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How clean is enough?

THE Regional Water Quality Control Board did the right thing by *not* ordering IBM to clean up extremely low levels of TCA contamination in some public wells. The California Department of Health Services and the Santa Clara County Health Department agree.

As would be expected, there is loud disagreement as well. The Santa Clara County supervisors, the Santa Clara Valley Water District, the city of San Jose and environmentalist groups are appealing the Regional Water Board decision to the State Water Board. Although technically appealing on narrower grounds, some members of these groups and agencies are taking dramatically absolutist public positions, declaring that *no* amount of TCA, a solvent used by the high tech industry, is acceptable in the public water supply.

That's an alarmist position.

Here's the background of the controversy: Visualize the contaminated site as if it were a figure eight. The IBM plant, where the contamination started, is at the bottom, and the underground water flow carries the contamination upward, toward the Bay. In the bottom loop of the figure eight, TCA levels have been measured at up to 150 parts per billion, although most readings were at 20 parts per billion or less.

The cleanup efforts in the bottom half of the loop are not in question: environmentalists, local agencies and state officials all concede that IBM has made a massive effort to limit the contamination. That effort has included drilling more than 300 monitoring wells and 17 extraction wells at a cost of more than $20 million, and it is continuing.

The narrow center of the figure eight is a geological bottleneck called the Edenvale Gap, near the intersection of Monterey Road and Capitol Expressway. The IBM cleanup aims at bottling up the contamination in the lower portion of the figure eight, but some has been found in the upper part. Readings at wells of the San Jose Water Co. and the City of San Jose Water System in the upper loop show 1-to-3 parts per billion of TCA.

Those wells are still in service.

On Dec. 18, the Regional Water Board held that the TCA readings are at "trace levels" that "do not reach levels of concern." IBM must continue its ongoing program, but need not take new steps to define, contain, or clean up the upper loop of the figure eight north of the Edenvale Gap.

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That is the decision being appealed to the state Water Board. The county and city question the safety of TCA; in their view, the contamination must be presumed guilty until carcinogens, than it is to drink water with 2 parts per billion of TCA.

Even if one takes the gloomiest view that the health evidence can justify, the risk of drinking water from those wells is still vanishingly small: less than the risk of dying from cancer caused by cosmic rays received on a round-trip flight to New York, less than the risk of dying from cancer caused by drinking 30 diet soft drinks with saccharine.

By any reasonable standard, based on the scientific evidence now available, 2 parts per billion of TCA is not cause for worry.

The recent study done of the TCA spill at Fairchild Camera and Instrument caused county supervisors to demand that the action level for TCA be reset at zero. But at that spill site, well contamination was measured at 8,800 parts per billion, 44 times greater than the state action level and 4,400 times greater than the typical contamination in the upper loop of the IBM site.

Even with contamination levels that high, the Fairchild study showed that TCA alone was probably not the sole cause of the health problems near the spill. While the study left open the possibility that TCA contributed to health problems, it raised a number of questions that point to other unknown causes.

The policy question involves the Water Board responsibility to follow standards applicable to any company. Bellaveau and others are concerned that the IBM decision will set a bad precedent: Polluters will get the message that low-level chemical concentrations will be ignored, and society will begin to accede to groundwater contamination.

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Those are general issues worth worrying about, but the point is not to enforce absolute (and impossible) standards. Dealing with the IBM case on its merits protects the public health, and a precedent that does that is a good one.

IBM has been generally active and responsive in its cleanup. There is no way that the Water Board decision even comes close to letting the company off easily. IBM has spent $20 million so far under board direction to reduce chemical levels that were already beneath the state action level.

That isn't a precedent that tells any company or person that pollution will be winked at; in fact, the example cuts the opposite way.

The environmentalists also worried that the Regional Board did not consider the option of cleaning up the water at the wellhead, perhaps by using carbon filters. But when the Water Board concluded that the present TCA levels did not pose a health threat, it made sense not to consider reducing those levels still further. Again, no dire precedent is set.

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The cleanup efforts in the bottom half of the loop are not in question: environmentalists, local agencies and state officials all concede that IBM has made a massive effort to limit the contamination. That effort has included drilling more than 300 monitoring wells and 17 extraction wells at a cost of more than $20 million, and it is continuing.

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The appeal from the environmental groups requests that IBM be required to continue drilling monitoring wells to determine the full limits of the upper loop of contamination, rather than just testing the water as it flows into the Edenvale Gap and in the wells in the upper loop. Michael Bellaveau, who is the research director for the environmental group Citizens for a Better Environment, argues that carbon filters placed on the wellheads would reduce the TCA levels to beneath detectable levels.

We believe the regional Water Board had it right the first time, both on a gut level and on a policy level.

The gut level question is whether the TCA level in the wells north of the Edenvale Gap, "unreasonably affects beneficial uses of the water," to use a CBE standard.

On the opposite page, editorial writer Timothy Taylor describes the EPA risk assessment process. The EPA standard for TCA, which the state uses as its "action level," is 200 parts per billion. As a built-in safety factor, that standard is set at 5,000 times less than the amount that the EPA estimates would cause adverse health effects. The contamination in the wells north of the Edenvale Gap is 100 times lower than the standard.

It is considerably riskier to be drinking Santa Clara County's chlorinated water, which mixes with plant acids to form known

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The December Water Board decision is not written in stone: IBM must continue to monitor and clean up and submit results to the board. The EPA and the Department of Health Services will be reviewing and updating drinking water health standards. The Water Board can order new treatment or cleanup if new evidence appears.

The $20 million IBM cleanup has been money well spent, for the public safety and to deter other companies from risking chemical spills. But at some point, a sense of proportion must come into play. If one firm is forced to pay millions more to deal with chemicals that pose no public health threat, it becomes very hard to determine a fair penalty for the truly health-threatening chemical spills.

IBM is not an especially sympathetic defendant; it is obviously big and rich. But the most successful environmental policies are designed so that industry, government and the general public can all agree on the goals. To a large extent, that has been accomplished in this county: The public health comes first.

A pursuit of purity that reaches well beyond the goal of preserving public health will undercut that needed consensus over time, and enforcing such perfectionism will waste resources that could be better spent on protecting the public health.

In deciding the IBM case, the Water Board faced a situation that did not pose a health hazard, and the board had the guts to make an honest decision, without posturing. Local officials can learn from that example.