

Hazardous Materials Commission

Final Minutes
Operations Committee
March 10, 2006

Members and Alternates

Present: Jimmy Rodgers, Don Grant, Leslie Stewart (alternate) Howard Adams (alternate)

Absent: Pam Aguilar, Mike Shimansky, Sharon Fuller, Henry Clark (represented by alternate),

Staff: Michael Kent

Members of the Public: Igor Skaredoff

- 1. Call to order, announcements:** The meeting was called to order by Commissioner Rodgers at 10:10

Michael Kent announced:

- DTSC has a public comment period now for the West Contra Costa County Landfill hazardous waste permit
- The City of Berkeley just past a Precautionary Principle ordinance that will be included in the next HMC agenda packet.
- The State Lands Commission has a public comment period open now for the Chevron Long wharf EIR.
- DTSC has a public comment period now the Dow hazardous waste storage permit.
- The California Air Resources Board published in December an draft emission reduction plan for goods movement activities.
- The State Health Department has recently produced an advisory poster for fish consumption advisories in the Delta, and is looking for locations to post them.
- On March 14 the Federal EPA is addressing the North Richmond MAC on the issue of Environmental Justice.
- The EIR for the proposed Indian Casino on Parr Street in North Richmond is now available.

- 2. Public Comments:** None.

- 3. Approval of Minutes:** The November 18, 2005 and January 13, 2006 minutes were approved.

4. Old Business: Update on Environmental Justice Issues

Michael Kent reported that the County-wide EJ task force has not meet since their December 8th meeting was cancelled. Commissioner Rodgers said he felt that part of the problem, as expressed by some County staff at the previous EJ taskforce meeting, was that there wasn't clear funding mechanisms to allow some County staff to attend the meetings. But he sensed there was a commitment on the part of County staff to the issue.

Commissioner Stewart added that the Metropolitan Transportation Commission is also struggling with adopting their EJ policy.

None of the attendees knew the status of the State's EJ task force or their activities.

5. New Business:

a) Elect committee chair

Commissioner Adams nominated Commissioner Rodgers as chair, Commissioner Grant seconded the nomination. During discussion, commissioner Rodgers said that he would accept the nomination, but would like to nominate Commissioner Clark in his absence as co-chair, and would like to run the meetings in concert with Commissioner Clark. Commissioner Adams accepted this amendment to his motion. The motion passed 3-0.

b) Discuss Committee priorities for 2006

Commissioner Adams felt that the committee should first examine the location of the meeting given the current composition of the committee. Commissioner Rodgers felt that the committee needs to think hard before considering moving the meetings out of North Richmond, because it was decided to meet here specifically so North Richmond residents could have easy access to the meetings. This was because North Richmond residents have historically been concerned with the issues of Environmental Justice and public participation in these processes, and these are two of the main priorities of the committee. In any case, he didn't want to make any decisions on this issues until the committee could receive input from Commissioners Fuller and Clark. The rest of the committee agreed. Commissioner Adams noted that he hadn't remembered any members of the public attending Operations committee meetings before.

The committee then talked about the issue of emergency preparedness in the event of a catastrophic incident. Commissioner Rodgers expressed the concern, one he and Commissioner Clark had previously talked about, that a community could be isolated in the event of a catastrophic event such as an earth quake or a flood, and if that community was near a major source of hazardous materials they would be a risk. He would like to have someone from the Office of Emergency

Services come and talk to the committee about how the County is preparing to address such a situation. The committee also talked about experts that could come and talk about flood potential.

Commissioner Rodgers also felt that this year the committee could look at such issues as the role of the Commission, the Commission charter and activities, it's organizational structure, and efficiency to examine what we do well and what we could do better. The committee noted that it had been almost two years since our last retreat.

Commissioner Adams brought up the illegal dumping issue, which was the pilot project for implementation of the County's EJ policy, to express the concern that one shortcoming of the program is that identification found in illegally dumped garbage can't be used in enforcement actions. He wondered what could be done about this issue.

The committee decided not to make any decisions about the committee priorities until they could receive some input from Commissioners Clark and Fuller.

c) Discuss the agenda for meeting with Supervisor Gioia

Previously, the Commission had decided that the first individual Supervisor for the Commission to meet with this year should be Supervisor Gioia, and that Commissioners Fuller, Rodgers and Linsley would attend.

The committee suggested several topics of discussion:

- The County's Environmental Justice taskforce process
- The concern about emergency response during a catastrophic incident for isolated communities impacted by hazardous materials
- The East County study of hazardous materials incident response being conducted by Tetra Tech
- Environmental concerns around the tear-down of the Carquinez Bridge.

6. Items of interest to the Committee: None

7. Adjournment - The meeting was adjourned at 12:00.