

Contra Costa County
HAZARDOUS MATERIALS COMMISSION

Draft Minutes
July 28, 2022

Members and Alternates Present: Tim Bancroft, Marielle Boortz, Maureen Brennan, Fred Glueck, Steve Linsley, Jack Bean (alternate), Edi Bursan, (alternate), Ed Morales (alternate), Amy McTigue (alternate), Aaron Weiner (alternate)

Absent: Don Bristol, Jonathan Bash, Jim Payne, Gabe Quinto, Treston Shull, George Smith, Mark Hughes (represented by alternate), Mark Ross (represented by alternate),

Staff: Michael Kent; Matt Kaufmann, Nicole Heath, Adam Springer, Susan Psara

Members of the Public: Howard Adams, Eugene

1. Call to Order: Commissioner Glueck called the meeting to order at 4:10 p.m.

Announcements and Introductions:

Michael Kent announced:

- The Board of Supervisors approve the appointments of Maureen Brennan to the Environmental Justice seat and Jack Bean to the General Public seat alternate positions at their July 26th meeting.
- There will be no meetings in August due to the vacation schedule of staff.

Commissioner Morales announce that August 2nd is National Night Out.

2. Approval of the Minutes:

A motion was made by Commissioner Morales and seconded by Commissioner Bursan to approve the minutes for the June 23, 2022 meeting with corrections. The motion passed 7-0-0 with Commissioner Bancroft not voting.

3. Public Comments: None

4. Hazardous Materials Program Director Report

Matt Kaufmann, Hazardous Materials Programs Director, reported:

1. Update on Six (6) Incidents of Interest:
 - a) NuStar Tank Fire Incident (October 15, 2019) - A working group will be formed to review and discuss detailed proposed language for the Industrial Safety Ordinance. They are asking for up to two (2) representatives from the Hazardous Materials Commission to participate on this working group. This will be discussed further in item 8(a).

- b) Chevron Richmond Refinery Oil Spill (February 9, 2021) - No significant updates. The next Oversight Committee Meeting is scheduled for August 2nd at 2:00 PM.
- c) Petroleum-like Substance Discovered in a Residential Area in Concord (May 17, 2022) - On May 17, 2022, Hazmat was notified of a petroleum-like substance that was discovered during the replacement of a residential natural gas pipeline at 4418 Striped Maple Court, Concord, CA 94521. Sampling of the material revealed to be consistent with Heavy Fuel Oil. The San Francisco Regional Water Quality Control Board (SF-RWQCB) will be the lead regulatory agency overseeing and approving any clean-up activities. A work plan has been approved by the SF-RWQCB. Currently, the work is set to commence the week of August 8th.
- d) Phillips 66 Rodeo Refinery Diesel-Range Material Leak from a Pipeline (May 25, 2022) - On May 25, 2022, at 4:12 PM, Hazmat received from Phillips 66 Rodeo Refinery a Level 1 notification of hydrocarbon release to San Pablo Bay. As noted in the 72-hour report, approximately 7 gallons of a diesel-range material was released. The incident investigation has not concluded. P66 is required to submit 30-day reports until the incident investigation conclusions are summarized.
- e) Phillips 66 Rodeo Refinery Diesel Leak from a Pipeline (June 20, 2022) - On June 20, 2022, at 7:13 PM, CCHS received from Phillips 66 Rodeo Refinery a Level 1 notification of diesel pipe leak into the bay. Phillips 66 reported that approximately 2.3 gallons of diesel leaked into the bay from a pipeline. The incident investigation has not concluded. P66 is required to submit 30-day reports until the incident investigation conclusions are summarized.
- f) Marsh Fire – Pittsburg (Late May 2022) - The fire began burning in late May 2022 due to a homeless encampment fire that spread to nearby marshland. Peat moss that grows on top of the wetlands fueled the smoldering fire for the past months. The air quality in Pittsburg, Antioch, Oakley, and Brentwood began to be significantly impacted on July 11th. CCHS HazMat Response Team responded by conducting air monitoring both upwind and downwind in the impacted areas. Air monitoring indicated that the air quality index (AQI) was at times unhealthy to hazardous for portions of eastern Contra Costa County. The County Health Officer (Dr. Ori Tzvieli) issued a Health Advisory for eastern Contra Costa County. Subsequently, Contra Costa County Fire Protection District increased efforts to extinguish the fire and began pumping nearly 20,000 gallons per minute of water into the levied marshland area. On Saturday, July 24th, the air quality was no longer being impacted by the fire and fire had been significant extinguished. The Health Advisory was lifted in the afternoon on Saturday, July 24th.

2. Hiring One (1) Pollution Prevention Specialist - The recruitment for Pollution Prevention Specialist opened on July 8th and will close on August 5, 2022.

3. Hiring Three (3) Hazardous Materials Specialists – They conducted interview for three (3) open Hazardous Materials Specialist positions. A conditional job offer was sent to one (1)

individual. The onboarding process is taking place now. They hope for their new Hazardous Materials Specialist to start in August 2022.

4. Supervising Hazardous Materials Specialists – They continue to work with CCHS Personnel and County HR to create a new job classification of Supervising Hazardous Materials Specialist.

5. Hazardous Materials Programs Director Recruitment – They are working with Contra Costa Health Services Personnel to open a recruitment for Hazardous Materials Programs Director. They anticipate the job opening within the next week. The job will be open for three (3) weeks for applications.

6. Richmond Industrial Safety Ordinance (RISO) Annual Report - The RISO Annual Report was on the agenda to be presented to the City of Richmond City Council on Tuesday, July 26th. Due to time constraints, the item was continued to October.

Commissioner Brennan asked why the June 20th incident was list as renewable. Mr. Kaufmann said he would inquire about this because that didn't seem likely to him. Howard Adams said that two or three years ago Phillips 66 had a spill at the same dock and thought he remembered that corrosive sea gull guano might have been the cause. Mr. Kaufmann said he would follow-up about that as well.

5. Operations Committee Report:

The Operations committee met on July 8th, 2022. They reviewed the Commission's activities from the last couple of years and discussed their priorities for the coming year.

6. Planning and Policy Development Committee Report:

The Planning and Policy committee met on July 20, 2022. They review the status of state legislation on PFAS and household lithium-ion batteries and also reviewed the Commission's activities from the last couple of years and discussed their priorities for the coming year.

7. Old Business: None

8. New Business:

- a) **Consider a request from the Hazardous Materials Program to ask for volunteers to represent the Commission on a working group overseeing the revisions to the County's Industrial Safety Ordinance concerning bulk oil storage terminals**

Nicole Heath, the Accidental Release Program manager explained that they are looking for two Commission members to sit on this committee. She said the first meeting will be on September 5th by Zoom. She wasn't sure how many meetings it would take to review the changes the Hazardous Materials Program was recommending to the ISO ordinance. She said they are hoping

to be able to get consensus approval from the work group of the recommendations that eventually go to the Board of Supervisors for approval. She that the meetings will not be open public meetings, but that their recommendations will be heard by the Board of Supervisors Ad Hoc committee on the Industrial Safety Ordinance and the Community Warning system before they go to the full Board of Supervisors, and those meetings are open to the public. She noted that there are approximately 30 bulk storage facilities in Contra Costa County but they think the amended ordinance will probably apply to 8 of them.

Commission Brennan asked why they think only 8 will be included. Ms. Health responded that they are only including tanks in the unincorporated parts of the County that hold flammable liquids and are built on-site.

Commissioners Morales and Brennan volunteered for the committee. Ms. Health also asked for a Commissioner serve as an alternate.

b) Develop Commission Priorities for the next 12 – 18 months.

The Commissioners reviewed the issues they have worked on in the last couple of years, the issues identified as potential priorities that were discussed in the Operations and Planning & Policy committees earlier in the month, and other potential priorities suggested by Commissioners and others. They then voted on these potential issues in several rounds with the following results:

Total voters - 7

Operations

- Continue the Internship program - 7
- ~~Green Jobs - 2~~
- Big Picture look at hazardous waste generation, recycling and management in County 5
44 – first priority
- Brownfield status – 6 5 – first priority
- ~~Oil and Gas extraction - 3~~
- ~~Hydrogen fuel cell technology hazwaste potential 2~~
- ~~Evacuation planning - 2~~
- Sea Level Rise impacts on hazardous materials storage and transportation, and impacts to solid waste facilities. 6 43 – second priority
- County solid waste capacity – 4 just an update

Planning and Policy

- Lithium-ion car battery recycling follow-up – 4 – as it comes up
- ~~Metal shredder rule follow-up - 2~~

- ~~Treated wood waste disposal follow up 2~~
- ~~HHW collection status 6 1~~
- ~~Overall Air Quality, AB 617 efforts 2~~
- ~~impacts on soil toxicity from wildfires 2~~
- ~~General Plan follow-up – 4 – second priority as it comes up~~
- ~~Solar panel disposal 4 – consider part of big picture~~
- ~~Extended Producer responsibility 2~~
- Bulk storage facility ISO amendments – 5 – already said we would do.

From Commissioner Linsley

- Regional Water Quality Control Board's rule on Bayfront landfills

From Commissioner Bursan

- ~~For each of the 19 cities: 2~~
 - ~~What are their capabilities directly in an incident, what was their record of response?~~
 - ~~Are there any training of police there?~~
- ~~What was the last set of goals and did we do them? 3~~
- ~~What did we learn from having the last set of priorities and should take into doing in making this set? 1~~
- ~~Should there be structural changes in the committee relative to: 0~~
 - ~~Size of committee and membership~~
 - ~~Authority~~
 - ~~Public involvement/education~~
 - ~~are we covering all modes of transport...maritime and air /Buchanan Field, transportation of hazmat in the County.~~
- CNWS clean-up and use – consider subset of brownfields – subset of brownfields

Standing Items

- Update on pharmaceutical ordinance 4 – one time report
- Update on status of Community Warning System 4 – one time report
- Annual meetings with Supervisors 6 – throughout year
- Board's Legislative Platform 6 – in fall

The top two priorities were to:

- Review the status of hazardous waste management in the County
- Review the status of Brownfield and Contaminated site clean-up in the County. This would include reviewing the status of the CNWS cleanup and the RWQCB rule on Bayfront landfills.

The second tier issues agreed upon were to:

- Continue to look at the impact of Sea Level Rise on hazardous material storage and transportation.
- Follow-up on state policy around the reuse and recycling of Lithium-ion car batteries
- Follow-up on the adoption of the County's General Plan
- Receive an update on the status of solid waste management in the County
- Receive an update on the status of Household Hazardous Waste Management in the County

They also agreed they would:

- Continue the internship program
- Receive an update on the Pharmaceutical Ordinance
- Receive an update on the Community Warning System
- Continue to hold annual one-on-one meetings with each County Supervisor
- Review the County's legislative platform

1. Reports from Commissioners on Matters of Commission Interest: None

2. Plan Next Agenda:

The Commission agreed not to meet in August and to begin implementing its priorities for the next 12 – 18 months in September.

11. Adjournment: The meeting adjourned at 6:12 pm.