

Contra Costa County
HAZARDOUS MATERIALS COMMISSION

Draft Minutes
May 25, 2017

Members and Alternates Present: Don Bristol, Fred Glueck, Frank Gordon, Steve Linsley, Ralph Sattler, George Smith, Mark Ross, Rich Kinney (alternate), Rita Xavier (alternate)

Absent: Rick Alcaraz, Matt Buell, Lara DeLaney, Jim Payne, Usha Vedagiri, Leslie Stewart (represented by alternate)

Staff: Michael Kent

Members of the Public: Gabriele Windgasse, California Department of Public Health

1. Call to Order: Commissioner Smith called the meeting to order at 4:15.

Announcements and Introductions:

Michael Kent announced:

- The meeting with Supervisor Burgis on May 3rd went well, and she was interested in seeing the Commission take a look at the County's legislative platform.
- Michael Kent is working with Ellen Dempsey from the Hazardous Materials Program to consider applying for a grant to look at the impact that projected increases in sea level rise and flooding may have on rail transport of hazardous materials industrial operations in the County.
- The cybersecurity workshop is scheduled for June 13th 8:00 – 12 at the Shell Clubhouse in Martinez. The flyer is available for distribution and has been sent to all the Commissioners.
- The Board of Supervisors accepted a report on the BCDC sea level rise study on May 23.
- On May 31st staff from Hazmat, the Fire Marshal, and CAER will meet to discuss the proximate distance within which sensitive receptors should conduct emergency preparation planning for pipelines to be put into the pipeline emergency planning brochure being developed.

Commissioner Smith announced that on May 31st the Air District Board will be holding a hearing to discuss rule 12-16 pertaining capping refinery emissions. There won't be a hearing on rule 11-18 pertain to toxic chemical emission for several more months.

2. Approval of the Minutes:

The minutes of the April 27, 2017 meeting were moved by Commissioner Glueck, seconded by Commissioner Gordon, and passed 4-0-3 with Commissioners Xavier, Linsley and Ross abstaining. Commissioner Bristol arrived after the minutes were approved.

3. Public Comments: None

4. Hazardous Materials Programs Report:

Randy Sawyer, Hazardous Materials Program Director was unable to attend and no report was given.

5. Operations Committee Report:

The Operations Committee did not meet in May.

6. Planning and Policy Development Committee Report:

The committee reviewed information related to the chlorine dispersion modeling tests that were reported to the Commission at the previous meeting and drew up a list of question to poise to Randy Sawyer and others at their next committee meeting.

7. Old Business: None

8. New Business:

a) Overview of the County's Legislative Platform

Lara DeLaney from the CAOs office (and also a Commission member) was unable to attend and her presentation will be rescheduled for a future meeting.

b) Presentation of Engineered Nanomaterials and Public Health

Gabriele Windgasse from the California Department of Public Health gave the presentation. She began by asking the question, "What would you do in the event of a spill of nanomaterials" to focus in on her concern about the issue. She went on to explain that nanomaterials are defined by their size, not their properties, that they can have different properties than the same compounds of larger-sized particles, and that not all are hazardous. She would like to see a precautionary approach taken to controlling nanomaterials.

She found 5 facilities in Contra Costa County that could be manufacturing storing or using nanomaterials, but she doesn't know much about them. There is currently no measuring of nanomaterials in the environment being required by regulation, just modeling for research. There are recommend exposure levels for carbon tubes and titanium dioxide from NIOSH, but workers aren't monitored for exposure. There are no regulations for exposure to nano-scale products. Toxicity studies are in the infancy of design, and it may take 10 years to develop.

EPA proposed a reporting rule in January, but consideration of that rule has been delayed until August. The Key issues are spill response and Community and Worker Right-to-Know issues. DTSC isn't doing much on this issue but are doing a workshop sometime in the near future. Berkeley is the only city with a local nanotechnology ordinance. The Department of Energy has a registry for nano-workers that she thinks could be a model for other jurisdictions, but NIOSH has the best guide.

Commissioner Gordon asked if nano materials are sold publicly, and if so, by whom and who is selling them. Dr. Windgasse said she didn't know.

Commissioner Glueck asked how you measure these particles in the environment since they are so small. Dr. Windgasse explained that there is a meter that can measure these particles.

Commissioner Ross asked if even inert nanoparticles can cause damage. She said that yes, even inert particles can be harmful to people's health. The California Air Resources Board is studying the impacts of ultrafine particles, but as a whole, not by type. Diesel emissions in France were found to contain carbon nanotubes that were probably naturally occurring.

Commissioner Smith asked if there is a group at the California Department of Public Health (CDPH) that is studying the health impacts of nanomaterials. She said she re-started up a group in 2012 with 8 departments within CDPH that meets informally. This is unique to California. She is unaware of any other Public Health groups around the country looking into this issue.

Commissioner Kinney thought that the Commission should pursue this issue further and bring this issue to the public's attention.

Commissioner Glueck said he was having trouble conceptualizing how the amount of material being released from facilities can be quantified. He would like to know more about what businesses do to control the release of these materials into the environment.

Commissioner Ross said that the Air District is looking at this issue from an ultrafine particle perspective, but they are not doing the research necessary to make a rule.

Commissioner Gordon asked if the minutes from the Lawrence Livermore Lab presentation from five years ago could be recirculated and if we could find out who manufactures nanoparticles in the County.

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

10. Plan Next Agenda:

No activities were planned for the next meeting

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