

TO: BOARD OF SUPERVISORS

FROM: Phil Batchelor  
County Administrator

DATE: October 8, 1986

SUBJECT: Formation of a Hazardous Materials Commission



Contra  
Costa  
County

SPECIFIC REQUEST(S) OR RECOMMENDATION(S) & BACKGROUND AND JUSTIFICATION

RECOMMENDATIONS:

- 1. Create a Hazardous Materials Commission consisting of the following representatives:
  - 2 - Members of the Board of Supervisors to be selected by majority vote of the Board;
  - 3 - Representatives of cities to be appointed by the City Selection Committee pursuant to Article 11 of Chapter 1, of Part 1 of Division I of Title 5 of the Government Code;
  - 2 - Representatives of business, to be nominated by industrial associations, screened by the Internal Operations Committee, and appointed by the Board of Supervisors;
  - 2 - Representatives of environmental organizations, to be nominated by those organizations, screened by the Internal Operations Committee, and appointed by the Board of Supervisors;
  - 1 - Representative of the Solid Waste Commission nominated by the Commission and appointed by the Board of Supervisors;
  - 1 - Representative of taxpayers in the County, to be recommended by the Internal Operations Committee and appointed by the Board of Supervisors;
  - 1 - Representative of the Diablo Valley League of Women Voters nominated by the League and appointed by the Board of Supervisors;
  - 1 - Labor representative to be nominated by labor organizations, screened by the Internal Operations Committee, and appointed by the Board of Supervisors;

CONTINUED ON ATTACHMENT: \_\_\_ YES

SIGNATURE: *Claude K. Van Swardt*

RECOMMENDATION OF COUNTY ADMINISTRATOR

\_\_\_ RECOMMENDATION OF BOARD COMMITTEE

APPROVE

\_\_\_ OTHER

SIGNATURE(S): *Claude K. Van Swardt*

ACTION OF BOARD ON October 14, 1986

APPROVED AS RECOMMENDED  OTHER \_\_\_

VOTE OF SUPERVISORS

UNANIMOUS (ABSENT \_\_\_)

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_

cc: Listed on Page 4

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF AN ACTION TAKEN AND ENTERED ON THE MINUTES OF THE BOARD OF SUPERVISORS ON THE DATE SHOWN.

ATTESTED October 14, 1986

PHIL BATCHELOR, CLERK OF THE BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR

BY *Jules Edwards*, DEPUTY

- 1 - Representative of environmental engineering firms located in Contra Costa County nominated by such firms, screened by the Internal Operations Committee, and appointed by the Board of Supervisors;
- 1 - Representative of the general public, specifically Mr. Paul De Falco, Jr.
2. Authorize the County Administrator to solicit nominations from the organizations noted above and report the nominations to the Board for final consideration.
3. Authorize the County Administrator to determine the staffing needs for the Commission and make appropriate recommendations to the Board of Supervisors.
4. Charge the Commission with the following tasks:
  - A. To draft a detailed hazardous waste management plan, including at least the following information:
    - (1) the generator I.D. numbers of all generators in the County and SIC codes;
    - (2) the permit status of each generator and TSD facility;
    - (3) the total amount and type of each wastestream sent to TSDF's or handled on-site;
    - (4) the management method for each stream (including treatment);
    - (5) the county from which "out-of-county" waste originated;
    - (6) an assessment of commercial and on-site TSDF capacity, future plans, and any projected shortfalls in capacity for handling county waste;
    - (7) a review of future plans for facilities outside the County (which accept a large portion of the County's waste);
    - (8) a summary of imports to and exports from the County;
    - (9) an inventory of existing recycling operations (types, amounts, and capacity); and
    - (10) a description by the commission of who monitors the plan, how often monitoring will occur, and what is to be included.
  - B. To draft a County Hazardous Materials Storage and Transportation Plan for consideration by the Board of Supervisors.
  - C. To draft a County Hazardous Materials Storage and Transportation Management Ordinance for consideration by the Board of Supervisors.
  - D. To coordinate the implementation of AB 2185 (Chapter 1184, Statutes of 1985) with the other recommendations of the Task Force.

- E. To address the economic effects of implementing these recommendations.
- F. To further develop the recommendations involving hazardous materials issues which should include obtaining broad public input.
- G. To insure management coordination of all aspects of the storage or transportation of hazardous materials and the generation, storage, transportation, treatment, and disposal of hazardous waste.

and the charges outlined in Health and Safety Code Section 25135.2(b) as added by AB 2948 (Chapter 1504, Statutes of 1986).

- 5. Authorize the Commission to recommend further charges for consideration by the Board of Supervisors, or to recommend changes in the existing charges to the Commission for consideration by the Board of Supervisors.
- 6. Direct the County Administrator, or his designee, to convene the initial meeting of the Commission until such time as the Commission is able to select a Chairperson.
- 7. Designate the Commission to serve as the Advisory Committee required by Health and Safety Code Section 25135.2 as added by AB 2948 (Chapter 1504, Statutes of 1986).
- 8. Direct all County departments to cooperate fully with the work of the Commission.

BACKGROUND:

One of the recommendations made to the Board of Supervisors by its Hazardous Waste Task Force called for the creation of a Hazardous Materials Commission. The Task Force also recommended specific tasks for which the Commission should be responsible. These are outlined in recommendation No. 4 above. The Board of Supervisors approved the Task Force's recommendation and directed this office to outline the steps needed to implement this and other recommendations of the Task Force.

On August 12, 1986, the Board of Supervisors also agreed to the general parameters for the size and composition of the Commission. The Board's intent was that the Commission be formed in such a way as to comply with the provisions of Assemblywoman Tanner's AB 2948 in case the bill was passed and signed by the Governor. AB 2948 was passed by the Legislature and was signed by the Governor on September 30, 1986. It has been chaptered as Chapter 1504, Statutes of 1986.

AB 2948 requires each county to establish an advisory committee of at least seven (7) members to assist the county in the preparation and administration of the county Hazardous Waste Management Plan which the county is authorized to prepare by AB 2948 as the alternative to the hazardous waste portion of the Solid Waste Management Plan.

We believe the composition recommended for the Hazardous Materials Commission satisfies the requirements of AB 2948. In making the above recommendations we have solicited input from various individuals who were members of the Hazardous Waste Task Force as well as affected County staff. The above recommendations reflect a general consensus of those views.

The cost of the planning requirements in AB 2948 are to be funded with \$10 million, which is included in the bill as an appropriation from the settlement funds received by the State pursuant to the Outer Continental Shelf Lands Act and which is appropriated to the Hazardous Waste Management Planning Subaccount in the Hazardous Waste Control Account. We believe that some, if not all, of the costs of the Hazardous Materials Commission can be reimbursed through this source of funding.

cc: County Administrator  
County Counsel  
Health Services Director  
Director, Emergency Services Office  
Director, Community Development  
Chief, Consolidated Fire District  
Nominating Entities (via CAO)

TO: BOARD OF SUPERVISORS  
FROM: Phil Batchelor, County Administrator  
DATE: August 6, 1986  
SUBJECT: Formation of a Hazardous Materials Commission



SPECIFIC REQUEST(S) OR RECOMMENDATION(S) & BACKGROUND AND JUSTIFICATION

Recommendation:

Acknowledge receipt of this status report from the County Administrator on the formation of a Hazardous Materials Commission.

Background:

On August 5, 1986, the Board of Supervisors requested a report on the status of plans to form a Hazardous Materials Commission.

The formation of such a Commission was recommended to the Board by the Hazardous Waste Task Force. The recommendation was approved by the Board of Supervisors and referred to the County Administrator along with the other 54 recommendations that were approved. The County Administrator was to determine what actions are necessary to implement each of the recommendations and report back to the Board.

The recommendation to establish a Hazardous Materials Commission included the following language:

"Establish a County Hazardous Materials Commission directly responsible to the Board of Supervisors, which includes policy-making level representatives from the County, the cities, fire districts, sanitary districts, and representatives from both the public and private sectors. This Commission should be charged with establishing model policies and programs for uniform adoption throughout the County dealing with hazardous wastes or with the storage and transportation of hazardous materials."

CONTINUED ON ATTACHMENT:  YES \_\_\_\_\_ SIGNATURE: Claude L. Van Sledright  
 RECOMMENDATION OF COUNTY ADMINISTRATOR \_\_\_\_\_ RECOMMENDATION OF BOARD COMMITTEE  
 APPROVE \_\_\_\_\_ OTHER

SIGNATURE(S): Claude L. Van Sledright  
ACTION OF BOARD ON August 12, 1986 APPROVED AS RECOMMENDED  OTHER \_\_\_\_\_

VOTE OF SUPERVISORS

UNANIMOUS (ABSENT II)  
AYES: \_\_\_\_\_ NOES: \_\_\_\_\_  
ABSENT: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF AN ACTION TAKEN AND ENTERED ON THE MINUTES OF THE BOARD OF SUPERVISORS ON THE DATE SHOWN.

CC: County Administrator  
Director, Health Services  
Director, Community Development  
Director, Office of Emergency Services  
Chief, Consolidated Fire District

ATTESTED August 12, 1986  
PHIL BATCHELOR, CLERK OF THE BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR  
BY Johene Edwards, DEPUTY

The recommendation continued with a listing of proposed duties with which the Commission should be charged.

The County Administrator's Office is presently soliciting recommendations from County staff and members of the former Hazardous Waste Task Force on the following:

1. The proposed size of the Commission
2. The proposed membership of the Commission
3. Proposed staffing for the Commission

It is our intent to recommend the formation of a Commission which will also meet the requirements of Health & Safety Code Section 25135.2 as it is proposed to be added by AB 2948 (Tanner) which, if passed and signed by the Governor, would require the creation of an Advisory Committee of at least seven members to advise the Board of Supervisors and City Councils on issues related to the development, approval and administration of the county hazardous waste management plan which the bill would authorize counties to prepare. We will, therefore, return to the Board with recommendations for a Commission of at least seven members and no more than fifteen members. Included will be representatives of at least the following:

- o Board of Supervisors
- o Cities (3 Representatives)
- o Industry
- o Environmental Groups
- o General Public

We will probably recommend that the County staff not be included as members of the Commission since they will be members of the Hazardous Materials Council and will undoubtedly be providing staff support to the Commission.

AB 2948 has passed the Assembly and is presently awaiting a hearing in the Senate Appropriations Committee.

Once all parties have responded, this office will formulate a proposal for consideration by the Board of Supervisors. We anticipate making such a recommendation to the Board by September 30, 1986.