

Contra Costa County
HAZARDOUS MATERIALS COMMISSION

Draft Minutes
January 26, 2017

Members and Alternates Present: Don Bristol, Lara DeLaney, Frank Gordon, Fred Glueck, Steve Linsley, George Smith, Ralph Sattler, Leslie Stewart, Usha Vedagiri, Ron Chinn (alternate), Tracy Scott (alternate)

Absent: Rick Alcaraz, Matt Buell, Mark Ross, Jim Payne (represented by alternate)

Staff: Michael Kent, Ellen Dempsey (Hazmat)

Members of the Public: Jill Ray, Rita Xavier

1. Call to Order: Chairperson Smith called the meeting to order at 4:02 p.m.

Announcements and Introductions:

Michael Kent announced:

- The East Bay Leadership Council's Manufacturing Task Force meeting on February 10th at 8:30 at Brown and Caldwell's offices in Walnut Creek will feature a discussion of the Adapting to Rising Tides study of Contra Costa sea level rise issues.
- Re-nominations of Commissioner Stewart and Commissioner Linsley and nomination of Rita Xavier will go to the Internal Operations committee of the Board of Supervisors on February 13th.

2. Approval of the Minutes:

The minutes of the January 26, 2017 meeting were moved by Commissioner DeLaney, seconded by Commissioner Glueck, and passed 9-0-1 with Commissioner Gordon abstaining.

3. Public Comments: None

4. Hazardous Materials Programs Report:

Randy Sawyer, Hazardous Materials Program Director, was unable to attend.

5. Operations Committee Report:

The issues the Operations committee discussed at their January 13th meeting are items 7a and 8d on the agenda.

6. Planning and Policy Development Committee Report:

The issue the Planning and Policy committee discussed at their January 18th meeting is item 8b on the agenda.

7. Old Business:

a) Update on the Pharmaceutical Ordinance

The Ordinance was passed by the Board of Supervisors on December 20th. It was modified from the draft to include over the counter drugs, and to clarify the enforcement provisions. The next step will be to reach out to the pharmaceutical manufacturers to let them know the ordinance passed and what they are required to do.

Commissioner DeLaney suggested that Commission should look at the County's legislative platform to see if it adequately addresses support for development of a state-wide collection program. Commissioner Stewart offered that the Operations committee would track this issue and any proposed related legislation.

8. New Business:

a) Election of Commission Chair and Vice Chair

Commissioner Gordon nominated Commissioner Smith for Chairperson. Commissioner Bristol seconded the nomination. The motion passed 10 – 0.

Commissioner Smith nominated Commissioner Gordon for Vice Chairperson. Commissioner Glueck seconded the motion. The motion passed 10 – 0.

b) Consider recommendation to the Board of Supervisors from the Planning and Policy Committee concerning implementation of the Adapting to Rising Tides Study conducted by the Bay Conservation and Development Commission.

Staff shared a draft letter embodying the recommendation from the Planning and Policy committee. It recommended:

- 1) The Board of Supervisors should direct the County's Hazardous Materials Program to begin the process of developing and disseminating guidance to all entities that handle hazardous materials or generate hazardous waste that are, or potentially could be, at risk from sea level rise and flooding on the best practices for reducing the potential impacts of flooding and sea level rise on their facilities and the services and systems on which they rely.
- 2) The Board of Supervisors should take a leadership role in forming and participating in a public-private shoreline working group tasked with developing a plan to fund and implement integrated shoreline solutions to reduce flood risk, and to ensure that entities that handle hazardous materials and generate hazardous waste are protected. Infrastructure such as roads, pipelines and rail lines are critical for entities to receive hazardous materials, and ship out hazardous waste and products.

Ellen Dempsey from the Hazardous Materials Program, who has been tracking this effort, said that the Hazardous Materials Program could identify the businesses that might be impacted. To

do this, they would first need to determine which metric to use to identify the most impacted businesses. They could then do educational outreach to businesses, tailoring the message by business type, providing potential risks and Best Management Practices. They could then participate in a work group to address the risks from sea level rise.

Commissioner Gordon said that the basic message of the Planning and Policy recommendation was that there is a big elephant in the room, and this would be the first bite at it.

Commissioner Glueck thought that as part of the education process they would need to look at the impact on property values, and coordinate with the Assessor's Office to address these impacts, to get buy-in from the property owners (but this didn't need to go in the letter).

Commissioner Sattler added that a future financial impact might be the need to buy flood insurance at certain sites.

Commissioner Vedagiri thought that a state-wide approach is needed to address this issue.

Michael Kent mentioned that there is a regional approach being studied by the Bay Area Regional Collaborative and that SB 379 requires that climate change be addressed in Local Hazard Mitigation Plans or General Plans.

Ms. Dempsey added that the CUPA forum (the statewide association of local Hazardous Materials Programs) hasn't addressed this issue.

Commissioner DeLaney added that Measure AA fund might be available, and there is a \$250,000 design challenge competition targeted at Contra Costa County that can be used to help fund this effort.

Commissioner Smith asked to add a friendly amendment to the recommendation with would be to pursue these two sources of funds.

The questions was called and the recommendation passed 10 – 0.

c) Presentation of the Annual Industrial Safety Ordinance Performance Review and Evaluation

Randy Sawyer was not available to give this presentation and it will be postponed to the next meeting.

d) Consider recommendation from the Operations Committee concerning educating Contra Costa businesses about cybersecurity.

The Operations committee recommends that the Commission ask the Department of Homeland Security to put on a workshop on cybersecurity later this year for Contra Costa businesses based on the offer made by Deron McElroy during his presentation to the Commission last June.

Commissioner DeLaney asked if this might be a good presentation to the Mayors Conference and Commissioner Gordon thought that the Chambers of Commerce would be a good partner to get the word out.

The question was called and the motion passed 10 – 0 with the understanding that Commissioners would help in promoting the workshop.

9. Reports From Commissioners On Matters of Commission Interest:

Commissioner Chinn brought up the issue of what he feels is limited understanding or adherence to regulations were passed in 2002 by the Bay Area Air Quality Management District to address the control releases of naturally occurring asbestos. He thinks it is a spotty program because of limited knowledge of where asbestos-containing rock is located, and limited enforcement and inspection. He provided a map of high-asbestos areas in Contra Costa.

He asked if the Commission would be interested in a presentation on the topic, and the Commission responded in the affirmative. He said he would ask his contact at the Air District if he would be interested in coming to make a presentation.

10. Plan Next Agenda:

The Hazardous Materials Program will be asked to give the annual presentation on the ISO.

11. Adjournment: The meeting adjourned at 5:07 p.m