

Hazardous Materials Commission

Draft Minutes

Planning and Policy Development Committee

April 15, 2015

Members and Alternates:

Present: Rick Alcaraz, Don Bristol, Frank Gordon, Steve Linsley, Jim Payne,

Absent: Matt Buell, Lara DeLaney, George Smith

Members of the Public: Martha and Peter Dragovich, Jim Neu, Martinez Environmental Group

1. Call to order, introductions and announcements

Commissioner Payne called the meeting to order at 4:09

Announcements:

Michael Kent announced:

- Peter Dragovich's nomination to the Commission was approved by the Board's Internal Operations Committee on April 13 and will go to the full Board of Supervisors at the next available meeting.
- The Internal Operations Committee of the Board of Supervisors discussed the triannual reviews of a number of advisory boards and commissions at their April 13 meeting including the Hazardous Materials Commission. They did not have any specific recommendations for the Commission, but did discuss the idea of combining the Commission with the Public and Environmental Health Advisory Board.
- The Alamo Improvement Association workshops on pipeline safety have been set for June 3 in Alamo and June 6 in Martinez.
- The Board Ad Hoc committee on the Industrial Safety Ordinance will meet on April 17th.
- DTSC sent out cleanup notices about the Zenica and PG&E cleanup sites
- On April 6 CalEPA held a debrief on the March 26 community forum on refinery safety and discussed possible different formats for the next forum if they are going to discuss the crude by rail issue.

2. Public Comments: None

- 3. Approval of Minutes:** The minutes from the March 18, 2015 meeting were moved by Commissioner Gordon, seconded by Commissioner Bristol and approved 4-0

4. Old Business:

a) Update on Northern Shoreline Revitalization Effort

There has been no progress on this issue since the last meeting.

b) Consider recommendations on Crude by Rail issues

The committee had a long and wide ranging discussion on whether or not to make recommendations to the Board of Supervisors on proposed federal regulations concerning the shipment of crude oil by rail, as suggested by Supervisor Gioia in the Commission's annual meeting with him on March 17th.

The committee began their discussion by reviewing a letter from the Washington Fire Chiefs Association to the BNSF railroad requesting information about worst case scenarios, insurance coverage, emergency response plans and route selection. This letter and these issues were brought to the attention of staff by Fred Millar, a community right-to-know advocate, with the request that the Commission consider them as part of their review of the federal regulations.

Commissioner Bristol questioned whether the Commission weighing in at this point would be adding anything new, or if would just be providing support to a position that Supervisor Gioia has already taken.

Commissioner Payne felt that the County and the State don't need to wait for federal regulations to be passed to act. He is concerned that the rail cars currently being used to transport crude oil are not safe, and that the Commission should recommend to the Board of Supervisors that they request the information from the railroads outlined in the Washington Fire Chief's letter.

Commissioner Gordon said he thought the Fire Chief's letter is significant. In commenting on the WesPac EIR, the local fire department voiced their concern that they would have difficulty fighting a fire from a derailment and explosion of one or more tank cars carrying crude oil.

Commissioner Payne added that the lack of insurance is also a significant issue. The rail line that carried the train that caused the fire and killed 47 people in Lac-Megantic, Quebec had gone belly up.

Martha Dragovich commented that there are a number of cities that have written letters to the Federal Government commenting on the proposed rules. Peter Dragovich added that he thought it is an important enough issue not to drop.

The committee continued to discuss the purpose of the Commission's role in advising the Board of Supervisors and the nature of that advice on this issue until they ultimately decided that at the next meeting they would review the proposed federal regulations in detail, but that they wouldn't look at the right-to-know issues unless they are part of the proposed federal regulations.

5. New Business - None

6. Items of Interest:

Commissioner Gordon was interested in learning more about the Dow Level 2 incident from several weeks ago.

7. Plan Next Agenda

Review the proposed federal regulation on the shipment of crude oil by rail and consider making recommendations to the Board of Supervisors about commenting on them.

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