

FINAL ACTION MINUTES

I. Roll Call: Present - Grossman, Clear, Moret, Caseber, Wood, Bianco, Luten, MacKusick, Chatterjee

Chair Grossman. **Vice Chair**, Wood. **Secretary**, N. Al-Hadithy. **Intern**, J. Tulloch

II. Report From Chair:

III. Announcements from Commissioners:

- **LA Wood** - Participated in Lawrence Berkeley Lab (LBL) Environmental sampling. Took video recording.
- Housing Advisory Commission is discussing Harrison House. LA submitted concerns re air quality and environmental justice issues.
- **Caseber** – Bay Area Air Quality Management District (BAAQM) grant of \$25k to City was not available. Item IX.c should be taken off. Air District will report 2.5 micron pollution 2002.

V. Comments from the Public:

Terri Powell, Lawrence Berkeley National Laboratory (LBNL) - Request put on future agenda discussion of plan for National Tritium Labeling Facility (NTLF) closure. Trying to get report up on web. Will be mailed.

Pamela Sihvola, Committee to Minimize Toxic Waste (CMTW) - NTLF scheduled to close 12.06.01. LBL petitioned Department of Toxic Substances Control (DTSC) to restart waste treatment for variety of wastes. Requests LBNL withdraw request from DTSC.

Irmi Meindel - Support Sihvola's statement. Misleading to announce closure and do mixed waste treatability study without informing people. Withdraw petition to get mixed treatability study going as a sign of good faith from lab.

Barbara George - Amazed that lab would try to reopen this program after accident in 1998. Request CEAC put Waste Treatment study on next agenda along with closure of NTLF. Said that no LBL employee should be discussing this issue on the commission.

VI. Toxics Management Division Staff Report

1. Concluded self-audit in prep for spring full-audit next February. Improving computer logging system.
2. Not hired additional inspector for CUPA.
3. 47 inspections from July until now. By end of January, should be up to 75.
4. 2 or 3 high profile sites. Berkeley Repertory Theater submitted report on work done – not reviewed.
5. Public Works has had much work performed.
6. Notice sent that notification procedure insufficient. No response from Bayer.
7. Takara Sake. There has been a lot of success. Better plan to notify public. Will increase notification. Invested in plant to replace ammonia.
8. JETCO burned 2 years ago. Owner recently charged with felony. Arrested. Cases pending.
9. CEAC request plans to resolve arsenic problem.
10. Update on CUPA compliance.
11. Waste Treatability Study.

VII. Action

Request LBNL mail NTLF closure report to CEAC - Moret.

Arsenic on January Agenda - Clear.

Talk to lab and get timeline - Grossman.

VIII. Discussion/Action

- MOTION Adopt November 2001 Minutes as amended. Remove first statement in VIII.b “CEAC is not in a hurry to pass this item.” VIII.e add “there were no objections to this statement.” after “February of 2002” third line. VIII.k “Caseber requested 15 minutes additional time for discussion of subcommittee item” (M/S/C Chatterjee/Clear. For: Unanimous. PASS.)
- MOTION Retract from November 2001 CEAC Minutes Item VIII.d that outlines minority opinions. (M/S/C Wood/Moret. For: Unanimous. PASS.)
- MOTION Add “and the chair” to I.c of Subcommittee on policy report after the term “the Secretary” (M/S/C Wood/Moret. For: Caseber, MacKusick, Wood, Moret, Chatterjee. Against: Grossman. Abstain: Bianco, Luten, Clear. PASS.)
- Substitute Motion to Approve I.a and I.b of subcommittee report as separate motions. (M/S/C MacKusick/Bianco For: Caseber, MacKusick, Bianco, Luten, Clear, Chatterjee, Grossman. Abstain: Wood, Moret. PASS.)
- MOTION I.a as modified “that wording may only be modified in consultation with the maker of the motion.” Strike out the remainder of the (M/S/C MacKusick/Clear For: MacKusick, Bianco, Chatterjee, Grossman. Against: Wood, Moret, Luten, Clear. Abstain: Caseber. FAIL.)
- MOTION Adopt I.a as written I.b as amended from Subcommittee on Policies Report: replace “Background” with “Supporting Documentation.” (M/S/C Wood/Moret. For: Grossman, Clear, Chatterjee, Moret, Caseber, Wood, MacKusick, Bianco. Abstain: Luten. PASS.)
- MOTION Adopt sections II through V of the Subcommittee on Policies Report without amendment. (M/S/C Wood/Moret. For: Wood, Moret, Luten, Caseber, Chatterjee. Against: MacKusick, Bianco, Clear, Grossman. PASS.)