



# County of Santa Cruz

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## HAZARDOUS MATERIALS ADVISORY COMMISSION

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### **Hazardous Materials Advisory Commission Meeting Minutes March 28, 2018,**

Capitola Community Room  
420 Capitola Ave., Capitola

#### **I Roll Call/Call to Order**

Meeting called to order by Chairperson Bennett at 9:05 a.m.

Present: Bennett, Bracamonte, Young, Whittle, Avila, Delemus, Glucs, Forest

Absent: Bertrand, Logan, Frawley

Staff: Rebecca Supplee

#### **II Public Oral Communications: None**

#### **III Additions/Deletions to the Agenda: None**

#### **IV Adoption of January Meeting Minutes**

Motion: Bracamonte

Second: Glucs

Ayes: Bennett, Bracamonte, Young, Whittle, Delemus, Glucs, Forest

Abstain: Avila

#### **V Staff Report**

All hazardous materials staff attended at least two days of the CUPA Conference that was held February 5-8<sup>th</sup> in Burlingame. The CUPA Conference is a premiere training conference with classes covering current topics in underground storage tanks, hazardous waste, Business Plans, California Accidental Release Program, and the Above Ground Petroleum Storage Act. All staff obtained scholarships to attend from the CUPA Forum Board.

Environmental Health is currently accepting applications for all levels of Registered Environmental Health Specialist – Trainee to Environmental Health Specialist III. The deadline for applications are March 30<sup>th</sup>, 2018.

#### **Legislative Update**

AB 444 Ting (D) 2/13/2017 Medical Waste: Home Generated Medical Waste

Authorizes the California Environmental Protection Agency to develop a statewide program for the collection, transportation, and disposal of home-generated medical waste. Senate Environmental Quality Committee-Pending.

AB 2277 Mathis (R) 2/13/2018 Solid Waste Facilities: Pharmaceutical Waste

Vests the Department of Resources Recycling and Recovery with the primary responsibility for the disposal of home-generated pharmaceutical waste and would require the Department of Resources Recycling and Recovery, in collaboration with the State Department of Public Health, the Department of Toxic Substances control, and the California State Board of Pharmacy, to adopt regulations authorizing the incineration of home-generated pharmaceutical waste by solid waste facilities. Assembly Environmental Safety and Toxic Materials Committee- Pending.

AB 3230 Muratsuchi (D) 2/16/2018 Green Chemistry Consumer Products

Makes Legislative findings and declarations to encourage the Department of Toxic Substances Control to work with the legislature in its oversight capacity as the Department identifies and analyzes consumer products that may contain hazardous chemicals and to initiate rule making actions for consumer products found to contain hazardous chemicals, as appropriate. Assembly – Pending.

SB 49 de Leon (D) 12/5/2016 Environmental and Workers' Defense Act

Relates to the California Environmental, Public Health, and Workers Defense Act of 2017, and to clean air, drinking water, discharge of pollutants into the atmosphere and waters, and endangered species. Requires specified agencies to take prescribed actions to maintain and enforce standards pertaining to air, water, and protected species. Prohibits a state agency from amending rules to be less stringent in protection of workers' rights and workers' safety than established by federal law. Assembly Rules Committee- Pending

SB 1144 Dodd (D) 2/14/2018 Non-vehicular Air Pollution: Penalties and Fines

Establishes additional civil penalties and fines on specified petroleum refineries, petrochemical plants, and fossil-fuel-burning, electricity generating power plants that emit an air contaminant in violation of specified rules, regulations emissions limitations, permits, or orders of a district or district hearing board and when the violation presents a serious threat to the health or welfare of the public. Senate Environmental Quality Committee- Pending.

**VI Letter to the Board of Supervisors Regarding the Request that the Ben Lomond Hazardous Waste Facility be Open an Additional Day on the Weekend.**

Recommended action: Approve Letter

Motion: Delemus

Second: Bracamonte

**VII Guest Speaker** – Scott Carson, Santa Cruz County Environmental Health Geologist for the Site Mitigation Program.

Mr. Carson gave the Commission an update on the environmental concerns along the Santa Cruz Branch Rail line. Initial studies found arsenic and other pesticides, lead, petroleum products, and Polycyclic Aromatic Hydrocarbons (PAHs) along the rail corridor. As development along the rail corridor has taken place, further soil testing has confirmed that there is contamination along the rail corridor, with arsenic being the primary contaminate of concern. Arsenic is highly toxic to humans and the screening levels for arsenic are very low - .06 parts per million in soil for residential use. Remediation goals are complicated by the fact that there is naturally occurring levels of arsenic in soil that varies dramatically from location to location in our County. It is the practice of the Environmental Health not to require clean up or remediation of contaminants at levels below background levels, and we have seen background levels of arsenic in the county as high as 4-12 ppm. However, there are areas along the rail corridor with arsenic levels as high as 120ppm and will need to be remediated. Therefore, as projects take place along the rail corridor,

it is the role of Environmental Health to protect workers, and the long term health of people and the environment.

The Regional Transportation Commission (RTC) has entered the voluntary clean-up program with Santa Cruz County Environmental Health and have signed a Remedial Action Agreement. Under that agreement they must notify Environmental Health of projects being done along the rail line, so that we can ensure that the soil is managed appropriately. The City of Santa Cruz is currently the most proactive in implementing rail/trail plans. In the area known as Segment 7 in the City of Santa Cruz, they are developing a test project of a pedestrian/bike trail along the train tracks. The trail portion would be separated from the train tracks by a fence, which is a protective measure. The paved trail itself serves as a protected measure from contaminated soil. It is the unpaved areas next to the trail that will have to be tested to for contamination. The other option is to bring in 2 feet of clean fill to act as a barrier to human contact to the contaminated soil. There are also improvement projects, like the Aptos Village Road improvement project which crossed the rail corridor. In that case, they were in a construction zone with little space and time to work with, and they ended up hauling a lot of soil as hazardous waste, because they did not have the space to segregate the soil and have it tested. It has taken time, but there is now the generally understanding that the rail corridor is contaminated and for all projects in the area, the RTC or other involved parties, need to notify Environmental Health and work with Environmental Health to ensure that the workers and the public are protected.

**VIII November Meeting:** There was a discussion to change the November Meeting from the third Wednesday in November to the fourth Thursday because of Thanksgiving on the 22<sup>nd</sup> and it was agreed that it made sense to meet on the third Wednesday in November.

**IX Next Commission Meeting:** May 23, 2018