

Storage-tank law to be considered in Santa Clara

By Susan Yoachum
Staff Writer

A proposed law that would regulate the underground storage of hazardous chemicals in the cities of Santa Clara County has gotten a boost from the Santa Clara City Council, which agreed to consider it at a public hearing.

The routine business of setting the hearing took on unusual significance Tuesday night as more than a dozen people urged council members to give the proposed ordinance thorough consideration.

Ted Smith, co-chairman of the Silicon Valley Toxics Coalition — a group backing the proposed ordinance — said the council's unanimous agreement to conduct the hearing is key to the law's chances for passage in other cities in the county.

"This is really significant, because the rest of the county has been real nervous that Santa Clara would stand in the way of adoption," Smith said. "It should be a sign to the rest of the cities that Santa Clara may adopt the ordinance."

The council scheduled the hearing for Jan. 25.

Uniform proposal

Each of the county's 15 cities and towns can adopt its own laws. However, because of the unusual nature of the underground-storage proposal, supporters of the ordinance have urged adoption of a uniform law.

Officials of several Santa Clara County cities have said they favor uniformity so that one city will not appear more attractive to industry than another — as could result if one city failed to adopt the stringent guidelines.

In addition, as several speakers mentioned, "ground water knows no city boundaries."

County fire officials, state water-quality experts and industry representatives began drafting the proposed ordinance in March after a leak from an underground chemical-storage tank at Fairchild Camera & Instrument Corp. in South San Jose contaminated a public well.

The ordinance would impose construction standards for future underground storage tanks as well as any existing tanks found to be leaking. It also would require monitoring of the tanks.

The proposed law will be considered Feb. 3 by the Intergovernmental Council, a group of mayors and other officials. At that time, the advisory council will hear recommendations from each city.

Support for status quo

Some Santa Clara officials, along with the Santa Clara Chamber of Commerce and other industry representatives, have said they believe the city's own hazardous-chemical laws are sufficient.

"We think this issue is already addressed in federal and state law. We can solve these problems with modifications to the building code and the fire code," said Bill Schoppe, chairman of the Santa Clara Chamber of Commerce.

Statements such as that had provoked more than 100 people to crowd into the city council chambers Tuesday night.

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