

Contra Costa County
HAZARDOUS MATERIALS COMMISSION

Draft Minutes
September 24, 2015

Members and Alternates Present: Rick Alcaraz, Lara DeLaney, Fred Glueck, Frank Gordon, Steve Linsley, Ralph Sattler, George Smith, Leslie Stewart, Don Tatzin, Audry Albrecht (alternate) Peter Dragovich (alternate), Ed Morales (alternate)

Absent: Matt Buell, Henry Clark (represented by alternate) Don Bristol, Jim Payne,

Staff: Michael Kent

Members of the Public: Sandy Fink, Samya Lutz, Carl Weimer, Tom Lawson, Arron DeFerrari

1. Call to Order: Chair Smith called the meeting to order at 4:00

Announcements and Introductions:

Commissioner Smith announced that the next Industrial Association Forum on October 15th at Zio Fredo's restaurant in Pleasant Hill from 11:00 to 1:00 will feature Congressman Mark Desaulnier.

2. Approval of the Minutes:

The minutes of the July 23, 2015 meeting were moved by Commissioner Glueck, seconded by Commissioner Gordon, and approved by a vote of 7-0-2 with Commissioners Smith and DeLaney abstaining. (Commissioner Tazin arrived after the vote was taken).

3. Public Comments: None

4. Hazardous Materials Programs Report:

Randy Sawyer, Hazardous Materials Program Director reported:

- CalOSHA has released their draft PSM regulations with a two week comment period and Cal EPA is also releasing their draft CalARP regulations soon.
- The ISO taskforce meet yesterday and the next meeting will be at the end of October.
- The Operations Center at Hazmat is getting revamped. They did a drill today and included the Health Officer on Call in it.
- They are now fully staff with Hazmat Specialist positions, but are still looking for an experienced Environmental Engineer to fill the vacant Engineer position.

5. Operations Committee Report:

The committee reviewed the responses from the Supervisors to the letter on Environmental Justice the Commission sent them, and developed a plan for filling the Environmental and General Public seats that expire at the end of the year. There was nothing new to report on the County's consideration of a pharmaceutical collection ordinance.

6. Planning and Policy Development Committee Report:

The committee did not meet in September.

7. Old Business:

None

8. New Business:

a) Presentation of Pipeline Safety Report by the Pipeline Safety Trust

Carl Weimer of the Pipeline Safety Trust (Trust) presented the findings of their just-completed report, "Pipeline Safety in Alamo, and Surrounding Areas within Contra Costa County, California". He explained that the Trust was commissioned to prepare this report behalf of the Alamo Improvement Association (AIA) as part of a grant the AIA received from the Federal Department of Transportation. The Trust developed their report based on research and interviews they conducted locally and with state and federal agencies. The report made recommendations to County Departments of Public Works, Health Services, and Conservation and Development; the Board of Supervisors; the State Fire Marshall's Office; The California Department of Education; and the State of California on a range of pipeline safety issues.

After the presentation Commissioners asked questions.

Commissioner Dragovich asked what changes would be needed to have the Hazardous Materials Commission and the Hazardous Materials Ombudsman review Integrity Management Plans and Emergency Response Plans developed for pipelines in the County. Mr. Weimer thought that additional technical expertise would need to be developed.

Commissioner Morales asked for some more specificity about what seismic risks the report was concerned about. Mr. Weimer said that their concern was that they didn't see any evidence that Kinder Morgan was looking at seismic risks closely in their Integrity Management Plans, but added that since they weren't able to review the actual plans they don't know for sure.

Commissioner Smith asked why they chose to use the word "could" instead of "should" in five of their recommendations to the Board of Supervisors, and if Supervisor Andersen was involved in the planning process for the education workshops that the Trust helped plan and which the Commission co-sponsored. Mr. Weimer said that Supervisor Andersen's staff was involved in the planning of the workshops. (No response to the other question was recorded).

Commissioner DeLaney asked if they had examples of the types of goals and policies they were recommending to be added to the zoning code and the General Plan. Mr. Weimer said they did have examples on their website.

Commissioner Glueck said his sense was that the main community concern was wanting to know that if an accident happens responding agencies know who is in charge, are prepared to respond,

and are coordinated. He felt that the best thing the Commission can do is to make sure this is the case.

Commissioner DeLaney expressed concern about the accuracy of the National Pipeline Mapping System. Mr. Weimer felt that the system isn't accurate enough because it was developed pre-GIS, but that they are trying to move to a more accurate system. Randy Sawyer added that the State Fire Marshall does have Contra Costa Pipelines mapped on GIS.

Commissioner Smith asked if the Technical Advisory Body in Santa Barbra is working well. Mr. Weimer said that it seems to be working well and the Commission could invite someone from that group to speak to them.

Roger Smith of the AIA thanked the Commission for receiving the presentation. He felt the Commission needs to take the information in the report and do something with it. There are a number of recommendations in the report and he would like the Commission to support taking this information to the Board of Supervisors.

Commissioner Stewart suggested the Planning and Policy committee should develop a work plan for reviewing the recommendations in the report.

Commissioner Gordon said he was concerned about an example of a school being built over a pipeline and wants to make sure this information gets to the cities.

Commissioner Tatzin felt the Commission needs to take the report to the Board of Supervisors and ask the Board the best way to relate the information to the cities.

Commissioner DeLaney said she would like to endorse the report as a whole, and let the Board know the Commission is looking more closely at specific recommendations. She then made the following motion:

- 1) Tell the Board of Supervisors that the Commission endorses the report,
- 2) Recommend the Board of supervisors consider the recommendations in the report,
- 3) Ask the Board of Supervisors if there are specific recommendation in the report that the Commission should review more closely,
- 4) Tell the Board of Supervisors that the Commission will be making more detailed recommendations after reviewing the report in more detail,
- 5) Determine how to best communicate the information in the report to the other jurisdictions in the County.

Commissioner Tatzin seconded the motion, and the motion passed 9-0-1 with Commissioner Alcaraz abstaining.

b) Report Back from Commissioners on the Industrial Safety Ordinance Working Group

Randy Sawyer said that at the meeting yesterday one the focuses was addressing employee participation in the safety culture assessments. Another focus was on making sure there is

transparency in implementing the Chemical Safety Board recommendation about having an oversight committee for process safety guidelines. Commissioners Glueck and Gordon agreed with this summary. Commissioner Smith the outcome of the last meeting was general agreement that the workgroup needs to start coming up with specific language to implement these two concepts, and that this will be the main effort for the next meeting.

9. Reports From Commissioners On Matters of Commission Interest:

None

10. Plan Next Agenda:

The Commission would hear any recommendations from the Planning and Policy Development committee concerning the Pipeline safety report recommendations. \

11. Adjournment: The meeting adjourned at 5:53 p.m.