CONTRA COSTA COUNTY
HAZARDOUS MATERIALS COMMISSION

Thursday, January 24, 2018
4:00 p.m. – 6:00 p.m.

The County Connection
2477 Arnold Industrial Way, Board Room
Concord CA 94520

COMMISSION ACTION MAY BE TAKEN ON ANY ISSUE IDENTIFIED IN THIS AGENDA

The Contra Costa County Hazardous Materials Commission will provide reasonable accommodations for persons with disabilities planning to attend the Hazardous Materials Commission meetings who contact Michael Kent, Hazardous Materials Commission Executive Assistant, at least 24 hours before the meetings, at (925) 313-6587

AGENDA

1. CALL TO ORDER, ANNOUNCEMENTS AND INTRODUCTIONS

2. APPROVAL OF MINUTES: November 29, 2018 & September 27, 2018

3. PUBLIC COMMENT

4. HAZARDOUS MATERIALS PROGRAMS REPORT .......................................................... Randy Sawyer

5. OPERATIONS COMMITTEE REPORT ................................................................. Committee Chair

6. PLANNING AND POLICY DEVELOPMENT COMMITTEE REPORT ................................ Committee Chair

7. OLD BUSINESS:
   a) Update on the Levin Richmond Terminal air monitoring plan and the Richmond AB 617 process.

8. NEW BUSINESS:
   a) Elect Commission Chair and Vice Chair
   b) Develop Commission priorities for 2019

9. REPORTS FROM COMMISSIONERS ON MATTERS OF COMMISSION INTEREST ..................................... Members

10. PLAN NEXT AGENDA

11. ADJOURNMENT

Attachments

Questions: Call Michael Kent (925) 313-6587

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by Contra Costa Health Services to a majority of members of the Hazardous Materials Commission less than 72 hours prior to that meeting are available for public inspection at 597 Center Avenue in Martinez.
CONTRA COSTA COUNTY
HAZARDOUS MATERIALS COMMISSION

2019 MEETING CALENDAR

HAZARDOUS MATERIALS COMMISSION
The County Connection - 2477 Arnold Industrial Way, Board Room
Concord CA 94520

4th Thursday of Each Month, 4:00 p.m. - 6:00 p.m. - (except Nov/Dec)

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<tr>
<th>January 24</th>
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OPERATIONS COMMITTEE
North Richmond Center for Health - 1501 Fred Jackson Way
Richmond CA 94801

2nd Friday of Each Month, 10:00 a.m. - 12:00 noon

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<tr>
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PLANNING & POLICY DEVELOPMENT COMMITTEE
United Steelworkers Local 5 (PACE) - 1333 Pine Street, Suite C -1
Martinez CA 94553

3rd Wednesday of Each Month, 4:00 p.m. - 5:30 p.m.

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<tr>
<th>January 16</th>
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<td>REPRESENTATIVES</td>
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<tr>
<td><strong>Business Seat #1</strong>&lt;br&gt; * West County Council of Industries&lt;br&gt; * Veolia North America</td>
<td>Fred Glueck&lt;br&gt; Aaron Winer (A)</td>
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<tr>
<td><strong>Business Seat #2</strong>&lt;br&gt; * Industrial Association&lt;br&gt; *</td>
<td>Mark Hughes&lt;br&gt; Vacant</td>
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<td><strong>Business Seat #3</strong>&lt;br&gt; * Contra Costa Taxpayers Association&lt;br&gt; * Contra Costa Taxpayers Association</td>
<td>Don Bristol&lt;br&gt; Marj Leeds (A)</td>
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<td><strong>City Seat #1</strong>&lt;br&gt; * City of Martinez&lt;br&gt; * City of Pleasant Hill</td>
<td>Lara DeLaney&lt;br&gt; Matthew Rinn (A)</td>
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<td><strong>City Seat #2</strong>&lt;br&gt; * City of Martinez&lt;br&gt; * City of San Pablo</td>
<td>Mark Ross&lt;br&gt; Rich Kinney (A)</td>
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<td><strong>Environmental Engineering Seat</strong>&lt;br&gt; * GBR Smith Group&lt;br&gt; * Innovex Environmental Management</td>
<td>George Smith – Chair&lt;br&gt; Ron Chinn (A)</td>
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<td><strong>Environmental Organization Seat #1</strong>&lt;br&gt; * Communities for a Safe Environment&lt;br&gt; * Communities for a Safe Environment</td>
<td>Ralph Sattler&lt;br&gt; Lisa Park (A)</td>
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<td><strong>Environmental Organization Seat #2</strong>&lt;br&gt; * Richmond South Shoreline Area Community Advisory Group&lt;br&gt; * John Muir Land Trust</td>
<td>Steven Linsley&lt;br&gt; Linus Eukel (A)</td>
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<td><strong>Environmental Organization Seat #3</strong>&lt;br&gt; * Sustainable Contra Costa</td>
<td>Vacant&lt;br&gt; Peter Dragovich (A)</td>
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<td><strong>General Public Seat</strong></td>
<td>Frank Gordon&lt;br&gt; Tim Bancroft (A)</td>
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<td><strong>Labor Seat #1</strong>&lt;br&gt; * Central Labor Council&lt;br&gt; *</td>
<td>Rick Alcaraz&lt;br&gt; Vacant (A)</td>
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<tr>
<td><strong>Labor Seat #2</strong>&lt;br&gt; * United Steelworkers - Local 5&lt;br&gt; * United Steelworkers - Local 5</td>
<td>Jim Payne&lt;br&gt; Tracy Scott (A)</td>
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<td><strong>League of Women Voters Seat</strong></td>
<td>Leslie Stewart&lt;br&gt; Rita Xavier (A)</td>
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*For identification purposes only*
HAZARDOUS MATERIALS COMMISSION MEETING  
Commissioners Sign-In Sheet  

Date: January 24, 2019  
The County Connection  
2477 Arnold Industrial Way, Board Room, Concord  
4:00 p.m. – 6:00 p.m.  

Please initial by your name - (Do not X or /=)  

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County Staff  

| Michael Kent  
| Randy Sawyer |
Contra Costa County
HAZARDOUS MATERIALS COMMISSION

Draft Minutes
November 29, 2018

Members and Alternates Present: Fred Glueck, Frank Gordon, Steve Linsley, George Smith, Leslie Stewart, Lisa Park (alternate), Jim Payne
Absent: Rick Alcaraz, Don Bristol, Lara De Laney, Mark Ross, Industrial Association Seat – Vacant, Environmental Seat #2 – vacant, Ralph Sattler (represented by alternate), Staff: Michael Kent

Members of the Public:

1. Call to Order: Commissioner Smith called the meeting to order at 4:05

Announcements and Introductions:

Michael Kent announced:

- Two annual meetings with Supervisors are scheduled in December: Andersen – December 6 at 1:00 and Mitchoff – December 10 at 3:00.
- The next CAER Safety Summit is on December 6th at 8:00 am at the Shell clubhouse.
- The Sustainability Commission is looking at the issues of Environmental Justice and Equity at their next meeting on December 10th.
- The next Northern Waterfront Economic Development Initiative meeting is on December 5th at 11:00 at 4071 Port Chicago Highway.
- The East Bay Leadership Council Environmental Task Force meeting will feature a talk on PFAs (ie Teflon-like substances) by Amy Wilson at 8:00 at Brown and Caldwell in Walnut Creek.

2. Approval of the Minutes:

Consideration of the minutes for the September 27, 2018 meeting were delayed because they were not provided in their entirety in the agenda packet.

The October 25, 2018 minutes were moved by Commissioner Glueck, seconded by Commissioner Stewart and approved 7 – 0.

3. Public Comments: None

4. Hazardous Materials Programs Report:

Randy Sawyer was unable to attend and no report was made.
5. Operations Committee Report:

The Operations Committee received a report from Marianna Moore at Ensuring Opportunity Campaign to End Poverty in Contra Costa County about their efforts to conduct community engagement for the Adapting to Rising Tides effort on behalf of the Bay Conservation and Development Commission. The committee also received an update on the AB 617 cumulative impacts study being conducted in Richmond by the Bay Area Air Quality Management District.

6. Planning and Policy Development Committee Report:

The Committee did not meet in November.

7. Old Business:

a) Update on the Air Monitoring study being proposed for the Levin Richmond Terminal

At the West County Council of Industries meeting, which was attended by Michael Kent and Commissioner Glueck, Jim Holland from Levin said that the proposed study costs had increased to over $200,000 and Supervisor Gioia had indicated that he would prefer any air monitoring done around Levin be part of the AB 617 process. Therefore, it was unclear if the study would go forward.

Commissioner Stewart said that she understood that the City of Richmond won’t move forward with their proposed nuisance ordinance without information on the health impacts of emissions from the facility on residents.

Commissioner Gordon heard that Councilman Martinez might try to go the route of changing the zoning code in Richmond to phase out coal and coke handling.

The Commission decided to continue to monitor the situation.

8. New Business:

a) Review and develop recommendations on the clean-up plan for the former DuPont site in Oakley.

In response to a request from Supervisor Burgis, the Commissioners reviewed the background materials provided on the clean-up proposal and recommended that a letter be sent to the board of Supervisors summarizing the follow:

- While the clean-up plan has already been approved, there are some things in the future the Board could help make sure happen.
• Future monitoring results should be reviewed to make sure they are effective. Commissioner Linsley was especially concerned about possible exposure from lead coming to the surface by uptake from trees.
• Proper steps need to be taken to protect public health if groundwater vapors are found to intrude nearby buildings.
• The Board needs to make sure that consideration of sea level rise impacts are taken into account in future cleanup plans for sites along the shoreline.

9. Reports From Commissioners On Matters of Commission Interest:

Commissioner Gordon reported that the comment period for the Draft EIR for the Making Waves Charter School in Pittsburg will be from November 13, 2018 to January 2, 2019. The document is 284 pages long with 1200 pages of additional documentation. There was no mention of risks from near-by hazardous in the DEIR.

Making Waves is asking the County Board of Education to charter the school.

10. Plan Next Agenda:

Set Commission priorities for 2019

11. Adjournment: The meeting adjourned at 5:45 pm.
Contra Costa County

HAZARDOUS MATERIALS COMMISSION

Draft Minutes
September 27, 2018

Members and Alternates Present: Don Bristol, Lara DeLaney, Fred Glueck, Frank Gordon, Steve Linsley, Jim Payne, Mark Ross, George Smith, Leslie Stewart, Lisa Park (alternate), Peter Dragovich (alternate), Aaron Winer (alternate)
Absent: Rick Alcaraz, Industrial Association Seat – Vacant, Environmental Seat #2 – Vacant (represented by alternate), Ralph Sattler (represented by alternate),
Staff: Michael Kent, Randy Sawyer

Members of the Public: Guy Gimlen, Ron Pilkington, Sal Rueda, Bay Area Air Quality Management District

1. Call to Order: Commissioner Smith called the meeting to order at 4:02.

Announcements and Introductions:

Michael Kent announced:

- The next Commission annual meeting with a County Supervisor will be with Supervisor Burgis next month. The date has not been set yet.
- The Commission did not receive any qualified applications for the open Environmental Seat, and so will re-advertise with an open application date until filled.
- The Industrial Association’s monthly luncheon on September 11th featured speakers from WSPA and CMTA discussing their perspective on the development of the monitoring plan for AB 617. They may be good speakers for the Commission in the future.
- The next meeting of the Northern Waterfront Economic Development Initiative will be on October 2nd.

Commissioner Smith announced that the next Industrial Association meeting on November 15th will be the annual Board of Supervisor discussion. Also, they are still searching for an Executive Director.

2. Approval of the Minutes:

The minutes of the August 23, 2018 meeting were moved by Commissioner Gordon, seconded by Commissioner Glueck and passed 7-0-3 with Commissioners Smith, Ross and Payne abstaining. Commissioner Bristol arrived after the vote.

3. Public Comments: None
4. Hazardous Materials Programs Report:

Randy Sawyer reported that:

- The Hazmat team representing the Program recently won the Urban Shield Hazmat response competition, beating out 11 other teams. There will be a presentation at the October 9th Board of Supervisors meeting.
- The Green Business Program recently won a Partners for Health Award.
- There was an incident at the Orinda Country Club swimming pool. Hydrochloric acid was accidentally pumped into a sodium hypochlorite tank and chlorine gas was formed at above IDLH levels inside the shed. The tank was pumped out into the pool and the situation was resolved without any injuries.

5. Operations Committee Report:

The Operations Committee reviewed the status of implementation of the County’s pharmaceutical ordinance and provided more feedback to Contra Costa Climate Leaders on their draft hazardous materials scorecard. They also discussed the Commission’s bylaws in terms of who they can make recommendations to, and determined they needed to look into the matter in more detail. They also reviewed the status of open and expiring Commission seats.

6. Planning and Policy Development Committee Report:

The committee did not meet in September

7. Old Business:

a) Discuss recommendations from the Operations Committee concerning the inclusion of building sites for Charter Schools in the California Department of Education regulations and guidelines concerning site selection

At their July 13, 2018 meeting the Operations committee reviewed how Charter Schools are covered by the school siting regulations and guidelines and developed the following recommendations for the full Commission to consider recommending to the Board of Supervisors:

Add a policy to the County’s State Legislative Platform that they support legislation that would:

1) Add the risk of hazardous material releases from facilities to the state siting criteria.
2) Change the State school siting criteria to apply to charter schools
3) Require the California Department of Education to provide the current state siting criteria to local jurisdictions when charter schools are being proposed in their jurisdictions.

To support this recommendation, Commissioner Gordon said that the City of Pittsburg has issued a scoping document for an EIR for the construction of a charter school and did not mention the State Siting Criteria.
The Commission voted 10 – 0 to support this motion (Commissioner Ross had left the meeting before the vote).

Commissioner Stewart then made a motion, seconded by Commissioner Gordon, to recommend to the Board of Supervisors that they add the following recommendations that the Commission made to them on January 15, 2018 to their Legislative Platform:

1) The California Department of Education should develop guidelines for assessing and mitigating the risks of siting new schools near industrial facilities and rail lines due to potential explosions and fires from the use, storage, manufacture and transportation of hazardous materials, similar to the guidelines they have established for assessing and mitigating the risks from the transportation of hazardous materials through pipelines.

2) The California Department of Education should amend the regulations pertaining to the rebuilding of schools on the site of existing schools to require that the current risks from accidental explosions and fire of hazardous materials used, stored, manufactured or transported at industrial facilities, in pipelines and by rail are assessed and mitigated.

The Commission voted 10 – 0 to support this motion (Commissioner Ross had left the meeting before the vote).

8. New Business:

a) Presentation by Guy Gimlen, Bay Area Air Quality Management District, about implementation of the monitoring requirements of new Air District Regulation 6, Rule 1 concerning the control of particulate matter

Mr. Gimlen gave a power point presentation (attached) that covered:

• Particulate Matter basics
• Particulate Matter health impacts
• Air Quality trends
• Regulation 6 Rule 1 adopted on August 1, 2018
  - Performance-based standards
  - Monitoring
  - Record keeping

He then opened up the discussion to questions.

Commissioner Gordon commented that the particulate emissions from the Koch facility in Pittsburg, as reported on the CARB web site for 2016, were 0.1 tons per year, and Levin’s emissions were reported as 36 tons per year. He wanted to know why there was such a large difference between the two, and why is that allowed. He said that Koch had to meet Best
Available Control Technology when it was built, and they construct enclosed barns with negative pressure and filters. Why didn’t the Air District require this of Levin?

Mr. Gimlen responded that for existing facilities they require Best Available Retrofit Technology and this requirement has an economic cost-effectiveness test. This is required by the Health and Safety Code. It would cost between $40 and $60 million dollars to enclose the loading operation at Levin. This would cost $700,000 per ton of PM removed per year. Usually, $50,000 per ton of PM removed per year is considered cost effective. Spending $40 - $60 million to enclose their loading operation would shut the facility down.

Commissioner Ross said that this cost per ton is such an outlier that the Air District would be sued if they required it for being unfair, and for not being in compliance with the Health and Safety Code.

Mr. Gimlen explained that is why they developed a performance standard for this rule, using opacity as the measure of compliance. He said while opacity limits may not be the greatest measurement, they have stood the test of time and inspectors are trained on how to measure it, and have very good accuracy. He also confirmed that opacity can’t be measured at night.

Commissioner Gordon asked why couldn’t the rule be structured to give them a goal to meet. Mr. Gimlen said that the Health and Safety code requires that the rule be physically and economically feasible.

Commissioner DeLaney asked what the penalties are if a facility does not meet the performance standards of the rule. Mr. Gimlen said that if a Notice of Violation is issued by the Air District to a facility for violating a performance-based standard the facility could be required to comply with a corrective action plan and issued fines. Mr. Rudea added that Air District inspectors inspect Levin a couple of times a year, and will go in every week if there are complaints. He said he also drives by the facility every day. Commissioner Ross added that sometimes legal settlements are easier and are where effective controls can be negotiated.

Commissioner Park asked how they ensure compliance with the rule at night, since opacity can’t be measured at night. Mr. Gimlen said that they need to give industry a way to come into compliance and 90% do. He believes Levin uses the same BMPs at night as they deploy during the day.

Commissioner Linsley noted that the BMPs they have in place currently will not be affected by the new rule. So what can be done to reduce the amount of particulate leaving the site? Mr. Gimlen said that 36 tons/year of particulate emissions is a reasonable amount and that they have good BMPs in place. Commissioner Dragovich asked if the Air District ever does fenceline monitoring to ensure compliance. Mr. Gimlen said that they did do fenceline monitoring at a cement plant once, so there is a precedent.

Commissioner Glueck said it would be helpful, for comparison sake, to know what typical particulate emissions are from a highway.
Michael Kent asked how the Air District will verify that the facility is in compliance with the performance-based standards when they are not on site. Mr. Gimlen responded that when he has been there piles are wet, they have video monitoring in place, and they have good BMPs in place.

Commissioner Park asked if it isn’t a bad thing that approximately 0.1 tons/day are coming off the site since there are already a lot of other emissions from other sources in the area. Mr. Gimlen responded that it is relevant, and the other sources are much bigger.

9. Reports From Commissioners On Matters of Commission Interest:

None

10. Plan Next Agenda:

Ask the City of Richmond to attend to discuss the air monitoring plan being developed for Levin.

11. Adjournment:  The meeting adjourned at 5:54 pm.
Attachment

Item 1
December 18, 2018

Contra Costa County Supervisor Diane Burgis, District III
3361 Walnut Boulevard, Suite 140
Brentwood, CA 94513

Re: Chemours Site Cleanup

Dear Supervisor Burgis:

When members of the Hazardous Materials Commission met with you on October 31, 2018 you requested that the Commission provide you with an analysis of the cleanup plan for the Chemours (formerly DuPont) site in Oakley. The Commission reviewed relevant materials from the clean-up plan at our meeting on November 29, 2018, and developed the following summary and recommendations for you.

Background

DuPont occupied the 345 acre site, which is now within the City of Oakley, from 1956 to 1998 and manufactured fuel additives, fluorocarbons (coolants) and titanium dioxide (a paint pigment). When they closed the facility, they left behind a range of toxic chemicals in the soil, groundwater, surface water and sediments including PCBs, heavy metals and solvents. In 2015 DuPont transitioned its performance chemicals business into a new, separate company. The new company, Chemours, began operation in 2015, and this site is now under the ownership of Chemours. The site is being cleaned up under the direction of the California Department of Toxic Substances Control (DTSC). Many cleanup activities and extensive monitoring have occurred since 1981, and the buildings have mostly been removed from the site. The site is being cleaned up to commercial/industrial standards, and that is the intended future use of the site by the City of Oakley, with some recreational possibilities on the northern portion of the site, which is wetlands and waterfront.

The Cleanup Plan

The focus of the cleanup plan is on four highly contaminated areas: the sediments of a slough in the northern part of the site, the soils in the central area of the site under the former heart of the manufacturing area, and two groundwater plumes traveling from underneath the central contaminated area north towards the waterfront. The proposed cleanup plan and CEQA analysis were published on March 16, 2018, and a public comment period occurred from March 16 through April 30 of 2018. Eight entities provided comments on the draft cleanup plan. The final cleanup plan was published on June 29, 2018.
The cleanup plan includes soil and sediment treatment and removal, continued use of permeable reactive barriers that had been previously installed to remove groundwater contaminants; treating groundwater with iron and vegetable oil to bind and decompose groundwater contaminants; planting trees to uptake contaminants from the groundwater and soil; monitoring and mitigating, as required, vapor intrusion at the Lauritzen Yacht Harbor; and monitoring the levels of contaminants in surface water and groundwater into the future (up to 70 years). The onsite work is expected to take two years, and is limited to the months of September to January so as to not disturb nesting birds.

Recommendations

The Commission has the following recommendations concerning the implementation of the cleanup plan:

1) Future monitoring results at the site should be reviewed to be sure that proposed remediation, including the permeable reactive barriers, groundwater treatment, and tree planting are actually having the intended affect. One Commissioner was concerned in particular about the use of tree planting to uptake contaminants, especially lead, out of the soil, and the possibility that this could move the lead from an area where it could do no harm (in the soil), to one (in plant material) where it get into the food chain.

2) Monitoring results should be reviewed to determine if volatile organic compounds infiltrate into buildings at the Lauritzen Yacht Harbor from the underlying groundwater, and if so, that proper steps are taken to ensure that people aren’t exposed to these contaminants.

3) Even though future development decisions at the site are under the authority of the City of Oakley, these decisions should be monitored to ensure that they are consistent with the limitations imposed by the cleanup plan (i.e., buildings are only built in the locations allowed and only for commercial and industrial use, groundwater is not used as drinking water, and recreational uses are limited to the areas identified in the plan). Development decisions should also be consistent with the intent of the Northern Waterfront Economic Development Initiative.

In addition to the above-mentioned recommendations, the Commission’s review of the cleanup plan for this site brought to light the importance of considering sea level rise in combination with flooding in the development of cleanup proposals for other contaminated sites along the waterfront in Contra Costa County, and for the on-going monitoring of sites previously cleaned up along the shoreline, including this one. Sea level rise, in combination with more intensive flooding, may potentially change the hydrodynamics and other physical parameters at sites which could lead to the release of contaminants or reduce the effectiveness of mitigation measures.

In the response to a comment by the Delta Stewardship Council on the draft cleanup plan encouraging DTSC to consider how the site may be affected by sea level rise, DTSC responded in part by stating, “The remedy will be reviewed every five years to evaluate unanticipated
environmental conditions, the effectiveness of the remedy, and any regulatory changes, at which time the remedy for the site may be modified to address unanticipated impacts due to sea level rise.”

The Commission feels that the potential impact due to sea level rise should be considered in the cleanup development phase so that potentially negative and costly impacts can be avoided. The Adapting to Rising Tides study that was conducted by the Bay Conservation and Development Commission for most of the Contra Costa shoreline, and the East Contra Costa Adapting to Rising Tides study currently underway, are developing the information necessary to anticipate the potential impact that sea level rise can have on cleanup projects. It is very important that future cleanup plans for contaminated sites along the Contra Costa shoreline take this information into account when developing mitigations and control measures.

Thank you for the opportunity to provide you with our feedback on the cleanup plan for the Chemours site. Please contact Michael Kent, Executive Assistant to the Hazardous Materials Commission at (925) 313-6587 if you have any questions about our recommendations.

Sincerely,

George B. Smith

Contra Costa County Hazardous Materials Commission
Chairperson

Cc: Supervisor John Gioia, District I
Supervisor Candace Andersen, District II
Supervisor Karen Mitchoff, District IV
Supervisor Federal Glover, District V
Attachment

Item 2
Advisory Body Name: Hazardous Materials Commission

Advisory Body Meeting Time/Location: Fourth Thursday of every month, 4-6 pm, 2477 Arnold Industrial Way, Concord

Chair: George Smith, Environmental Engineer Seat

Staff: Michael Kent, Contra Costa Health Services

Reporting Period: January-December, 2018

ACTIVITIES

- Researched application of school siting criteria for hazardous materials to charter schools.
- Received a presentation on the clean-up activities at the former Concord Naval Weapons Station.
- Received a presentation about a hazardous materials factsheet being created by Contra Costa Climate Leaders.
- Received a presentation on outreach to businesses about Sea Level Rise from the Hazardous Materials Program.
- Solicited the Chambers of Commerce in the County to determine their interest in promoting a workshop on Cybersecurity to local businesses.
- Received a presentation by No Coal in Richmond about coal and petroleum coke loading operations in Richmond.
- Received a presentation by concerned residents about the cleanup plan for Selby Slag.
- Received a presentation by Levin Richmond Terminal about their Best Management Practices for loading coal and petroleum coke.
- Conducted an in-depth review of Commission by-laws.
- Received a presentation from the Bay Area Air Quality Management District concerning recent amendments to their regulations governing dust control relevant to Levin Richmond Terminal.
- Received a presentation from Ensuring Opportunities to End Poverty about their community engagement efforts for the Regional Adapting to Rising Tides project.
- Conducted annual meetings with each of the five County Supervisors.

ACCOMPLISHMENTS

- The Commission assisted in developing and implementing three public workshops on pipeline safety by the Alamo Improvement Association.
- The Commission provided advice to the Board of Supervisors concerning school siting criteria related to sources hazardous materials.
- The Commission provided advice to the Board of Supervisors concerning the funding of the US Chemical Safety Board.
• The Commission provided extensive feedback on a hazardous materials factsheet being created by Contra Costa Climate Leaders.
• The Commission provided feedback to Ensuring Opportunities to End Poverty about their community engagement efforts for the Regional Adapting to Rising Tides project.
• The Commission developed a critique of the former DuPont Oakley site clean-up plan at the request of Supervisor Burgis.
• The Commission recommended changes and additions to the County’s Legislative Platform concerning school siting criteria.

ATTENDANCE/REPRESENTATION

The 13-member Commission has members and alternates from organized labor, environmental groups, industry, cities, environmental engineering firms, and the public at large. The Commission has membership from all regions of the County. Ten seats on the Commission were fully occupied this year. One of the Environmental Seats was vacated during the year, though the alternate was still filled, and one of the business seats and its alternate was vacated during the year. The alternate for one of the Labor seats was vacant the whole year. The Commission held 8 full commission meetings this year. The Operations committee met 9 times this year and the Planning & Policy committee met 4 times this year. On average, nine of the thirteen Commission seats were represented at the full Commission meetings.

TRAINING/CERTIFICATION

No training or certification was provided or conducted.

PROPOSED WORK PLAN/OBJECTIVES FOR THIS YEAR

The Commission held a planning retreat in December, 2016 and decided that their priorities for 2017 - 2019 would be:

• Continue to monitor the implementation of the Pharmaceutical Disposal Ordinance.
• Conduct formal annual reviews of the Industrial Safety Ordinance.
• Consider policies to redevelop brownfields within the Northern Waterfront Economic Development Initiative.
• Complete development of pipeline emergency preparedness brochure.
• Monitor pipeline safety issues.
• Consider the hazardous materials issues in the Adapting to Rising Tides Study and address policy issues as they arise.
• Sponsor a workshop on cybersecurity.
• Monitor rail transport of crude oil safety issues including tank car design.
• Monitor implementation of refinery air quality and safety regulations.

In addition, the Commission added to their scope of work this year the review of State school siting guidelines, the Selby Slag clean-up plan, the former DuPont site clean-up plan, the control of dust at the Levin Richmond Terminals, and the review of the hazardous materials fact sheet by Contra Costa Climate Leaders. In 2019, additional new topics may be added to the work plan as requested.
Attachment

Item 1
Hazardous Materials Commission Retreat

October 27, 2016, 3:00-7:00
IBEW Local 302 Meeting Hall
1875 Arnold Drive
Martinez, CA 94553

Retreat Objectives:
1. Recap progress on activities identified at last retreat
2. Determine priority issues for coming 3 years (continuing and new)
3. Assign priorities or next steps to committees for action

Attendance: Fred Glueck, Aaron Winer, Matt Buell, Jack Bean, Don Bristol, Lara DeLaney, Rich Kinney, George Smith, Ron Chinn, Ralph Sattler, Ed Morales, Steve Linsley, Peter Dragovich, Frank Gordon, Tim Bancroft, Rick Alcaraz, Tracy Scott, Leslie Stewart, Audrey Albrecht

AGENDA

Facilitator: Mary Anne Morgan

1. Review of agenda, goals, and role of facilitator
   Group (Name, position, how long) and MAM Introductions

2. Public Comment - None

3. Reiterate Commission mission

4. Review last three year activities/accomplishments
   ➢ Pharmaceuticals- Ralph Sattler
   ➢ IS0- George Smith
   ➢ Pipeline Transport- Fred Glueck
   ➢ Brownfields- Frank Gordon

• Areas of limited activity
   ➢ Community warning system
   ➢ Environmental Justice Framework implementation
   ➢ Rail transport-economy changed
   ➢ Crude Oil Terminals- demand reduced
   ➢ Refinery Modernization- no controversies to address
   ➢ Air District Refinery Fenceline Monitoring- ARB working on rules, more role in future
   ➢ Summarize and highlight those that should/could remain on HM working agenda as needed

George

George

Leslie
5. Emerging Issues for consideration: Listing, Clarifying, Advocating pre-Vote Materials:
   - Results of survey – Michael (post findings on flip)
   - Recap of education done in some of these areas to date- (industrial cybersecurity; sea level rise; nanotechnology)
   - Clarify which need education 1st, before action could be taken (write on flip chart next to issue)
   - Ask if there are issues listed that they don’t understand and explain them (or move to “education” needed)
   - Ask people to describe and advocate for any issue they want to see prioritized
     • After dinner, we’ll review the criteria for selecting among possible priorities, and then “vote by dot”.

BREAK OR DINNER SPEAKER- Ignacio Dayrit, Director of Programs, Center for Creative Land Recycling

6. Review issues and confirm group understanding

Below is the list discussed prior to voting, indicating which were combined:

1. Pharmaceuticals disposal- continuing ACTION activity. Providing input into proposed ordinance, and considering education for community as needed. This was not voted on, as it is already ongoing.

2. Rail and Pipeline Transportation of crude oil/ petroleum products- EDUCATION ACTIVITY
   group added an interest in looking at tank car issues, and replacement; Supervisor Piepho supported this activity.

3. Brownfields Policy- POTENTIAL EDUCATION AND ACTION
   Waterfront Initiative was added to this topic, due to shared focus, site locations; the latter activity is supported by S. Glover

4. Concord Naval Weapons Station- EDUCATION ACTIVITY
   need for update and discussion of status of disposal of hazardous waste on the base site since it is not in the purview of the HMC, but they would like a presentation update.

5. Oil and Gas wells in CCC- EDUCATION ACTIVITY
   There are active, idle, capped and plugged wells, HMC would like a presentation on their locations and status. This might require several agencies to participate in presenting to HMC.

6. Air District and Refinery Issues- EDUCATION ACTIVITY
   Group combined the following issues under this category- 1. Refinery fence line monitoring; 2. BAAQMD air monitoring emissions; 3. Carbon/methane emissions and relevant legislative updates (Jack indicated he knew good speakers, including someone who gave a good overview legislative update at a meeting he attended recently)
7. Modernization Plans for Refineries for next 5 years
   This may not be a big topic in the next couple of years, but it could link to PSM at some point
8. Sea Level Rise
   Impact on industrial sites and contaminated areas; group added the Northern Waterfront Initiative to this topic, since it is one place where sea level rise will be very significant concern; topic should also consider other locations such as Richmond.
9. Pesticides and natural landscape for residential and commercial sites
   Pesticide issues are already handled by another agency
10. PSM Regulations Revisions
    Movement on this issue is likely in the next year; potentially could link to modernization plans, but group decide to keep these issues separate.
11. Chlorine Release Risks Update
    Leslie described an article she just read regarding this issue, that stated there may be changes in the information about the risk of exposure to chlorine releases at local stationary sites. It is likely the state and local agencies will release new recommendations, that could prompt review and education of the public (can share with the group). After group discussion, this issue was re-titled Toxic Release Risk Changes, to incorporate broader scope
12. EJ in CEQA
    Group was unclear what this issue was, and whoever submitted it wasn’t present at the meeting to explain. Group hypothesized it might be about the new state law just passed, SB1000, that requires that General Plans must include some recognition of community impact, and potentially, EJ.
13. Infill and CEQA
    Consider how redevelopment for housing can also minimize impacts of commutes
14. Fracking - EMERGING ISSUE FOR HMC EDUCATION
    Water disposal, earthquakes issues, if fracking were to be used in CCC in future (it isn’t now). HMC could get educated to be ready to respond if issue comes up locally
15. Cybersecurity ACTION
    Follow up on last year’s presenter, who offered to help organize a workshop for businesses on cybersecurity; HMC could co-host.
16. Nanotechnology
17. Northern Waterfront Initiative- combined with Sea Level rise
18. Carbon/methane emissions- combined with Air District and Refinery Issues

7. Review selection criteria

8. Dot voting Activity - Everyone
9. Review and summarize results

TOPIC PRIORITIES FOR ACTION FIRST

#1 Sea Level Rise (11 votes)
Decision/Action: Full Commission discussion at December meeting on a more active role for HMC

#2 Brownfields/ Northern Waterfront Initiative (10 votes)
Action: Two committees will consider next steps: Planning and Policy Committee will look at policy issues, and Operations Committee will consider outreach strategy, which might include engaging in education through brownfield redevelopment program.

#3 Air and Refinery Issues (11 votes)
Decision/Action: Full Commission will discuss speaker series option, identify topics and speakers (Jack a resource); depending on outcome of discussion, issue will be assigned to appropriate committee, and update will be given to BOS.

#4 Rail and Pipeline (9 votes)
Decision/Action: Planning and Policy Committee will review and vet current pipeline safety trust recommendations and discuss tank car update as an educational session for Commission; Operations Committee will consider possible brochure for emergency preparedness around R&P incidents

#5 Cybersecurity (9 votes)
Decision/Action: Operations Committee will explore co-sponsoring a workshop for businesses

ADDED FROM REPORT ON CURRENT ACTIVITIES FROM ISO WORK
ISO Oversight Committee Participation: A recommendation is going to the BOS soon, about establishing an oversight committee for annual reviews of ISO, in response to critique from Chemical Safety Board. HMC needs to decide if it is interested in serving on this Committee.

Decision/Action: HCM will discuss at December meeting whether it’s interested in offering to serve on an Oversight Committee, of one is established.

2ND LEVEL PRIORITY: AS TIME PERMITS AND OPPORTUNITIES ARISE

Decision/Action: HMC and staff will look at possible educational sessions/presentations to Commission on these over the next year or two:
#6 Oil and gas wells- monitor status (8 votes)
#7 PSM Regulations (7 votes)
#8 Concord Naval Weapons Station- disposal of hazardous wastes from site (7 votes)
#9 Toxic Release Risk Hazards Update (5 votes)
#10 Nanotechnology (5 votes)
#11 Fracking- emerging/potential issue- need education on risks in case of future issue (4 votes)

#12 EJ in CEQA (4 votes)

**Decision/Action:** Operations Committee will consider the status of new legislation (SB1000) and update Commission

#13 Infill and CEQA- infill development for housing/minimize commutes (1 vote)

**Decision:** No action now

**NO votes:**

- Modernization Plans for Refineries
- Pesticides and Natural Landscaping

12. Meeting evaluation

**MEETING EVALUATION**

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<th>Positives</th>
<th>Things to change</th>
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<tr>
<td>Great food!</td>
<td>Traffic to retreat site was bad- easier location</td>
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<td>Everyone participated</td>
<td>Identify for each issue in advance- and summarize at</td>
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<td>the meeting- whether it is an education item, or an</td>
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<td>action item</td>
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<td>Different presenters were good, more</td>
<td>Could add question above to the survey, and ask</td>
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<td>interesting</td>
<td>Commissioners to indicate how they want the HMC to</td>
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<td>act on the topic</td>
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<td>Facilitator kept it moving</td>
<td>Have small groups at the meeting determine the topics</td>
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<td>for discussion and voting</td>
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Hi Jazmin,

Attached are the minutes from the September 27, 2018 minutes and the November 29, 2018 minutes.

There are two attachments that go behind the minutes from Nov 29:

1) Letter to Board of Sups about DuPont clean-up plan

2) Commission 2018 summary

Also don't forget to include the schedule of meetings and the roster (they can be printed back to back) and the sign up sheet.

The agenda for the January 24th meeting is

Old bus:

a) Update on the Levin Richmond Terminal air monitoring plan and the Richmond AB 617 process.

New bus:

a) Elect Commission Chair and vice Chair


one attachment:

1) minutes from the 2016 retreat

I will not be in the office on Friday, but I will be checking my e-mails remotely so please send the packet to me to review.

Michael Kent
Hazardous Materials Ombudsman
Contra Costa Health Services
597 Center Ave., Suite 110
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<td>GFR Smith</td>
<td>925-945-8299</td>
<td><a href="mailto:gfrsmith@gmail.com">gfrsmith@gmail.com</a></td>
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