

Hazardous Materials Commission

Draft Minutes **Operations Committee**

August 11, 2023

Members and Alternates

Present: Tim Bancroft, Marielle Boortz, Maureen Brennan, Fred Glueck, Jamin Purcell, Julian Vinatieri, Madeline Kronenberg (alternate)

Absent: Antony Tave

Staff: Michael Kent

Members of the Public: Dante Miguel, Roxanne Carrillo Garza, Jan Warren

1) Call to order, announcements:

Commissioner Boortz called the meeting to order at 10:02 am.

Michael Kent announced:

- There will be no full HMC meeting on August 24th
- The annual meeting with Supervisor Carlson will be on September 7th at 10:00 in person in his office in Pleasant Hill
- The deadline for applying for the open General Public and Environmental Organization alternate seats is August 31st
- Recruitment will start for the two HMC internships in September and the Operations committee will conduct interviews at their October 13th meeting
- The Board of Supervisors Sustainability Ad Hoc committee will meet on September 18th at 1:00
- The Industrial Association is hosting a luncheon on the topic of PFAS on September 19th starting at 11:00 at Zeo Fredo's in Pleasant Hill

2) Approval of Minutes:

Approval of the minutes from the July 14, 2023 meeting were moved by Commissioner Glueck, seconded by Commissioner Vinatieri, and approved by a vote of 4-0-2 with Commissioners Brennan and Purcell abstaining.

3) Public Comments: None

4) Old Business:

a) Review draft letter of support for DCD Brownfield grants

The committee reviewed and edited a draft letter that was prepared by staff based on bullet points developed by the Operations committee at their July meeting to generically support grants by the Department of Conservation and Development for Brownfield redevelopment. The generic draft letter was approved to be forwarded to the full Commission for their review and approval at the September full Commission meeting.

b) Receive presentation from Healthy Contra Costa on Brownfield Community Engagement

Dante Miguel from Healthy Contra Costa began the presentation by informing the committee that they had met with members of the DTSC Environmental Safety Board on June 27, 2023 to share their concerns about the community engagement process for clean-up sites. Soon after, they shared their concerns with Supervisor Gioia and Attorney General Ron Bonta, Communities for a Better Environment and the Asian Pacific Environmental Network at a meeting to discuss the moratorium on distribution centers in North Richmond, but they have not had a response to their concerns yet. At the end of July, they presented their concerns again at a public meeting of DTSC's Environmental Safety Board.

He then shared their concerns and potential solutions through a power point presentation (attached). He said their main effort was to figure out how to create a space for everyone to meet at the beginning of the clean-up process to share their concerns and to carry that through both the clean-up and re-use decision-making process. He thought one of the subcommittees of the North Richmond Municipal Advisory Council, the Environmental Justice and Education subcommittee, might be an appropriate place to host this discussion. But he noted that their current focus is on Community Benefit Agreements.

Roxanne Carrillo Garza from Healthy Contra Costa added that the County Health Department and Department of Conservation and Development don't currently talk to each other in this process. She said there are now lots of distribution centers in North Richmond, and even though there is now a moratorium on new distribution centers, there are already five approved. She noted that even though trucks will eventually be required to be electric, there will still be impacts from the large volume coming in and out of the community. She also noted that they would like to see labor organizations at the table early in the discussions of site clean-up and reuse, and mentioned that the Teamsters were at the meeting with the Attorney General they attended.

She further stated that the County's position is that when the General Plan allows a use for a given area then the County must approve that use. But she cited a City of Fontana Ordinance that allowed them to take into account Environmental Justice considerations when deciding whether or not to approve any given application. She also mentioned that the South Coast Air Quality Management District is looking at the cumulative impacts of projects in their permitting process. She would like the Department of Conservation and Development to look at the Fontana

Ordinance and wants consideration of Just Transition Principles to be taken into account when the County is considering land use permit applications. Finally, she mentioned that the Attorney General said they were looking at developing an indirect source rule to account for the impacts of distribution centers. Bottom line, she said, was how to go beyond what is currently state law clean up policy when Environmental Justice concerns are involved.

Commissioner Bancroft echoed the observations made by Health Contra Costa in that he felt that DTSC's Envirostor website is very complicated and difficult for the public to use, and DTSC's outreach methods are outdated.

Commissioner Glueck made the point that the cost of redevelopment falls on the developer and the law dictates what they have to do. But often, the community gets the short end of the deal in this process. But he also observed that if you want sites to sit vacant or if you want some sort of development. He thought finding the right balance is the goal. Ms. Carrillo responded that permitting 5 distribution centers isn't a balance.

Commissioner Glueck said the solution goes to two issues – good analysis of trade-offs, and the development of rules to make the process more responsive to community concerns. He thought that maybe there could be a general clearing house where all brownfield redevelopment information could go through to help make information more accessible to the public. J

Ms. Carrillo Garza said that her organization had put a lot of effort into working with the community to develop a North Richmond profile for the General Plan, but the Department of Conservation may now take it out. She said they need help bringing people together to focus on the Environmental Justice concerns.

Michael Kent observed that all presentations he has seen on successful site redevelopment projects noted that a key aspect of success was bringing all interested parties together early on in the process to get the best result.

Commissioner Pursell thought the focus should be on not just what agencies are legally required to do, but on what they want to do and how they can be proactive. He thought DTSC needs to think about future land uses and changing land uses when considering clean-up levels. He didn't think the responsibility should fall on community residents to bring all these concerns forward. He thought the agencies also need to account for future climate change impacts when making clean-up and re-use decisions.

The committee concluded the discussion by agreeing that they would like a representative of the Department of Conservation and Development to attend the next available meeting in November to hear their perspective on these issues.

5) New Business:

a) Review information on Lithium-ion battery handling and recycling education

Staff shared that he only had preliminary information from a few of the Fire Districts and the Household Hazardous Waste facilities in the County, but it appeared thus far that none of them have an extensive education program on educating the public on the dangers of handling, storing and disposing of household li-ion batteries. He said further research was needed and perhaps this could be a priority for 2024. The committee decided to continue this discussion at a later date when he had more information.

b) Begin discussion on committee and Commission priorities for 2024

The committee did not discuss this issue due to time constraints.

c) Review Environmental Health's Safe Drug Disposal Page

The committee looked at the Safe Drug Disposal page that was currently on the Environmental Health site and could not definitively determine if it had been revised, as Tim Kraus from Environmental Health said was the plan at the last Operations committee meeting, or if just the logo had been updated. Regardless, the committee said they had many comments on the site, but due to time constraints the committee decided to reconsider this issue at a future meeting.

6) Plan Next Agenda: The committee decided they will interview candidates for the open General Public and Environmental Organization alternate seats.

7) Adjournment: The meeting was adjourned at 12:00 pm.