

Hazardous Materials Commission

Draft Minutes Operations Committee

March 13, 2020

Members and Alternates

Present: Audrey Comeaux, Fred Glueck, Leslie Stewart, Steve Linsley, Lisa Park (alternate),

Absent: Rick Alcaraz, Gabe Quinto,

Staff: Michael Kent

Members of the Public: None

- 1) **Call to order, announcements:** Commissioner Glueck called the meeting to order at 10:05 am.

Michael Kent announced:

- The Board of Supervisors approved Audrey Comeaux's appointment as the General Public Seat representative and Tim Bancroft's re-appointment as the General Public Seat Alternate at their February 25th meeting. Chairperson Smith approved moving the General Public seat to be a member of the Operations Committee at the request of Commissioner Comeaux.
- The CAER Safety Summit, the Air District's AB617 meeting, and the Industrial Association's meeting on cybersecurity scheduled for later this month have all been postponed due to the COVID-19 Shelter-in-Place.
- The status of the Air District's workshop on PM 2.5 scheduled for March 24th is questionable as they determine if they can conduct the workshop remotely.
- The joint Commission and Board of Supervisors Ad Hoc committee meeting on the Safety Culture Assessments conducted by the facilities covered by the Industrial Safety Ordinance held on March 9th went ok. Only six Commissioners attended, so it was not an official meeting of the Commission due to the lack of a quorum. But both members of the Board's Ad Hoc committee were there. Commissioner Glueck noted that he would have liked to see more detail more information presented by each facility and more consistency in their presentations.

- 2) **Approval of Minutes:**

The minutes of the February 14, 2020 meeting were moved by Commissioner Stewart, seconded by Commissioner Linsley and approved by a vote of 3 – 2 – 0 with Commissioners Park and Comeaux abstaining.

- 3) **Public Comments:** None

4) Old Business:

a) Review Status of creating an Environmental Justice Seat

Michael Kent relayed that he had met with staff from the CAO's office and they approved the changes that had been proposed to Commission's bylaws establishing the criteria for eligibility for the Environmental Justice Seat. They said these changes would be on the agenda of the Internal Operations committee of the Board of Supervisors on April 6th, and that in the meantime, the Commission could begin the process of recruiting applicants for the position.

The committee reviewed the recruitment flyers for the Environmental Justice seat and made some minor edits to the flyers. The committee also approved moving the due date for applications till April 30th and the interviews to be conducted by the Operations committee on May 8th.

b) Review Status of recruiting applicants for a student seat

The Career Pathways program in the Office of the Director of the Health Department has begun the process of promoting the opportunity for a student to intern with the Commission. There have been no inquires yet.

5) New Business

a) Review Pipeline Safety materials for a Potential Website.

The committee reviewed background materials and a proposal from the Alamo Improvement Association (AIA) to create a website about pipeline safety. The AIA wants to apply to the Pipeline and Hazardous Materials Safety Administration (PHSMA) for a grant to create this website. They would like the Commission to support this grant proposal. Their ultimate goal is to have the County take over the maintenance of the site once they have created it.

The committee unanimously agreed to support the grant application by the AIA to PHSMA to create the site.

b) Review Format of Hazardous Materials Webpage

The committee reviewed the current HMC webpage and some changes the web designer made, and made the additional recommendations.

- Add a "current topic or priorities section
- Add the County's Environmental Justice policy to the web page
- Add a section to contain the recommendations the Commission has to the Board of Supervisors
- Add a hyperlink to the Industrial Safety Ordinance
- Remove "Overall" in policy recommendation in History Section

- Add an e-mail address contact info in addition to phone number

c) Discuss Potential Cybersecurity Workshop

The committee discussed sponsoring another cybersecurity workshop with the Department of Homeland Security, but this time in conjunction with a presentation by the Health Department's IT group on the types of services they can provide to agencies and businesses that have had their computer systems hacked. The committee voiced support for sponsoring a combined workshop, but recognized that the timing for such a workshop would probably be later in the year due to the COVID-19 pandemic.

d) Discuss recommendation to add a third City Seat to the Commission

Michael Kent explained to the committee that while he was discussing with the CAO staff the changes to the Commission bylaws that would be necessary to add an Environmental Justice seat to the Commission, they told him that the Commission would also have to add a third City Seat. The reason they gave was that the State law through which the Commission was established requires that an advisory committee must be in place to advise the Board of Supervisors on the administration of the County's Hazardous Waste Management plan that was adopted in 1989. (Health and Safety Code 25135.2). This section of the law requires that the advisory committee have three City seats. Since the Hazardous Materials Commission references this section of the law in defining its responsibilities, they determined that the Commission is the logical choice to be the advisory committee to advise the Board of Supervisors on the administration of the Hazardous Waste Management Plan. They also determined that because the law did not contain a sunset clause for the advisory committee, and the law was never rescinded, that the Commission still must meet this obligation. The CAO's office also informed him that the action the Board of Supervisors took in a Board Order adopted on March 1, 1994 to reduce the number of City Seats from three to its current level of two was invalid. The CAO's staff told him they would draft a Board Order making this change for the Internal Operations Committee of the Board of Supervisors to consider on April 6, 2020.

6) Plan Next Agenda: The committee did not plan any agenda items for the next meeting pending developments in the COVID-19 situation.

7) Adjournment: The meeting was adjourned at 12:00.