

**Contra Costa County**  
**HAZARDOUS MATERIALS COMMISSION**

**Draft Minutes**  
December 2, 2021

**Members and Alternates Present:** Jonathan Bash, Marielle Boortz, Don Bristol, Fred Glueck, Steve Linsley, Treston Shull, Tim Bancroft (alternate), Peter Cloven (alternate), Madeline Kronenberg (alternate), Angelica Cox (intern), Iliana Treyger (intern)

**Absent:** Sara Gurdian, Mark Hughes, Jim Payne, Gabe Quinto, Mark Ross, George Smith, Ken Carlson (represented by alternate),

**Staff:** Michael Kent; Matt Kaufmann,

**Members of the Public:** Howard Adams, Jan Warren, Amber Larsen, Nichol Carrarza

**1. Call to Order:** Commissioner Glueck called the meeting to order at 4:06 p.m.

**Announcements and Introductions:**

Michael Kent announced:

- The Operations committee will meet on December 10<sup>th</sup>, but the Planning and Policy committee scheduled for December 15<sup>th</sup> is going to be cancelled.
- The annual Commission meeting with a Supervisor Mitchoff is on December 8<sup>th</sup> at 2:30.
- There will be a workshop on the impacts of sea level rise on shoreline areas called Toxic Tides on December 8<sup>th</sup> and 9<sup>th</sup> via Zoom

**2. Approval of the Minutes:**

A motion was made by Commissioner Linsley and seconded by Commissioner Boortz to approve the minutes for the October 28, 2021 meeting with corrections. The motion passed 5-0-3 with Commissioners Shull, Cloven and Bash abstaining.

**3. Public Comments:** None

**4. Hazardous Materials Program Director Report**

Matt Kaufmann, Hazardous Materials Programs Director, reported:

\* Update on Four (4) Incidents of Interest:

a) Chevron Refinery Oil Spill (February 9, 2021) - As a reminder, Chevron submitted their final 30-day report on October 27, 2021. The report details the findings from their incident investigation. A link to the report can be found here: <https://cchealth.org/hazmat/pdf/chevron-incident-2021-0209-30day-followup-2021-1027.pdf>. Hazmat has reviewed the action item timelines provided within that final report with Chevron. The timelines were determined to be reasonable – so, no revisions have been made. Hazmat is working on an agreement with the

County, AcuTech and Chevron that will allow for the transfer of the detailed root cause analysis incident investigation to AcuTech.

b) Chevron Richmond Refinery Fire/Flaring Incident (May 14, 2021) - The County was notified through the Community Warning System (Level 1 Incident) of a flaring incident by the Chevron Richmond Refinery at 5:42 AM on the morning of May 14, 2021. An interim 30-day report was received on November 15, 2021. A link to this report can be found here: <https://cchealth.org/hazmat/pdf/chevron-incident-2021-0514-30day-followup-2021-0928.pdf>. The incident remains under investigation.

c) Chevron Richmond Refinery Flaring/Fire Incident (October 24, 2021) - At approximately 8:25 AM on Sunday (October 24, 2021), Chevron Richmond Refinery experienced a loss of power and steam from an on-site plant resulting in the shutdown of multiple process units. In addition, a fire also occurred at a process unit. That fire was extinguished within approximately ten (10) minutes from discovery. This incident resulted in visible flaring and odors in West Contra Costa County. Chevron submitted a 30-day report: <https://cchealth.org/hazmat/pdf/chevron-incident-2021-1024-30day-report.pdf>. The incident remains under investigation.

d) Hydrogen Sulfide-Like Odors in West Contra Costa County (November 6, 2021) - Hazmat was notified by Richmond Fire Department of several odor complaints similar to a rotten egg smell (hydrogen sulfide-like odor) in West Contra Costa County near the Chevron Richmond Refinery on the night of November 6, 2021. Hazmat responded to the incident with Richmond Fire Department and had discussions with Chevron Richmond Refinery. The refinery was replacing two (2) pressure relief devices at the time of the incident. The ground level monitors detected hydrogen sulfide at the Chevron fence line at the time of the incident. The refinery was required to be a 72-hour report for this incident: <https://cchealth.org/hazmat/pdf/chevron-incident-2021-1106-72hr-report.pdf>. The cause of the incident is unknown – Chevron was unable to determine the source of the odors from their refinery.

Commissioner Bristol asked what led them to suspect that Chevron was the source of the odor? Mr. Kaufmann said that it was the combination of the fact that the odor was detected on Castro Street near Chevron, the ground level monitors around Chevron detected hydrogen sulfide and they were doing some repairs at the time of the incident.

\* They are still in the onboarding process of one (1) Accidental Release Prevention Engineer. He anticipates they will start with the County in the next month.

\* He is happy to announce they have offered, and four (4) candidates have accepted offers for the four open Hazardous Materials Specialist I positions. One of the candidates is Fahlon Zappelli (former Hazardous Materials Technician) in their division. They are extremely excited about Fahlon's promotion as she has been a huge asset to their division. Congratulations Fahlon – and thank you for all you've done for Hazmat!

\* With the promotion of Fahlon to Hazardous Materials Specialist, they will be opening a recruitment for a Hazardous Materials Technician.

\* They have submitted paperwork to the Human Resources Division to recruit one (1) Pollution Prevention Specialist. They anticipate the opening of this position within the next few weeks.

\* It is with great sadness and appreciation that he announced that Steve Morioka (Assistant Director of Hazardous Materials) has announced his retirement date of December 8, 2021 – over

30 years of service. Steve started his work with our agency in October 1991 as a Hazardous Materials Specialist and was promoted to Assistant Director in 2006. It goes without saying that they are extremely appreciative to Steve for his many years of service to their community and he will be greatly missed. They wish him the best in his retirement – including many days of relaxation in the Sierras fishing. Congratulations and thank you, Steve.

\* With the retirement announcement from Steve Morioka, they will be recruiting one (1) Assistant Director of Hazardous Materials Programs. He believes this position will be opening in the next month

\* As he has reported to the commission at previous meetings, they are going through a Certified Unified Program Agency evaluation by the California Environmental Protection Agency. They received the Preliminary Summary of findings from CalEPA on November 2nd. They are preparing responses to some of the items noted in this report. They anticipate receiving the final report in February 2022.

\* They have contracted with NBS Government Finance Group to perform a comprehensive fee study for the Hazardous Materials Division. Any proposed revisions to the fee structure will be presented to the regulated community for input/comment. The final fee proposal and associated report will be presented to the Board of Supervisors for approval prior to implementation. As they go through this process, he will ensure the Commission is kept apprised of any updates and public meetings.

#### **5. Operations Committee Report:**

The Operations Committee met on November 12, 2021. Commissioner Glueck reported that the committee postponed their interviews with one of candidates for the General Public Seat till the December meeting, but conducted the interview with Tim Bancroft, the current General Public seat alternate. The committee also discussed the results of the sea level rise study the Commission conducted and alternatives to using treat wood.

#### **6. Planning and Policy Development Committee Report:**

The Planning and Policy committee meet on November 17, 2021. Michael Kent reported that the committee also discussed the results of the sea level rise study the Commission conducted and changes to the metal shredder regulations.

#### **7. Old Business:**

- a) **Consider recommendations to the Board of Supervisors concerning the proposed changes to the County's Hazardous Materials Emergency Notification policy**

Matt Kaufmann, Hazardous Materials Program Director, reported that he discussed the proposed changes to the Emergency Notification policy with industry, the Hazardous Materials Commission and the ISO/CWS Ad Hoc Committee. The Committee met on November 10<sup>th</sup> and discussed the latest revisions. At that meeting, Supervisors Gioia and Glover approved the presentation of the revised policy to the Board of Supervisors. He has prepared the Board Order and is anticipating this going before the BOS on December 14th or early next year. The agreed upon revisions include notifications posted on the Hazmat website and social media when a

hazmat incident that is visible/audible for 20 minutes or longer or has any offsite odors. Attachment A-1 added the row “Community Notifications” which highlights these details. There will be a 60-day grace period for implementing the new policy once it has been approved.

Commissioner Boortz asked if given the new proposed definition of flaring, should industry just notify the County about all flaring events? Mr. Kaufmann said that essentially, yes. She also asked if community notifications follow-up messaging be using the same modes as the original notifications. Mr. Kaufmann indication that this would be the case.

Commissioner Glueck asked for clarification about whether the Community Warning System will be used for significant Level 1 events. Mr. Kaufman said that it won't be, but that could change if they determine the incident becomes worse.

Commissioner Bristol said that he is still concerned that reporting all flaring events will generate lots of Level 1 reports, probably hundreds of them. He wanted to know if the County estimate how many Level 1 reports will happen under the new policy. Mr. Kaufmann said that they talked with the Air District about getting data from them because they have the capability to determine how many times the flares are used. He said the policy does allow for incidental releases and they are going to have to talk with the industry about how to implement this requirement. He said he didn't hear these concerns from the industry during the ISO/CWS Ad Hoc Committee meeting. He said that Title 8 of the State Code allows for incidental releases. Politically, the Supervisors want to know about all flaring, but they are going to have to make the policy useable. He thought he is still going to need to discuss this issue with the industry after the policy is adopted. He really doesn't know how many Level reports are going to happen under the new policy.

Commissioner Glueck added that the concern about reporting every flaring incident was expressed initially by industry, but the Supervisors on the ISO/CWS Ad Hoc committee really wanted every flaring incident reported. Commissioner Boortz said that she though the Supervisors made it clear at the ISO/CWS Ad Hoc Committee meeting that they want all flaring events to be reported. She asked if there can be a review in 6 months to see how implementation is working. Mr. Kaufmann said that yes, after they have more data they can re-look at the issue.

## **8. New Business:**

### **a) Presentation by Marathon on their planned renewable fuels project at the Martinez refinery.**

Nichol Carranza and Amber Larsen from Marathon gave a power point presentation about their planned renewable fuels project that they said was explained at their web page: [Martinez Renewable Fuels \(marathonmartinezrenewables.com\)](http://marathonmartinezrenewables.com).

Some of the highlights they mentioned were:

- The only changes they will need to make to their tanks is that some of them will need to be heated.

- They will be producing 48,000 barrels of diesel per day of renewable diesel.
- They won't use palm oil in their feedstock.
- Fossil diesel carbon intensity is 100, their goal is for a carbon intensity of 40.
- Their finished product will be diesel and propane.
- They won't be storing any crude oil on site.
- They will be starting to process 17,000 barrels per day of soybean or other oils in 2022 without pretreatment, and ramping up to 48,000 barrels per day with pretreatment by the end of 2023. Seven units will be repurposed, and they will have 2 new units.
- They will have some sulfur produced from DMDS and will use a sulfur absorber to remove it.
- They will employ 130 – 150 people, with a peak of 1400 construction workers during the conversion.
- They will stay in the Industrial Safety Ordinance and CalARP program 4.
- The Public Comment period on the draft EIR is open till December 17<sup>th</sup>.

Commissioner Glueck asked if they will stop distributing gasoline. They said the facility will bring gasoline in by pipeline to store and ship out by truck. They will also have fossil diesel on-site to blend to make R99, which is required by Federal law. They will buy that fossil diesel off the market.

Michael Kent asked if the exhaust emissions from renewable diesel is different from fossil diesel. They said the emissions from light-duty trucks are similar, but the emissions from idling heavy-duty trucks are different.

Howard Adams asked what the sulfur levels are in R99 blended fuel. They said it was 1 – 2 parts per million.

Commissioner Boortz asked where they will get the hydrogen for their process. They said they will make their own and get it from the Air Products facility located on their site.

Jan Warren asked if they labor for the facility once it has been converted will be local? They said that people from the current staff will be recalled to work at the facility.

Michael Kent asked if their flaring system will change. They said they plan on going from 6 flares down to maybe one and a backup.

Angelic Cox asked if there is any downside to renewable diesel. Is it a long-term solution? They said that feedstocks are now going into biodiesel, which they think will go away. But there isn't enough fat in the world to replace all the fossil diesel, and so far, they can't replace jet fuel. But in the short-term, they don't anticipate not being able to get the feedstock they need for this project.

Commissioner Glueck asked what happens to the wastewater from the project, can it be reused? They said they have various projects on-going to try to recycle water from the process, with about 45 on the drawing board.

Jan Warren asked how the feedstock will be delivered to the facility. They said they are still looking at rail and ship as options.

Commissioner Boortz asked if they have other renewable diesel projects. They said their Dickerson, North Dakota facility was the first to produce renewable diesel.

Commissioner Glueck ended by thanking them for the very informative presentation.

**b) Presentation by Roger Smith on the pipeline safety grant the Alamo Improvement Association received from the Federal Department of Transportation**

Roger Smith gave a power point presentation outlining the scope of the project. He said he hoped to start the first responder training portion in April or May for San Ramon Fire, Con Fire and Richmond Fire.

Commissioner Glueck asked if the County has given any indication that they will implement or use the web site. Mr. Smith said that is his hope. In the TWIC meeting discussion of the Kinder Morgan spill that happened last year, they said they had received lots of calls from the public about the incident, but they didn't have a place to direct them to. Commissioner Glueck followed-up by asking that if the web site moves forward, would be helpful with the Community Warning System. Matt Kaufmann, Hazardous Materials Program Director, said he thought that the more information being put out during an incident, the better. He thought updated maps would be helpful. He added that Shelter-in-Place determinations would still be made based on monitoring results.

Michael Kent asked him for the timeline of implementation. Mr. Smith said that after discussions with the Pipeline Safety Trust, his consultant on the project, he hopes to present a mock web site to the County in August.

Commissioner Shull asked if AIA is doing this project for the whole County, and if they are a non-profit organization. Mr. Smith said that they are doing it for the whole County and they are a non-profit organization. Commissioner Shull said that since Labor Union members do the work on the pipelines themselves, he thinks they would be very interested in partnering with the AIA on this project.

Commissioner Linsley asked why a focus was on Richmond. Mr. Rogers said that Supervisor Gioia asked about the project and that Richmond Fire Department has been interested in the training.

Jan Warren thanked him for his work and said she thought it was much needed. Commissioner Glueck also thanked Mr. Smith for his presentation and said the Commission is looking forward to the next step.

**9. Reports from Commissioners on Matters of Commission Interest:**

None

**10. Plan Next Agenda:**

The Commission will have a presentation by the Marathon refinery on their proposed renewable fuels project and a presentation by Roger Smith of the Alamo Improvement Association on the pipeline safety grant his organization received from the Federal Department of Transportation.

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