

Chemical-leak proposal gets its first test tonight

2-23-83

By Susan Yoachum
Staff Writer

What began last year as the worry of a group of South San Jose mothers has become a countywide cause.

Pure drinking water — once an assumption in the Santa Clara Valley — has become the rallying cry of a coalition of environmentalists, politicians, labor activists and industry leaders who call the threat of chemically tainted drinking water the county's No. 1 problem.

How county leaders solve that problem could have nationwide effects, they say.

"The ramifications go so much beyond the Santa Clara Valley. But it's appropriate that it start here because high tech is here," one high-ranking county official said.

When a chemical leak at the Fairchild Camera and Instrument Corp. closed a public well, the worry at first was confined to South San Jose residents near the plant.

But that worry grew into a year-long effort to draft a law to protect county water supplies from contamination. And as the drafting

committee of firefighters and industry representatives worked, dozens more hazardous leaks were

Back of Section, Col. 5

PI 036056

Politicians to wrestle with plan to plug leaks

Continued from Page 1A

discovered throughout the county. "People are beginning to think out whether they should turn on their tap water," said Larry Stone, Sunnyvale City Council member. "The stakes are so high."

Tonight, one part of the broad coalition — the politicians — will have an opportunity to show how great their concern is.

The Intergovernmental Council, composed of representatives from all 15 cities, the county and other public agencies, will consider an ordinance that would require businesses to monitor their chemical-storage containers for leaks and put any new underground containers into protective vaults.

Officials expect hundreds of people to attend the meeting.

"It is the No. 1 issue facing the county. It is a serious problem; it's acknowledged to be a problem by industry. That, plus the number of leaks that have occurred, have put it on people's minds," said Stone, the chairman of the Intergovernmental Council.

Peter Giles, president of the influential Santa Clara County Manufacturing Group, which has endorsed the proposed law "in principle," predicted that the politicians will approve a hazardous-chemical storage ordinance "in some form."

One change industry will push for, he said, is the elimination of the proposed law's requirement that companies report the storage of chemicals in quantities under 55 gallons.

Unusual cooperation

Giles said the issue of water contamination had produced an unprecedented degree of cooperation in the county.

"I'm not aware of another issue where the cities have gotten together like this," Giles said. "It's a very positive thing."

Although electronics industry associations have given their qualified support to the proposed law, officials of the petroleum industry have opposed it loudly.

Oil companies and gasoline dealers have argued that the proposed construction standards for underground storage tanks would put some service station owners out of business.

"No one has proven to me this system is going to work," said Paul Hay, executive director of the Northern California Petroleum Retailers Association. "You're talking about losing 25 to 30 percent of the businesses in the county. That's not a political threat. It's an economic fact."

Would be costly

Hay said the gasoline industry favors the monitoring provisions of the ordinance but opposes the double-tank security measure because, he said, it is developing its own leak-proof tanks.

He estimated that it could cost a service station owner an extra

\$30,000 to install a double-walled tank or to put the tank in a protective vault.

If such installations were required, Hay said, it would force the price of gasoline in the county up by 4 to 5 cents per gallon.

"I see this as a tax, and if we're going to put on a tax, we should take it to the public," Hay said.

The group of city managers that was asked to study the issue was divided on whether the proposed double-containment requirement should apply to the petroleum industry as well as the electronics industry.

An option that the city managers' group will suggest tonight will be to further study regulations for the petroleum industry.

'Go forward'

But the city managers' group and others will urge the Intergovernmental Council to act on the rest of the proposed law.

"It's time to go forward," said Larry Borgman, an Intel Corp. vice president who has been industry's chief participant in drafting the proposed ordinance. "It's gone about as far as it can go as a model."

Representatives of labor and environmentalists' groups will urge the Intergovernmental Council to make the proposed law even tougher.

Alliance's requests

Ted Smith, co-chairman of the Silicon Valley Toxics Coalition, a loosely woven alliance of about 50 health, environmental and labor groups that was formed last summer out of the growing concern over chemical pollution, said his group will ask for three main changes.

They are:

- ✓ Legal protection for "whistle-blowers," who could otherwise lose their jobs if they reported their employers' chemical hazard problems to authorities. The proposed ordinance now has no such provision.

- ✓ Required reporting of storage of all quantities of known carcinogens, as spelled out in Cal-OSHA's list of 22 substances. The proposed ordinance would require companies to list, by category, chemicals stored in quantities of less than 55 gallons, but they would not have to identify the substances by name.

- ✓ Required reporting of an additional number of chemicals that are on Cal-OSHA's list of hazardous substances. The proposed ordinance uses lists compiled by the Environmental Protection Agency and the state Department of Health Services.

Peter Cervantes-Gautschi of the Central Labor Council said labor groups hope to make the water-contamination problem a national issue.

21 036057