

CONTRA COSTA COUNTY
HAZARDOUS MATERIALS COMMISSION

Thursday, November 29, 2018

(Note the new special date)

4:00 p.m. – 6:00 p.m.

The County Connection
2477 Arnold Industrial Way, Board Room
Concord CA 94520

COMMISSION ACTION MAY BE TAKEN ON ANY ISSUE IDENTIFIED IN THIS AGENDA

The Contra Costa County Hazardous Materials Commission will provide reasonable accommodations for persons with disabilities planning to attend the Hazardous Materials Commission meetings who contact Michael Kent, Hazardous Materials Commission Executive Assistant, at least 24 hours before the meetings, at (925) 313-6587

AGENDA

1. CALL TO ORDER, ANNOUNCEMENTS AND INTRODUCTIONS
2. APPROVAL OF MINUTES: October 25, 2018
3. PUBLIC COMMENT
4. HAZARDOUS MATERIALS PROGRAMS REPORT Randy Sawyer
5. OPERATIONS COMMITTEE REPORT Committee Chair
6. PLANNING AND POLICY DEVELOPMENT COMMITTEE REPORT Committee Chair
7. OLD BUSINESS:
 - a) Update on the status of the air monitoring study of Levin Richmond Terminal
8. NEW BUSINESS:
 - a) Review and develop recommendation on the clean-up plan for the former DuPont site in Oakley
9. REPORTS FROM COMMISSIONERS ON MATTERS OF COMMISSION INTEREST Members
10. PLAN NEXT AGENDA
11. ADJOURNMENT

Attachments

Questions: Call Michael Kent (925) 313-6587

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by Contra Costa Health Services to a majority of members of the Hazardous Materials Commission less than 72 hours prior to that meeting are available for public inspection at 597 Center Avenue in Martinez

CONTRA COSTA COUNTY
HAZARDOUS MATERIALS COMMISSION
597 Center Avenue, Suite 200
Martinez CA 94553
2018 MEMBERSHIP ROSTER

REPRESENTATIVES	MEMBERS (ALTERNATES)	EXPIRATION
Business Seat #1 * West County Council of Industries * Veolia North America	Fred Glueck Aaron Winer (A)	December 31, 2018 December 31, 2018
Business Seat #2 * *	Vacant Vacant	December 31, 2021 December 31, 2021
Business Seat #3 * Contra Costa Taxpayers Association * Contra Costa Taxpayers Association	Don Bristol Marj Leeds (A)	December 31, 2020 December 31, 2020
City Seat #1 * City of Martinez * City of Pleasant Hill	Lara DeLaney Matthew Rinn (A)	December 31, 2018 December 31, 2018
City Seat #2 * City of Martinez * City of San Pablo	Mark Ross Rich Kinney (A)	December 31, 2019 December 31, 2019
Environmental Engineering Seat * GBR Smith Group * Innovex Environmental Management	George Smith – Chair Ron Chinn (A)	December 31, 2021 December 31, 2021
Environmental Organization Seat #1 * Communities for a Safe Environment * Communities for a Safe Environment	Ralph Sattler Lisa Park (A)	December 31, 2021 December 31, 2021
Environmental Organization Seat #2 * Richmond South Shoreline Area Community Advisory Group * John Muir Land Trust	Steven Linsley Linus Eukel (A)	December 31, 2020 December 31, 2020
Environmental Organization Seat #3 * * Sustainable Contra Costa	Vacant Peter Dragovich (A)	December 31, 2019 December 31, 2019
General Public Seat	Frank Gordon Tim Bancroft (A)	December 31, 2019 December 31, 2019
Labor Seat #1 * Central Labor Council *	Rick Alcaraz Vacant (A)	December 31, 2018 December 31, 2018
Labor Seat #2 * United Steelworkers - Local 5 * United Steelworkers - Local 5	Jim Payne Tracy Scott (A)	December 31, 2019 December 31, 2019
League of Women Voters Seat	Leslie Stewart Rita Xavier (A)	December 31, 2020 December 31, 2020

Michael Kent, Executive Assistant (925) 313-6587

10/25/2018

** For identification purposes only*

**CONTRA COSTA COUNTY
HAZARDOUS MATERIALS COMMISSION**

2018 MEETING CALENDAR

HAZARDOUS MATERIALS COMMISSION

The County Connection - 2477 Arnold Industrial Way, Board Room
Concord CA 94520

4th Thursday of Each Month, 4:00 p.m. – 6:00 p.m. (except Nov/Dec)

January 25	July 26- Cancelled
February 22	August 23
March 22- Cancelled	September 27
April 26	October 25
May 24	December 6
June 28	

OPERATIONS COMMITTEE

North Richmond Center for Health - 1501 Fred Jackson Way
Richmond CA 94801

2nd Friday of Each Month, 10:00 a.m. – 12:00 noon

January 12	July 13
February 09	August 10
March 09	September 14
April 13- Cancelled	October 12
May 11	November 9
June 8- Cancelled	December 14

PLANNING & POLICY DEVELOPMENT COMMITTEE

United Steelworkers Local 5 (PACE) - 1333 Pine Street, Suite C -1
Martinez CA 94553

3rd Wednesday of Each Month, 4:00 p.m. – 5:30 p.m.

January 17	July 18- Cancelled
February 21- Cancelled	August 15
March 21- Cancelled	September 19- Cancelled
April 18- Cancelled	October 17- Cancelled
May 16	November 21- Cancelled
June 20	December 19

Contra Costa County
HAZARDOUS MATERIALS COMMISSION

Draft Minutes
October 25, 2018

Members and Alternates Present: Fred Glueck, Frank Gordon, Steve Linsley, George Smith, Leslie Stewart, Lisa Park (alternate), Peter Dragovich (alternate)

Absent: Rick Alcaraz, Don Bristol, Lara DeLaney, Jim Payne, Mark Ross, Industrial Association Seat – Vacant, Environmental Seat #2 – Vacant (represented by alternate), Ralph Sattler (represented by alternate),

Staff: Michael Kent, Randy Sawyer

Members of the Public:

1. Call to Order: Commissioner Smith called the meeting to order at 4:12

Announcements and Introductions:

Michael Kent announced:

- Three annual meetings with Supervisors are scheduled this fall: Burgis - October 31 at 1:00, Andersen – December 6 at 1:00 and Mitchoff – December 10 at 3:00.
- The Board of Supervisors Legislative Committee adopted the additions to the State legislative platform concerning school siting issues recommended by the Commission. They will be forwarding them to the full Board for approval.
- The date of the next full Commission meeting is December 6th, not December 7th, as stated on the calendar. This will be corrected.
- The Sustainability Commission is looking at the issues of Environmental Justice and Equity at their next meeting on December 10th.

Commissioner Smith announced that the next Industrial Association meeting on November 15th will be the annual Board of Supervisor discussion. Also, they are still searching for an Executive Director. Amalia Cunningham, the County's Economic Development Director gave an interesting presentation to the East Bay Leadership Council about the Northern Waterfront Economic Development Initiative, and she might be a good speaker for the Commission.

2. Approval of the Minutes:

Consideration of the minutes for the September 27, 2018 meeting were delayed because they were not provided in their entirety in the agenda packet.

3. Public Comments: None

4. Hazardous Materials Programs Report:

Randy Sawyer reported that:

- Lew Pascalli, his predecessor as Director of the Hazardous Materials Program, recently passed away. He will let the Commission know when the memorial services will take place
- There was a fire at a Chevron pipeline vault in Bay Point. Two 12 inch pipelines, one gas and one liquid, run through the vault. A small ¾ inch line coming off the gas pipeline had a small leak in it. Preliminary indications are that a grass fire, started by a downed electrical wire, caused the leak in the small line to catch fire. The main gas line, running at 450 psi, was shut off at a valve 20 miles away, so the gas in the line was bleed off in Antioch and at the Endeavor refinery and then purged with nitrogen. The surrounding community was evacuated as a precaution. The California Public Utilities Commission is taking the lead on conducting an investigation.
- The Hazmat program hired a new Accident Prevention Engineer recently.
- The EPA settled violations at Chevron refineries nation-wide with a \$160 million dollar penalty. Of that amount, \$150 million will go towards upgrading the pipes in their refineries, and \$10 million will go to Supplemental Environmental Projects around their refineries; \$4.66 million of that went to Richmond Fire Department.

5. Operations Committee Report:

The Operations Committee reviewed the Commission's bylaw. After a thorough review the committee determined that the wording of the provisions are still adequate for allowing the Commission to conduct its business, so it would be best leave them as they are. The committee also determined that elected officials of cities that might be affected by recommendations the Commission makes to the Board of Supervisors should be copied on these recommendations.

6. Planning and Policy Development Committee Report:

The committee did not meet in October.

7. Old Business:

a) Review status of the control of particulate matter, and related health impacts, of the coal and petroleum coke loading operations at the Levin Richmond Terminal, and develop status update and recommendations to the Board of Supervisors.

Commissioner Park began the discussion by informing the Commission that she understood from the last Richmond City Council meeting that Councilman Martinez wants the City to change the zoning at the Port to phase out coal and coke loading. So Mayor Butt said he thinks the air

quality study being proposed for the Levin Richmond Terminal won't happen because it will take so long.

Commissioner Gordon raised the point that Jim Holland from Levin Richmond Terminal, in his presentation to the Planning and Policy committee on August 15, 2018 said that it would cost \$20 – 50 million to cover their facility, and this would be cost prohibitive. But he found out that the Koch facility in Pittsburg has roughly the same annual throughput of material, and they were able to afford to cover their facility.

Commissioner Glueck said he feels that the City of Richmond is opposing the coal and coke loading operation at Levin from a political position, and the Bay Area Air Quality Management District approached the update to their particulate ordinance from a technical perspective. The question is which does the Commission want to endorse?

In response, Commissioner Gordon said that the Commission has always endorsed the concept of requiring Best Management Practices, as was the case with the Industrial Safety Ordinance. The Koch facility in Pittsburg is considered as implementing Best Management Practices. He feels the Commission should care enough about the health of the residents of the City of Richmond to promote the use of Best Management Practices at the Levin Terminal. He would rather live next to a facility that emits less pollution as opposed to one that emits more.

Commissioner Glueck responded that there aren't people living in as close proximity to the Levin facility as there are to the Koch facility in Pittsburg.

Commissioner Stewart felt that it is possible to resolved the political issues with technical information through monitoring and the implementation of BMPs. She thinks the monitoring is an attempt to clarify the technical questions to help figure out what needs to be done. But now that doing the study might be in jeopardy, the Commission needs to decide what course of action to take.

Commissioner Park added that the study might be in jeopardy because of concern that Levin is paying for it, and because it will take so long. Commissioner Stewart added that the Air District wrote a letter to the City of Richmond with many technical concerns about the study design and suggested combining the study with monitoring being done through the AB 617 process. But she noted that the AB 617 process is going to take a long time too.

Commissioner Park said that the Air District Engineer that wrote update to their particulate regulations got the cost effectiveness figures of \$700,000 per ton from Levin, and admitted it might be high. But because it was so much more than the Air District standard for cost effectiveness of \$50,000 per ton, he didn't challenge it.

Commissioner Stewart added that studies in Washington showed that trains carrying coal emit twice the particulate than trains not carrying coal do (they both emit diesel particulate from their engines). Commissioner Glueck added that trains carrying coal in Richmond are moving very slow and that Richmond Railroad uses very clean engines to move trains around once they are on their tracks. Commissioner Park added that there is also concerned about dust that may blow off the trains as they are parked on sidings waiting to be brought into the facility.

Commissioner Stewart reiterated that there are many other sources of particulate pollution in the area, and monitoring is needed to determine the sources and amounts from each source.

Commissioner Smith asked if the monitoring done by AB 617 will differentiate the source of pollution in the air. Commissioner Glueck responded that Supervisor Gioia is hosting a meeting soon to determine who will sit on the steering committee for the project and make those decisions.

Commissioner Dragovich said he feels the solution is to install fenceline monitors around the facility.

The Commission then decided that they need to find out if the air monitoring study is actually going to get postponed or cancelled before they can move forward with developing recommendations around this issue. They directed staff to investigate further.

Commissioner Gordon said he thinks that eventually this issue will come back to the refineries in terms of how they manage their coke.

8. New Business:

None

9. Reports From Commissioners On Matters of Commission Interest:

Commissioner Gordon reported that the Draft EIR for the Making Waves Charter School proposal in Pittsburg was supposed to be published on October 6th, but it has been delayed.

10. Plan Next Agenda:

Ask Amalia Cunningham, the County's Economic Development Manager, to provide an update on the Northern Waterfront Economic Development Initiative.

11. Adjournment: The meeting adjourned at 5:42 pm.

Attachments

1) Main DuPont (Chemours) page on Envirostor

https://urldefense.proofpoint.com/v2/url?u=https-3A_www.envirostor.dtsc.ca.gov_public_profile-5Freport-3Fglobal-5Fid-3D80001610&d=DwIBAg&c=RpR9LiQNIoGO8A8CMgA1NO&r=wVPu8xADB9Xzt0WlvUoiUpJMOHrf07CeffkXLYJWEc&m=aNTPhAvd9bNj6Cg3-GP9h_2Kp2iPi7397MrWsxMAkFc&s=Pm5LkTPXHt_VPKYTgwafnAn4YYZr-q7hwSpiWH6YAs0&e=

2) Community update fact sheet - March, 2018

https://urldefense.proofpoint.com/v2/url?u=https-3A_www.envirostor.dtsc.ca.gov_public_deliverable-5Fdocuments_8488251209_Chemours-2520Oakley-2520Community-2520Update-2520031218.pdf&d=DwIBAg&c=RnR9LiQNIoGO8A8CMgA1NO&r=wVPu8xADB9Xzt0WlvUoiUpJMOHrf07CeffkXLYJWEc&m=aNTPhAvd9bNj6Cg3-GP9h_2Kp2iPi7397MrWsxMAkFc&s=ViLG4A5xaaT1JlmH3HpPF0dT5Irc_-L1oW3OX6IX6wo&e=

3) Statement of Basis for Clean-up - June, 2018

https://urldefense.proofpoint.com/v2/url?u=https-3A_www.envirostor.dtsc.ca.gov_public_deliverable-5Fdocuments_3778918206_Chemour-2520Final-2520Statement-2520of-2520Basis-2520Text-2520-2D-25206-2D29-2D2018.pdf&d=DwIBAg&c=RpR9LiQNIoGO8A8CMgA1NO&r=wVPu8xADB9Xzt0WlvUoiUpJMOHrf07CeffkXLYJWEc&m=aNTPhAvd9bNj6Cg3-GP9h_2Kp2iPi7397MrWsxMAkFc&s=vLaJbgh2110LZJyhTHgfJrTln7RlPwVBwS69b8ePOOO&e=

4) Response to comments on Statement of Basis for Clean-up - June, 2018

https://urldefense.proofpoint.com/v2/url?u=https-3A_www.envirostor.dtsc.ca.gov_public_deliverable-5Fdocuments_3778918206_Chemours-2520SOB-2520Response-2520to-2520Comments-2520-2D-2520final-25206-2D29-2D2018.pdf&d=DwIBAg&c=RpR9LiQNIoGO8A8CMgA1NO&r=wVPu8xADB9Xzt0WlvUoiUpJMOHrf07CeffkXLYJWEc&m=aNTPhAvd9bNj6Cg3-GP9h_2Kp2iPi7397MrWsxMAkFc&s=4ea-2NX4KCTgwdRaegK4uuZZNto-GTICsSLG3-MzvY&e=

5) Corrective Measures Studies Mitigated Negative Declaration - June, 2018

https://urldefense.proofpoint.com/v2/url?u=https-3A_www.envirostor.dtsc.ca.gov_public_deliverable-5Fdocuments_4931777775_Final-2520Chemours-2520IS-2520MND-2520for-2520Public-2520Comment-2520-2D-2520signed-2520March-252016-25202018.pdf&d=DwIBAg&c=RpR9LiQNIoGO8A8CMgA1NO&r=wVPu8xADB9Xzt0WlvUoiUpJMOHrf07CeffkXLYJWEc&m=aNTPhAvd9bNj6Cg3-GP9h_2Kp2iPi7397MrWsxMAkFc&s=e7SHW7sl-3vn3mPYNXkSva2BjF6J11fEwFFBkEPbHV4&e=