

4.15. Hazardous Materials

4.15.1. Introduction

The following information includes a summary of hazardous materials conditions, as presented in the January 2006 *Environmental Assessment and Draft Section 4(f) Evaluation for the Bigelow Gulch/Forker Road Urban Connector* (Jones & Stokes 2006), as well as clarification of impacts and mitigation measures for the proposed action.

Spokane County received one public comment regarding hazardous materials (see Appendix 3, category 80.0). The comment concerned the proper handling during construction of materials that might contaminate surface and groundwater.

4.15.2. What hazardous material sites exist in the project area?

As part of the January 2006 EA, an Initial Site Assessment (ISA) was conducted to evaluate the possible presence of historical hazardous material release sites was conducted in accordance with Section 447 “Hazardous Materials” of the WSDOT *Environmental Procedures Manual* (WSDOT 2006a). The *Hazardous Materials Discipline Report* was provided in Appendix G of the January 2006 EA.

The ISA reviewed regulatory agency databases to identify reported hazardous material sites within 0.5 mile of the alignment option corridors. The ISA identified only a few such reported sites and concluded that none of them poses a significant risk to construction of the proposed action. However, the ISA also noted that the structures to be demolished as part of the proposed action could contain hazardous materials. Therefore, the ISA recommended mitigation measures to address those issues.

4.15.3. What regulations apply to hazardous materials?

WSDOT requirements for evaluating hazardous materials are given in Section 447 “Hazardous Materials” in the WSDOT *Environmental Procedures Manual*. The key hazardous materials regulation in Washington relevant to roadway improvement projects is the Model Toxic Control Act Cleanup Regulation, WAC 173-340. That regulation mandates that all known or suspected releases of hazardous substances to the environment must be reported to Ecology. The regulation also establishes cleanup levels for toxic contaminants and specifies the procedures for cleaning up hazardous material releases.

Another important hazardous material regulation is the federal Resource Conservation and Recovery Act. That regulation defines “hazardous waste” and specifies required methods to store, treat, or dispose of hazardous waste.

4.15.4. How were potential effects evaluated?

As discussed in the January 2006 EA, an ISA was conducted to evaluate the possible presence of historical hazardous material release sites in accordance with Section 447 “Hazardous Materials” of the WSDOT *Environmental Procedures Manual*. The ISA reviewed regulatory agency databases to identify reported hazardous material sites within 0.5 mile of the alignment option corridors. The *Hazardous Materials Discipline Report* was provided in Appendix G of the January 2006 EA. Of importance was the consideration of potential impact of spills, the potential risk of encountering contaminated soil during construction, and the potential for spills during construction or operation of the proposed Urban Connector Alignment.

4.15.5. What impacts would hazardous materials have on the Urban Connector Alignment?

Proposed Action

How would construction be impacted by hazardous materials?

Potential for Encountering Historical Contaminated Soil or Groundwater during Construction

The presence of such hazardous materials within or near the ROW could impact the project in several ways:

- if the County purchased new property that was already contaminated by previous owners, the County could be liable for future cleanup of the site;
- if construction workers encountered unexpected contaminated soil or groundwater during roadway construction, the project would be delayed while the contaminated material was evaluated and removed; and
- if construction workers encountered contaminated soil or groundwater but were unable to detect it, the workers might be unknowingly exposed to toxic chemicals via direct dermal exposure or inhalation of toxic vapors emitted from the contaminated material.

None of the identified hazardous material sites identified in the January 2006 EA is within the proposed ROW. The identified hazardous material sites are known to have released hazardous substances to surface soil or groundwater. However, it is unlikely the material released from any of the identified sites could have migrated into the surface soil within the ROW that would be disturbed during roadway

construction. It is conceivable that deep regional groundwater underneath portions of the ROW could be contaminated with hazardous substances released from the identified sites or from other spill sites that were not reported to the agencies. However, roadway construction is not expected to require extraction of groundwater in the vicinity of known sites. Therefore, it is unlikely that regional groundwater contaminated by the identified hazardous material sites (if any) would impact construction workers or people traveling along the roadway.

WSDOT commented that one suspected facility near Bigelow Gulch Road had not been included in the Discipline Report: Medical Resource Recycling, listed in the Ecology Facility/Site Identification System database as a medical waste landfill having a street address of 9111 E. Bigelow Gulch Road. Ecology's solid waste staff in the Spokane regional office were consulted regarding this facility. They indicated that Medical Resource Recycling is actually located near Spokane Airport many miles from the project area, has been licensed at the Spokane Airport address since before 1992, and they were unaware that the facility had ever operated at the listed Bigelow Gulch Road address (Solheim pers. comm.). They also indicated the facility is not a landfill, but is only a transfer station with minimal potential for releases to soil. Based on that consultation, it is concluded the Medical Resource Recycling facility poses no risk to the Bigelow Gulch Road project.

Accidental Spills during Construction

The potential impact of accidental spills during construction is not considered significant because current regulations require the construction contractor to implement a Spill Prevention, Containment, and Countermeasures (SPCC) Plan, and to conduct weekly inspections by a certified inspector to ensure the SPCC Plan is properly implemented. The SPCC Plan would follow Section 1-07.15(1) of the WSDOT specifications.

As described in Section 4.2, construction of the proposed Urban Connector Alignment would require a National Pollution Discharge Elimination System (NPDES) Construction Stormwater General Permit from Ecology. Implementation of an SPCC Plan is a required condition of that permit. Therefore, in the event of an accidental spill of fuel or toxic construction materials, the construction contractor will have contingency procedures in place to immediately respond and thereby prevent significant impacts on soil, surface water, or groundwater.

How would operation be impacted by hazardous materials?

Accidental Spills during Operation

The potential impact of accidental spills is not considered significant because Spokane County maintains a spill response team trained and equipped to immediately

respond to any accident and spill from vehicles traveling along the Urban Connector Alignment. As mentioned above, the SPCC Plan will be a required condition of Spokane County's NPDES permit; therefore, the spill response procedures will be in place for the duration of the project construction and operation.

What are the indirect effects?

Indirect effects are those caused by the proposed action that are later in time or farther removed in distance, but still reasonably foreseeable.

Effects from hazardous materials would be few, if any. All of the identified contaminated sites are downgradient, crossgradient, or too far away from the ROW to be a major concern. However, accidental spills of hazardous material can occur during construction or during use of the roadway by the public after construction is complete. Accidental spills can contaminate soil, groundwater, and nearby wetlands and streams thereby posing a serious threat to water quality, wildlife, and potentially public health and safety.

Fire Districts No.1 and No.9 are equipped and trained to respond to accidental spills of hazardous materials from vehicle accidents on roadways within and adjacent to the Project Area.

Environmental Commitments and Mitigation Measures

Given the location of the proposed action, it is unlikely that construction would encounter significant amounts of contaminated soil or groundwater. However, this analysis was unable to evaluate the presence of minor historical spills that might have occurred at farms along the corridor. In addition, the structures near the ROW to be demolished might contain hazardous materials. Therefore, the following mitigation measures are recommended:

- **Prepare a Spill Prevention Control and Countermeasures Plan.** Under the guidance of Spokane County, the contractor will prepare an SPCC Plan to protect the environment from hazardous materials. The content of the SPCC Plan will be per Section 1-07.15(1) of the WSDOT specifications and include information on potential sources of spills; personnel responsible for managing the SPCC Plan; staging, storage, maintenance and refueling areas; spill prevention and containment; spill response; spill containment materials and equipment; reporting; program management; preexisting contamination; and work below the ordinary high water mark.
- **Survey Structures for Asbestos, Lead-Based Paint, and Heating Oil Tanks Prior to Demolition.** The selected project alignment has some structures along the corridor that may be demolished prior to the roadway improvements. The ages of those buildings indicates they could contain asbestos and lead-based paint,

which at that time were routinely used as architectural materials. In addition, it is likely that some of the homes to be demolished used either aboveground or underground home heating oil tanks, and it is possible that some of the farms might still have fuel storage tanks once used to support farm equipment.

Spokane County has administrative procedures in place to address site characterization and abatement for those buildings, to ensure no unexpected worker exposure or construction delays occur during building demolition. The administrative steps are as follows:

- prior to release of construction bids, the County will use certified contractors to survey asbestos and lead-based paint in the building and to inspect for home heating oil tanks;
- as part of the construction bid package, the County will disclose any identified asbestos or lead-based paint and require the bid to include abatement and disposal of hazardous waste;
- as part of the construction bid package, the County will disclose any identified heating oil or fuel tanks and require the bid to include removal or closure of those tanks in accordance with Ecology regulations; and
- building demolition will be allowed only after the contractor provides documentation that all identified asbestos, lead-based paint, and heating oil tanks have been abated appropriately.

Require Construction Contractor to Implement Worker Awareness Training and Hazardous Materials Contingency Plan. The bid package issued by Spokane County should notify all bidders regarding the potential for contaminated soil and groundwater along the corridor, caused by possible minor spills at farms along the corridor. The construction contract prepared by the County should include the following provisions:

- The contractor should provide hazardous materials “awareness training” for all staff doing grading or excavation to train them on how to identify and manage suspected contaminated soil or groundwater that might be encountered.
- In the event that suspected hazardous waste is encountered, the contractor will be required to implement a contingency plan to identify, segregate, and dispose of hazardous waste in full accordance with the Model Toxics Control Act. Staff trained according the state’s Hazardous Waste Operations and Emergency Response regulations must conduct all remediation work.

Analysis of the effects of the proposed action on known hazardous material sites within the project vicinity indicates that none would rise to a level of significance. The mitigation measures and training listed in this section were considered in combination with proposed mitigation listed in Section 4.15.3, Bigelow Gulch Road EA dated January 2006 in reaching this conclusion.

No Action

How would construction of the roadway be affected by hazardous materials?

Under No Action, the Urban Connector Alignment would not be constructed, and existing hazardous material sites in the vicinity of the proposed action would not be disturbed.

How would operation of the roadway be affected by hazardous materials?

There would be no impacts on operations associated under No Action.