

Regular Community Environmental Advisory Commission Meeting of 3/4/2004.

FINAL ACTION MINUTES

I. Roll Call: Present – Toffel, Hale, Wood, Moret, Clear, Issel, MacKusick. Harris. **Absent** – None.

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

II. Report From Chair: Makers of motions or resolutions are to provide language for CEAC agenda package and should also write the final report, unless another commissioner is appointed to write it. Recommended that commissioners communicate directly with their appointees to educate them about approved CEAC motions before they reach Council.

III. Announcements from Commissioners:

- **Clear** – Displayed articles on cadmium, nanotechnology, and a Lawrence Berkeley National Laboratory (LBNL) Molecular Foundry web cam printouts. Attended LBNL seminar on nanoparticles in diesel exhaust. Health element is being considered at LBNL.
- **Issel** – Observed kids skating and bicycling in closed Harrison Park Skate Park site. Inadequate notices of risks noted.

IV. Comments from the Public:

- **Pamela Sihvola, Committee to Minimize Toxic Waste** – Recommended CEAC send comments listing past actions on risk based clean up be sent to Dept of Energy on their Risk-Based End Statement (RBES). Requested that RWQCB statement on the clean up be added. Comments to be sent to Hement Patel at the Department of Energy, Oakland, before March 12. Informed CEAC that her comments at Community Health Commission on nanotechnology research have received a response by LBNL. Noted that some nanoparticles at LBNL are not in a substrate but will be in breathing zone. Noted that LBNL will not filter nanoparticles as they are not required to do so. Request letter objecting to disposal of low-level mixed and radioactive waste from LBNL to hazardous waste and municipal landfills.

V. Toxics Management Division Staff Report

Discussed pollution prevention week in September 04 and possible actions by CEAC. Reported on City's siren and public notification systems. Reported on Cal Air Resources rulemaking against biodiesel and in favor of ultra low sulfur diesel.

VI. Discussion/Action

2004 ELECTIONS

MacKusick, nominated by Clear. **For:** Toffel, MacKusick, Hale, Harris, Clear, Issel.

Against: Moret. **Abstain:** Wood.

On Thursday, March 4, 2004, the CEAC took the following action:

- **SUBJECT: February 04 Minutes review/adoption**
Action: Motioned, seconded, carried (Toffel/None. For: Unanimous Abstain: None. Absent: MacKusick, Moret.) to adopt February minutes with change to format.
- **SUBJECT: Restatement of CEAC and City Council positions on RBES.**
Action: Motioned, seconded, carried (Wood/MacKusick. For: Unanimous. Abstain: None. Absent: None.) to send past positions taken by CEAC and City Council to Department of Energy. Include the letter from RWQCB as commentary only or for information only.
- **SUBJECT: CM to write Bayer for a tour and discussion of the facility.**

Action: Motioned, seconded, carried (Wood/Moret. For: Unanimous. Abstain: None. Absent: None.) Request CM write to Bayer requesting a tour and discussion of the facility. The Discussion is on pollution, waste management, water, air quality. This request does not ask for access to proprietary or clean resources. Purpose of the proposal is to build trust and community outreach.

VII. Requests:

- **Toffel** – Move Minutes Item V, Requests, to the end of the minutes in the future.
- **Sihvola** – Distribute letter on Nanoscience Questions to CEAC for April meeting agenda.
- **Toffel** – Remove comments after February vote.
- **Hale** – Interested in awards outreach.
- **CEAC** – to Lorin Jensen, request update to 1995 report, update on stormdrain construction, on street sweeping miles, stormwater drain cleanups, any treatment plans for storm drains. Lorin Jensen is to collect data for inclusion into the April 2004 agenda packet.