

Hazardous Materials Commission

Draft Minutes Operations Committee

March 13, 2015

Members and Alternates

Present: Rick Alcaraz, Fred Glueck, Ralph Sattler, Leslie Stewart, Don Tatzin,

Absent: Henry Clark,

Staff: Michael Kent

Members of the Public: Peter Dragovich, Gail Garrett

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

Michael Kent announced:

- The Commission's annual meeting with Supervisor Gioia will be on March 17th at 9:00.
- The State Refinery Safety Taskforce is holding a community forum on March 26th at 6:00 in Crockett.
- The Alamo Improvement Association's community forums on pipeline safety will be on June 3 in Martinez and June 6 in Alamo.
- PGE will start removing soil stored on site at their waste ponds in Bay Point in April.

Gail Garret announced that the Area Agency on Aging will be holding public workshops on Senior financial planning in Pinole on March 19th and Pleasant Hill on March 18th.

2) Approval of Minutes:

The minutes for the February 13, 2015 meeting were moved by Commissioner Alcaraz, seconded by Commissioner Glueck, and approved 4 – 0 (Commissioner Tatzin arrived after the vote).

3) Public Comments: None

4) Old Business:

a) Update on the pharmaceutical disposal Issue

The legality of the Alameda County Ordinance is still under appealed to the US Supreme Court by the pharmaceutical industry after the Federal Appeals Court upheld it earlier in 2014. There is no timeline for determining when they will decide to hear the case or not.

Dave Wyatt from the Central Contra Costa Sanitation District had preliminary discussions with the Office of the Sheriff about their interest in collecting controlled substances as well as other unused pharmaceuticals and transporting themselves to the incinerator in the Central Valley. They told him they currently only make this trip a couple of times a year to dispose of evidence, and so developing a full collection program would be a significant increase in labor costs. As a result, interest in developing a program did not appear to be high.

The committee discussed the pros and cons of encouraging law enforcement to set up collection bins versus waiting to see if the County might develop a producer responsibility ordinance similar to the Alameda Ordinance, and decided that some additional cost information would be helpful to the discussion. They therefore directed staff to develop a cost estimate for a law enforcement program.

b) Update on the response from the Department Heads to the Commission request concerning implementation of the County's Environmental Justice Policy

The committee reviewed response letters from the Public Works, Agricultural, and Conservation and Develop Departments.

Commissioner Glueck saw the responses from the Departments as not meeting the intent of Environmental Justice philosophy, but since the policy is so nebulous, he saw that it is hard to reach a common understanding of what each Department should be doing. He felt that implementation of Environmental Justice is really about transparency and enabling communities to be involved in decisions that impact them.

Commissioner Tatzin felt the letters from the Departments didn't recognize that there isn't a level playing field for different communities, and didn't demonstrate the same level of action as was in the Health Department's statement on implementing the Environmental Justice policy.

Commissioner Alcaraz observed that the opportunities for people aren't around like they used to be and sees differences in how well different communities are doing. This needs to be addressed.

Michael Kent let the committee know that he had met with the Health Services Director and the Public Health Director and they were interested in talking to the Committee about how Environmental Justice concerns might be addressed through a Health in All Policies approach. The committee said they would be interested in hearing about this at their next meeting. Commissioner Tatzin was interested in understanding how this would impact a Department's decision-making process.

The committee agreed they need to do more follow-up on this issue. Commissioner Stewart said she would like to ask more questions to the Departments such as how they address Environmental Justice concerns in specific issues, such as CEQA review. Commissioner Sattler said he was interested in learning more about how the Departments measured and evaluated implementation of the policy.

5) New Business:

- a) Interview candidate for the Open Environmental Seat Alternate position and make recommendation to the full Commission for consideration.**

The committee interviewed Peter Dragovich for the open Environmental Seat Alternate position. This is the alternate for the Environmental Seat held by Commissioner Clark. Commissioner Tatzin made a motion, seconded by Commissioner Glueck that the full Commission recommend the Board of Supervisors consider Mr. Dragovich for this seat. The motion carried 5-0.

6) Reports from Commissioners on Matters of Commission Interest: None

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