




Meeting Minutes MRC Oversight Committee Risk Assessment

 **Date:** 4/27/23
 **Start:** 1:00 PM
 **End:** 3:32 PM

Information about the Oversight Committee including agendas, meeting minutes, recordings, etc., can be found at <https://cchealth.org/hazmat/mrc/committee.php>

I. CALL TO ORDER

II. INTRODUCTIONS

Attendance

Community Members: Cheryll Grover, Benjamin Therriault, Pedro Babiak, Tony Semenza, Thomas Lang, Kent Hull, Dierdre Castillo (absent)
City of Martinez: Lauren Sugayan
City of Benicia: Josh Chadwick
Contra Costa Hazmat: Nicole Heath, Matt Kaufmann (absent), Adam Springer, Michael Dossey, Trisha Johnson (absent), Sam Calvert (absent)
Contra Costa Health: Kim McCarl, Michael Kent
MRC: Ken Axe
MRC USW Rep: Nick Plurkowski (absent)

III. OPEN ISSUES

- a. Chair let the Oversight Committee know that this meeting was open to the public. The meeting will be recorded and posted online. Members of the public were given 2 minutes to speak at the end of the meeting.

IV. NEW BUSINESS

- a. Contra Costa Health Communications Officer, Kim McCarl
 - i. Kim McCarl, Communications Officer, made a presentation to the Oversight Committee regarding incident communications and communications with relation to the Oversight Committee. In the first part of the discussion, Kim covered the importance of timely communication at the beginning of an incident. Timely communication allows Hazmat to put eyes on the incident, open the department's Branch Operations Center (BOC) as necessary, and send out messages or precautions the community may take while the incident is happening. The presentation gave an overview of the Community Warning System (CWS) incident levels 1, 2, and 3. Kim also gave an overview of the type of communication that occurs at the different levels. Kim explained some of the tools the communication team uses during an incident such as press releases and social media to get the word out when something is happening.

The second part of the presentation focused on the MRC Nov 24-25, 2022 catalyst release. This included a timeline of events from the communications perspective once the release was known to CCH. There was discussion on the classification of the event as a Level 2 after the event happened. The team discussed the effects this had on the normal process and also what the process would have looked like if this was a Level 3 event. There was also a discussion of the acute vs long term effects and the difference in communication around these effects.

Lastly Kim asked for feedback from the Oversight Committee on how to improve communications and outlined some of the next steps the communications team would be taking.

From the oversight committee, there were comments around using public mailers and flyers to disseminate information in addition to social media. The group also discussed community members' frustration with the process the county must follow and the timing before an Oversight Committee could be formed. Discussed that the county is working on changing this process to allow a more streamlined process in the future. Discussed the importance of keeping communication channels open between counties, cities, unincorporated communities, and the public during and after incidents. Discussed the county's intent to keep these Oversight Committee Risk Assessment meetings at a set date and time to make it easier for members of the public to plan on attending.

b. Contra Costa Health Hazardous Materials Ombudsman, Michael Kent

- i.** Michael Kent, Hazardous Materials Ombudsman, introduced himself and gave an overview of his role. In the Ombudsman role he is someone to contact to answer questions or to help when people have complaints or concerns about the Hazardous Materials Programs. He helps people navigate the various agencies, puts together grants, and helps coach people on how to express themselves to regulatory agencies.

He provided a brief history of the role, noting that the Hazardous Materials Ombudsman position was created approximately 25 years ago after several notable incidents (Unocal's Catacarb release and General Chemical's Oleum release). Michael discussed that things have improved greatly since he first started at the county considering there were 10 major industrial incidents the first year he started.

His contact information is: 925-250-3227 mkent@cchealth.org

c. Update since the last meeting, Nicole Heath

- i.** The Oversight Committee has added an additional member per direction from Supervisor Gioia. The newest member, Thomas Lang, represents El Sobrante. The addition of this member ensures that areas with the highest deposition from the plume modeling map are now represented on the committee. The Chair had Tom introduce himself.

The county is still working on contract issues with the contractor hired, Scott Berger and Associates, to conduct the independent root cause incident investigation. Once that process is completed, the investigation will take place.

d. TRC discussed their proposed soil sampling plan for the community risk assessment, Jonathan Scheiner, Gale Hoffnagle, Laura Trozzolo

- i.** TRC gave a presentation of their work to date since the 4/6/23 Oversight Committee meeting. The presentation started with discussion from Gale Hoffnagle who commented on the plume modeling work done. Per Gale, the Air District modeling was well performed using appropriate models and that the direction of the plume is likely correct. Gale stated that based on TRC's knowledge of similar incidents from catalytic cracking units and seeing pictures and videos of what appears to be clumps of catalyst floating in the air at the time of the incident, it is likely that more of the catalyst was deposited near the refinery although smaller particles may still have traveled a long distance. Discussed that TRC did meet with the Air District to discuss the model and received information provided to the Air District including that from MRC.

Johnathan then provided an overview of the soil sampling workplan. This workplan included an overview of how the samples would be taken, how sample location areas were determined, and what the lab would be evaluating. Per TRC, locations for the soil samples were based on the BAAQMD's plume model and where samples were collected from County Hazmat and the BAAQMD. Soil samples at the identified locations in TRC's sampling plan would be taken to a depth of 6 inches. This type of sampling is designed to evaluate the worst-case. TRC will be escorted to each sampling location by County Hazmat personnel and will follow a strict chain-of-custody program. TRC will follow all required protocol when sampling.

Laura provided additional detail regarding the risk assessment. Analytical results will be input into a risk assessment model. Various exposure pathways will be analyzed, including inhalation, direct contact, ingestion, and plant uptake of material in soil with the metals found in the catalyst. TRC will use published sources of data for potential plant uptake from soils. TRC will compare analytical results with various sources of background samples published from various studies.

The Oversight Committee members asked questions of TRC on their sampling plan.

1. Many Oversight Committee members commented that there were not enough samples close to the refinery where the catalyst was confirmed to have been found.
2. Many Oversight Committee members commented that they like having samples that followed the BAAQMD's plume model, even far away from the refinery.

The Chair then opened up the vote to the Oversight Committee regarding the soil sampling plan. Based on the feedback from public comment and the committee the following options were given to members for voting: Approve the sampling plan with additional locations in the MRC-1 area or Approve the sampling plan with additional locations in the area between MRC-1 and MRC-5 area (*Note this was revised from original option of MRC-5 area, see recording).

The voting was as follows:

Deirdre Castillo- Absent

Nick Plurkowski- Absent

Ken Axe: Approve plan with additional location in MRC-1

Cheryl Grover: Approve plan with additional locations between MRC-1 and MRC -5 area

Pedro: Approve original plan with no additional sampling locations

Tony: Approve plan with additional locations in Martinez

Tom: Approve plan with additional locations between MRC-1 and MRC-5

Ben: Approve plan with additional locations between MRC-1 and MRC-5

Lauren: Approve plan with additional locations between MRC-1 and MRC-5

Kent: Approve plan with additional locations between MRC-1 and MRC-5

CCH: abstain

Josh: Approve plan with additional locations in MRC-1

The majority vote (6/10 present) determined that the Oversight Committee will move forward with adding in sampling locations in the area between MRC-1 and MRC-5. CCH Hazmat will work with TRC to obtain a revised sampling plan. The Chair clarified that no sampling locations from the original plan would be taken away, there would be additional sampling points added. Contra Costa Health will work on a plan for communication of the soil sampling. **Please see soil sampling plan and revised sampling location map for full details.**

V. PUBLIC COMMENT

- a. Oversight Committee received comments from 7 members of the public.

Comments were related to suggestions for improvement communication beyond social media, including flyer. Comments were given regarding soil sample locations and requesting that additional samples be taken. Clarification was sought as to the metals the soil sampling would evaluate for, specifically Vanadium and Nickel. TRC did respond that these metals would be included in the analysis as well as hexavalent chromium. Commenters identified that MRC has turned away community callers since they are not listed as potentially impacted areas on the BAAQMD's plume map. Additional comments were made requesting a map which more clearly showed sample locations. **Please see recording for full comments and answers.**

VI. ADJOURNMENT

- a. Meeting adjourned at 3:32 PM**