

## **Hazardous Materials Commission**

### **Final Minutes**

Planning and Policy Development Committee

April 19, 2006

#### **Members and Alternates:**

**Present:** Jim Payne, Teng-Chung Wu, Sabiha Gokcen, Scott Perkins

**Absent:** Steve Linsley, Scott Anderson

**Staff:** Michael Kent

**Members of the Public:** Frank Gordon, Robin Flowers, Myrto Petreas, Marie Kahn, Elisa Wilfong, Contra Costa Clean Water Program

#### **1. Call to order, introductions and announcements**

Commissioner Payne called the meeting to order at 3:40.

Commissioner Wu announced that the Bay Area Pollution Prevention Group is going to facilitate a regional pharmaceutical collection event in May.

#### **2. Public Comments – None**

**3. Approval of Minutes –** The minutes of March 15, 2006 were approved unanimously.

#### **4. Old Business:**

- a) Presentation of the Regional Stormwater Permit Development Process – Elisa Wilfong, Watershed Management Planning Specialist, Contra Costa Clean Water Program.**

Ms. Wilfong began her presentation by explaining that the Contra Costa Clean Water Program works for all 19 cities in the County as well as the unincorporated portions of the County and the Flood Control District. The program for just the unincorporated portion of the County is called the County Watershed program. Her program has 4-5 staff. They coordinate the activities of all the entities, manage a joint budget, and distribute funds to all the jurisdictions to work on stormwater issues such as new development, public education, compliance, illicit discharges, municipal maintenance, and monitoring. All of the jurisdictions write up individual reports and the Clean Water Program submits one report to the Regional Water Quality Control Board (Regional Board) for compliance with the County's stormwater permit (called an NPDES permit, which stands for National Pollutant Discharge Elimination System).

Frank Gordon asked how calls about illegal dumping are handled. She said that they are referred to the individual jurisdictions for follow-up. The funding that the Clean Water Program receives from taxes mainly goes back to the individual jurisdictions. They determine how up to 85% of that money is spent, and can spend this money on enforcement activities. Each jurisdiction has adopted local ordinances that give them local enforcement authority. Usually, since enforcement against residents is difficult, most jurisdictions try education first.

Ms. Wilfong then discussed the proposed new stormwater permit development process being conducted by the Regional Board. She explained that the Regional Board wants to develop one permit that would cover the stormwater programs for most of the Bay Area Counties, including Contra Costa County. The process started last fall. The Bay Area Stormwater Management Association is working with the Regional Board to develop this new permit. They have set up workgroups covering the various elements of the stormwater programs, and have been developing a list of Best Management Practices for consideration.

Currently, the workgroups are still developing proposals to send to the Regional Board to develop a draft permit. This process may be done by the end of this year. She thinks the benefit would be more effectiveness from a combined effort and more consistency, because the new permit will be more prescriptive. She is in support of this process, but it has been difficult in terms of deciding what the priorities should be.

Once the new permit is adopted, the Clean Water Program would still oversee the permit activities in Contra Costa County, but she think having it be a regional permit would result in this work being done in closer cooperation with other Counties.

Commissioner Perkins expressed his concern that more flexibility may be needed than what they are envisioning to accommodate local needs, and that consistency doesn't necessarily mean better.

Frank Gordon asked whether requiring the activities of different jurisdictions to be more consistent would "dumb down" the better programs. Ms. Wilfong thought the opposite, that it would more likely improve the programs for more jurisdictions. Her main concern was that during the development process, the workgroups came up with lists of Best Management Practices to prioritize for implementation. But instead of prioritizing them, it seems the Regional Board wants the jurisdictions to do them all. The jurisdictions on the workgroups have been resisting this, and this is where the debate has been focused.

She was asked if she knew if the issue of e-waste management was being discussed. She said that was being discussed in the illicit discharge workgroup, which she hasn't been on, so she didn't know specifically. But she thinks there will be more attention to this and is encouraging more regional programs. For example, there is a pilot program going on in East County to collect fluorescent tubes at hardware stores.

The question was asked about public input into this process. She said each jurisdiction was handling their own public input, so for unincorporated Contra Costa County we should talk to the County Watershed program.

## **5. New Business:**

### **a) Request for Support for Household Battery Collection – Marie Kahn, Sustainable Moraga**

Marie Kahn first introduced the two other members of Sustainable Moraga that accompanied her, Robin Flowers and Myrto Petreas. Their group has been in existence for about a year. When they learned about the February 9<sup>th</sup>, 2006 deadline for lifting the exemption for disposing of universal wastes in the garbage, they felt they could make a positive contribution by setting up a battery collection program in Moraga. They approached six local merchants and got permission to put 5-gallon collection bins in their stores. They found volunteers to agree to periodically pick-up and transport the batteries to the Household Hazardous Waste collection facility in Martinez.

Immediately this program was overwhelmed, and the amount of batteries they collected far exceeded their expectations. At one location they were collecting 130 pounds of batteries every other day, and have already collected over 1800 pounds of batteries. Because of the weight of these batteries and the long distance they have to travel so frequently, they don't feel they can sustain this system on their own. Therefore, they would like the Commission's support to encourage either curbside pick-up or centralized local collection programs for batteries.

They know the City of Orinda has already asked the Central Sanitary wastewater treatment plant, that runs the HHW facility, to set up a collection program, and did not get a positive response.

They were asked about two current pieces of proposed legislation concerning battery collection, AB 2271 and 2827. They thought that while these were good first steps, they weren't enough.

Commissioner Gokcen thought it would be reasonable to request the Board of Supervisors to encourage Central San to set up some sort of collection program.

Commissioner Perkins said that the City of San Ramon has begun collecting batteries at City offices for residents. He wasn't sure of the amounts they have collected or the costs, but that they dispose of them when they take their own waste to the HHW facility in Martinez. They have advertised it some in their City newsletter. He said San Ramon is also going to do free e-waste collection at the curb and are looking into a system to collect fluorescent tubes. Their costs are \$28 per month for a 65 gallon waste container which covers recycling, green waste, e-waste and used oil collection. Their vendor is Waste Management.

**b) Discussion of Options to address Commission attendance**

Michael Kent explained the concerns Supervisor Uilkema raised in the Operations committee review of new appointments to the Commission concerning poor attendance. The committee reviewed the attendance information for the last year and felt that if this were shown to the Supervisor it should address her concerns. The committee also felt that when presenting back to the Internal Operations committee, the Commission should stress the work and the outcomes of the Commission's activities. Commissioner Gokcen put forward the idea for consideration that we could eliminate the committees, increasing the likelihood of improved attendance at the Commission meetings. The committee didn't feel this was necessary, and recommended that the full Commission should recommend leaving things as they are.

6. **Items of Interest to Commissioners** - None

7. **Plan Next Agenda**

Discussion of Brownfields

8. **Adjournment** - The meeting was adjourned at 5:30.