Public Health Department*

DTSC was appointed the Certified Unified Program Agency (CUPA) for Imperial County in January 2005. The Unified Program is the consolidation of 6 state environmental programs into one program under the authority of a CUPA. The CUPA inspects businesses or facilities that handle or store hazardous materials, generate hazardous waste, own or operate ASTs or USTs, and comply with the California Accidental Release Prevention Program. The CUPA Program is instrumental in accomplishing this goal through education, community and industry outreach, inspections and enforcement.

### *County of Imperial Office of Emergency Services*

As part of the ICFD, the County OES is mandated by the California Emergency Services Act (Chapter 7, Division 1, Title 2 of Government Code) to serve as the liaison between the State and all the local government in the County. The OES provides centralized emergency management during major disasters, and coordinates emergency operations between various local jurisdictions within the County. The OES has developed several plans, consistent with federal and state policy guidance, to provide the County and participating local jurisdictions and agencies a framework for conducting emergency planning, response, and recovery operations, and handling of hazardous substances.

### *County of Riverside General Plan*

The County of Riverside General Plan includes several policies related to hazards and hazardous materials that are enforced to minimize potential impacts on the County's citizens, property, and economy (County of Riverside 2021).

#### SAFETY ELEMENT

- **S 5.1** Enforce land use policies and existing criteria related to hazardous materials and waste through ongoing implementation of the programs identified in the County's Hazardous Waste Management Plan (CHWMP).
- **S 5.2** Review all proposed development projects that manufacture, use, or transport hazardous materials for compliance with the CHWMP. Such projects shall provide a buffer zone, to be determined by the County, between the installation and property boundaries sufficient to protect public safety.
- **S 5.3** Require that applications for discretionary development projects that will generate hazardous wastes or use hazardous materials include detailed information on hazardous waste reduction, recycling, and storage.
- **S 5.7** Identify sites that are inappropriate for hazardous material storage, maintenance, use, and disposal facilities due to potential impacts on adjacent land uses and the surrounding natural environment. Prohibit the siting of new or expanded hazardous material facilities on such sites to the extent feasible.
- **S 5.8** Ensure that the use and disposal of hazardous materials in the County complies with local, state, and federal safety standards.

#### *County of Riverside Emergency Operations Plan*

The County's Emergency Operations Plan (EOP) is the jurisdiction's reference tool for coordinating emergencies, whether they be localized events or catastrophic disasters. The EOP serves as the foundation for response and recovery operations for the County, and establishes roles and responsibilities, assigns tasks, and specifies policies and general procedures. The EOP assists with facilitating an effective response to any emergency by providing a platform that encourages collaboration between The County of Riverside Operational Area Emergency Operations Center (EOC), first responders, and support agencies (County of Riverside 2019).

#### *Riverside County Airport Land Use Compatibility Plan*

The Riverside County ALUCP was adopted in October 2004 and establishes policies applicable to land use compatibility planning in the vicinity of airports throughout the County containing compatibility criteria and maps for the influence areas of individual airports. The ALUCP establishes safety zones that limit building heights, restrict hazardous materials and fuel tanks, bird-attracting industries, etc., from close proximity to airport runways. The Ramon Substation expansion area is located outside of Palm Springs International Airport's airport influence area (County of Riverside 2005).

## 3.8.3 Impacts and Mitigation Measures

This section presents the significance criteria used for considering project impacts related to hazards and hazardous materials, the methodology employed for the evaluation, an impact evaluation, and mitigation requirements, if necessary.

### Thresholds of Significance

Based on CEQA Guidelines Appendix G, project impacts related to hazards and hazardous materials are considered significant if any of the following occur:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 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 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 2 miles of a public airport or public use airport, result in a safety hazard or excessive noise 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
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires

### Methodology

This analysis evaluates the potential for the project, as described in Chapter 2, Project Description to result in significant impacts related to hazards and hazardous materials on or within the 1-mile buffer zone of the project site. This analysis considers whether these conditions would result in an exceedance of one or more of the applied significance criteria as identified above.

As previously indicated, a Phase I ESA has been prepared for the VEGA 6 project site. For the Ramon Substation expansion area, the analysis relied on a review of DTSC's EnviroStor database and SWRCB's Geotracker database to identify potential hazardous materials that may be found on-site. The information obtained from these sources was reviewed and summarized to present the existing conditions, in addition to identifying potential environmental impacts, based on materials that could result from project construction and operational activities were evaluated qualitatively based on site conditions; expected construction practices; materials, locations, duration of project construction, and related activities. The conceptual site plan for the project was also used to evaluate potential impacts.

## Impact Analysis

***Impact 3.8-1 Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***

*VEGA 6*

Although considered minimal, it is anticipated that the project will generate the following materials during construction, operation, and long-term maintenance: insulating oil (used for electrical equipment), lubricating oil (used for maintenance vehicles), various solvents/detergents (equipment cleaning), and gasoline (used for maintenance vehicles). These materials have the potential to be released into the environment as a result of natural hazard (i.e., earthquake) related events, or because of human error. However, all materials contained on site will be stored in appropriate containers (not to exceed a 55-gallon drum) protected from environmental conditions, including rain, wind, and direct heat and physical hazards such as vehicle traffic and sources of heat and impact. In addition, if the on-site storage of hazardous materials necessitates at any time during construction and/or operations and long-term maintenance, quantities in excess of 55-gallons, a hazardous material management program (HMMP) would be required. The HMMP developed for the project will include, at a minimum, procedures for:

- Hazardous materials handling, use, and storage
- Emergency response
- Spill control and prevention
- Employee training
- Record keeping and reporting

Spill response plans would be developed prior to project construction and operation or prior to the storage on-site of an excess of 55 gallons of hazardous materials, and personnel would be made aware of the procedures for spill cleanup and the procedures to report a spill. Spill cleanup materials and equipment appropriate to the type and quantity of chemicals and petroleum products expected would be located onsite and personnel shall be made aware of their location.

The small quantities of chemicals to be stored at the project site during construction include equipment and facilities maintenance chemicals. These materials would be stored in their appropriate containers in an enclosed and secured location, such as portable outdoor hazardous materials storage cabinets equipped with secondary containment to prevent contact with rainwater. The portable chemical storage cabinets may be moved to different locations around the project site as construction activity locations shift. The chemical storage area would not be located immediately adjacent to any drainage. Disposal of excess materials and wastes would be performed in accordance with local, state, and federal regulations.

Additionally, hazardous material storage and management will be conducted in accordance with requirements set forth by the ICFD, Imperial County OES, DTSC, and CUPA for storage and handling of hazardous materials. Further, construction activities would occur according to OSHA regulatory requirements; therefore, it is not anticipated that the construction activities for the proposed project would release hazardous emissions or result in the handling of hazardous or acutely hazardous materials, substances, or waste. This could include the release of hazardous emissions, materials, substances, or wastes during operational activities. With the implementation of an HMMP and adherence to requirements set forth by the ICFD, Imperial County OES, DTSC, OSHA regulatory requirements and CUPA would reduce the impact to a level of less than significant.

#### BATTERY ENERGY STORAGE SYSTEM

In conjunction with the construction of the solar facility, a battery energy storage system will be constructed to store the energy generated by the solar panels. Transportation of hazardous materials relating to the battery system includes electrolyte and graphite and would occur during construction, operation (if replacement of batteries is needed) and decommissioning (removal of the batteries). All of these various materials would be transported and handled in compliance with DTSC regulations. Therefore, likelihood of an accidental release during transport or residual contamination following accidental release is not anticipated.

Lithium-ion batteries used in the storage system contain cobalt oxide, manganese dioxide, nickel oxide, carbon, electrolyte, and polyvinylidene fluoride. Of these chemicals, only electrolyte should be considered hazardous, inflammable and could react dangerously when mixed with water. The U.S. Department of Transportation (DOT) regulates transport of lithium-ion batteries under the DOT's Hazardous Materials Regulations (HMR; 49 C.F.R., Parts 171-180). The HMR apply to any material DOT determines is capable of posing an unreasonable risk to health, safety, and property when transported in commerce. Lithium-ion batteries must conform to all applicable HMR requirements when offered for transportation or transported by air, highway, rail, or water (DOT 2022). Additionally, carbon (as graphite) is flammable and could pose a fire hazard. As further detailed below, fire protection is achieved through project design features, such as monitoring, diagnostics and a fire suppression system. The project would be required to comply with state laws and county ordinance restrictions, which regulate and control hazardous materials handled on site.

Construction wastes would be disposed of in accordance with local, state, and federal regulations, and recycling will be used to the greatest extent possible. In this context, with adherence to requirements set forth by the ICFD, Imperial County OES, DTSC, OSHA regulatory requirements and CUPA, impacts would be less than significant.

### *Ramon Substation Expansion*

Hazardous materials could be released during construction of the Ramon Substation expansion as a result of improper handling, accidental spills or leaks, and/or due to leaking equipment or vehicles and

could result in soil or water contamination. Human exposure to contaminated soil or water can have potential health effects from a variety of factors, including the nature of the contaminant and the degree of exposure. However, the handling, use, transport, storage, and disposal of such materials would be subject to federal, state, and local health and safety requirements. In addition, construction workers who may handle hazardous materials and substances would be required to adhere to OSHA and the California Occupational Safety and Health Administration (Cal/OSHA) health and safety regulations, which provide oversight for the implementation of procedures for handling, using, and disposing of hazardous substances on a construction site. Therefore, with adherence to OSHA requirements in combination with compliance to federal, state, and local safety requirements, impacts would be less than significant.

## Mitigation Measure(s)

### *VEGA 6*

No mitigation measures are required.

### *Ramon Substation Expansion*

No mitigation measures are required.

***Impact 3.8-2 Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?***

### *VEGA 6*

As described above, project construction would involve limited use of hazardous materials, such as fuels and greases to fuel and service construction equipment, and during operation, routine maintenance of the proposed facility may result in the potential to handle hazardous materials. However, the hazardous materials handled on-site would be limited to small amounts of everyday use cleaners and common chemicals used for maintenance and the applicant will be required to comply with State laws and County Ordinance restrictions, which regulate and control hazardous materials handled on-site. Therefore, a less than significant impact has been identified for this issue area.

Based on the regulatory database review conducted as part of the Phase I ESA report, the project site is not identified on a list of hazardous materials sites. The following two sites were identified within 1 mile and 0.25 mile of the VEGA 6 project site, respectively:

- The Laidlaw Environmental facility (currently operated by Clean Harbors) located at 5295 South Garvey Road is located approximately 2 miles northwest of the solar energy facility site, but a portion of the proposed gen-tie route runs along the southern boundary of the Clean Harbors facility.
- Imperial Farming, located at 5253 Garvey Road is listed as having an AST. No information was provided concerning the type of material stored or any reported leaks or spills.

Due to the distance of the Clean Harbors facility, the Phase I ESA determined the environmental risk to the project site is considered very low. The AST located at 5253 Garvey Road was listed by the SWRCB and noted no information on the type of material stored. No reported leaks or spills were associated with the AST (Appendix H of this EIR). As such, the environmental risk is considered low.

#### BATTERY ENERGY STORAGE SYSTEM

Protection would be provided as part of the project design by housing the battery units in enclosed structures to provide containment should a fire break out or for potential spills. Any potential fire risk that the traditional lithium-ion cells have will most likely be caused by over-charging or through short circuit due to age. This risk will be mitigated through monitoring and a fire suppression system that includes water and or a suppression agent (e.g., FM-200, Novatech) with smoke detectors, control panel, alarm, piping and nozzles. The fire protection system will be designed by a certified fire protection engineer and installed by a fire protection system contractor licensed in California and in accordance with all relevant building and fire codes in effect in the County at the time of building permit submission. Fire protection systems for battery systems would be designed in accordance with California Fire Code and would take into consideration the recommendations of the National Fire Protection Association (NFPA) 855.

The fire protection plan is anticipated to include a combination of prevention, suppression, and isolation methods and materials. The general approach to fire mitigation at the project site would be prevention of an incident, followed by attempts to isolate and control the incident to the immediately affected equipment, then to suppress any fire with a clean agent so as to reduce damage to uninvolved equipment. Fire suppression agents such as Novec 1230 or FM 2000, or water may be used as a suppressant. In addition, fire prevention methods would be implemented to reduce potential fire risk, including voltage, current, and temperature alarms. Energy storage equipment would comply with Underwriters Laboratory (UL)-95401 and test methods associated with UL-9540A. For lithium-ion batteries storage, a system would be used that would contain the fire event and encourage suppression through cooling, isolation, and containment. Suppressing a lithium-ion (secondary) battery is best accomplished by cooling the burning material. A gaseous fire suppressant agent (e.g., 3M™ Novec™ 1230 Fire Protection Fluid or similar) and an automatic fire extinguishing system with sound and light alarms would be used for lithium-ion batteries.

To mitigate potential hazards, redundant separate methods of failure detection would be implemented. These would include alarms from the Battery Management System (BMS), including voltage, current, and temperature alarms. Detection methods for off gas detection would be implemented, as applicable. These are in addition to other potential protective measures such as ventilation, overcurrent protection, battery controls maintaining batteries within designated parameters, temperature and humidity controls, smoke detection, and maintenance in accordance with manufacturer guidelines. Remote alarms would be installed for operations personnel as well as emergency response teams in addition to exterior hazard lighting. In addition, an Incidence Response Plan would be implemented. In this context, impacts would be considered less than significant for this impact area.

### *Ramon Substation Expansion*

As previously described in Section 3.8.1, Existing Conditions, the Ramon Substation expansion area is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and that, resultingly, could create a significant hazard to the public or the environment. Hazardous materials could be released during construction of the Ramon Substation expansion as a result of improper handling, accidental spills or leaks, and/or due to leaking equipment or vehicles during construction. However, all hazardous substances would be handled, transported, and/or disposed of in accordance with all federal, state, and local laws. Upon required compliance with these existing regulations, upset and accident conditions involving hazardous substances during construction are not reasonably foreseeable. Operation of the Ramon Substation

expansion 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 during project operation. Impacts would be less than significant.

## Mitigation Measure(s)

### *VEGA 6*

No mitigation measures are required.

### *Ramon Substation Expansion*

No mitigation measures are required.

***Impact 3.8-3 Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?***

### *VEGA 6*

The VEGA 6 project site is not located within 0.25 mile of an existing or proposed school. Therefore, the proposed project would not pose a risk to nearby schools and no impact would occur.

### *Ramon Substation Expansion*

The Ramon Substation expansion area is not located within 0.25 mile of an existing or proposed school. Therefore, the Ramon Substation expansion would not pose a risk to nearby schools and no impact would occur.

## Mitigation Measure(s)

### *VEGA 6*

No mitigation measures are required.

### *Ramon Substation Expansion*

No mitigation measures are required.

***Impact 3.8-4 Would the project 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 create a significant hazard to the public or the environment?***

### *VEGA 6*

Based on the regulatory database review conducted as part of the Phase I ESA report, the VEGA 6 project site is not identified on a list of hazardous materials sites. Furthermore, based on a review of the Cortese List conducted in May 2022, the VEGA 6 project site is not listed as a hazardous materials site. Therefore, implementation of the proposed project would result in no impact related to the project site being located on a listed hazardous materials site pursuant to Government Code Section 65962.5.

### *Ramon Substation Expansion*

Based on a review of DTSC's EnviroStor database, no hazardous material sites are located within a 1-mile radius of the Ramon Substation expansion area (DTSC 2023). Additionally, based on a review of the Cortese List conducted in October 2023, the expansion area is not listed as a hazardous materials site. Therefore, the proposed Ramon Substation expansion would result in no impact related to the expansion area being located on a listed hazardous materials site pursuant to Government Code Section 65962.5.

## Mitigation Measure(s)

### *VEGA 6*

No mitigation measures are required.

### *Ramon Substation Expansion*

No mitigation measures are required.

***Impact 3.8-5 For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?***

### *VEGA 6*

There are no public airports or public use airports located within 2 miles of the VEGA 6 project site. The nearest public airport is the Brawley Municipal Airport located approximately 9.8 miles southeast of the VEGA 6 project site. The project site is located outside of the airport compatibility zones of the Brawley Municipal Airport (County of Imperial 1996). Therefore, implementation of the proposed project would not result in a safety hazard or excessive noise for people residing or working in the project area and no impact would occur.

### *Ramon Substation Expansion*

There are no public airports located within 2 miles of the Ramon Substation expansion area. The nearest public airport is the Palm Springs International Airport located approximately 7 miles west of the expansion area. The expansion area is located outside of the airport compatibility zones of the Palm Springs International Airport (County of Riverside 2005). Therefore, the Ramon Substation expansion area would not result in a safety hazard or excessive noise for people residing or working in the area and no impact would occur.

## Mitigation Measure(s)

### *VEGA 6*

No mitigation measures are required.

### *Ramon Substation Expansion*

No mitigation measures are required.

***Impact 3.8-6 Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?***

*VEGA 6*

The Imperial County Operational Area Emergency Operations Plan (Imperial County OES 2016) does not identify specific emergency roadway routes as part of their emergency operations plan (EOP).

The applicant for the proposed project will be required, through the Conditions of Approval, to prepare a street improvement plan for the proposed project that will include emergency access points and safe vehicular travel. Additionally, local building codes would be followed to minimize flood, seismic, and fire hazard. Therefore, the proposed project would result in a less than significant impact associated with the possible impediment to emergency response plans or emergency evacuation plans.

*Ramon Substation Expansion*

Construction of the Ramon Substation expansion would occur within the project site boundary and would not directly encroach within any public roadway or access route utilized for emergency vehicle response. Access to the existing substation is provided by Ramon Road, which is immediately south of the existing substation. During construction, the increased movement of construction vehicles and equipment through the area may result in temporary impacts to surrounding roadways and associated delays in emergency service providers' response times. However, these impacts would be minor and temporary in nature and are not anticipated to result in significant impacts including the impairment or interference of an evacuation in the unlikely event of an emergency. Expansion of the Ramon Substation would not include any activities that would reasonably increase the probability of any localized events or other emergencies. Based on the evaluation above, project construction would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Impacts are considered less than significant.

## Mitigation Measure(s)

*VEGA 6*

No mitigation measures are required.

*Ramon Substation Expansion*

No mitigation measures are required.

***Impact 3.9-7 Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?***

*VEGA 6*

The VEGA 6 project site is located in the unincorporated area of Imperial County. According to the Seismic and Public Safety Element of the General Plan (County of Imperial 1997), the potential for a major fire in the unincorporated areas of the County is generally low.

Proposed project facilities would be designed, constructed, and operated in accordance with applicable fire protection and other environmental, health, and safety requirements (e.g., CPUC safety standards). The solar energy facility site would include one primary access driveway, proposed via SR 78 from the north and west, and across the Westside Main Canal, via county roadways (Garvey Road

and Andre Road). Points of ingress/egress would be accessed via locked gates that can be opened by any emergency responders.

Because the proposed project is not located in proximity to an area susceptible to wildland fires, implementation of the proposed project would result in a less than significant impact related to the possible risk to people or structures caused by wildland fires.

#### *Ramon Substation Expansion*

The Ramon Substation expansion area is located within the unincorporated area of Riverside County. According to the WCVAP Wildfire Susceptibility Map, the expansion area is not located within an area susceptible to wildfire (County of Riverside 2021). Because operation and maintenance activities must occur in compliance with federal and state-mandated safety standards and these protocols are designed reduce the likelihood of fires, the likelihood of fire hazards associated with electrical failure would be low. Implementation of the Ramon Substation expansion would result in a less than significant impact related to the possible risk to people or structures caused by wildland fires.

### Mitigation Measure(s)

#### *VEGA 6*

No mitigation measures are required.

#### *Ramon Substation Expansion*

No mitigation measures are required.

## 3.8.4 Decommissioning/Restoration and Residual Impacts

### Decommissioning/Restoration

If at the end of the PPA term, no contract extension is available for a power purchaser, no other buyer of the energy emerges, or there is no further funding of the project, the project will be decommissioned and dismantled. During decommissioning and restoration of the project site, the applicant or its successor in interest would be responsible for the removal, recycling, and/or disposal of all solar arrays, inverters, transformers and other structures on the project site. The project applicant anticipates using the best available recycling measures at the time of decommissioning. Any potentially hazardous materials located on the site would be disposed of, and/or remediated in compliance with local and state regulations, including DTSC regulations prior to construction of the project. At the end of a lithium-ion module's useful life (typically estimated to be 10 to 20+ years) and final project decommissioning, the batteries would be decommissioned and recycled per manufacturer guidelines. Certain manufacturers allow for the batteries to be returned to the manufacturing facility or a third-party recycling facility where the batteries are disassembled, and certain materials are recovered from the battery for reuse.

The operation of the solar facility would not generate hazardous wastes and therefore, implementation of applicable regulations and mitigation measures identified for construction and operations would ensure restoration of the project site to pre-project conditions during the decommissioning process in a manner that would be less than significant. Furthermore, decommissioning/restoration activities would not result in a potential impact associated with ALUCP consistency (structures would be removed and the site would remain in an undeveloped condition), wildfires (fire protection measures),

or impediment to an emergency plan (the undeveloped condition as restored, would not conflict with emergency plans).

### Residual

Adherence to federal, state and local regulations will ensure that impacts related to the transportation of hazardous materials and potential fires would be reduced to levels less than significant. Based on these circumstances, the proposed project would not result in residual significant and unmitigable impacts related to hazards and hazardous materials.

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