

Contra Costa County
HAZARDOUS MATERIALS COMMISSION

Draft Minutes
January 25, 2018

Members and Alternates Present: Rick Alcaraz, Don Bristol, Frank Gordon, Steve Linsley, George Smith, Leslie Stewart, Jack Bean (alternate), Rita Xavier (alternate)

Absent: Jim Payne, Ralph Sattler, Fred Glueck, Mark Ross, Lara DeLaney, Usha Vedagiri, Matt Buell (represented by Alternate),

Staff: Michael Kent, Randy Sawyer

Members of the Public: Lisa Park

1. Call to Order: Commissioner Smith called the meeting to order at 4:08.

Announcements and Introductions:

Michael Kent announced:

- There will be a community meeting about the clean-up proposals for Selby Slag on February 1 in Rodeo
- On January 31 the Air District will be holding a community meeting at their offices to discuss implementation of AB 617
- The Air District will be holding a series of community meetings to discuss air monitoring:
 - Richmond – 2/21, 6:00 – 8:00
 - Martinez – 2/22, 6:00 – 8:00
 - Rodeo – 3/1, 6:00 – 8:00

Commissioner Bean announced that the Industrial Association's next meeting will be on February 28th and a representative from Semtec will be discussing CEQA at Zia Fraedo's at 11:30.

Commissioner Smith announced that at the East Bay Leadership Council Manufacturing Task Force on March 2nd at 8:15 at Brown and Caldwell in Walnut Creek Karen Magliano from CARB and Greg Nudd from the Air District will discuss AB 617.

2. Approval of the Minutes:

The minutes of the December 7, 2017 meeting were moved by Commissioner Gordon, seconded by Commissioner Bristol, and passed 7-0.

3. Public Comments: None

4. Hazardous Materials Programs Report:

Randy Sawyer, Hazardous Materials Program Director reported:

- Five Hazardous Materials Specialists were sent to Sonoma County to help categorize the debris being removed as a result of the fires in December. He is sending two more staff there for 2 – 4 weeks. They are working with the EPA and the Army Corp of Engineers to remove debris from burned sites. They have put together a guidance document for debris removal mutual aid.
- In response to a question from Commissioner Stewart, Mr. Sawyer said that CalOES, rather than the local Hazardous Materials Programs, have been dealing with the calls for the development of comprehensive community warning systems in the wake of the fires.
- He was in Houston recently for a meeting to discuss worker empowerment for off-shore drilling rigs. He talked about the California refinery regulations.
- Washington State recently proposed safety regulations for refineries that look a lot like the newly adopted regulations in California. Update of the Federal safety regulations is on hold, but what they are developing doesn't look like the California model.
- Dow and DuPont have merged, and the Agriculture Division is going to be split off into a new group with a new name.

5. Operations Committee Report:

The Operations committee did not meet in January.

6. Planning and Policy Development Committee Report:

The committee set their priorities for the year and reviewed proposed brownfield legislation.

7. Old Business: None

8. New Business:

a) Election of Commission Chair and Vice Chair

Commissioner Gordon made a motion to nominate Commissioner Smith for the position of Chairperson, Commissioner Bristol seconded the motion, and the motion passed 7-0.

Commissioner Bristol made a motion to nominate Commissioner Bordon as Vice Chair, Commissioner Smith seconded the motion, and the motion passed 7-0.

b) Consider Recommendation for the Operation Committee concerning nominations to open Commission seats.

The Commission reviewed the application of Lisa Park for Environmental Seat #1. Staff also noted that Supervisor Gioia had received the Commission's memo concerning the creation of a new Environmental Justice seat, that he disagreed with the Commission's recommendation, but

that he was ok with Ms. Park's nomination. The Commission voted 7-0 to recommend Ms. Park for the seat.

c) Consider recommendations from the Planning and Policy committee concerning Brownfield legislation

The Planning and Policy committee reviewed three proposed changes to brownfield legislation that the Center for Creative Land Recycling sent them. These proposed changes hadn't been introduced yet, but all were consistent with the new additions to the County's legislative platform that the Commission had recommended in the fall and was adopted by the Board of Supervisors. The committee voted unanimously to recommend that the Commission request the Board of Supervisors to support these proposed changes as long as they remain the same (with one modification) when they are introduced as legislation.

The proposed changes to legislation were:

- 1) Changes to the CLEAN program that would remove consultation with State agency department heads to secure approval for loans.
- 2) Changes to the CLRRRA program that would change qualification for the program from a site to a person.
- 3) Changes to the Site Cleanup Subaccount program that would loosen the fiscal requirement for eligibility for the program.

The Commission voted 7-0 to support the proposed changes to legislation with one caveat for the CLRRRA program. The definition of "person" must include corporate entities, so that a person who was responsible for the contamination of a site could not apply for to the program under the guise of being part of a corporate entity.

d) Review annual report of the County Industrial Safety Ordinance

Randy Sawyer gave an overview of the report. There was only one major chemical accidental release in 2016, which was at Shell refinery.

They also asked for annual reports on Inherently Safer Systems. They asked the refineries to report on piping repairs, Process Hazard Analyses, and incident investigations. All were on schedule for being in compliance and implementing recommended changes.

Commissioner Bristol asked how having a Specialist at Chevron full time is working out. Mr. Sawyer said that at first it was slow as they were training people up for the position, but now it is working smoother.

He also mentioned that the proposed changes to the ISO are still being reviewed by the Ad Hoc committee of Supervisors Glover and Gioia.

9. Reports From Commissioners On Matters of Commission Interest: None

10. Plan Next Agenda: Request a speaker from Lennar to discuss the status of the remediation and reuse of the Concord Naval Weapons Station.

11. Adjournment: The meeting adjourned at 5:30 pm.