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Sent: Monday, April 25, 2022 1:35 AM
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Subject: Earth Day & Hazardous Waste Disposal in Berkeley?

Dear City of Berkeley:

In honor of Earth Day, I encourage you to read, and consider, a City of Berkeley hazardous materials webpage, and selected portions from the webpage, below.

I have a thermometer I would like to properly dispose of in Berkeley. I have nowhere to properly dispose of the thermometer in Berkeley because the city has failed to allow a hazardous waste collection facility in Berkeley, and has refused to allow Alameda County's STOPWASTE.ORG to operate even a one day a year collection in Berkeley.

I will not make an appointment to drive a long distance in order to dispose of one thermometer. Last year I drove many miles to a distant location in Alameda County to properly dispose of household hazardous waste. The county provides great service. The City of Berkeley does not.

Many people are illegally dumping hazardous waste into Berkeley storm sewers, on the ground, and in the trash because proper disposal is difficult and inconvenient.

At a minimum, Berkeley needs to allow one day a year hazardous waste disposal. Berkeley have failed for many years to establish a proper system of local hazardous waste disposal and this is bad. I regularly see rusting containers of hazardous materials leaking hazardous materials into local dirt, and storm drains. I also see hazardous waste placed on the sidewalks of Berkeley.

I am attaching a picture of hazardous waste and toys I found on the sidewalk in my neighborhood a few months ago. This is all too common. Putting hazardous waste on sidewalk with toys is a dangerous way to try to get rid of hazardous waste, but this is what people do out of desperation in Berkeley. If the City of Berkeley had a proper system to conveniently dispose of hazardous waste we would be doing something good for the planet and our community instead of contaminating our city and the bay.



Since Berkeley has failed to provide household hazardous waste disposal service for decades, we need to allow Alameda County to expand their very efficient and professional service to the City of Berkeley. It is time to stop pretending that Berkeley can do this alone.

When can I properly dispose of a single thermometer in Berkeley?

Best regards,

David Lerman

Please read this City of Berkeley webpage re: hazardous waste:

https://www.cityofberkeley.info/Planning_and_Development/Home/CONDITIONS,_TRE_NDS_ISSUES_Environmental_Quality_Hazardous_Materials.aspx

[Clarification Inserted by Rebecca Milliken, 5/19/22] Note: Due to recent website transition, the above link is no longer valid and the following information is no longer available online. The new City Hazardous Waste webpage is available at: <https://berkeleyca.gov/city-services/trash-recycling/household-hazardous-waste>

“In September, 1989, the Berkeley City Council rejected the Alameda County Hazardous Waste Management Plan and directed City staff to develop an alternative City plan in accordance with the Tanner Bill (AB 2948).”

“Hazardous Waste Importation Regulation Act

In 1991, the City adopted the Hazardous Waste Importation Act with the purpose of establishing a set of rigorous siting criteria for any hazardous waste facility within the City. At this time, there are no hazardous waste collection or recycling facilities located in Berkeley. This Act virtually prohibits the siting of any such facility in the City, through: a) 12 specific siting criteria; b) a one mile baseline testing radius; and c) a set of four findings that must be met prior to approval. The City of Berkeley has decided to participate in a County-wide household hazardous waste program, in part, because the cost would be too prohibitive for a "stand alone" city program. However, the virtual prohibition of collection and recycling sites under the provisions of Berkeley's Hazardous Waste Importation Act has created reluctance among several Southern Alameda County cities to implement the Countywide household hazardous waste program. In fact, proposed household hazardous waste facility sites in Livermore and Hayward will not be issued use permits until a north Alameda County site can be found in order to spread the responsibility throughout the County.

To comply with the provisions of the Tanner Bill for General Plans, the City must either: 1) develop a section in the updated General Plan that incorporates the portions of the County Hazardous Waste Management Plan relating to the various siting criteria; 2) enact an ordinance requiring that land use decisions be consistent with the area designations and the minimum siting criteria in the County Hazardous Waste

Management Plan; or 3) develop its own Hazardous Waste Management Plan, with siting criteria, that is consistent with the County Plan.

The right to create a City-specific plan is specifically preserved under the State law. By adopting more stringent criteria than those contained in the County plan, cities retain a certain amount of local control over siting decisions and can have continue input into the siting process. As Berkeley has an older, more established industrial area, with a greater amount of intermixed non-industrial uses than do newer areas, it is possible that the updated General Plan can justify additional restrictions in the siting criteria. In February 1993, the City published a draft Hazardous Waste Management Plan which incorporates the siting criteria from the Hazardous Waste Importation Regulation Act.

However, the City of Berkeley does generate hazardous materials and must assume its fair share of responsibility for treating and disposing of this waste. The Berkeley community will need to carefully consider the implications of prohibiting a local collection and/or recycling facility.”

Household Hazardous Waste

Many of the items routinely used by Berkeley residents, such as paints and thinners, cleaning products, motor oil and other such items, are in fact hazardous chemicals. Because they are commonly used around the house, many people are unaware of the potential hazards associated with the use and disposal of these items. An undetermined, but probably large, percentage of these materials are improperly stored and disposed of; half finished items may be stored in kitchens, garages or basements, or may be poured down storm drains, dumped into the garden, or placed into the household garbage can. None of these solutions is satisfactory as they expose the occupants and others, such as the refuse collectors, to unnecessary risks and potentially contaminate the ground.

The present situation for those attempting to properly dispose of their household hazardous waste is not ideal either. The individual has to go to a hazardous waste storage or transfer station and deliver the material, or arrange to have someone from the station come to the house and pick the material up. The nearest station presently accepting such waste is in Richmond, and it is only open for this use during certain hours. In addition, this method of disposal can be quite expensive because of the special handling required for the chemicals. The expense and inconvenience only serves to further discourage residents attempting to conscientiously dispose of their household hazardous waste.

The City of Berkeley has, in conjunction with the City of Albany, participated in household hazardous waste collection days, as part of an area wide effort coordinated by the Association of Bay Area Governments. This project has been quite successful, in terms of the quantities of material gathered, and the number of residents participating, but the cost is quite high, and they are, by their very nature, infrequent.

Golden Gate Fields served as the location, with the latex paint, waste oils, and spirit based paint separated out from all other materials. These recyclable and less hazardous materials cost less to dispose of; all other waste, which has to go to a landfill, costs about \$250-300 per barrel for disposal.

The City's Public Works Department is currently investigating ways to deal with this important category of waste. A waste oil tank has been installed at the recycling center and residents can now bring waste oil in for disposal, knowing that it will be recycled. In addition, the Mayor, in her 1989-90 budget message, proposed the establishment of a new household hazardous waste transfer facility. The Departments of Public Works and Health and Human Services are currently researching the details of such a facility. Previous private recycling establishments, like Zero Waste, have failed, possibly due to a lack of profit, so the City's effort must be well planned to succeed. Some issues have arisen in planning for this new facility. First of all, the City of Berkeley is not able to run the facility due to a potential conflict of interest over the collection of hazardous waste generator fees. There will have to be a contractor responsible for operating the facility, and arranging for the recycling and disposal of the material collected. The City cannot both inspect and collect these fees and run a facility.

A second, and much more serious problem to be resolved is a location for this facility. Given the City of Berkeley's firm stand on the siting of hazardous waste facilities in Berkeley (see discussion above), it is unlikely that a suitable location can be found within the City. It is possible that the project might become a joint venture with other cities such as Emeryville, Albany or the north part of Oakland, with the facility not actually located in Berkeley. Siting will be an important issue for the General Plan to consider, however, and will prove to be a critical point for the entire project."