

# Danger: hazardous materials

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ONE hundred seventeen children suffering from congenital heart defects, skin disorders and other medical problems are among the 266 plaintiffs suing Fairchild Camera and Instrument Corp. for contaminating a drinking well with a dangerous solvent.

More than a year after it discovered the toxic leaks, Fairchild is finding growing traces of the chemical in its test wells. The company plans to spend about \$12 million — apart from anything it may lose in the lawsuits — on a cleanup operation.

That disastrous leak, with all its human and financial costs, might never have occurred if the proper regulatory environment had existed for controlling the storage of toxic industrial chemicals. That's reason enough why local jurisdictions in Santa Clara County should give serious consideration to the Model Hazardous Materials Storage Permit Ordinance.

The draft ordinance, drawn up by the Santa Clara County Fire Chiefs in response to the Fairchild leak, comes before the Inter-Governmental Council Thursday night for final consideration. If approved, and subsequently passed by the local jurisdictions, the ordinance would prompt companies to prevent leaks and to give local agencies the information they need to clean up contamination safely and efficiently.

No one has been perfectly satisfied by the ordinance. Some environmental groups find it too weak. Many industries object to the reporting requirements and to expensive safety measures it would entail.

A committee of city managers, led by Sunnyvale's Thomas Lewcock, has reviewed the ordinance and suggested some sensible technical compromises to make it more acceptable.

to businesses. Even so, service station operators and owners of chemical storage tanks under 55 gallons in size are likely to push for special exemptions.

Both exemptions would be grave mistakes. Gas tank leaks are a major public health hazard; the odorless gasoline additive benzene, for example, is a known carcinogen. Soil tests taken around the country indicate that upward of 100,000 gas station tanks are leaking, threatening water supplies. "This is becoming one hell of a national problem," says Warren Rogers, head of a Newport, R.I., consulting firm that has studied the situation. Service stations are precisely the sort of business the ordinance should regulate.

The move to limit regulation of storage tanks under 55 gallons should also be examined critically. "That would dilute the ordinance and significantly reduce its effectiveness," warns Larry Stone, a member of the Sunnyvale City Council. "Many materials are hazardous in small amounts." Stone notes that city firefighters responding to emergencies at local businesses now have no way of knowing what dangerous materials they might encounter. Small businesses can keep their reporting requirements to a minimum under the ordinance with a one-page short form.

The proposals before the IGC have been arrived at after much public debate and technical discussion. The committee's job now is to amend and approve the ordinance without gutting its key provisions.

"What happens on Thursday night is really the key" to the future of toxics management in this county, observes Judy Belk, Sunnyvale's community relations officer. It is also the key to hopes that the IGC can find the backbone to serve the county effectively.