

ACTION MINUTES - COMMUNITY ENVIRONMENTAL ADVISORY COMMISSION
Regular Meeting of 10/5/2006

Attendees: Clear, Kibbey, Hale, MacKusick and Wilson. Absent: Harris and Moret.

Public Comment:

Bruce Wolff: San Jose State graduate student, observing.

Peter Guerrero: City should require Pacific Steel Casting (PSC) to participate in an emissions reduction program and utilize the Use Permit as the enforcement tool.

David Whipple: West Berkeley Resident: Has experienced many adverse health symptoms from PSC.

Michelle Bonogotsky: Journalism student, observing.

David Schroder: West Berkeley Alliance for Clean Air & Jobs (Alliance): Wants citywide health monitoring program plus incentive, such as tax breaks, for emissions reductions.

Janice Schroder: Communities for Better Environment and Alliance: Is willing to be tested to determine exposures from PSC emissions.

Richard and Robert Chew (son): Advocate clean air through a fuel reformulation (additive).

Elaine Burchard: UC Berkeley Student, observing.

Anne Kim: UC Berkeley student, observing.

On Thursday, August 3, 2006, THE CEAC took the following action:

● **SUBJECT: September Minutes Review/Adoption**

Action: Motioned, seconded, passed (MacKusick /Kibbey. For: Unanimous. Against: None. Absent: Harris and Moret.) to adopt meeting minutes of September 7, 2006 as amended (include announcement from Commission Chair Robert Clear regarding Proposition 90 and Kibbey's request to include this item in the agenda for the October meeting).

● **SUBJECT: Pacific Steel Casting Motion.**

Action: Motioned, seconded, passed (Kibbey/MacKusick. For: Clear, Kibbey, Hale, MacKusick, Wilson. Against: None. Absent: Harris and Moret.) That Council should instruct staff to:

- a. Conduct an analysis of all applicable city codes to enforce against Pacific Steel Casting including, zoning (rescinding use permits, adding use conditions, nuisance violations, etc), transportation (including improper use of public right of way and property and trashing city streets), police powers, toxics regulations, etc
- b. Conduct an urgent public hearing at Council, for purposes of hearing out community health impacts and findings of a health risk, lack of progress made by PSC;
- c. Instruct staff to use all powers to obligate PSC to reduce emissions immediately; including the use of such tools as green chemistry and toxic use reduction and other voluntary approaches.

● **SUBJECT: WoodSmoke Nuisance Ordinance Review /Adoption**

Action: Motioned, seconded, passed (MacKusick /Hale. For: Unanimous. Against: None. Absent: Harris and Moret.) Adopt the resolution on creating a nuisance condition for Wood Smoke and adopt the first reading of the Ordinance.

Announcements & Action from Commissioners:

- The request for funding motion to congresswomen Boxer, Lee, Feinstein, and Pelosi be part of the main nanoparticle motion. Letter to be drafted by R. Harris.
- MacKusick requests that a meeting be held in November where Pacific Steel Casting issues can be further addressed.
- MacKusick proposed the CEAC cancel December meeting. Chair supported proposal.
- Wilson will draft Pacific Steel Casting Report.
- Kibbey requests that the legal aspects of enforcement for Pacific Steel Casting be discussed at the November 7th CEAC meeting.
- Clear and MacKusick volunteered to talk to their appointers to fast track PSC to Council.

Adjourned 9:48pm