

Contra Costa County
HAZARDOUS MATERIALS COMMISSION

Draft Minutes
February 23, 2017

Members and Alternates Present: Rick Alcaraz, Don Bristol, Fred Glueck, Steve Linsley, George Smith, Ralph Sattler, Leslie Stewart, Usha Vedagiri, Tim Bancroft (alternate)

Absent: Lara DeLaney, Matt Buell, Jim Payne, Mark Ross, Frank Gordon (represented by alternate),

Staff: Michael Kent, Cho Nai Cheung, Randy Sawyer, Hazmat

Members of the Public: Rita Xavier

1. Call to Order: Chairperson Smith called the meeting to order at 4:10 p.m.

Announcements and Introductions:

Michael Kent announced:

- The County adopted a Pharmaceutical disposal Ordinance on December 20, 2016 and is now taking the first step in implementation, which is notifying the wholesalers of pharmaceuticals in the County of the Ordinance and that they must provide information on the manufactures and amounts of drugs sold in the county.
- The Bay Area Air Quality Management District will be holding a public meeting to discuss the use of funds generated by the state Cap and Trade program on March 2nd at 1515 Clay Street in Oakland at 3:00.
- The Commission has their first annual meeting with Supervisor Burgis on March 9th at 3:15.
- Deron McElroy from the Department of Homeland Security has proposed 6 dates in June as possible for a workshop on Cybersecurity and he is checking around to see if anyone has a conflict with any of them.

Commissioner Smith announced that he attended the State of the East Bay presentation this morning with speakers Federal Glover and Wilma Chan. Supervisor Glover talked about the Northern Waterfront Economic Development Initiative and Supervisor Chan talked about transportation and affordable housing issues.

2. Approval of the Minutes:

The minutes of the January 26, 2017 meeting were moved by Commissioner Glueck, seconded by Commissioner Bristol, and passed 8-0-1 with Commissioner Bancroft abstaining.

3. Public Comments: None

4. Hazardous Materials Programs Report:

Randy Sawyer, Hazardous Materials Program Director, reported:

- The CalARP and PSM proposed regulation are in their 2nd comment period because there were significant enough changes after the first comment period to warrant a second. Comments are due by March 3rd. They will next be preparing a response to comments, then a final statement of reason and finally approval by the Office of Administrative Law. They hope to have the process done by July.
- The proposal that ConFire take over hazmat has died and they are staying as is.
- Many of the people in leadership at Cal EPA that oversee the CUPAs are taking new jobs or retiring and there will be a void for a while.
- All data from CERS (the state hazmat database) and other state data bases (such as envirostor and geotracker) are all on one website now that can be found by searching for “regulator site portal”. They are also putting a link to the site on the Hazmat web page.
- A concern they have had with their hazmat incident response capability is the delay they have in responding in off hours because their responders are responding from home to the office to get their hazmat vehicle. So they are buying five vehicles that staff can bring home with which they can respond directly to an incident. They are also doing drills to help them get out of the office quicker. They are also looking into buying uniforms to wear in the field.
- He is very happy with the staff they hired last year, and they are busy getting them trained.

5. Operations Committee Report:

The committee reviewed the pipeline emergency preparedness brochure and also discussed brownfield development which is item 8b on today’s agenda.

6. Planning and Policy Development Committee Report:

The committee did not meet this month.

7. Old Business: None

8. New Business:

a) Presentation of the Industrial Safety Ordinance Annual report and Evaluation

Randy Sawyer and Cho Nai Cheung made the presentation. They reviewed the 6 audits that were done in 2016, discussed the public outreach efforts and reviewed the proposed changes to the ISO that came as a result of the Chevron fire in 2012. These included:

- Requiring Inherently Safer Systems analysis as part of Management of Change reviews
- Revising the Inherently Safer Systems analysis by requiring Safeguard Protection analysis.
- Developing Process Performance Indicators such as
 - Overdue inspections
 - Past due Process Hazard Analysis recommendations

- Past due incident recommendations
- API/ACC Tier 1 and 2 incidents

Commissioner Smith asked if other counties have similar ordinances. Mr. Sawyer responded that New Jersey has requirements of Inherent Safety and some requirements for Risk Management Plan facilities. Also EPA has drafted RMP regulations with similar requirements, but these haven't been published yet and are on a 60 day hold with the new administration gets established.

They will be taking the annual report to the Board of Supervisors on March 7th, 2017.

b) Consider recommendations from the Operations Committee concerning Brownfield prioritization in the Northern Waterfront Economic Development Initiative.

The Operations committee held a series of meeting discussing need for brownfield redevelopment, especially for meeting the goals for the sites in the area covered by the Northern Waterfront Economic Development Initiative. They voted unanimously at their February 10, 2017 meeting to recommend that the full Commission write a letter to the Board of Supervisors recommending that the County do an assessment of the appropriate prioritization and use of brownfields in the Northern Waterfront Economic Development Initiative area.

The Commission reviewed an internal draft letter expressing the intent of the committee's recommendation that was provided to them at the meeting. The Commission voted 9-0 to support writing such a letter to the Board of Supervisors, but wanted more time to review the final draft letter before voting on it. The internal draft letter was referred back to the Operations committee to prepare a final draft for public review.

9. Reports From Commissioners On Matters of Commission Interest:

None

10. Plan Next Agenda:

The Bay Area Air Quality Management District will be asked to give a presentation on their asbestos control program

11. Adjournment: The meeting adjourned at 6:00 p.m