

## **Hazardous Materials Commission**

### **Draft Minutes**

Planning and Policy Development Committee

May 17, 2023

#### **Members and Alternates:**

**Present:**, Drew Graham, Mark Hughes, George Smith, Soheila Bana, Tracy Scott (alternate), Ed Morales (alternate), Madeline Kronenberg (alternate)

**Absent:** Mark Ross, Jonathan Bash (represented by alternate), Jim Payne (represented by alternate),

**Staff:** Michael Kent,

**Public:** None

#### **1) Call to Order, Announcements:**

Commissioner Hughes called the meeting to order at 4:10.

Michael Kent announced:

- The Commission's annual meeting with Supervisor Gioia will take place on May 25<sup>th</sup> at 10:00.
- The next ISO/CWS Ad Hoc meeting will be on June 15<sup>th</sup> at 9:00.
- The Board of Supervisors Internal Operations committee will meet at 11:00 on June 12<sup>th</sup> to consider the HMC nominations for the Environmental seat and alternate and the General Public seat alternate.
- The Board of Supervisors Legislative committee will meet on June 12<sup>th</sup> at 1:00 to consider any recommendations from the Commission.

Commissioner Hughes announced that the Industrial Association Mayors Forum will be at 11:30 at Zeo Fraedo's in Pleasant Hill. Also, their Golf tournament will be on June 12<sup>th</sup>.

#### **2) Public Comments:** None

#### **3) Approval of Minutes:**

The minutes from the April 19, 2023 meeting were moved by Commissioner Smith, seconded by Commissioner Graham and approved by a vote of 3 - 0- 3 with Commissioners Scott, Bana and Morales abstaining.

#### 4) Old Business:

##### a) Continue Discussion of Hazardous Materials-related proposed State Legislation

The committee continued to review the bills they reviewed previously and those that were referred back to them by the full Commission at the April 27<sup>th</sup> meeting (SB 740, AB 1115, and AB 1238).

- SB 740 – Expanded RMP-like labor requirements for certain types of facilities.

Commissioner Scott said that the bill did not include the language of SB 54 that would allow United Steel Worker-represented maintenance workers at these facilities to perform the work covered by the bill through their own training programs. The USW offered friendly amendments to address this issue, but they were rejected, so the USW opposes the bill unless amended.

Commissioner Graham said that at the refinery at which he works they have USW operators and maintenance workers. He said they trust their union workers to do the work necessary at the refinery.

Based on these comments the committee decided to refer this bill to the full Commission to recommend support by the Board of Supervisors.

- SB 1115 – Extension of the Underground Storage Tank Fund

Commissioner Graham spoke against the bill asking why supply business that didn't upgrade their tanks and get insurance with more funds since they had 30 years to comply with the requirements.

Commissioner Bana asked what happens if an owner of a property with a UST on it goes bankrupt. Commissioner Morales said that the State has an Orphan tank program to pay for the cleanup of these sites.

The committee reviewed the background material provided by staff and decided they needed more information before making a recommendation to the full Commission:

- How many single-walled tanks are left in Contra Costa County?
- How many owners are large firms and how many are independents?
- How much money is expected to be added to the fund and the ultimate size of the fund?
- How is the fund accessed and who can access funds from the account?

- AB 1238 – Establish Alternative Management Standards for solar panels.

The committee reviewed and discussed the background material provided by staff and based on this decided to refer this bill to the full Commission to recommend support by the Board of Supervisors.

- SB 38 – Requires battery facilities to have emergency response and evacuation plans

The committee reviewed and discussed the background material provided by staff and based on this decided to refer this bill to the full Commission to recommend support by the Board of Supervisors.

- SB 615 – Requires all traction batteries to be recycled at the end of life.

The committee reviewed and discussed the background material provided by staff and based on this decided to ask staff to collect more information on the pros and cons of this legislation as expressed by proponents and opponents.

**4) New Business: None**

**5) Reports from Commissioners on matters of Commission interest: None**

**6) Plan Next Agenda:** The committee will look at hazardous waste management and enforcement issues.

**7) Adjournment** – The meeting was adjourned at 5:30.