

Independent Review Panel Meeting – December 18, 2015

Caltrans – 100 S. Main St., Los Angeles, CA

Agenda Layout

1. **Call to Order**
2. **Closed Session**
3. **Welcome and Introductions to Panel and its Statutory Authority**
4. **Announcements**
5. **Agenda Review**
6. **General Public Comment**
7. **Organizational, Operational and Administrative Matter**
8. **IRP Reporting Requirement**
9. **Future Meeting Schedule and Agenda Items**
10. **Closed Session**
11. **Reconvene and report out on closed session**
12. **Adjournment**

Meeting highlights

1. **Call to Order (10:01 am)**

Mr. Gideon Kracov – Chairman of IRP -Environmental Lawyer

Welcome and Introduced the Panel:

Dr. Arezoo Campbell

Mr. Mike Vizzier and

Ms. Deborah Barnes – Deputy Attorney General

2. **Closed Session (10:05 a.m.)**

(return at 10:30 a.m.)

- **Carlos/Lisa- Spanish translators available.**

DTSC staff in attendance

- Jim Marxen, Patrice Bowen, Ana Mascarenas, Teri Hardy, Josh Tooker, Christopher Law, Dot Lofstrom

3. Welcome and Introductions to Panel and its Statutory Authority (10:30 a.m.)

Pledge Allegiance

Panel Members in attendance

- Mr. Gideon Kracov (Chairman)
- Mr. Mike Vizzier (Vice Chairman)
- Dr. Arezoo Campbell

Legal Counsel

- Ms. Deborah Barnes – Deputy Attorney General

Mr. Kracov addressed Senator Kevin De Leon: who just got back from Paris, France

Sen. De Leon addressed the Panel and the audience

- **Thanked the Panel for their service**

Sen. De Leon:

1. Pledge to support Panel/Legislators

- Exide Plants
- Make the dept. (DTSC) work

2. Ask to focus on the big picture reform

- Move proactively for the community
- Clean up the community
- Need to store public confidence
- Decrease funding

3. Addressed the Panel to ACT Now – to the governor/legislative

- Solutions to do DTSC's mission

4. Act immediately on scandals, emails- racist remarks

- That the Senator's office is open to collaborate with the Panel as a resource.

10:49 a.m.

4. Announcements

Mr. Kracov: addressed Director Lee and acknowledged Sen. De Leon.

- Panel to receive a letter of recommendation by mid January.
- Panel to provide help staff
- 2 reports progress of the department
- 2 meetings in mid January 2016
- 90 day-budget
- No further more announcement

5. Agenda Review 11:02 a.m.

- Panel recommendations:
- Mr. Kracov moves items 7 & 8
- No Closed Session – Item 10 and 11
- Public Comment on #5 Agenda Review – None

Mr. Kracov reminded presenters to state their names clearly, spell it and their organization. Which the Panel agreed on.

- **AG PARK RIVERSIDE 11:12 a.m.** (POWERPOINT PRESENTATION) will be posted on DTSC's website
- **Mr.** Kravoc has mentioned tha
- Presented by: Jean Kayano,
- Marilyn Whitney,
- James Martin,
- Maria Castro,
- Marilyn Martin
- J. Kayano commened Dir. Lee for coming to oversee Ag Park Community.
- James Martin – disappointed at DTSC 2003
 - developer has no safety concerns.
 - very please with Sen. De Leon's comments.
 -
- **Thelmy Perez – LA Housing Authority; Jordan Downs School – 11:59 am**
- DTSC responded that it is not under their jurisdiction.
- 2014 – Dir. Lee visited site.

- Noticed toxic dust, stack pile for many days. Not communicated with the community. Signs are not put up – Haissam Salloum is the project manager. Increase monitoring on the air. DTSC needs to send a Further Notice letter. No clear response from DTSC. No presence of DTSC staff on the site. But DTSC assured that Mr. Salloum visits site every week.
Kravoc: for discussion from the Panel

-Rebecca Overmyer - Velasquez – Avocado Heights

- QUEMETCO – car battery, facility to recycle lead battery. City of Industry.
- Serial violator according to DTSC. Has discharge into the community. Soil Test around Quemetco 1991. (60 page report)
Very high levels of lead. DTSC had subsequent testing around the perimeter of the residences.
- Chatsworth – Phil Chandler, Jess Villamayor lead engineer has been helpful, Bindu Kannan as well.
- July letter has been sent by Chandler – water test and they are still waiting on a WORKPLAN from DTSC.
- AQMD –
- Disconnect on Permitting Corrective action and Enforcement.
- Oct., 2015 DTSC did send Quemetco their Workplan
- DTSC 2005 permit – surface water permit –Plan never approved, deemed never adequate.
- Quemetco send a plan.
- Would like to know when are we going to have a group to work on this.

-Questions from the PANEL:

Vizzier: better communication with DTSC – P, PC and Enforcement. Coordinate with AQMD? Resources? Identify resources.

Kravoc: Workplan to start? Want DTSC to get samples.

Dr. Campbell: – maybe community members can meet with DTSC.

SSFL - 12:28p.m

- Presented by: Holly Hoff, Denise Leffler, Ms. Koswell, Cindy Gortner
- *Powerpoint presentation from the group
- DTSC Cleanup Program ppt presentation:
- Suburban residential
- Community Impacts (Area 1) slide
- letter to Dir. Lee from Council Englander.

- NBC investigation: Community Impact.

Kowsell -

Vizzier: mixed waste?

EIR?

1:11 p.m. – Lunch to reconvene at 2 p.m.

Robina Suwol – Community for better schools 2:04 p.m.

- Examples: Carson Day School –
- School site is adjacent to a gas station
- Pipeline in front of the school
- DTSC agrees to indoor air monitoring. DTSC fail to their guidelines.
- DTSC Staff indicated parents shouldn't worry about air monitoring.
- Ground water monitoring
- Peter Garcia – DTSC Cypress
- Thanks Dir. Lee and Ana Mascarenas
-

Mr. Kravoc: for questions:

- DTSC has a schools program.

Vizzier: Recommendation for DTSC. So we could see where to go.

Dr. Campell: Regards to indoor air monitoring – disconnect to agencies.

Cynthia Babish – Del Amo Site 2:14 p.m.

- Superfund Sites (Maps) handout
- Technical Impractical zone
- Montrose Property
- Clean Up
- Would like to focus on DTSC's capacity to look at these documents and have confidence.
- Relocated homes to built a park – Del Amo Blvd., and E New Hampshire
- Waste pits with contaminants
- Buy out negotiation; looking at equity position
- Vapor intrusion risk. EPA came out to look at it.
- Dr. Wells

Mr. Kravoc: questions:

Dr. Campbell: People relocated, is that park space has a clean up?

No further comment from Panel.

Florence Ghariabian – Del Amo site committee: 2:33 p.m.

Introduced herself as a former EPA, DTSC – Branch Chief until 2011 retirement

-Environmental Justice for 2 years. Chair for the Del Amo Committee

- Culture of the Organization, get more accountability.

- Meeting District Attorney with the Redondo Gun Range

-Recommendation – Clean – up program – companies should pay the bill for clean up

- Thoughts of BCF

2:50 p.m.

No questions from the Panel

Exide: letter to DTSC from Mark Lopez – Community Co-Chair on CAG 2:51p.m.

Letter was read by Ms. Jane Williams

Mr. Kravoc: is not representing CCAT at this time)

Mr. Kravoc: East Yard communities are clients of his.

3:03 p.m.

Ms. Jane Williams turn: 3:04 p.m.

- Stormy Williams (her mother) – worked with DTSC (before it was DTSC) - health surveys. Worked since 1992 at DTSC – contaminated sites community from industrial pollutions
- 1. Climate denial – G-20 Paris.
 - that we suffer from that
 - we are in denial
- chemicals, PCB’s are toxic to the developing fetus, people.
- Agency are missing –move with the things that we need.
-

Asked 5 people to stand in front of the audience

DTSC needs these in the department:

***Technology innovation Office,
Remedy Review Board,
Technical Assistance for Communities,
Permit Appeals Board – for open
Environmental Forensics Capability – Laboratory
A Blank piece of paper –***

Ground water plume: DTSC didn’t do anything with it.

Vapor Intrusion:

End:

1. Need recommendation to the legislator. Communities need you.
2. Meetings coming up January – encourage you to Site Mitigation – Financial Assurance – Raise clean up level – Look at the Permitting Site at DTSC. Historic Site Mitigation problems. It would be valuable.

Mr. Vizzier: Legislator. Board would not

Ms. Williams: Clean-up to SSFL. Need a Board to help you in the community. What makes good government? - Boards, Judicial Review, Money will be required.

Dr. Campbell comment: This is coming back to us that the community appreciated Ms. William as a necessity for change. Ana Mascarena to reach the

people – DTSC. Improve of metrics. We all want people to be healthy, environment to be cleaned up.

No comment:

3:25p.m. break

3:32 p.m.

Item #7

- list of topics from last meeting:
- Agenda meeting: new council: attorney general's office (Ms. Barnes to help us)
- Clerical staffers (2 – will be joining next week)
- Procedures, day to day duties

Regard to organization from the Panel:

Dr. Campbell: Agenda:

Time commitment as we come up to an agenda.

Time allotted on item.

Flexibility on time. How much time an agenda item.

Ms. Barnes: It would be an option.

Depending on a time frame. Some items might take longer.

Item out of order. Reasonable accommodation.

Mr. Vizzier: General guidelines.

Is this under DTSC's purview? Organization.

We need to understand and prioritize.

Devote more time how we introduce something.

Limit Public Comment on Topic. 10- 15 mins.

Max for presentation.

Mr. Kravoc

:

What is the concern that you are trying to address – to Dr. Campbell.

Crunching recommendation – specialty in January.

We are in a rush from the last meeting (prior to Dec. 18)

Limit Public Comment time.

Dr. Campbell – We need an hour on each reporting. Digest it. Time commitment.

Agenda Item: Policy on Public Comment: As we plan

10 mins. Limit on presentation. Contact staff if you need more than 10 mins.

Ms. Barnes: Limiting 10 mins. Not to make a rule. The Chair has the ability to control that the community is being heard.

Mr. Kravoc: Short term for Clerical term: Employee orientation – how long does it take a new employee get oriented?

Josh Tooker – Employee Orientation time frame: Training, Health Benefits can take like a day or so.

Mr. Vizzier – DTSC website as source. Travel Arrangements, booking a room for meetings.

Mr. Kravoc – General Orientation. Things that are necessary for a meeting. Webcast to behind the scenes. Board members travel, reservations, tasks on training and meeting. Person will get on the speed on these task. For January meetings.

RIP's documents on the DTSC website to familiarize for the new employee.

Vice Chair-Checking in with that new person. Next week to check on Work – clerical.

Order comes from the Chair – Mr. Kravoc.

No further for comments regarding the new employee.

ITEMS #7:

K: How cost recovery is working. Crunch the data. Thoughts on document request, and how valuable is it? Audit committees?

V: If it is delegated to each Panel member. Assigned to an Analyst.

K: Would an Analyst process this kind of documents?

V: Specific (less than 24 months left)

K: Whether staff send out a detailed report, are we going to be looking at all documents regarding Enforcement doc.

V: Process beneficial.

Dr. C: Needs something in detail, but will be too overwhelming

K: Waste of measure success: Trust but verify.

Dr. C: Metric system: degree of translated to Clean ups, Enforcement, Permit from polluters. How this policy is being translated into practice.

V:

K: Item 7

Mr. Vizzier: Lack of transparency at DTSC – opaque:

All topics of Agenda; Media Issues,; Guidance put on writing, WORK plan. How we (IRP) are operating (IRP)

Agreed.

Comment asked from the public: No comment from the public.

8. IRP Reporting Requirement:

January 10th /28th Recommendation – What we gather from our meeting Jan. 13 & 14th

Mr. Kravoc: Jan. 10th report – along line Vice Chair Vizzier

-minutes from our meetings, budge presentation.
- get public comments, edit by the 17th of Jan.

Dr. Campbell: Plan to submit public comment by Jan. 8th

Ms. Barnes: Statutory Report: Balancing goals – determine public comment date:

Mr. Kravoc: Cleaning/Attaching all minutes from meetings

Dr. Campbell, Kravoc & Vizzier – Appendices – IRP Website – add link to website

Comments from Counsel:

Ms. Barnes: Covered task from receiving Public Comment. Pretty clear that you submit a report to the legislator. January 10th

- Annual budget – to update for Jan. 10th.

Statue: 2016-2017 budget each annual submission another reasonable in a timely fashion.

Mr. Kravoc: We can have 6 reports in a year.

Mr. Vizzier: has a handout for the Public.

January 10th deadline. Provide Mr. Tooker comments to work with.

* Executive Summary handout. Submitted by Vice Chair – Vizzier

Dr. Campbell: Likes the format of the Summary. Financial Assurance. DTSC provide 100 page document budget restrained.

V: Consult with DTSC. Bagley-Keene

K: Constraints. 3 documents Jan. 13, 14 Logistics – Proposes recognize – work on the 10th, what we've done and where we are. Drafted. Agenda on the 13th – approve that document.

We also agenda item what our report what will look like on the 28th by the 3 panel member.

Budget-Spend time on recommendations.

Work on the WORK PLAN.

Dr. Campbell: will draft Workplan with the new staff before Jan. 13 meeting

Mr. Kravoc: draft will be posted before the meeting.

- 2017 Monitoring Work Plan:
- - lots of progress on
- Job recommendations

No further comment from the Panel

Divide 3 things among panel members.

Budget.

Recommendations.

Work Plan.

Dr. Campbell: Subsequent report by the end of January. Executive summary needs to have more meat to it.

Jan. 10th report:

Dr. Campbell: Appendix on the report.

V: Permit:

Dr. Campbell: Independently; Early in the phrase in this process.

6. General Public Comment

7. Organizational, Operational and Administrative Matter

8. IRP Reporting Requirement

- Publish a report on January 28
- Panel Members
- More detailed recommendation with Josh Tooker and get it out by Jan. 8th.
- Josh Tooker will post it on DTSC website.

Ms. Denise Duffield (SSFL)

9. Future Meeting Schedule and Agenda Items 4:58 p.m.

- Webcast from Sacramento – Jan. 13 and 14
- Counsel Issues, Appointment Issues
- Keep Items 8 & 9
- Report on Budget presentations, Brief Organizational Chart
- Management
- General Public Comment
- Department's reporting organization
- Reporting Obligation
- January meeting should focus on Recommendations; Work Plans

- Panel votes to close Agenda Item 9.

10. Closed Session

No item #10

11. Reconvene and report out on closed session

No item #11

12. Adjournment

- Mr. Kravoc motioned to adjourn
- Panel voted: Aye
- Meeting was adjourned at 5:03 p.m.