

FINAL ACTION MINUTES

I. Roll Call: Present - MacKusick, Bianco, Wood, Moret, Lutten, Clear, Chatterjee, Krumme. **Leave of Absence for:** Caseber.

Chair Sara MacKusick. **Vice Chair**, Bianco. **Secretary**, Drew Lerer. **Aide**, J. Tulloch

II. Report From Chair:

III. Announcements from Commissioners:

- LA Wood - Attended Aquatic Park Subcommittee with chair. Concerned that entire budget will not be spent on water quality study. CEAC should request funding from Alameda County Runoff program for study. CEAC should have been consulted. LBL tritium air monitoring data should be made available to CEAC.
- Robert Clear – Contacted City Clerk and received copy of the Height Initiative. Would like to call attention to chrome plating facility (1401 Park Ave.). Request comment from Secretary.

IV. Comments From Public:

- **Robin Wendt, Dep. Mgr. LBNL EH&S** – Clarification on misstatements made on tritium health impacts.
- **Pamela Sihvola, Berkeley Resident** - Address Agenda items IX.B, IX.C, and IX.D. Request that City Council support SB2065. Regarding Item IX.C Request more substantial NEPA/CEQA reviews. Advise CEAC request lab to provide detection and release limit for every radionuclide. List number of radionuclides at lab. Regarding Item IX.D, Nuclear Regulatory Commission (NRC) and Department of Transportation (DOT) - deregulating radioactive waste. Urge individual commissioner comments to Council by July 29th. Tritium monitor in Oakland request CEAC follow this issue. Request Lab reinstate monitor taken out ENV 75G in eucalypt grove. Provide CEAC raw data from last 2 years of monitoring.
- **Terry Powell, LBNL** - Tritium monitor continues to exist - 10 monitors in all. Suggest community write the lab for monitoring information.

BAYER PRESENTATION

Clelia Baur, Director of Public Policy & Communications - Introduce self and colleagues. Discuss activities on Bayer site - 3 products, Kogenate, Prolastin, and Thrombate III.

Deborah L. Bellush, Manager of Site Development & Community Relations - Ride Share/Trip reduction program, alternative commute program for employees and community in West Berkeley. Bayer provides about 80% of cost.

William Greulich, Manager of Health, Environment, Safety & Security - Respond to Tritium Exit sign question (1999). Bayer, at the time, had 76 signs. All signs have been removed since. Toxics Release Index (TRI) data available on web. ISO14001 Certification; ERM is certifying agency (ISO 14001 Certificate distributed).

Ecology Center

Martin Bourque – discussed costs and alternatives to biodiesel.

TMD REPORT

Brief overview given of Hazardous Waste violations. All CUPA Audit requirements have been met.

V. Actions

- Request tritium monitor data from LBNL.
- Confirm Unanimous vote (see Wood's vote on Ferry item)
- Provide Bayer environmental compliance information available at TMD (Wood and Chatterjee).

VI. Discussion/Action

- Adopt Minutes for June 6 - Wood questions his vote on ferry item (M/S/C Luten/Bianco. For: MacKusick, Bianco, Wood, Luten, Clear, Chatterjee, Krumme. Abstain: Moret. PASS)
- Adopt June 27th minutes w/corrections (M/S/C Bianco/Clear. For: MacKusick, Bianco, Luten, Clear, Krumme. Abstain: Wood, Moret, Chatterjee. PASS)
- Request Bayer provide CEAC with DHS rad health licenses for radionuclides on site, TRI waste data and annual air monitoring for radionuclides and hazardous materials data. Wood and Chatterjee to work with Secretary on letter to Bayer. Then to work with Bayer on making information publicly available. (M/S/C Wood/Chatterjee. For: MacKusick, Wood, Moret, Clear, Chatterjee. Abstain: Luten. Absent: Bianco) PASS
- Motion to table the Bayer request (M/S/C Luten/Krumme. For: Luten, Krumme. Against: MacKusick, Wood, Moret, Clear, Chatterjee. Absent: Bianco. FAIL)
- CEAC Recommends that Council require the use of 100% biodiesel as proposed by the Berkeley Energy Commission, which is as follows: Adopt a Resolution requiring the use of 100% biodiesel fuel in existing diesel engine vehicles used by the Department of Public Works, Fire Department, And Transfer Station for refuse and recycling services as soon as a budget is established for this purpose, directing the City Manager to, after a period of four (4) years, determine whether to make future vehicle investments in compressed natural gas (CNG) or diesel infrastructure and recognizing the pioneering work the Ecology Center has done in promoting the use of biodiesel in municipal fleets and supporting the Ecology Center to promote biodiesel to other fleet operators. (M/S/C Chatterjee/Moret. For: MacKusick, Wood, Moret, Luten, Clear, Chatterjee. Against: Krumme. Absent: Bianco. PASS)
- Recommend that City Council send letter to the California Senate in support of SB 2065 which requires California Department of Health Services (DHS) to establish reporting procedures, through a public hearing process, for low level radioactive waste, and which mandates generators of LLRW to report the specified information to DHS, and further, to support the changes to regulations which would allow costs associated with these new reporting requirements be paid from the Radiation Control Fund which receives its funding from fees.

(M/S/C Wood/Moret. For: MacKusick, wood, Moret, Luten, Clear, Chatterjee.
Against: Krumme. Absent: Bianco. PASS)