CONTRA COSTA COUNTY
HAZARDOUS MATERIALS COMMISSION

Thursday, June 27, 2019
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

REVISED AGENDA

1. CALL TO ORDER, ANNOUNCEMENTS AND INTRODUCTIONS

2. APPROVAL OF MINUTES: May 23, 2019

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) Presentation on SB 673 implementation, cumulative impacts and vulnerability standards for hazardous waste facilities... Dawn Koepke; McHugh, Koepke and Associates.

8. NEW BUSINESS:

   a) Consider recommendation from the Operations committee to add a Youth Seat to the Commission.

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

597 Center Avenue, Suite 200, Martinez CA 94553  (925) 313-6712  Fax (925) 313-6721
## CONTRA COSTA COUNTY
**HAZARDOUS MATERIALS COMMISSION**

597 Center Avenue, Suite 200  
Martinez CA 94553

### 2019 MEMBERSHIP ROSTER

<table>
<thead>
<tr>
<th>REPRESENTATIVES</th>
<th>MEMBERS (ALTERNATES)</th>
<th>EXPIRATION</th>
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<tr>
<td><strong>Business Seat #1</strong></td>
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<tr>
<td>* West County Council of Industries</td>
<td>Fred Glueck</td>
<td>December 31, 2022</td>
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<td>* Veolia North America</td>
<td>Aaron Winer (A)</td>
<td>December 31, 2022</td>
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<td><strong>Business Seat #2</strong></td>
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<td>* Industrial Association</td>
<td>Mark Hughes</td>
<td>December 31, 2021</td>
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<td>* Marathon Oil Refinery</td>
<td>Peter Dahling (A)</td>
<td>December 31, 2021</td>
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<td><strong>Business Seat #3</strong></td>
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<td>* Contra Costa Taxpayers Association</td>
<td>Don Bristol</td>
<td>December 31, 2020</td>
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<td>* Contra Costa Taxpayers Association</td>
<td>Marj Leeds (A)</td>
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<td><strong>City Seat #1</strong></td>
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<td>* City of El Cerrito</td>
<td>Gabe Quinto</td>
<td>December 31, 2022</td>
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<td>* City of San Ramon</td>
<td>Dave Hudson (A)</td>
<td>December 31, 2022</td>
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<td>* City of Martinez</td>
<td>Mark Ross</td>
<td>December 31, 2019</td>
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<td>* City of San Pablo</td>
<td>Rich Kinney (A)</td>
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<td><strong>Environmental Engineering Seat</strong></td>
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<td>* GBR Smith Group</td>
<td>George Smith – Chair</td>
<td>December 31, 2021</td>
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<td>* Innovex Environmental Management</td>
<td>Ron Chinn (A)</td>
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<td><strong>Environmental Organization Seat #1</strong></td>
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<td>* Communities for a Safe Environment</td>
<td>Ralph Sattler</td>
<td>December 31, 2021</td>
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<td>* Sierra Club</td>
<td>Lisa Park (A)</td>
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<td><strong>Environmental Organization Seat #2</strong></td>
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<td>* Richmond South Shoreline Area</td>
<td>Steven Linsley</td>
<td>December 31, 2020</td>
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<td>Community Advisory Group</td>
<td>Linus Eukel (A)</td>
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<td>* John Muir Land Trust</td>
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<td><strong>Environmental Organization Seat #3</strong></td>
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<td>* Sierra Club</td>
<td>Jonathan Bash</td>
<td>December 31, 2019</td>
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<td>* Sustainable Contra Costa</td>
<td>Vacant (A)</td>
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<td><strong>General Public Seat</strong></td>
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<td>Frank Gordon</td>
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<td>Tim Bancroft (A)</td>
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<td><strong>Labor Seat #1</strong></td>
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<td>* Central Labor Council</td>
<td>Rick Alcaraz</td>
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<td>Vacant (A)</td>
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<td><strong>Labor Seat #2</strong></td>
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<td>* United Steelworkers - Local 5</td>
<td>Jim Payne</td>
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<td>Tracy Scott (A)</td>
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<td><strong>League of Women Voters Seat</strong></td>
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<td>Leslie Stewart</td>
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<td>Rita Xavier (A)</td>
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*For identification purposes only*
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)

January 24
February 28
March 28
April 25
May 23
June 27
July 25
August 22
September 26
October 24
December 5

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

January 11
February 8
March 8 - cancelled
April 12
May 10
June 14
July 12
August 9
September 13
October 11
November 8
December 13

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.

January 16
February 20 - cancelled
March 20
April 17 - cancelled
May 15
June 19 - cancelled
July 17
August 21
September 18
October 16
November 20
December 18

597 Center Avenue, Suite 200, Martinez CA 94553 (925) 313-6712 Fax (925) 313-6721
Contra Costa County

HAZARDOUS MATERIALS COMMISSION

Draft Minutes
May 23, 2019

Members and Alternates Present: Jonathan Bash, Fred Glueck, Frank Gordon Mark Hughes, Steve Linsley, Gabe Quinto, George Smith, Leslie Stewart, Lisa Park (alternate), Rita Xavier (alternate), Marj Leeds (alternate)
Absent: Rick Alcaraz, Jim Payne, Mark Ross, Don Bristol (represented by alternate), Ralph Sattler (represented by alternate),
Staff: Michael Kent
Members of the Public: Roger Smith, Alamo Improvement Association

1. Call to Order: Commissioner Smith called the meeting to order at 4:10

Announcements and Introductions:

Michael Kent announced:

- Environmental Seat #2 Alternate, Peter Dragovich, has resigned due to him moving to Oregon. His seat will be declared vacant and a process will be started to advertise for his replacement.
- DTSC send out a Community Update about the post-closure permit for Dow’s landfill.

Commissioner Hughes announced that about 80 people attend the Industrial Association’s Mayors forum yesterday. Also, they will be holding a golf tournament on June 10th at the Oakhurst Country Club in Oakley.

Commissioner Glueck announced that the last AB 617 meeting for Richmond was on May 15th and they identified criteria for locations to their monitoring program and that they extended the boundaries of the project to include San Pablo. The next meeting will be on June 19th.

2. Approval of the Minutes:

A motion was made by Commissioner Hughes and seconded by Commissioner Gordon to approve the minutes for the April 25, 2019 meeting. The motion passed 9-0-1 with Commissioners Leeds abstaining.

3. Public Comments: None

4. Hazardous Materials Programs Report:

The Hazardous Materials report was not given because Randy Sawyer was not in attendance.
5. Operations Committee Report:

The Operations Committee reported that they continued to plan for a cybersecurity workshop on September 17th and agreed to hear from a speaker about the creation of a Youth Seat for the Commission.

6. Planning and Policy Development Committee Report:

The Planning and Policy Committee developed recommendations for the full Commission to consider on the Pipeline Safety Trust report on pipeline safety and SB 67.

7. Old Business: None

8. New Business:

   a) Develop recommendations for the Board of Supervisors concerning the Pipeline Safety report prepared for the Alamo Improvement Association by the Pipeline Safety Trust.

The Commission reviewed the recommendations that had been developed by both committees at their last meetings, and then discussed each recommendation in the report individually.

Rec 1 – PHMSA should include additional enforcement actions on their website.

The Commission voted 10 – 0 to support this recommendation.

Rec 2 – PHMSA, the State Fire Marshall and the PUC should make information about a pipeline’s High Consequence Area (HCA) designation easily available to the public.

The Commission voted 10 – 0 to support this recommendation.

Rec 3 - PHMSA, the State Fire Marshall and the PUC should adopt stronger regulations for leak detection systems in HCAs.

The Commission voted 10 – 0 to recommend to the Board of Supervisors that they support legislation that improves lead detection systems for pipelines.

Rec 4 – Pipeline operators should contract for independent seismic studies on HCA pipelines and make these studies available to the public.

The Commission voted 9 – 1 (Commissioner Hughes voted no) to recommend to the Board of Supervisors that they support legislation that requires pipeline operators to contract for independent seismic studies on HCA pipelines and to make these studies available to the public.
Rec 5 – The Hazardous Materials Ombudsman and the Hazardous Materials Commission should review pipeline operators’ emergency plans and County technical reviews of Pipeline integrity management plans.

There was no support for this recommendation.

Rec 6 – The California Department of Education (CDE) should work to reduce the potential for pipeline releases near schools and their consequences.

The Commission voted 10 – 0 to recommend to the Board of Supervisors that they recommend to the California Department of Education that they complete their review of siting guidelines for schools and follow the previous recommendations made by the Hazardous Materials Commission to change those guidelines.

Rec 7 – The CDE should expand their pipeline risk mitigation guidance to help schools that already exist close to pipelines.

The Commission voted 10 – 0 to recommend to the Board of Supervisors that they recommend to the California Department of Education that they use the educational brochure that has been developed by the Hazardous Materials Program and others to encourage schools to address pipeline safety issues in their emergency response plans, and to mitigate the risks from nearby pipelines to existing schools utilizing the state siting guidelines for new schools.

Rec 8 – The County Office of Education and School Districts should expand emergency preparedness resources to include information about pipeline risks.

The Commission voted 10 – 0 to recommend to the Board of Supervisors that they recommend to the County Office of Education, local Community Colleges and the School Districts in the County that they use the educational brochure that has been developed by the Hazardous Materials Program and others to encourage schools to address pipeline safety issues in their emergency response plans.

Rec 9 – Pipeline operators should reach out to schools with emergency preparation information.

The Commission voted 10 – 0 to recommend to the Board of Supervisors that they recommend to local pipeline operators that they use the educational brochure that has been developed by the Hazardous Materials Program and others to encourage local schools, including charter schools and Community Colleges, to address pipeline safety issues in their emergency response plans.

b) Develop recommendations for the Board of Supervisors concerning SB 673 - cumulative impacts and vulnerability standards for hazardous waste facilities

The Commission reviewed the questions raised by the Planning and Policy committee at their last meeting concerning the development of recommendations for the proposed standards, but decided not to develop recommendations for the Board of Supervisors until after hearing from Dawn Koepke, who is scheduled to speak on this issue at the June meeting. Commissioner
Glueck did raise a general concern about the implications of involving the public in the permit process. Commissioner Gordon responded that there are already provisions for the public to be involved and that the more the better.

9. Reports From Commissioners On Matters of Commission Interest:

None

10. Plan Next Agenda:

The Commission will receive a presentation from Dawn Koepke about SB 673.

11. Adjournment: The meeting adjourned at 6:00 pm.
Attachment

Item 1
June 20, 2019

Supervisor John Gioia, District 1
Chairperson, Contra Costa County Board of Supervisors
11780 San Pablo Ave., #D
El Cerrito, CA 94530

Re: Pipeline Safety Recommendations

Dear Supervisor Gioia:

I am writing on behalf of the Contra Costa County Hazardous Materials Commission to recommend the Board of Supervisors take following actions to promote pipeline safety in Contra Costa County. These recommendations were voted on at the May 23, 2019 Commission meeting after careful review and deliberation of recommendations in a 2018 report by the Pipeline Safety Trust on pipeline safety in Contra Costa County. All recommendations were approved by a vote of 10 – 0 with the exception of recommendation number 4, which was opposed by the representative of the Industrial Association, Mark Hughes. This report was done on behalf of the Alamo Improvement Association as part of a grant they received from the Federal Department of Transportation. This report focused on gas pipeline safety issues, and was done as a follow-up to a previous report in 2015 that focused on liquid pipeline safety issues.

1) Recommend to the Pipeline and Hazardous Materials Safety Administration (PHMSA) that they include enforcement actions against operators by state pipeline safety regulators and the U.S Department of Justice on their webpage.

The PHMSA web page currently only includes PHMSA pipeline safety enforcement actions which doesn’t give a full and transparent understanding of the enforcement status of an operator. For example, the enforcement status for PGE on the PHMSA website shows no federal enforcement actions since 2006. This does not include the fact that PGE was convicted
of federal felony criminal violations by the Department of Justice for the 2010 San Bruno incident.

2) Recommend to PHMSA, the Office of the State Fire Marshal and the California Public Utilities Commission that they make information about a pipeline’s High Consequence Area (HCA) designation easily available to the public.

Hazardous Liquid pipelines that could affect HCAs, which include high population areas, certain drinking water sources, or some ecologically sensitive areas, must prepare integrity management plans and adhere to stricter assessment rules than pipelines that could not affect an HCA in the event of a failure. Information about which pipeline segments are, and are not, within HCAs is not easily available to the public.

3) Support federal legislation that improves leak detection systems in pipelines.

PHMSA has been working on a rule-making process for seven years to address the findings of a 2013 study on the technical limitations of current leak detection systems, but no new or proposed rules have been release for public review.

4) Support federal legislation that requires pipeline operators to contract for an independent technical seismic vulnerability study on HCA pipelines affected by potentially active faults to feed into the pipeline risk analysis, and make the study available to the public.

The Alamo Improvement Association contracted with a private engineering firm to conduct seismic review report of the pipelines in the Alamo area which yielded recommendations about how to address current potential vulnerabilities.

5) Recommend to the California Department of Education that they complete their review of school siting and design standards review that was begun in 2016 and that they implement the recommendations the Commission made previously.

In January, 2018 the Commission recommended the Board of Supervisors recommend to the California Department of Education that they 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 be assessed and mitigated. The review begun in 2016 has stalled out, and there is no current effort underway to complete the review.
6) Recommend to the California Department of Education, local community colleges, and local School Districts that they use the enclosed brochure to encourage schools to address pipeline incidents in their emergency response plans, and encourage existing schools to mitigate the risks from nearby pipelines utilizing the state guidelines that have been developed for siting new schools.

The County Hazardous Materials Program and Public Works Department, the Contra Costa CAER group, the Contra Costa County Fire District and the San Ramon Valley Fire District developed the enclosed brochure to be used by schools, daycare centers, Senior Centers, medical facilities and other “Sensitive Receptors” to educate them about pipeline safety issues and the need to address potential pipeline incidents in their Emergency Response Plans.

7) Recommend to pipeline operators that they reach out to the schools along their pipeline easements and offer to provide technical assistance assessing pipeline risks and evacuation strategies. Offer to provide them the County brochure on pipeline safety and emergency planning if they don’t already have appropriate educational materials.

The County Hazardous Materials Program and Public Works Department, the Contra Costa CAER group, the Contra Costa County Fire District and the San Ramon Valley Fire District developed the enclosed brochure to be used by schools, daycare centers, Senior Centers, medical facilities and other “Sensitive Receptors” to educate them about pipeline safety issues and the need to address potential pipeline incidents in their Emergency Response Plans.

Sincerely,

George Smith
Chairperson, Hazardous Materials Commission