

Contra Costa County
HAZARDOUS MATERIALS COMMISSION

Draft Minutes
December 3, 2015

Members and Alternates Present: Don Bristol, Fred Glueck, Frank Gordon, Steve Linsley, George Smith, Leslie Stewart, Jack Bean (alternate), Peter Dragovitch (alternate)

Absent: Rick Alcaraz, Lara DeLaney, Jim Payne, Ralph Sattler, Don Tatzin, Matt Buell (represented by alternate), Henry Clark (represented by alternate),

Staff: Michael Kent

Members of the Public: Rodney Lockett, Department of Homeland Security

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

Announcements and Introductions:

Michael Kent announced:

- A professor at the Evergreen State College in Olympia, Washington is doing research on the community impacts of ASARCO smelters throughout the United States and is interested to interview residents of Rodeo or Crockett who worked at the Crockett facility.
- The next CAER Safety Summit will be December 15th at 8:00 am at the Shell Clubhouse in Martinez. The guest speaker is the new chairperson of the Chemical Safety Board.
- The Commission's Annual meeting with Supervisor Glover will be December 17th at 11:00.
- The Next ISO taskforce meeting will be Dec 9th at 2:00.
- Commissioner Clark will be stepping down from the Commission when his term expires at the end of the year. Staff will work with Supervisor Gioia's office to prepare a Board Resolution for him.

Commissioner Smith announced that the East Bay Leadership Council Environmental Taskforce meeting on Dec 4 at 8:15 at Brown and Caldwell in Walnut Creek will feature Kevin Buchanon from WSPA discussing the new Air District regulatory proposals.

Commissioner Bean announced that the next Industrial Association Luncheon will be on January 21 at Zio Fraedos in Pleasant Hill and the guest speaker will be Dave Cooke discussing new state environmental legislation.

2. Approval of the Minutes:

The minutes of September 24, 2015 meeting were moved by Commissioner Glueck, seconded by Commissioner Gordon, and passed 7 0-1 with Commissioner Bristol abstaining.

The minutes of October 22, 2015 meeting were moved by Commissioner Stewart, seconded by Commissioner Glueck, and passed 5-0-3 with Commissioners Bristol, Gordon and Dragovitch abstaining.

3. Public Comments: None

4. Hazardous Materials Programs Report:

Randy Sawyer, Hazardous Materials Program Director, reported that they are hiring 3 new staff and then will be fully staffed. They are hiring a technician, and environmental engineer and an entry level environmental engineer. They will also need to add a position to implement the Richmond ISO and will be discussing this at the January 7th, 2016 ISO Ad Hoc committee meeting.

5. Operations Committee Report:

The Operations committee interviewed candidates for the open Environmental seat and reviewed the presentation the Michael Kent was preparing on the pipeline safety workshops the Commission co-sponsored over the summer for the Pipeline Safety conference in November in New Orleans.

6. Planning and Policy Development Committee Report:

The committee did not meet in November.

7. Old Business:

a) Update from Commission members on the Industrial Safety Ordinance Work Group

The last Work Group meeting was held on November 9th. Commissioner Smith reported that they looked at specific language of Sections E and F, the Safety Culture Assessment. The focus of these discussions was on employee participation and transparency. The next step will be to look at the function of the oversight committee for the safety culture assessments.

8. New Business:

a) Presentation on issues related to cyber security for industrial facilities

Rodney Lockett, Region 9 Director of the Chemical Facility Antiterrorism Standards Program (CFATS) in the Department of Homeland Security, gave a presentation about his program. It was established by Congress in 2006 to regulate security at high-risk chemical facilities. Facilities are divided into four tiers, and those above a certain threshold are required to develop Site Security Plans. New rules in 2014 gave guidance on an expedited approval process. They have been doing inspections since 2010. They do not cover railcars until a facility has taken control of them. The Coast Guard oversees facilities at ports. Water treatment plants and wastewater facilities are not in their program.

They cover about 3000 facilities nation-wide with 130 inspectors. About 90% of these have been inspected so far. In Contra Costa there are 20 – 30 facilities covered by the program. DHS has 13

inspectors for all of Region 9 which covers California, Arizona, Nevada Hawaii and various South Pacific Islands.

Facilities that are required to submit Site Security Plans and vulnerability assessments have to address 18 risk-based performance standards. They are reviewed annually. Most of this information is kept confidential.

In 2013 President Obama signed Executive Order 13650 in response to an explosion at a chemical facility in West Texas. It brought together a number of federal agencies for the purpose of improving emergency planning activities. His program hosts monthly conference calls for agencies throughout Region 9 to share information, resources, and coordinate planning for local governments. There are around 35 agencies on the calls.

Cybersecurity is one of the top three areas on which they focus. They do a lot of training on this for facilities, and have a number of assessment tools that facilities can use. They have two cybersecurity advisors in their San Francisco office.

Mr. Lockett expressed interest in knowing if there are any more facilities in Contra Costa County that should be covered under his program.

9. Reports From Commissioners On Matters of Commission Interest:

None

10. Plan Next Agenda:

The Commission will develop their work plan for the year and consider the recommendations in the Pipeline Safety Trust report.

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