State of California

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

MEETING SUMMARY
March 17, 2016

Cal Center Board Room, First Floor
8800 Cal Center Drive
Sacramento, California 95826

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:
Paula Batarseh, Branch Chief
Natalie Marcanio, Team Lead and Senior Scientist
Jerry Lile, Senior Scientist
Eric Slaff, Senior Scientist
Lazaro Cardenas, Outreach Coordinator, EJ & Tribal Affairs
Amelia Hicks, Program Analyst
Anna Hostler, Office Technician

Also Present:
Greg Bourne, Facilitator, UC Davis Extension Collaboration Center
Sarah Cromie, Senior Environmental Scientist, DTSC
Laurie Abbott Dutton, Public Information Officer, DTSC
Ben Edokpayi, Public Information Officer, DTSC
Barbara Lee, Director, DTSC
Jim Marxen, Deputy Director, DTSC Office of Communications
Ana Mascareńas, Assistant Director, Environmental Justice and Tribal Affairs
Francesca Negri, Chief Deputy Director, DTSC
Sue Patel, Supervising Scientist, Hazardous Waste Management Program, DTSC
Elise Rothschild, Deputy Director, Hazardous Waste Management Program, DTSC

Meredith Williams, Ph.D., Deputy Director, Safer Products and Workplaces

1. Introductions – Advisory Committee Members, DTSC Managers and Staff, and Facilitator

Mr. Bourne opened the meeting. The committee members and other attendees introduced themselves.

2. Welcome and Initiative Introduction – Barbara Lee

Ms. Lee stated that she had joined DTSC last year because this was an area in California environmental regulation where there was an opportunity to make a tangible difference, both in the lives of Californians exposed to the waste we generate, and at the sites that are contaminated.

She believed that DTSC should carry out two goals:

- Work on opportunities to relieve the burden on communities exposed to contaminated sites.
- Reduce the amount of contamination going to landfills, which potentially creates a burden on other communities. That is one of the elements of the Community Protection and Hazardous Waste Reduction (CPHWR) Initiative.

Other points of which to be mindful for the success of the program:

- The way the work impacts communities, particularly those disproportionately affected by hazardous waste – often communities of color with lower income.
- Last month the governor announced an initiative dedicating funds to the contaminated properties around the former Exide battery facility. There are many sites where the improper handling and storage of spent lead batteries has created contamination that affects communities. We need to look at ways to better manage those spent batteries.
- The Governor has asked DTSC to evaluate lead acid batteries as a potential priority product under the Safer Consumer Products (SCP) program. This program is the gateway to a comprehensive effort to evaluate and potentially reformulate batteries.
- Reformulating products is critical to our future, as is managing the processes for the waste we have now. The CPHWR Initiative can spawn new projects in the future.

Questions and Comments

Ms. Brostrom asked about changes in objectives that have led to DTSC's current state. Ms. Lee answered that the commitment to reduce hazardous waste is real throughout California. There is much that DTSC has to get done. This particular initiative speaks to the desire to do something practical that will have real and tangible benefits. It is designed to explore a quicker path than the one government usually follows to make some changes – some real reductions in waste and benefits for people who would otherwise be exposed.

Mr. White asked about the emphasis on safer consumer products and pollution prevention. What do the people in those program areas think is necessary for safer management of hazardous waste? Ms. Lee replied that people with expertise in pollution prevention are informing this effort. This is the beginning of DTSC's turning up the heat in that area.

Mr. White commented on the battery reformulation initiative. We will have to be looking down the pathway to anticipate the kind of evolution that is going to happen. Ms. Lee commented that DTSC is looking at that aspect and contemplating the kind of programs that could support a more

comprehensive work effort on the battery issue. Clients outside the government are focused on this effort as well.

Dr. Ogunseitan asked about other possible candidates for pilot programs #2 and #3. Ms. Lee responded that DTSC has done some preparatory work in terms of analyzing waste streams, and will be sharing this information with the Advisory Committee. Just focusing on waste generated from the handling of spent lead-acid batteries, there are many areas that DTSC could tackle.

Ms. St. Jean pointed out an interim recycling issue with spent lead-acid batteries. Are we looking at innovative ways of recycling these batteries? Ms. Lee replied that any initiatives could be on the table, but no one has come forward with innovative ideas. She would not think of permitting a new recycling facility as a near-term solution.

Mr. Lapis commented that we should be careful not to segregate the electronic waste program from the Safer Consumer Products Program, which has strong fiduciary responsibility and authority for DTSC.

3. Environmental Justice & Tribal Affairs Program – Ana Mascareńas

Ms. Mascareńas shared how the Environmental Justice & Tribal Affairs Program is developing.

- She described her background and commitment to the program.
- The principles of environmental justice (EJ) call for fairness; every community deserves a safe place to live.
- Tribal communities are the original inhabitants of California and have a unique relationship with the government. Tribes are distinctly different from each other.
- Communities of color are disproportionately impacted by multiple sources of pollution.
- All the programs at DTSC follow a comprehensive strategy for permitting, enforcement, cleanup, and the Safer Products and Workplaces Program.
- The Tribal Affairs Program works with the CalEPA Tribal Advisory Committee and works to comply with AB 52.
- Ms. Mascareńas explained enforcement in vulnerable communities and supplemental environmental projects.
- The UC Davis Extension Collaborative Center is working on an enhanced public engagement strategy, particularly in communities where there are multiple sources of pollution.
- One goal of the Permitting Enhancement Workplan is to identify and address EJ concerns early in the permitting process.

Questions and Comments

Ms. Brostrom commented that the definition of "fairness" had focused on process. She noted that the CPHWR Initiative is within the EJ Department; Ms. Mascareńas explained that the two are connected and maintaining close communication. Ms. Lee further explained that the Initiative is within the Hazardous Waste Management Program, of which Ms. Rothschild is Deputy Director.

Ms. Batarseh noted that most of the team members are in the Hazardous Waste Management Program, although it will be pulling resources from other programs within DTSC as needed.

4. Safer Consumer Products Overview – Meredith Williams

Dr. Williams made the following points in her presentation.

- The program was motivated largely by consumers asking what is in their products.
- In 2007, DTSC issued a policy report including a recommendation to spur more green chemistry around the state. This was the central organizing piece for green legislation that went into effect in 2008. Regulations became effective in 2013. The Three-Year Work Plan was introduced in 2015.
- The underlying regulatory framework is intended to avoid "regrettable substitutes."
- The primary responsibility to comply with the regulations lies with the manufacturer rather than the importer or retailer.
- The foundation of the regulations is a four-step process:
  1. Identify the chemicals of concern.
  2. Identify products that contain them.
  3. Manufacturers analyze alternatives and report back.
  4. The program takes the report and makes a final regulatory response.
- (#1) The list of 2,000 chemicals of concern is based on lists of 23 authoritative bodies around the world.
- (#2) Safer Consumer Products (SCP) asks the question of whether it cares about a particular chemical combination. Following regulation requirements, SCP has named three initial priority products.
- (#2) Work Plan policy priorities have been set: children and workers, the aquatic environment, the built environment, and exposure pathways and evidence.
- (#3) The burden transfers to manufacturers, who must do a comprehensive alternatives analysis.
- (#4) SCP makes a decision about the appropriate regulatory response – there is a wide range of possibilities.

Questions and Comments

Dr. Ogunseitan asked about the paths forward for the three products chosen by SCP. Dr. Williams answered that manufacturers are moving away from the TDCPP/TCEP flame retardants in the children's foam pads. In contrast, for methylene chloride, it is probably business as usual. In the case of spray polyurethane foam, manufacturers are searching for a viable alternative.

Ms. Brostrom mentioned concerns she had heard about the SCP program: the selection process had become politicized because of the number of stakeholders involved; the process was very slow, and with just three priority products, the impact would not be widespread; and, funding for SCP appears to have displaced funding for the Pollution Prevention program.

Dr. Williams responded that she had not been a member of the program during the selections; the decisions had been made based on publically available information, and the viability of removal of the chemical. In terms of the pace of the program, Dr. Williams has stressed consistency of decisions and research to the team. She does hope to accelerate the pace of the program, which received more resources in last year's budget.

Dr. Williams noted that the program was staffed by changing much of the Pollution Prevention statutory language from "shall do" to "may do." As a result, there is not the level of engagement with P2 that there had been historically. She added that quantifying the results of the program on

the three priority products will be difficult – measuring the volume of chemical removed from the market, measuring the volume of chemical getting out into the environment, etc.

Ms. Brostrom mentioned the Air Resources Board (ARB) list of chemicals. Dr. Williams noted that the ARB is just one lens. They can and have banned chemicals, in some cases driving regrettable substitutes. The SCP is intended to take a more comprehensive view, which does take longer.

Mr. Asti commented that he much prefers the SCP program to legislative bans. He asked about the breakdown products under exclusions. Dr. Williams explained that in some cases, a particular chemical's breakdown products are actually listed as chemicals on the PSC list.

Ms. St. Jean commented it would be good to have someone in the automotive industry doing research on substitutes; although we have green cars, we're still using lead-acid batteries in them. Dr. Williams said that SCP has worked hard to ensure that they to tap into manufacturing expertise where appropriate. She commented that the cranking battery has very different requirements from other batteries, and the industry has been looking for an alternative for quite some time.

Ms. Lee added that the industry is very much aware that this issue is on the radar screen. If and when lead-acid batteries are formally proposed as a priority product, it will further expand the engagement process. It takes some time to get to actual reformulation; Ms. Lee was certain that the automotive industry will be very much at the table through that process.

Mr. Asti assured the committee that the electric utility industry is highly interested in funding battery research.

Mr. White noted that as much as 80% of all hazardous waste generated in California is a result of transportation infrastructure. How does that figure into this project? Ms. Lee responded that the Governor's direction to DTSC was very focused, but that doesn't mean that this group can't expand its focus.

Ms. Koepke, a member of the Green Chemistry Alliance, spoke of working with a large group of interested stakeholders on the spend/supply chain that included the auto industry. Regarding the selection process for priority products being politicized, Ms. Koepke stated that those in the regulative community were as surprised as anyone to see which were chosen.

5. Goals and Objectives of the CPHWR Initiative – Paula Batarseh

Ms. Batarseh went over the goals and objectives of the CPHWR Initiative, including the aggressive timeline.

- The initiative began in 2013 when DTSC announced its goal to cut hazardous waste by 50% by 2025. During 2013-14, DTSC developed an approach that included focusing on impacted communities, engaging stakeholders, and prioritizing source reduction and landfill disposal reduction.
- DTSC formed a team through the resources obtained through Budget Change Proposals.
- The CPHWR Initiative goals are to select three pilot projects to reduce hazardous wastes that do the following:
    - Are generated in significant quantities in California.
    - Can pose substantial risks to people or the environment.

    - Are treated or disposed in communities that are disproportionately burdened by multiple sources of pollution.
- The role of the Advisory Committee is as follows:
    - To provide advice and recommendations in selection of the pilot projects.
    - To provide advice in implementation of the projects and engagement of the public and stakeholders.
    - To provide feedback in developing the final report and recommendations, due to the Legislature by June 13, 2017.
- Ms. Batarseh explained the agendas of the first three meetings.
- She reviewed the overall timeline of the initiative from now until June 2017.
- She explained the content of the final report.

Questions and Discussion

Mr. White asked about in-state disposal and export of waste to other states or countries. Regarding DTSC's goal of reducing hazardous waste by 50% by 2025, is that newly-generated waste or also remediation legacy waste? Ms. Lee answered that it's all on the table, with one pilot project focusing on acid batteries. She hoped to have a project where the waste is coming from cleanup. Mr. White felt that the focus should be on newly-generated waste to the extent possible.

Ms. Batarseh added that with any project that the CPHWR Initiative ends up selecting, they need to look at lifecycle impacts – they do not want to end up with unintended consequences or simply shift the burden from one medium to another. Mr. White shared an example where some years ago, the DTSC followed the U.S. EPA and adopted treatment standards for non-RCRA waste disposal, but the end result is that most of the waste is now shipped out of state for disposal without treatment.

Ms. Lee stressed that the CPHWR Initiative is intended to do more than identify projects – we want to have something in June 2017 to show for the work we have done.

Ms. Brostrom asked about the definition of a pilot project. Ms. Lee stated that the purpose of the pilot projects is to identify three concrete things the CPHWR can do that will reduce the generation of hazardous waste. She would like to see results that we can discuss in the near term, using them as the basis to build the longer strategy.

Ms. Brostrom expressed the concern that the Advisory Board would be a rubber stamp body. Ms. Lee affirmed that there would be an open dialogue with the Advisory Board.

Mr. Lapis noted regarding waste reduction that for used motor oil, you do not want to reduce the amount brought to a collector. Ms. Lee agreed, responding that we want to reduce the hazardous waste that goes to landfill from cleanup sites.

6. Background of Advisory Committee Members

Mr. Bourne introduced the agenda item as an introduction for each of the Advisory Board members to explain whom they represent, and their knowledge, expertise, and involvement in CPHWR issues.

Virginia St. Jean has spent 26 years at the Public Health Department; she started there as an Industrial Hygienist and is now a Hazmat Inspector. Prior to that she was in the manufacturing

sector at a paint company. Her education is in Chemistry. She is interested in air issues, green chemistry, and doing more with less.

David Asti represents the large quantity hazardous waste generators. He is currently the Environmental Policy Manager at California Edison. His education is in Hydrogeology. His background is in different types of remediation, hazardous waste characterization, cleanups, etc.

Chuck White represents the Solid Waste Association of North America & California Waste Association. His education is in Mechanical, Civil, and Geotechnical engineering. Before retiring, he worked for state government agencies, most recently in Waste Management at the Government Affairs Office. He now runs a small consulting practice.

Dawn Koepke works at McHugh, Koepke & Associates, a consulting and advocacy firm in Sacramento. On this committee she is representing the California Council for Environmental and Economic Balance. Her Master's degree is in Public Policy Administration. Her interest is in the regulatory world and in bringing people together with differing views.

Nick Lapis represents Californians Against Waste, a membership-based environmental organization in Sacramento. It has sponsored most of the solid waste legislation that has passed in the state; efforts have included used oil, organic waste, e-waste, and tires. His education is in Environmental Biology.

Dr. Oladele Ogunseitan is a Professor of Public Health at UC Irvine. He represents academics who have done research on pollution prevention. He has worked on discerning the health effects of a variety of hazardous chemicals and spent 10 years researching e-waste as a fast-growing category of hazardous waste. He served on the first DTSC Green Ribbon Science Panel.

Ingrid Brostrom is a Senior Attorney with the Center on Race, Poverty & the Environment and coordinator of the People's Senate. Through several Central Valley hazardous waste facility and cleanup projects, she found that advocacy for vulnerable communities needs to be scaled up. Her objective on the Advisory Committee will be to examine whether we are reducing impacts on communities burdened by toxics.

Xonia Villanueva represents the People's Senate, a group of stakeholders with a community perspective, who are impacted by hazardous waste. The People's Senate combines its members' experiences to work on a roadmap for reforms. Ms. Villanueva comes from the Autumnwood community in Riverside which was built on contaminated infill, resulting in egregious effects on the residents' health.

Cynthia Babich represents the Del Amo Action Committee, a predominantly Latino community in Los Angeles County. She is also the Coordinator for the Los Angeles Environmental Justice Network. Her community has also been affected by toxic exposure such as DDT contamination.

7. Operational Guidelines Discussion -- Facilitator

Mr. Bourne walked the committee through the Operational Guidelines. He emphasized that this is an advisory group rather than a decision-making group.

Questions and Discussion

Mr. White asked how the Operational Guidelines will be formally adopted. Mr. Bourne answered that the Advisory Committee will make that decision.

Dr. Ogunseitan asked about Mr. Bourne's possible role as the Chairperson. He responded that as the Advisory Committee is comprised of nine members, setting agendas and dates could probably be done by the group as a whole. Ms. Babich and Mr. White agreed – Mr. Bourne's role seems to be liaison and coordinator.

Ms. Brostrom commented that there are some interested stakeholders who have been in direct conflict in the past. Trying to find mutually acceptable outcomes may sometimes be difficult. She felt that the Advisory Committee's role is to offer diverse conversations to be taken into consideration, rather than striving to find ways to agree. Mr. Bourne noted that trying to understand where there are differences can result in better decisions being made. There is no voting to be done.

Ms. Lee commented that her experience with the CalEPA Environmental Justice Advisory Committee, a group larger than this one with people on opposing sides, was able to put out a document with robust, concrete recommendations. They had come to consensus on the vast majority of them. For the CPHWR Initiative Advisory Committee, the burden of picking projects and making sure that they deliver something was on Ms. Lee; and she wanted to deliver reduction in hazardous waste.

Mr. White commented that the DTSC External Advisory Committee had followed a rule that committee members would not try to represent other people's opinions outside of the group to others. Mr. Bourne stated that when reporting out to constituencies, committee members can relay discussions held at the committee level.

Mr. White asked if there are any rules or limitations on distributing documents from committee meetings. Ms. Batarseh and Ms. Rothschild informed him that there would be more email correspondence after this initial meeting.

Ms. Babich commented that sharing information is part of the Advisory Committee's charge. People need to be clear on what they are saying. Mr. Bourne pointed out that the meetings are being podcast and transcribed – they are in the public realm. Committee members do need to be objective and not characterize other people when reporting to constituencies.

Dr. Ogunseitan moved to modify Section VI to include these points. Ms. Lee cautioned the committee against supposition of other members' viewpoints. The committee members do need to keep people informed on proposals put on the table, as well as pros and cons discussed.

Ms. Brostrom commented on the conflict of interest disclosure. To bring in stakeholders who are financially impacted by the decisions of the group constitutes a conflict of interest. Also, committee members wear multiple hats. It is important for the members to disclose potential conflicts.

Mr. Lapis asked if the committee's electronic documents could be kept all in one place. The committee staff agreed to look at that idea.

Ms. Lee committed to attending as many meetings as she could. She appreciated the time the committee members were giving and looked forward to hearing about today's afternoon session.

8. Initiative Pilot-Scale Project Goals and Timeline – Eric Slaff

Mr. Slaff explained goals and timelines associated with the project.

- The three CPHWR Initiative goals are as follows:

    - Reduce hazardous wastes that are generated, treated, and disposed in significant quantities in California.
    - Identify hazardous wastes generated in California that can pose substantial risks or hazards to human health or the environment.
    - Identify hazardous wastes that are generated, treated, or disposed in California communities that are disproportionately burdened by multiple sources of pollution.
- Mr. Slaff reiterated that the final report is due by June 30, 2017; the committee will have to keep that in mind while assessing potential pilot projects.

9. Pilot Project Selection Criteria – Eric Slaff

Mr. Slaff continued.

- The CPHWR Initiative is a collaborative effort between DTSC; the Advisory Committee; business, community and government stakeholders; and the general public. Successful pilot projects will include input from all these parties.
- Successful pilot projects must be technically feasible, implementable, scalable, and measurable.
- Mr. Slaff described 10 elements that the pilot projects should include.

Questions and Discussion

Ms. Babich commented that in talking about technical feasibility, if there were an easy solution to the problems, they would already have been done. She did not want to feel constricted by the 10 elements Mr. Slaff had named. He responded that the elements were intended to give a direction forward. In terms of technical feasibility, we do not have the time or resources to invent something new.

Ms. Babich asked how we can promote people looking at innovative ways to bring solutions to our problems. Mr. Slaff stated that as things are identified through this process, if they do not fit into the realm of pilot projects, we can consider parallel programs and other ways to pursue them further.

Mr. Bourne noted that some technology may have worked in other places but has not been tried in California. The committee will scan the broad horizons. Mr. Asti commented that this issue has surfaced with some treatment technologies in the past – they were applicable in places such as the Southeastern U.S., but the regulatory climate in California made it non-economically feasible to run the technology here.

Dr. Ogunseitan commented that a vague aspect is implementation within existing frameworks. To what type of framework does this refer – legislative? Mr. Slaff responded that as the committee weighs potential pilot projects, and all things are equal, something that already has regulatory framework for implementation is preferable. Regarding infrastructure: CPHWR does not have the capacity to build it.

Mr. Slaff continued the presentation.

- Considering the Environmental Justice (EJ) Initiative, many EJ communities may be good locations to implement the CPHWR Initiative.
- To identify communities as candidates for the Initiative, we explore existing databases.

10. Data Overview & Discussion of Focus Areas – Jerry Lile

Mr. Lile described the databases:

- Cal Enviroscreen
- Toxic Release Inventory (TRI)
- Hazardous Waste Tracking System (HWTS)
- Biennial Reporting System (BRS)
- California Environmental Reporting System (CERS)

Mr. White commented regarding TRI: the hazardous waste industry is always concerned about how TRI represents releases to land disposal. He was not comfortable about TRI being relied upon to compare air emissions that are emanated into the environment in a completely uncontained fashion, as opposed to a release to a land disposal unit, which is being managed and is intended to be contained.

- Mr. Lile showed a graph based upon HWTS data, depicting recurring waste versus nonrecurring waste trends from 1995 to 2014.
- He showed a list of the top 10 waste types by weight for 2014.

Ms. St. Jean asked if the list included non-RCRA waste oil. Ms. Marcanio replied that it did.

Mr. Slaff clarified the graphs for the committee: contaminated soil is a large portion of that going to landfills. He said that the team had provided a supplemental data package with datasets from each of the databases. He requested the committee to look them over, and the team would in turn look over any materials that the committee supplied. They would have a place to start discussion for the next meeting.

Dr. Ogunseitan asked how broad the committee should be in considering types of waste. Ms. Batarseh responded that we need to select projects where we can make a tangible difference in the generation of waste for the communities that are burdened by it. The scope should be limited so that we can show some success.

Ms. Marcanio added that the existing framework for Pollution Prevention statute of regulation did not address nonrecurring wastes.

- Mr. Slaff further explained the databases.
- Mr. Lile discussed potential pilot project topics, linking largest waste streams, community-specific, and industry-specific.

11. Advisory Committee Discussion

Mr. White confirmed with Mr. Slaff that one of the projects will be batteries. Dr. Ogunseitan confirmed that the committee could choose three pilot projects about lead-acid batteries.

Ms. Babich felt that the CPHWR Initiative needs to look at contaminated soils. Ms. Villanueva commented on how huge the soil contamination problem is. Ms. Babich described the origin of the contamination in her Los Angeles community.

Ms. Brostrom commented on the difficulty of the soil contamination issue. There is concern that DTSC will try to develop reasons not to do soil cleanup; this makes conversations difficult. There will be much to overcome if the CPHWR Initiative decides to go this route.

Mr. Lapis felt that the scope of what can be considered a pilot project is nebulous. For example, producer responsibility policies might be a good solution to many problems; existing green chemistry authority could be used to require a manufacturer to handle the end-of-life management of certain products. Could this be within the scope? Ms. Batarseh answered that we need to focus on a product-chemical combination.

Mr. Lapis asked if a pilot project could focus on a lead-acid battery stewardship program run by the industry that makes them. Ms. Batarseh said that would be possible; what we need to focus on is how to get there and how to collect information, so that at the end the findings and conclusions are technically sound.

Ms. Batarseh continued that we would first define what exactly we want the project to accomplish. We would then build workplans that make sense.

Mr. Slaff pointed out that the four required elements were intended to provide direction. For example, the batteries pilot project will be scalable, measurable, technically feasible, and implementable within our scope and timeframe.

Mr. Bourne had heard Ms. Lee say that she was looking for creativity and anything within DTSC's regulatory bounds.

Mr. Asti submitted that digging up DDT-contaminated soil and stockpiling it open and uncontained in someone's town with particulates flying off and storm water running across it, is considerably worse than moving it to an engineer-designed permanent storage facility. The focus must be on treatment rather than moving it to a different place.

Mr. White commented that cleanup waste is a problem as a whole category: every cleanup is different in terms of requirements, levels, and technology. He suggested DDT contamination as a particular focus. The question would be how to proceed with the cleanup – it is an organic chemical.

Ms. Batarseh agreed that if we select contaminated soil as a pilot project, it will be wise to focus on specific contaminants.

Ms. Villanueva stated that it would be helpful to understand the different methods used to treat toxic substances. She also mentioned that some of the soil in Autumnwood came from a wastewater treatment plant – a quasi-governmental agency. In that area there happened to be stockpiles of soil from the late '80s, origin unknown. There are many different toxic substances in the soil: uranium, arsenic, petrochemicals, formaldehyde, etc.

Ms. Brostrom suggested defining some goals: reducing both the transportation and the treatment and disposal of hazardous waste in communities of color; reducing toxic risk on communities near recurring generators; and making sure that cleanups are more effective.

She continued that she would like to see an overlay of Cal Enviroscreen with both RCRA facilities and generators, so that we can get an idea of what types of facilities are most numerous in these communities. Other ideas included a kind of Best Practices requirement for hazardous waste processes in facilities, and the multitude of dry cleaning plumes across the state.

Dr. Ogunseitan commented that the Advisory Board needed to know what a do-able project would be. He noted that DTSC is digging up soil at the Exide plant in Los Angeles, and suggested that this lead-contaminated soil could be a pilot project. We could also think about current recycling practices for lead-acid batteries. A third idea for a pilot would be to explore

ways to completely replace lead-acid batteries. Dr. Ogunseitan noted that the problem is not limited to Los Angeles – it is all over the world.

Ms. Babich addressed the mistrust issue. She described the situation in her community regarding the contaminated soil, including the fact that the stockpiles are now covered due to the hard work of the Del Amo Action Committee with support from many other L.A. organizations. There is mistrust regarding the poor job done by the agencies in charge of protecting the public. For the pilot projects we need to seek out a community where there is some level of oversight. (Ms. Babich also mentioned the need for a legislative focus on not having contamination from California leave the state.) She submitted that the Advisory Committee will need to find communities that are willing to allow further experimenting.

Ms. St. Jean commented that, speaking as a chemist, we could easily separate the contaminated soils into smaller chunks, but we will have to do it by contaminant. We could focus on perhaps three of the most common contaminated wastes, or some of the piles that we believe are impacting EJ communities.

Ms. Koepke asked if we are expecting the pilot projects to be completed during the course of the year. An option would be to develop recommendations while they are still in progress. Ms. Batarseh responded that there may be several issues on the table that would need further exploration. A legislative solution, for example, could not be proposed and implemented in one year. She did not think it realistic to think that, considering these issues, everything could be implemented and completed. We can tackle something in pieces and shed light on how to approach other projects – developing a model – maybe that is the best we can do in the allotted time.

Mr. Lapis did not feel ready to propose a specific category for pilot projects. Perhaps all of the committee members need to talk to their constituents and bosses. He mentioned CRT glass as a specific product with problems. He added that recommended legislation would not be much of an outcome for a pilot project.

Mr. Bourne observed a desire among the Advisory Committee members for another level of criteria to make the analysis as objective as possible. An algorithm could be devised from the databases to inform the committee on an objective basis for what could have the biggest impact.

Mr. Asti felt that the Advisory Committee should endeavor to use the material we have at our disposal, particularly if it is developed from regulatory agencies. We need to supply a good narrative of what we are doing; we need to assist the DTSC team by having a productive story to tell about this Initiative.

Ms. Babich requested to know more about the technological treatment tools (for example, soil washing) we have at our disposal. Does DTSC have an Office of Innovation?

Ms. Rothschild commented that this project is supposed to be positive and collaborative; she wanted to hear the conversations going in a positive way, focusing on what the projects are going to be and what the Advisory Committee needs. She stated that the team can talk to DTSC about the possible technologies in existence for the cleanup sites. If the committee can choose the kind of contaminant or area, the team can dive into finding the opportunities.

Ms. Brostrom said that she would like to see the work plans by generation category; DTSC has already done a lot of work to develop source reduction plans by category. She was interested in seeing the one for petroleum products. Ms. Batarseh replied that DTSC has eight assessments

for targeted industries, for example, refineries. She will share those with the Advisory Committee.

Ms. Brostrom added that committee members were pointing out communities' mistrust of DTSC, specifically around soil contamination, as something that DTSC would have to overcome in order to be successful.

Ms. Batarseh stated that the CPHWR Initiative will be holding two to four public meetings.

Ms. Marcanio stated that they can provide the reports that were required under SB 14, the Source Reduction Act. She added that to get the biggest bang for the buck, they would look at the waste streams that have the worst hazard traits and toxicity, and go upstream to look at reducing at the source. It is contradictory in that you must look upstream, but you look at the waste first. The other angle is to look at who is responsible for the hazardous product – that is where the Safer Consumer Product program comes in.

Ms. Villanueva asked about looking outside California for technological treatment methods – how do you deal with a community that has multiple toxic substances contaminating various media? Ms. Batarseh responded that it is extremely difficult. Treatment can sometimes be done in series. We would need to consult with the Special Projects engineering group within the cleanup group. We would also need to know the goal of the treatment.

Ms. Babich said that she was here to help find solutions but she would be remiss if she did not recognize the trust issues. She asked if DTSC staff doing cleanups have encountered patterns that the Advisory Committee could be made aware of.

12. Next Meeting – Agenda and Expectations – Facilitator

Mr. Bourne stated that the next meeting on March 28 was coming up quickly. After this meeting, the plan was to send out a template that the staff is using in considering ideas for projects. At the next meeting staff will present some of their ideas for projects.

Mr. Bourne invited the Advisory Committee to present their own ideas as well. In order to have some objective criteria, the members could consider what the overlays would be in selecting the pilot projects.

He suggested for staff to include some current technologies with one of their pilot project examples.

He asked about other agenda topics the Advisory Committee would like to see addressed at the next meeting.

Ms. Koepke requested the potential pilot ideas as soon as possible.

Mr. White asked if DTSC could evaluate the fees and taxes imposed on the disposal of hazardous waste, both in California and in other states to which it is exported. How does that potentially affect where hazardous waste moves for disposal? Ms. Batarseh commented that the manifests and the tracking may be limited in other states.

Dr. Ogunseitan commented that Japan has a way to convert hazardous waste to NID via incinerators. We should know about state-of-the-art demonstration projects wherever they are in the world.

Ms. Babich commented that if we look at technologies used outside this country, we should make sure that none of it has been disproven (for example, some of the waste to energy technologies).

Mr. White suggested using caution with incineration/high temperature or energy technologies.

The group decided to hold Monday, April 25 for the third meeting date while still looking for other meeting rooms for April 20 and 26.

13. Meeting Evaluation and Action Items – All

Mr. White suggested a different visual method than raising hands for those wishing to speak.

Mr. Lapis appreciated the high-level staff engagement which included the DTSC Director.

Ms. Brostrom expressed some lingering confusion over the pilot project concept.

Ms. Koepke stated that even a rough sketch of potential pilot projects would be helpful.

The group liked the meeting start time of 10:00 a.m.

Mr. Bourne raised the option of holding future meetings near pilot project sites.

14. Public Comments

There was no public comment.

The meeting adjourned at 3:40 p.m.