

Contra Costa County
HAZARDOUS MATERIALS COMMISSION

Draft Minutes
February 27, 2020

Members and Alternates Present: Rick Alcaraz, Jonathan Bash, Don Bristol, Audrey Comeaux, Fred Glueck, Gabe Quinto, George Smith, Leslie Stewart, Tim Bancroft (alternate), Edi Brisan (alternate), Linus Eukel (alternate), Marj Leeds (alternate), Lisa Park (alternate),
Absent: Mark Hughes, Jim Payne, Steve Linsley (represented by alternate), Mark Ross (represented by alternate)

Staff: Michael Kent; Randy Sawyer, Matt Kaufmann, Ellen Dempsey, Mike Dossey, Cho Nai Cheung, Hazmat;

Members of the Public: Roger Smith, Alamo Improvement Association

1. Call to Order: Commissioner Smith called the meeting to order at 4:05

Announcements and Introductions:

Michael Kent announced:

- CARE will be holding their Safety Summit on March 19th at 7:30 at the Shell Club house in Martinez.

2. Approval of the Minutes:

A motion was made by Commissioner ? and seconded by Commissioner ? to approve the minutes for the January 23, 2020 meeting. The motion passed 9-0 with Commissioners Glueck and Brisan abstaining.

3. Public Comments: None

4. Hazardous Materials Program Director Report

Matt Kaufmann reported:

- Contra Costa Fire is leading the investigation into the NuStar fire, and they are expecting a report at the end of April. Commissioner Smith asked if he had any knowledge of any similar ethanol fires, but Mr. Kaufmann said he did not.
- He is working on an update of the County's Hazardous Materials Notification Policy. It will be reviewed again at the March CAER Emergency Notification meeting.
- He said there was a 4:15 am flaring event at the Chevron refinery in Richmond. Chevron did not report the event to the Hazardous Materials Program, but the State Office of

Emergency Services report said that less than 100 people were evacuated. Later, Chevron told them that about 12 people were relocated within the refinery.

5. Operations Committee Report:

The Operations Committee reviewed the flyer for the student intern, reviewed the status of the Environmental Justice seat, and discussed the status of DTSC's investigation into the recycling of lithium ion batteries.

6. Planning and Policy Development Committee Report:

The Planning and Policy Development Committee did not meet in February.

7. Old Business:

None

8. New Business:

a) Overview of Safety Culture Assessments requirements in the Industrial Safety Ordinance.

This item was combined with the presentation for item b.

b) Report on the Industrial Safety Ordinance Annual Report

Cho Nai Cheung, Supervisor of the Accidental Release Prevention section of the Hazardous Materials Program, gave the presentation. She provided an overview of the Annual report, which was include in the agenda packet. She included a discussion of the Safety Culture Assessment requirements in the ISO.

Commissioner Smith asked if the audit visits to the refineries are staggered, and Commissioner Comeaux asked if the visits are announced. Ms. Cheung said that the visits are staggered, and the facility is told when the visits will happen so that they can have the appropriate records available.

Commissioner Smith asked if the reporting format is consistent between the facilities for the Process Hazard Analyses and the Risk Management Plans. Ms. Cheung said that there is flexibility in the format for reporting, but that many of the larger facilities use the same software to prepare the reports, so the format for them is similar.

Commissioner Eukel asked what the timeline is for compliance with audit findings. Ms. Cheung said that it depends on the type of problem.

Commissioner Smith asked what was the focus group for the Safety Culture Assessment at Chevron. Ms. Cheung said that Chevron polled select groups of different types of workers focusing on issues related to them. These results are in a written report.

Commissioner Glueck asked if in a root cause analysis of an accident, it is found that the facility was following the requirements of the ISO, is the County liable for the accident? Ms. Cheung said that the County only approves the format of the Process Hazard Analyses conducted as part of the ISO, not the conclusions drawn, or actions implemented, based on the PHA.

Commissioner Brisan asked what accident prevention programs apply to Corteva (formerly Dow). Ms. Cheung said that since they are in the City of Pittsburg, they are only covered by the Federal and state accident prevention programs, not the County's ISO.

c) Report on Sea Level Rise Impacts on Commodity Flow in Contra Costa County

Ellen Dempsey reported on the findings of the Commodity Flow study the Hazardous Materials Program received a grant to conduct in 2019. It was completed in August of 2019 by Tait Environmental Services. The study focused on the sea level rise and flood risks to the flow of hazardous materials commodities in Contra Costa County (see attached ppt).

Commissioner Glueck asked if rail operators were receptive to the study. Ms. Dempsey said that they are working internally on this issue, but aren't working collaboratively with local government. But one railroad was very interested in the study.

Commissioner Smith asked if they included the shipment of Bakken into the County in the study. Ms. Dempsey said that they did, but there is not a big volume of this commodity currently being shipped into Contra Costa County.

Michael Kent asked what she would like the County to do in response to this study. Ms. Dempsey said she would like to see the County be more proactive, and more collaboratively work with industry and the railroads to look at these issues.

Commissioner Brisan said he is in the container inspection business, and there is a tremendous amount of truck containers moving through the County. He is concerned that the study was focused on rail, but road transport is also an issue. Also, when there is a rail accident, hazardous materials is often transloaded from one car to something else. Did they look at transloading from accidents in the study? He thought Hazmat should ask the rail companies to look at the pitch points to prepare for possible problems.

Commissioner Bristol asked if they did a ground-truthing of the data during King tides. Ms. Dempsey said they have not done that yet, but she knows that the Public Works Department has the necessary information to do this.

Commissioner Smith asked what she plans to do as a follow-up to the study. Ms. Dempsey said she would like to see more coordinated exercises and emergency response with industry as a result.

Commissioner Smith thanked her for her excellent presentation and referred the issue to the Planning and Policy Committee for further study.

d. Presentation on Pipeline Safety Issues

Due to time constraints, Roger Smith from the Alamo Improvement Association wasn't able to give his full presentation, but he let the Commission know that he went to two pipeline safety conferences, one in Houston and one in New Orleans, and met people from Pennsylvania that developed a web site about pipeline safety. He is interested in developing a grant application to the Pipeline and Hazardous Materials Safety Administration (PHMSA) to develop a similar system, and would like the Commission's input on the design.

Commissioner Smith referred the issue to the Operations committee.

e. Consider Hazardous Materials-related principles for the County's legislative platform.

This item had to be deferred due to time constraints.

9. Reports from Commissioners on Matters of Commission Interest

None

10. Plan Next Agenda:

None

11. Adjournment: The meeting adjourned at 6:00 pm.