

Stricter IBM cleanup plan may be sought

By Bert Robinson
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City and county officials will decide next week whether to ask the state to reject an IBM plan to clean up ground water contamination near its South San Jose plant in favor of stricter measures.

Supporters of the proposal to be considered by the San Jose City Council, the Santa Clara County Board of Supervisors and the Santa Clara Valley Water District board hope a tougher cleanup plan will set a precedent for safe drinking water.

"We have the technology to make our drinking water safe and we ought to do it," said Santa Clara County Supervisor Susanne Wilson, who will propose that the supervisor's appeal the recent approval of the cleanup plan by the San Francisco Bay Regional Water Quality Control Board.

The council and the water district board also will consider such an appeal.

How do you deal with a level of uncertainty?

— Ted Smith

Next week's votes could be the start of a lengthy battle over the IBM cleanup.

Both water district board member Pat Ferraro and Ted Smith of the Silicon Valley Toxics Coalition, which may join in the appeal, said they are not optimistic about getting the IBM plan thrown out by the state. They feel the whole dispute may end up in the courts.

Members of all three boards and the coalition object to the IBM cleanup plan because it does not require the company to remove or treat low levels of trichloroethane (TCA), a solvent which may cause cancer.

TCA seeped into ground water from the company's underground tanks. It is now showing up in wells as the contamination spreads north of the intersection of Capitol Expressway and Monterey Road.

There are no definitive studies of the effects of TCA. But the regional board does not consider the South San Jose levels harmful because they are more than 40 times less than the state's "action standards" for the solvent.

It is generally agreed that the eventual resolution of the IBM problem will go a long way toward determining what level of drinking water contamination the public must accept, and who will pick up the tab for cleanups.

The regional board's ruling on the IBM plan marked the first time it has said certain levels of any chemical are a tolerable risk.

"The question is: If you set standards based on the level of health risk, how do you deal with a level of uncertainty about what the risk is?" said Smith.

Smith, who indicated his group may join the appeal, charged that "industry and the regional board say to put the burden of uncertainty on the public and hope for the best."

Appeals of the regional board's decisions are heard by the state Water Resources Control Board. The initial appeal would revolve around state law requiring the regional board to prevent the "degradation of ground water" by toxic chemicals.

Wilson said she believes the regional board violated that law by allowing low levels of chemicals to remain in the ground water. But because full cleanup of ground water is probably impossible, Wilson said, the county will ask only that the state require purification before the water is used by the public.

The Toxics Coalition has sug-

gested that IBM pay the estimated \$1 million to \$5 million it would cost to install charcoal filters on seven wells tainted by the leaks. IBM already has put an estimated \$20 million into cleanup around the plant.

Larry Kolb, assistant executive officer to the regional board, said regulation of drinking water is the job of the state Department of Health Services, and not the regional board.

He said the board is required only to protect water in its natural state — in this case, the aquifer below the IBM plant. "And we have done that," he said.

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