

Contra Costa County
HAZARDOUS MATERIALS COMMISSION

Draft Minutes
October 26, 2017

Members and Alternates Present: Lara DeLaney, Frank Gordon, Steve Linsley, Jim Payne, George Smith, Leslie Stewart, Jack Bean (alternate), Ron Chinn (alternate), Aaron Winer (alternate), Rita Xavier (alternate), Rich Kenny (alternate)

Absent: Rick Alcaraz, Don Bristol, Ralph Sattler, Usha Vedagiri, Matt Buell (represented by Alternate), Fred Glueck, (Represented by alternate), Mark Ross (represented by Alternate)

Staff: Michael Kent, Randy Sawyer

Members of the Public: None

1. Call to Order: Commissioner Smith called the meeting to order at 4:05.

Announcements and Introductions:

Michael Kent announced

- He has a get well card for people to sign for Commissioner Glueck
- The Federal Government recently declared opioid misuse a Public Health Emergency and October 28 will be the next DEA drug take-back event at various locations throughout the County.
- The next annual meetings with County Supervisors are with Supervisor Andersen on November 2nd and Supervisor Glover on November 6th.
- A recruitment period for the open Environmental and Environmental Engineer Seat started on October 23 and will close November 17th. Interview with qualified candidates will be done at the December 8th Operations committee meeting.
- The Alamo Improvement Association has received another grant from DOT to conduct workshops on pipeline safety, and he said the Commission would agree to co-sponsor them again as long as there was no objection, which there was not.
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Commissioner Bean announced that the Industrial Association Board of Supervisors lunch is scheduled for November 9th.

Commissioner Stewart announced that the LWV monitor has done an article on SB 617, which addresses cumulative impacts.

2. Approval of the Minutes:

The minutes of the September 28, 2017 meeting were moved by Commissioner DeLaney, seconded by Commissioner Kenny, and passed 7-0-2 with Commissioners Winer and Payne abstaining.

3. Public Comments: None

4. Hazardous Materials Programs Report:

Randy Sawyer, Hazardous Materials Program Director reported:

- Due to the fires in the North Bay, the County Health Department opened their Departmental Emergency Operations Center, which he helped staff. The main advice they were providing to the public impacted by the smoke was to Shelter-in-place. Now they are being requested to help classify the ash waste for disposal and liaison with the Army Corp of Engineers, who is doing the actual disposal. He doesn't know how deep they have to dig out the ash. It will all go to landfills as construction waste. They saw very little increase in the number of people in Contra Costa County going to the hospital for respiratory distress during the fires.
- The Hazmat program is currently hiring a new Hazardous Materials Specialist to fill a vacancy.

5. Operations Committee Report:

Commissioner Stewart reported that the committee received an update on the status of the Pharmaceutical Ordinance and the development of the pipeline safety brochure.

They also developed recommendations to the Board of Supervisors for the full Commission to consider concerning the budget of the U.S. Chemical Safety Board (item 8c on today's agenda).

They also developed recommendations to the Board of Supervisors for the full Commission to consider concerning evaluating the risks from hazardous materials in the State's school siting criteria. (item 8d)

6. Planning and Policy Development Committee Report:

The committee developed recommendations to the Board of Supervisors for the full Commission to consider concerning the County's legislative platform. (item 8b on today's agenda)

7. Old Business: None

8. New Business:

- a) Consider Changing the date of the December 7, 2017 Commission meeting to November 30, 2017**

The Commission discussed the idea of moving the final meeting of the year from December 7th to November 30th so it wouldn't conflict with the Mayors Conference end-of-year meeting, contingent on that date working for the Air Resources Board, who is coming to discuss AB 617. There was no objection to this proposal so Chairperson Smith directed staff to find out if the Air Resources Board could attend on November 30, and adjust the meeting date accordingly.

b) Consider recommendation from the Planning and Policy committee concerning the County's legislative platform.

At their October 18th meeting the Planning and Policy committee decided to recommend to the full Commission that they leave items 199 and 200 as is, but recommend that item 201 be deleted because it is incomplete and redundant.

The committee also reviewed input from Ignacio Dayrit from the Center for Creative Land Recycling concerning four brownfield remediation programs that he felt could be improved. They were the Site Clean-up Sub-account program, the California Land Reuse and Revitalization Act, the Clean-up Loans and Environmental Assistance to Neighborhoods program and the California Recycle and Underutilized Sites program. The committee asked for more detail information about these programs before they could make a decision as to whether they should recommend support for them. Because of times constraints for providing input into the development of the Board of Supervisors legislative platform, they recommended that this topic be taken up at the next full Commission meeting rather than bring it back to the committee again.

The Commission reviewed the details on each of these programs that staff had collected since the Planning and Policy committee. Commissioner Gordon made a motion, seconded by Commissioner Winer that the Commission make the following recommendations to the Legislative committee of the Board of Supervisors for consideration in the County's legislative platform. (the motion passed 8 – 0 with Commissioner DeLaney abstaining)

- 1) Delete item # 201 – this item is incomplete and confusing as to intent.
- 2) Support legislation that funds programs to remediate brownfield sites in the County, and modifies existing programs to make implementation easier or apply more broadly.
Specifically:
 - Consider modification to the Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) program that would simplify the approval process for applications
 - Broaden the criteria for sites that are eligible for California Land Reuse and Revitalization Act (CLRRRA) to include all sites that are listed by the State or Federal Government as contaminated.
 - Fully fund the California Recycle Underutilized Sites (CALReUse) program.

c) Consider recommendation from the Operations Committee to reauthorize the budget of the US Chemical Safety Board

At their October 13, 2017 meeting the Operation Committee discussed the fact that in the Federal budget proposed by the President last spring, the operating budget for the US Chemical Safety Board (CSB) was eliminated. However, as of the date of the committee meeting, the budget in

place and being proposed by the US Congress still included funding for the CSB. The committee discussed the history and purpose of the CSB, the support its creation received from then Congressman Miller and the County Board of Supervisors, and its involvement in 4 cases in Contra Costa County.

The committee voted unanimously to recommend that the full Commission recommend to the Board of Supervisors that they direct their Federal lobbyist to lobby for the continuation of the CSB budget.

The Commission considered this recommendation, but since at the time of the Commission meeting funding for the CSB was still intact, voted 9-0 to send a recommendation letter to the Board of Supervisors only if and when a Federal budget is proposed that eliminates funding for the CSB.

d) Consider recommendations from the Operations Committee concerning school siting risk assessment regulations.

This item was postponed till the next meeting.

9. Reports From Commissioners On Matters of Commission Interest:

Commissioner Chinn said that the Regional Board is developing new requirements for treated groundwater discharge and he would like the Commission to discuss this issue further. Commissioner Smith directed it to the Planning and Policy committee to discuss at their next meeting.

10. Plan Next Agenda:

At the next meeting the Commission will receive a presentation on AB 617 from the California Air Resources Board and will consider the recommendations from the Operations Committee concerning school siting requirements.

11. Adjournment: The meeting adjourned at 5:00 pm.