

## **FINAL ACTION MINUTES**

**I. Roll Call: Present** – Hale, Moret, Wood, Toffel, MacKusick, Harris. **Absent** – Krumme, Chatterjee.

**Chair: S. MacKusick. Vice Chair: M. Toffel. Secretary: N. Al-Hadithy. Aide: J. Tulloch**

**II. Report From Chair:** Precautionary Principle language finalized by committee. Scheduled to be heard by City Council October 14<sup>th</sup>, 2003.

### **III. Announcements from Commissioners:**

- **Toffel**– SB20 Passed. Advanced disposal fee added to monitors, flat panel and CRTs.
- **Wood** – Comment on storm water issue. New costs anticipated following recent regulatory changes. Advise commission involvement.
- **Clear** – Commented on precautionary principle. Provided analysis of West Berkeley air data.

### **IV. Comments from the Public:**

- **Pamela Sihvola** – 1) UCB is receiving comment for Long Range Development Plan. Deadline extended to October 10<sup>th</sup>. Commissioners should comment individually. Commented on development near Strawberry Canyon and Molecular Foundry
- **Gene Bernardi** – Congratulate Commission on Precautionary Principle vote.

### **V. Requests:**

- **Wood** – City of Berkeley Storm Water Program presentation to CEAC at 11/6/03 meeting.
- **Sihvola** –Commission send letter to LBNL requesting medical waste levels, incineration levels, location, and amount radioactive.  
Request on behalf of Carole Schemmerling (as written) that Molecular Foundry item to be on November agenda. Please send copy of October agenda to Schemmerling.
- **Wood** – Report on waiver for Harrison Park users and the public notification language at the skate bowl and skate park.
- **Harris** – Email Richard Harris final AMS report on air quality.
- **Wood** – Request medical waste information from LBNL.

### **VI. Toxics Management Division Staff Report**

### **VII. Discussion/Action**

#### **PRESENTATIONS**

#### **CEAC FOCAL POINTS, COMMISSIONER PROJECT LIST**

**Wood** – Stormwater issues/air quality/zoning complaint.

**MacKusick** – CUPA Enforcement.

**Toffel**– Residential Lead Paint (SB460) and Environmental state of the City

**Moret**– LBL/Strawberry Creek watersheds

**Harris** – Financial/regional partnership/grants

**Hale** – Summary and outreach for CEAC and TMD functions and activities.

**Clear** – Household Hazardous Waste Grant Proposal/Location-efficient mortgage/NRDC/

**Chatterjee** - Bayer/LBL

**On Thursday, October 2<sup>nd</sup>, 2003, the CEAC took the following action:**

- Action: Motioned, seconded, carried (Toffel/Clear. For: Clear, Harris, Hale, Toffel, MacKusick. Abstain: Wood, Moret. Absent: Krumme, Chatterjee.) Adopt September minutes as amended (take tritium comment off public comment (Bernardi) and remove Caseber's comments)
- Action: Motioned, seconded, failed (Toffel/Clear. For: Clear, Toffel, Harris Abstain: MacKusick, Hale. Absent: Krumme, Chatterjee. Against: Wood, Moret) Strike redundant material that is crossed out in MacKusick notes. Retain remaining policies.
- Action: Motioned, seconded, failed (MacKusick/Harris. For: MacKusick, Hale, Harris, Abstain: None. Absent: Krumme, Chatterjee. Against: Clear, Toffel, Wood, Moret.) Discard all previously approved CEAC policies.
- Action: Motioned, seconded, failed (Wood/Moret. For: Wood, Moret, Harris. Abstain: Hale, MacKusick. Absent: Krumme, Chatterjee. Against: Toffel, Clear) Drop the censure clause and accept the rest of the language of CEAC Policy
- NOTE: No changes to CEAC adopted policies
- CEAC recommends that City should adopt codes and have as many staff inspectors as possible enforce codes. Toxics Management to act as technical consultant to City inspectors. Request County Lead Program assist the City with training, funding and equipment purchase. Request County Lead Program make a presentation on the level of support it gives to the City at the November 6, 2003 CEAC meeting. Accepted by consensus and on advice of staff, this is not to go to Council at this time. City staff is meeting in the interim period to decide if they will adopt and implement an SB460 - Lead Hazard program. Secretary to report next meeting on staff findings.