

FINAL ACTION MINUTES

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

Chair: Sara MacKusick, **Vice Chair:** James Bianco, **Secretary:** N. Al-Hadithy, **Aide:** J. Tulloch

II. Report From Chair: Form 700. Hugh Beattie, Bayer introduction. Report distributed.

III. Announcements from Commissioners:

- **Clear** - Battery Recycling. Requested website to avoid Brown Act problems.
- **Wood** - Commission on Aging took action to request City Council to restrict Baytril antibiotic. Brown Act violation issues with subcommittee email.
- **Bianco** - Email/Brown Act issue.
- **Grossman** - Resigning from Commission. Express appreciation to Commission & staff.

V. Comments from the Public:

- **Mike Toffel, HAAS Business School Student** - Have public to be more informed of minutes and CEAC process.

PRESENTATION FROM HUGH BEATTIE OF BAYER

Introduced Clelia Baur, Director of Public Policy and Communication. Bayer to attend future meetings. (Secretary directs Beattie to Association of Bay Area Governments' Dioxin Taskforce web page). MacKusick, Wood, and Moret express interest in attending tour of Bayer. Bayer to submit work plan within 2 weeks.

VI. Toxics Management Division Staff Report

- TMD proposed fee increase. Underground Storage Tank (UST) fees will be double.
- Certified Unified Program Agency (CUPA) Audit results.
- Berkeley Municipal Codes was not brought to City Council.
- TMD Enforcement list.
- Arsenic report CM to differ from CEAC.
- Air at Harrison and Shelter discussed.

VII. Action

- Iraj Javendal of LBL to send clean up document for NTLF to DOE then to Nabil and public.
- Investigate possibility of getting CEAC website for subcommittee and other work.
- Bianco request Nabil get clarification on email/Brown Act issue. Look into getting "list server" for subcommittee members.
- No snail mailing of documents by staff. E-mail is environmentally better, quicker etc.
- Hard copy of ABAG study to Luten, others to go to ABAG site.
- Determine what City contractor is doing with universal waste
- Send draft resolution Solid Waste Commission with amendments
- Find out from CA if Chair MacKusick should recuse herself from Harrison House Soccer Field issues.

VIII. Discussion/Action

MOTION Adopt February Minutes as amended (M/S/C. For: MacKusick, Bianco, Luten, Clear, Grossman. Against: None. Abstain: Chatterjee, Wood, Moret. Absent: Caseber. PASS.)

MOTION Continue to email communications between meetings and use Rich Text Format (.rtf) in the future (M/S/C. Bianco/Chatterjee For: Unanimous. Absent: Moret, Wood, Luten. Caseber. PASS.)

MOTION Pass Robert Clear's Resolution with two additional points a). Accept that some batteries (alkaline and acid) are possibly going to landfills. b). Follow best management practices when non rechargeable batteries can be recycled. (M/S/C. Bianco/Clear.) Motion to be sent to SWC and staff for comment.