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State of California

DEPARTMENT OF TOXIC SUBSTANCES CONTROL COMMUNITY PROTECTION AND HAZARDOUS WASTE REDUCTION INITIATIVE ADVISORY COMMITTEE

MEETING SUMMARY – DRAFT

May 25, 2016
12:30 – 4:00 p.m.

San Diego Regional Water Quality Control Board – Region 9
2375 Northside Dr. #100
San Diego, California 92108

Webcast Information:

<http://www.calepa.ca.gov/broadcast/>

Committee Members in Attendance:

David Asti
Cynthia Babich
Ingrid Brostrom
Dawn Koepke
Nick Lapis
Oladele Ogunseitan, Ph.D.
Virginia St. Jean
Xonia Villanueva
Chuck White

CPHWR Initiative Team:

Pauline Batarseh, Branch Chief
Natalie Marcanio, Team Lead and Senior Scientist
Jerry Lile, Senior Scientist
Eric Slaff, Senior Scientist
Lazaro Cardenas Jr., Outreach Coordinator
Anna Hostler, Office Technician

Also Present:

Brenda Bibee, Del Amo Action Committee
Greg Bourne, Facilitator, UC Davis Extension Collaboration Center
Rick Brausch, Chief, Policy & Program Support Division, DTSC
Ben Edokpayi, Media Relations Officer, Safer Consumer Products, DTSC
Ana Mascareñas, Assistant Director, Environmental Justice and Tribal Affairs, DTSC
Francesca Negri, Chief Deputy Director, DTSC
Robina Suwol, California Safe Schools

1. Introductions, Agenda, & Objectives

Mr. Bourne welcomed everyone to the meeting and invited them to introduce themselves.

Mr. Bourne reviewed the agenda. The main purpose of the meeting was to arrive at the pilot project proposal recommendations.

2. Review/discuss prior meeting summary and action items

Prior meeting summary

Ms. St. Jean noted that at the fifth paragraph of page 5, “jet engine fuel” should read “aviation fuel.” At the last paragraph of page 15, “solid base” should read “solid waste.” On page 15, second paragraph, “PCP” should read “PCB.”

Mr. Asti noted that on page 6, sixth paragraph, “North Carolina” should read “Florence, South Carolina.” On page 10, seventh paragraph, requested a period after “...a lot of samples...” Insert “Particle size is critical...” at the beginning of the next sentence.

On page 2, the quote attributed to Mr. Lile should be attributed to Mr. White.

Mr. White commented on the numbering of the agenda items.

Action items

Mr. Cardenas reported on action taken on the following items.

- The team had provided additional opportunity via email for feedback on the lead acid battery topic. The team reviewed the feedback received and updated the proposal, as provided to the committee last Thursday.
- The team provided additional background and feasibility considerations regarding the SCWO proposal, also provided to the committee last Thursday.
- The team was contacted by a small firm called Reterro that requested to have its evaporation desorption technology considered.
- The team created a second tier proposal draft assessment matrix, providing additional feedback and next-level screening of the proposals. It included the additional category **DTSC Authority** as requested by the committee.
- Mr. Cardenas and Mr. Bourne included time in this meeting for the committee to decide how to formulate its recommendations on the third tier proposals.
- The site visit was completed today. The team provided additional information on research and an example template of an implementation plan.

3. Lead-acid batteries pilot project proposals

-- review, discussion, and final recommendations

Mr. Lile stated that the team had amended the lead-acid battery proposal based upon committee comments. Mr. Brausch explained the last bullet item, which gives a project identification deadline of July 31, 2016, as a place-holder of sorts in terms of timing.

Dr. Ogunseitan commended DTSC for responding to some of the comments. He hoped that the arsenic problem would not be lost in all of the data gathering; it is always undervalued compared to lead. Mr. Brausch responded that staff would include data gathering of all environmental and public health impacts that emanate from the management of lead-acid batteries.

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Ms. Brostrom commented on the need not just to work with the battery industry, but also to look at alternatives that may not be part of the battery industry (and may not have such a vested interest in not changing to alternatives). She also suggested striking the last sentence in the new bullet item; flexibility is necessary. DTSC had worked on this substantive piece of the project that it was not ready to share with the committee; this indicated a lack of openness.

Mr. Brausch responded that we need to be mindful of timing – there is a date beyond which we cannot produce something in the assigned timeframe. He agreed to take out the absolute tone of the bullet item and to use a more accommodating approach.

Mr. Brausch explained that the project's waste reduction goal was intended to focus on waste and waste management as opposed to the battery technology push. Dr. Ogunseitan did not want the latter to drop off because we have not explored it enough; those ideas will in fact reduce the generation of waste.

Mr. White asked for clarity in what DTSC is looking for – there are all kinds of ways to do waste reduction. We could look at tightening up leaks in the lead-acid battery recycling effort (which is mainly very successful). The largest single lead waste stream coming out of the battery industry is Quemetco's slag – several hundred thousand tons per year; we could also look at that. Mr. White requested a discussion with DTSC in advance of the drop-dead date of July 31.

Mr. Brausch responded that DTSC is looking at all aspects of waste reduction with a critical eye. The team does intend to bring the discussion back to the committee.

Mr. Lapis did not see why we cannot gather data, and six months later do implementations. Why are we locked into the July timeframe? Mr. Brausch replied that a part of this project can be coming forward with recommendations. This project is not just information-gathering – it has an eye toward appreciable changes we can recommend (statutory, regulatory, process, technology). DTSC is exploring an opportunity to have an appreciable waste reduction facet in the immediate sense of the pilot project, as opposed to awaiting the recommendations after the six-month period.

Mr. Lapis responded that he had envisioned some hybrid of the two, where after we get more data, we can implement specific reduction strategies still within the one-year pilot timeframe. Mr. Brausch reiterated that DTSC is loose on the July 31 date.

Mr. Lapis said that he had sent an email about how much consumers are paying for the data-gathering. This has come up quite a bit in the Legislature in regard to the Garcia legislation.

Ms. Brostrom asked what is driving the deadlines to have the pilot projects fully identified; early on the committee had been in favor of a staggered approach. We want to have good data to inform these decisions.

Mr. Brausch answered that the primary driver is the resources given by the Legislature – a two-year limited amount of money.

Mr. Bourne pointed out that early on, pilot proposal recommendations had been requested for an April submittal – DTSC had shown some flexibility in extending the decision time. The idea of phasing could still likely happen depending on the implementation of any given project.

Mr. White mentioned that comments he had submitted had been totally rewritten by the team; he requested a sidebar conversation with a staff member to understand how they had reacted to his comments and how they were or were not incorporated. Mr. Brausch agreed to discuss them.

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Ms. Brostrom submitted that as a matter of policy, this should not be a sidebar conversation. Mr. Brausch said that staff would produce a red line version. Ms. Batarseh stated that in general, the document is broader in scope with higher objectives. Staff could review Mr. White's comments according to where they fit within the objectives.

Ms. Babich sought to remind the group that they were here because there is a problem, and the way the problem is being addressed is not working properly. Transparency is key and sidebar discussions shouldn't be happening. She felt that some staff is trying diligently to work with the committee while other staff want to find everything wrong with new ideas. This committee is here because toxic waste is being sent from one community to another; that is not acceptable. We are here to find a solution and to make a change. We should not be cutting corners and making this a rubber-stamp process.

Mr. Lapis submitted that he did prefer to get honest reactions from DTSC in terms of what is and isn't feasible.

Mr. Bourne commented on the fine line: at the previous meeting, the committee had asked staff to begin screening the proposals and providing their feedback, and staff had followed through. Still, this is a sensitive issue and DTSC does not want the committee to feel that they are rubber-stamping the work. Staff had produced a starting point in the conversation – a first-cut analysis.

Ms. Brostrom stressed that now is the time for the committee to be privy to the information that is being discussed internally within DTSC. Idea generation needs to come to the committee now, before DTSC signs off on it.

Ms. Brostrom asked about the steps being taken on the battery proposal. Mr. Bourne said that the new bullet point in question would show more flexibility beyond the indicated date. Staff would produce a red line version of the proposal showing responses to committee comments. Also, if there are other thoughts about a waste reduction proposal that the committee can identify between now and the next meeting, the committee can lay them out. (Ms. Marcanio said that the list recently submitted by Ms. Brostrom was still up for consideration.)

Ms. St. Jean expressed concern about the timeframe. She suggested that any information staff had to share before the next meeting could be done via email. Ms. Batarseh suggested a conference call.

4. SCWO/contaminated soil pilot project proposal

-- review, discussion, and final recommendations

Mr. Bourne referenced the two documents on SCWO: feasibility considerations identified by staff, and a comment related to the topic that he would read to the committee.

Mr. Bourne asked for reactions to the morning's demonstration.

Mr. White expressed concern about the noise of the process. Perhaps someone could contact General Atomics to ask about noise suppression. Mr. White had calculated that the 15,000 yards at the Del Amo facility needing remediation would require about 10 years of 24-hour per day operation. The diesel fuel would cost about \$500,000 per year; the electrical demand would be substantial, and some personnel would be required. Perhaps General Atomics could supply a ballpark estimate.

Mr. Lapis found it hard to imagine how the process could be applied in a residential community for a variety of reasons. The noise would be a huge issue. Also, what would the emissions be, with the incomplete combustion of diesel for the first half hour? Further, with the incredibly high pressure and high heat, the safety issue would be significant.

Mr. Asti expressed concern about the feed rate with regard to scalability. With the reaction vessel operating at such high temperatures and pressures, he had concerns about the longevity of the titanium reaction chamber with scouring and corrosion. General Atomics has demonstrated that the process works – it is commercially viable for some of their overseas clients. However, Mr. Asti had questions about its economic viability because of the feed rates; the large-scale insulators had shown that they are drawing a lot of power. He did remain encouraged by the potential of the project, but he wanted to see a deeper economic analysis.

Ms. Villanueva agreed about the viability – what if a site has groundwater contamination and that groundwater is being used for soil cleanup? General Atomics had stated that their emissions were carbon monoxide and NOx – there were no others to be concerned about. However, the committee had noticed a plastic odor. Ms. Villanueva suggested exploring some other technologies such as Reterro.

Mr. Bourne shared a Public Comment from Steve De Young at Reterro. Mr. De Young had asked if the committee would deal with a new proposal from Reterro. Mr. Lile was following up.

Ms. Villanueva emphasized her concern, as a chemically sensitive person, about the plastic odor and any other odors or emissions. The odor needs to be explained.

Ms. Babich reported that she had scanned the Work Plan for the ECI soils. The document contained Google directions to Clean Harbors, Kettleman City, and Utah – the toxic site and the dream of a developer who wants to build homes on it. This will continue to happen if we do not stop it. At General Atomics Ms. Babich had seen the possibility of toxic waste being destroyed and not returning to be a problem for future unsuspecting homeowners. How do we look at cost – is it just a matter of money, or is it a matter of what we do with this planet for future generations? She did agree that we should look at all the technologies we can. Still, there is no perfect solution.

Mr. Bourne asked about Ms. Babich's perspective of considering the cost of not just technology, but also public health, transport, and so on. She responded that she wanted to hear feedback on everyone else's criteria for looking at cost.

Mr. Bourne suggested that a protocol needs to be that when emails contain specific comments, changes should be red lined and recirculated; if the document is not changed, there should be a response from the team.

Ms. Babich emphasized that if we cannot deal with this kind of ECI property situation, we really cannot deal with anything. It shows the problem in a nutshell of what our communities face.

Ms. Brostrom had been struck with General Atomics' lack of very relevant information to prove this as a pilot project. They had not thought of throughput – how much time it would take to clean up a small or average-sized site. That should have been step one for the company. The one-yard-a-day figure called into question the applicability of this technology in all but the very smallest sites. Ms. Brostrom's other concern was that General Atomics has one piece of a five-

or-so step process. They did not have a set plan for how to test that this actually works in a contaminated community.

She continued that the committee does not know what is out there, so it is hard for us to make a determination that a technology is the right one. She commented that companies such as General Atomics and Reterro have a vested interest in their own products. This committee needs to have a process for evaluating them. The committee may need to look hard at the landscape of technologies for cleanup sites, rather than go with the ones that are in front of us.

Ms. Brostrom commented on the sample that the company had brought out at the end of the process – it had smelled like diesel, and their explanation was difficult to understand. She had left with more questions than when she had arrived.

Dr. Ogunseitan's questions remained from the last discussion – they concerned pre-treatment, post-treatment, and in situ remediation of contaminated soil. He stressed that the committee is responsible for selecting pilot projects, not the full implementation. He asked how much DTSC is looking to spend on the three pilot projects.

Dr. Ogunseitan also pointed out that perhaps the committee should issue a broad call for pilot projects, along the lines that Ms. Brostrom had suggested. He sought a systematic process to solicit companies – otherwise the committee is selective in a way that makes it difficult to recommend one over the other.

Ms. St. Jean was deeply concerned about scale – how to implement something like the General Atomics technology throughout the state. The throughput is much too slow for the cleanup of this contaminated community. She had spoken to their staff about making a bigger reactor but they were not ready for that. She liked having the unit travel to the waste site. She shared Ms. Brostrom's concern about how to remove the dirt without further contamination. Regarding the plastic smell, she was told that it came from the actual diesel heating up as it starts to combust.

Ms. St. Jean firmly agreed that we should be accepting competitive bids. There are many technologies out there; we may be putting too many resources into just two processes. The companies should be put to the task of making this implementable.

Ms. St. Jean did feel that this is a great way to deal with DDT contamination and multiple contaminations. It is a good pilot with good technology, worth further investigation.

Ms. Koepke agreed with much that had been said. She felt that DTSC's overview of the SCWO process was fair – it raises practical considerations and challenges. The costs are certainly significant. She wondered if there may be a way to leverage all of the possible companies from standpoints of technology, feasibility, scalability, workability – bringing them together for some process similar to an RFP.

Ms. Koepke suggested having Air Resources Board staff participate by testing emissions during trial runs, providing the state with its own assessment of the emissions. The State Water Board could also participate by testing the groundwater.

Ms. Koepke listed some detailed questions about DTSC's overview of the SCWO process. Mr. Bourne suggested that she submit them.

Ms. Koepke posed the question of whether focusing on the Del Amo Montrose site for a pilot project is actually workable, given EPA's jurisdiction.

Mr. Cardenas read a podcast question from Evan Reeves at the Center for Creative Recycling. Mr. Reeves asked if the SCWO pilot project would explore all possible soil contaminants that could potentially be treated via that process; whether the pilot project would assess the potential health impact of diesel emissions on the surrounding community; and whether it is possible to include an analysis of the regulatory context in which this technology or others could be applied.

Mr. White commented that the Reterro project handles a different spectrum of contaminants than SCWO. He had done some calculations on the General Atomics numbers and found that three gallons per minute would only allow about one yard every five or six hours to be processed. Run full-time, the process would allow about 1,500 yards per year. It would require almost ten years to process the dirt at the Del Amo site with one unit. The energy cost would be about \$500,000 in diesel fuel alone and \$500,000 in electricity. It is an expensive technology that someone will have to pay for.

Ms. Babich responded that perspective is what is missing. The proposed groundwater cleanup from Del Amo is 5,000 years, and that is only getting it into a containment zone that nobody plans on ever cleaning up. She pointed out that the responsible parties are never going to want to spend the money to clean up the mess they made. She related the history of the contaminated ECI property. DTSC had a hand in creating the problem, and should not now express concern about the cost. The polluter should pay the cost to clean up and not ship the problem to Nevada.

Mr. Lapis noted that if not for the one-year timeline, the committee would be doing something like an RFP or RFI before jumping in. Maybe we should do this before proceeding with the pilot project. Mr. Lapis did not feel that he knew the lay of the land.

Ms. St. Jean reiterated that the committee needs to go to the RFP plan. We are under a time constraint that very much limits us having the capacity to make a smart decision. We need to put the burden on the companies that are going to be making money cleaning up the sites. The committee does need to identify the sites' specific problems so that we can give clear direction.

Ms. St. Jean continued that these are all going to be complicated issues. We shouldn't try to fit one technology to too many things. Maybe we should come up with the hot spots we want to clean out, and put it to an RFP for the companies to figure out. None of the committee members want to rush; we all feel strongly about our reason for being here – to clean up this community.

Ms. Villanueva stated that the majority of the communities that comprise the People's Senate just want the soil out of their communities – they don't want to continue living in the toxic fog and they don't want it mitigated. The effects are cumulative. It is inhumane to leave people in the communities year after year.

Ms. Villanueva continued that the People's Senate members are going to be coming together to reach agreements about how to address the situation. They don't want to continue conversations year after year. We need to do something now to clean up the communities.

Mr. Bourne summarized the results of the discussion.

- Expand to technologies other than SCWO.
- Issue an RFP or RFI to vendors with other technologies; reformulate the proposal.

5. Remaining pilot project proposals

-- review, discussion, and final recommendations

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Mr. Lile explained the team's *Pilot Project Assessment Sheet – Draft for Discussion Purposes Only*.

The team had taken the waste streams and pilot projects that people proposed, and done a cursory evaluation of the different elements. It was a brief assessment of whether each project might be viable.

The first criteria was **Within DTSC Authority and Scope of CPHWR Initiative**; two projects did not meet that requirement.

The second criteria was **Fundamental Pilot Project Requirements**, of which there were five: **Technically Feasible, Scalable, Measureable, Implementable, and Beneficial to EJ Communities**.

Additional Pilot Project Selection Considerations consisted of **Reduce high volume waste, Reduce high toxicity waste, Source elimination/reduction, and Economic feasibility**.

Mr. Bourne asked whether committee members concurred or had questions.

Dr. Ogunseitan referred to **Economic feasibility**: the comment "Cheaper alternatives available" for the SCWO proposal. He would still like to get DTSC's response on the budget for pilot studies rather than cleaning up all sites that are contaminated. If there is a small unit that can be purchased and taken to a site for testing – that is what Dr. Ogunseitan considered a pilot project.

Mr. Lile responded that implementing a SCWO system at a site would do the job of eliminating contaminants from the soil. Depending on the contaminant and site conditions, there are feasible ways to remediate that contaminant as well that are more cost-effective.

Mr. Bourne noted that the chart was basically meant to be a screening tool.

Ms. Brostrom commented that there is a line item budget corresponding to this initiative; there is some data to indicate how much pilot projects can cost. Mr. Lile replied that he could not speak to that. Mr. Brausch stated that in the BDP, money is allocated for staff resources and contract costs to afford translation and venue costs. There is no specific budget for technology or implementation of specific pilots. Director Lee has indicated willingness to research other sources of funds for the purposes of these pilots.

Ms. Brostrom asked if this endeavor is solely to pick the pilot projects and to staff DTSC on them, without actually paying for the pilot projects – the process, not actually the projects. Mr. Brausch replied that at this point, DTSC is looking at being able to find opportunities for researching, pulling together information, and looking for outside sponsors or other entities that would be willing to partner in the pilots.

Dr. Ogunseitan asked about the last column on the chart, **Economic feasibility**. Mr. Lile replied that it shows whether the proposed project is economically viable.

Ms. Brostrom requested confirmation: not only the process to select the pilots, but also the implementation, are supposed to be completed in the given timeframe – yet there is no funding, and the next opportunity to request funding is actually going to be too late to pay for the implementation of these projects. Mr. Brausch confirmed that the statement was accurate. He stated that DTSC is exploring ways to partner with EPA and others to seek and secure funding, if necessary, for any of the pilots.

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Ms. Brostrom had questions about proposals that included a financial incentive or financial structure deemed not to be in DTSC's authority. She was aware that DTSC has looked at changing financial structures in order to reduce waste generation. Mr. Brausch responded that in the context of the pilot timeframe, even if a recommendation came that a pilot would be an effective method to pursue, it could not be secured and implemented within the timeframe.

Ms. Koepke asked Mr. Asti about the in situ chemical oxidation – what types of contaminants would be treatable? He answered that that it is most effective against basic hydrocarbon contamination, and becomes progressively less successful against heavy tars. There are a variety of oxidants out there, but they are by and large much less effective against the more recalcitrant complex organics such as DDT and other pesticides.

Ms. St. Jean had wanted to disincentivize the willingness to transport contaminated waste offsite from a manufacturing process. Petroleum manufacturers need to deal with their waste in-house. She had been looking at a way to make offsite disposal much more expensive. She pointed out that these big companies should not be generating this amount of waste to be sent offsite. She would like to put the burden back on them.

Mr. Bourne asked about the three solvent waste proposals – would they be integrated into one? He asked the same question for the four petroleum refinery waste proposals. Ms. St. Jean answered that all are highly recoverable waste that the manufacturers have the capability to distill and clean up onsite.

Ms. St. Jean raised the point of product stewardship: if you make a product, you must deal with the contamination down the road. It should be a cost of doing business. Companies are making a lot of money, and we have made it easy for them not to deal with the waste that they should be responsible for.

Ms. Koepke asked what the charge would be in that direction. Ms. St. Jean replied that it would be legislation and upstream responsibility. We have tried to impose voluntary BMPs and pollution prevention knowledge.

Mr. Bourne suggested combining the proposals that have a disincentivizing perspective.

Ms. Brostrom suggested looking at the Pollution Prevention Advisory Committee work, structure, etc. as something that would have a broader framework for addressing multiple issues. She felt that a broader vision is the appropriate tool.

Mr. Bourne asked if Ms. Brostrom intended this to be a pilot project. Ms. Brostrom considered a Pollution Prevention Program at DTSC to be a larger initiative; a process within it such as the committee could be a pilot project.

Ms. Marcanio suggested that through one of these industries, the committee could work with the existing tools. The committee could help DTSC identify some of these goals for the project – whether the voluntary side of the tools is enough, or how to go further.

Ms. St. Jean mentioned that in the 1990s, a methodology that had worked was to have a task force of the Pollution Prevention Committee at the table with industry, DTSC, and community advocate groups. Ms. Marcanio stressed the value of input from communities and other groups.

Ms. Brostrom asked why the Pollution Prevention External Advisory Committee stopped meeting. Mr. Brausch answered that it had lost funding around 2012.

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Mr. Bourne stated that the lead acid battery and soils contaminant projects were going forward. A third project could be combining the incentivizing/disincentivizing of solvent recovery, onsite management of petroleum waste, and building on the work of the Pollution Prevention External Advisory Committee.

Mr. Brausch said that incentives and disincentives of all sorts are huge behavioral modifiers. The challenge is how they are built inside the pilot to test something.

Ms. Koepke asked about the two solvent proposals and the petroleum proposals. They had been marked **Within DTSC Authority**; however, DTSC does not have the authority to impose anything. It was not clear what kind of pilot project could produce an actual reduction or some beneficial outcome within the year. Mr. Lile responded that incentivizing/disincentivizing is more of a long-term strategy and a full implementation. If we could find a facility that wanted to work with us, and we identified BMPs and ways for them to recycle their own solvents, that was how he envisioned a pilot project.

Mr. Lile said that part of the project implementation would be finding someone who wanted to work with DTSC. There could be benefits to such a company: onsite solvent recycling can save money. It could be an economically feasible pilot project that could be accomplished within the year. Ms. Koepke pointed out that in terms of the timeline, going out and trying to find such a company could be a wild goose chase.

Mr. Brausch said that DTSC would be willing to take nominations from the committee on partners to work with.

Ms. Brostrom noted that DTSC has envisioned the pilot for lead acid batteries much like the incentives/disincentives would involve a landscape review of other states and what other people do. The latter could follow a similar track of laying the groundwork for opportunities which it could then implement – the exact approach that DTSC is taking in the battery proposal.

Ms. Brostrom referred to the other approach – working directly with one company. In addition to solvents, we have identified petroleum and refineries. Did DTSC see that as a more appropriate pilot project?

Dr. Ogunseitian commented that a classic California case study is dry cleaning solvents. He expressed concern about finishing these case studies and recommending them – is it just reinventing the wheel? He asked how this initiative moves us ahead in really protecting people.

Mr. Bourne summarized the progress of the group at that point.

Mr. Lapis said that these did not seem to fit as pilot projects: we have no money; we hypothetically have regulatory authority, but those processes take forever and are not something this committee could do; a committee isn't necessary for proposing legislation; the Green Chemistry authority would require going through the full process.

Ms. Koepke suggested having the lead acid project and a kind of superproject around the soils issue incorporating soil treatments (SCWO, in situ, and so on), information-sharing, addressing concern in affected communities, etc.

Ms. Brostrom did not want to reduce the number of pilot projects to only two. The committee does not have to agree on all projects. She herself would like to see a refinery project; a BMP partner testing out better processes; and creation of incentive/disincentive programs.

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Mr. White had thought that third tier proposals such as the small propane canisters project and the flame retardant chemical project would have been ideal small-scale projects. The lead acid battery project is huge enough; petroleum- and solvent-contaminated soil projects are sweeping issues.

Ms. St. Jean felt that none of the proposals in any tier should die; they should still be there as recommendations from this committee. She felt that Green Chemistry is the ultimate answer, but it is way down the road. Pollution prevention gets us a little closer, but we still need to create an incentive for people to do the right thing.

Mr. Bourne clarified that the proposals in the third tier have not been dropped. They were not in today's packet because today's meeting was meant to decide on the third pilot project.

At that point Mr. Bourne suggested vetting out the refinery and the solvent projects, seeing if there is a partner; and bringing back a couple of the projects that seem to have partners in place but did not meet all the criteria. The lead acid battery and the contaminated soils proposals could be the two certain pilots. The other four could be passed to DTSC for the Director to make her choice.

Ms. Brostrom clarified that the committee does not necessarily need to have consensus. She herself had a fundamental problem with projects that do not benefit EJ communities being submitted as pilots.

Ms. St. Jean suggested finding a petroleum company that also makes solvents. She expressed concern that a pilot company wouldn't be found.

Ms. Marcanio said that a traditional first step is for DTSC to call in the reports that companies are required to have on site.

Ms. Brostrom said that it would be very useful at this point to call in the reports regardless; refineries are the number one source of waste disposal. Having that information would have been useful as soon as the committee began meeting, and would be useful now.

Mr. Bourne suggested creating a document articulating how the committee will move forward. Also, an intermediate step is needed to reframe almost all of the proposals and have everyone comment on them.

Dr. Ogunseitani commented that the committee was agreeing on solvents and petroleum refinery waste. According to the table, the projects are beneficial to EJ communities. We have four and we seem to have consensus.

Mr. White responded regarding the tier three project on flame retardants: minority and disadvantaged communities are heavily burdened with flame retardant chemicals in their bloodstreams. The Green Policy Institute in Berkeley would be ready to go on this issue. The DTSC could choose to regulate it as a hazardous waste.

Dr. Ogunseitani did not see the flame retardant project proposal replacing solvents or petroleum.

6. Final Project Selection and Implementation Timeline

-- next meeting: agenda, goals, and expectations

Ms. Marcanio reviewed the *Draft Time-Line* with the committee.

- It is based on a project completion date of the end of June 2017.

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- The Director's final decision will be made in mid-June 2016.
- The team is developing the Work Plans. They will try incorporate committee comments made today on the *Project Summary*.
- Project implementation is July through the end of March.
- The final report will be submitted at the end of June.

Ms. Brostrom stated that as the committee had not made final recommendations today, they would have to move back the initial timeframe. She would feel very uncomfortable with Director Lee making a decision next month.

Ms. Brostrom suggested adding a more official document for the pilot projects to the timeline. She also suggested making a legislative push to the Independent Review Panel (IRP) to bring more power to bear on some of the committee's recommendations to the Legislature. Asking to be on the agenda for July might be a good idea.

Ms. Koepke stated that such a presentation would need to be structured to cover topics that the committee has reached consensus on.

Mr. Cardenas stated that given the availability of the committee members, the next meeting would have to be late June or early July. He suggested a two-hour conference call during the interim.

7. Public Comments

Ms. Robina Suwol, California Safe Schools, thanked the committee for allowing her to participate on the tour, and for their time commitment as they serve. She expressed the hope that current regulatory agency and DTSC protocols no longer continue which allow contaminated sites to be moved onto landfills in EJ communities. She stated that the communities will be protesting any kind of waste being moved from one site to another.

Ms. Brenda Bibee, Del Amo Action Committee, stated that every year since 1990, she had seen someone from the Del Amo community die because of exposure to DDT. She had seen her own son-in-law become ill from the contamination. She had seen babies and children suffer. Ms. Bibee described the efforts of her daughter, Cynthia, for Del Amo. People should have a house to live in without worrying about breathing, cancers, and children getting sick. You can't put a price on people's lives. Ms. Bibee thanked the committee members for wanting to help and wanting to see a better life for everyone.

Mr. Bourne ended the meeting at 3:59 p.m.