

Hazardous Materials Commission

Draft Minutes

Planning and Policy Development Committee
September 16, 2020

Members and Alternates:

Present: Jonathan Bash, Don Bristol (late), Mark Hughes, George Smith,

Absent: Mark Ross, Jim Payne,

Staff: Michael Kent

Members of the Public: Jan Warren, Interfaith Climate Action Network

1. Call to order, introductions and announcements

Commissioner Hughes called the meeting to order at 4:10.

Announcements:

Michael Kent announced:

- The Operations committee will be conducting interviews for the Environmental Justice seat, the Environmental seat and the Student intern seat at their October 9th meeting.
- The full Commission will be holding their next meeting on September 24th.
- The Board of Supervisors Sustainability Committee meets on September 29th at 3:00.

Commissioner Hughes announced that the Industrial Association will be holding a forum of Mayors from Contra Costa Cities on September 24th at 10:30, they will be hosting a presentation by Congressman Mike Thompson on October 22nd, time to be determined, and they will be hosting the Board of Supervisors forum on November 12th, time to be determined. All three presentations will be on Zoom. The annual IA golf tournament has been delayed until the spring.

2. Public Comments: None

3. Approval of Minutes:

The minutes from the January 15, 2020 meeting were moved by Commissioner Smith, seconded by Commissioner Bash and approved 3-0. Commissioner Bristol arrived after the minutes were approved.

4. Old Business: None

5) New Business:

a) Review the County's 2020 Legislative Platform and develop recommendations

The committee reviewed existing items in the 2020 State Legislative Platform related to hazardous materials issues and had the following comments.

Commissioner Hughes was concerned that the Principles and Policy statement in the State Platform on Climate Change contained no support for legislation that analyzes the economic impact of losing refinery jobs as the economy transitions away from the use of fossil fuels. He would like to add language to support legislation that studies the economic, workforce and social impacts of transitioning way from fossil fuels.

Commissioner Bash would like to see the Principles and Policy statement supporting efforts to increase waterborne transport of goods, in particular relative to the San Francisco to Stockton Ship Channel include provisions to do so with adequate environmental review.

Commissioner Bash would like to see the Principles and Policy statement supporting measures to enhance rail safety include funding for enforcement. Commissioner Hughes would like to see this statement include support for improved partnerships between state and federal regulators. The committee also wanted to see this measure be part of the Federal Platform as well.

The committee asked staff to do further research to determine if there is need for Federal funding for the re-development of the former Concord Naval Weapons Station, and if the concept of establishing a national price on carbon-based fuels is the same as supporting the concept of establishing a carbon tax.

The committee also reviewed the Principle Statements they developed for the 2020 platform at their January 15, 2020 meeting that were never acted upon by the full Commission (below). The committee identified the statements that are **bolded** as **not** being addressed in either the state or federal 2020 platform, and recommended that they be added.

2020 Principle Statements

Exposure

- 1) Support legislative efforts to reduce or eliminate lead and toxic substances in consumer products, particularly those used by infants and children.
- 2) Support legislative efforts to reduce exposure to toxic air pollutants and reduction of greenhouse gases.

Land Use

- 3) **Support legislative efforts to evaluate, clean up and redevelop contaminated sites.**

- 4) Support legislative efforts that address the illegal dumping of household hazardous wastes through incentives and enforcement.

Pipeline Safety

- 5) **Support legislative efforts that increase the safety of the shipment of hazardous materials by pipeline through better monitoring, detection, operational practices and equipment.**

School Siting

- 6) **Support legislative efforts that reduce the risk to students from the accidental release of hazardous materials by requiring risk assessments that account for all sources of hazardous materials as part of school siting and re-building decisions.**

Goods Movement

- 7) **Support legislative efforts to increase and improve waterborne transportation of goods when it increases safety.**

Rail Safety

- 8) Support legislative efforts that improve the safety of the shipment of hazardous materials by rail through training for local first responders, increased sharing of data, reduction of material hazards, and appropriate speed limits.

Waste Management

- 9) **Support legislative efforts that establish producer responsibility for management at the end of their useful life of products, including pharmaceuticals, batteries, sharps and veterinary medicine.**
- 10) Support legislative efforts to allow third parties, under specific circumstances and conditions, to collect and transport household hazardous waste to collection facilities.
- 11) **Support legislative efforts that reduce the quantity of harmful pharmaceuticals (including veterinary medicine) that ultimately enter wastewater treatment facilities, bodies of water, and landfills.**

b) Review the status of Committee priorities adopted on January 15, 2020 and update

The committee reviewed the following priorities adopted on January 15, 2020 and agreed to keep them as priorities.

- Continue to review, and potentially develop recommendations for, the regulations being developed by DTSC for TSD facilities concerning cumulative and community impacts.
- Track the developments in the WSPA lawsuits concerning the recent amendments to the State's PSM and CalARP regulations, and consider supporting a resolution the Board of Supervisors are being asked to adopt.

- Track the development of Air District regulations that also have hazardous materials implications.
- Review the root cause analysis of the Nustar fire in October, 2019 and potentially develop recommendations as appropriate.
- Review the implementation of SB 1000 (Environmental Justice) in the development of the County's General Plan.
- Continue to receive updates on the emerging impacts and regulation of PFOS.
- Hold public meeting on the ISO Safety Culture Assessments requirements.
- Continue to learn about the impacts of the proposed deepening of the shipping channel in SF Bay and Carquinez Strait.

The committee agreed that the review of the implementation of the SB 1000 requirements in the General Plan should include an update on the overall implementation of the General Plan.

Commissioner Smith suggested that a good future topic could be presentation on the announced transition of Phillips 66 refinery to processing biofuels. Commissioner Bristol said that he would be able to do that.

6) Items of Interest: None

7) Plan Next Agenda: The committee will finalize their recommendations on the legislative platforms, receive updates on priority items, and begin a review of the Environmental Justice goals, policies and actions proposed for the General Plan update.

8) Adjournment – The meeting was adjourned at 5:30.