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S.J. lags behind in toxics cleanup

By Bert Robinson
Mercury News Staff Writer

Santa Clara County cities have cataloged hundreds of chemical and fuel leaks that no one is cleaning up, according to a recent study for the U.S. Environmental Protection Agency.

More than 322 underground leaks have been discovered under the county's 4-year-old ordinance creating an "early warning system" for toxic spills. But EPA analysts found that in 90 percent of the "leak reports" they reviewed, no agency had determined whether the chemicals had seeped into nearby ground water.

While most Silicon Valley cities have made substantial progress in identifying toxics sites, San Jose lags far behind.

City officials blame the program manager, Peter W. Jones, who mysteriously disappeared in January. San Jose, home to nearly one-third of the county's toxic storage sites, has completed just half of its required 1,600 inspections, according to a city review. Officials say Jones failed to inform them he did not have enough staff to do the job.

The EPA study, produced by an Oakland

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Missing man left project in chaos

Mercury News Staff Report

When he disappeared on Jan. 6, Peter W. Jones left San Jose's hazardous-materials program in disarray, city officials say.

Their criticism comes on the heels of a recent report that suggests San Jose — under a program headed by Jones — lags far behind other cities in cataloging and inspecting hazardous-waste storage

sites.

"The major failure was the program manager's," City Manager Gerald Newfarmer said. "Peter Jones dropped the ball."

Jones, 43, left his red Alfa Romeo coupe near the Golden Gate Bridge, a popular suicide spot, when he disap-

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EPA report says S.J.'s toxics program falls short

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consulting firm and still in draft form, is the most comprehensive effort yet at evaluating Santa Clara County's ambitious monitoring program.

It reserves its strongest criticism for the lack of cleanup, even though the ordinance does not address what should be done after leaks are found.

"It's like the ordinance is passing off the football and there's no back to pick it up," said Bob Brownstein, an aide to county Supervisor Susanne Wilson.

The report also notes that the program has been more expensive than originally contemplated.

As a result, San Jose City Manager Gerald Newfarmer has suggested that businesses should pay higher inspection and permit fees. But Jackie Bogard of the Santa Clara County Manufacturing Group says that increasingly high costs of regulation could "drive businesses from the valley."

Generally high marks

At the same time, the EPA report gives Santa Clara County cities generally high marks for their progress in getting businesses to store chemicals safely, although the EPA did not undertake a city-by-city review.

More than 4,000 of the county's 5,500 storage sites for hazardous

chemicals have been inspected at least once. About 30 percent of the county's underground tanks have been removed or replaced, with models that are less likely to leak.

The county and most of its cities adopted the hazardous-materials storage ordinance — the first of its kind in the nation — in 1983 at the urging of the county Fire Chiefs' Association. The fire chiefs wanted a list of storage sites that could be used to forewarn firefighters of chemical threats from toxics.

The cities quickly added another goal: to prevent chemical leaks and spills. Businesses were required to replace more fragile single-walled storage tanks with a double-walled version, or install expensive monitoring equipment that could detect leaks.

By and large, that seems to be happening. The EPA report calls the ordinance "remarkably successful at identifying facilities which store hazardous materials and in bringing such facilities into the regulatory process."

"We are literally light-years ahead of everyone else in the state," Bogard said. "There shouldn't be day-to-day mishandling of chemicals in this county anymore."

But the EPA report, along with other recent reviews, suggests the ordinance is falling short in several important areas.

It has failed to pay for itself. The ordinance requires business and industry to bear the entire cost of hazardous-materials programs through the fees they are charged for inspections and permits.

Yet a June 1986 county study cited by the EPA suggested that only 65 percent of the \$2 million cost of the programs was being met by fees, and San Jose indicated last week that it has recovered only 28 percent of its costs.

Data not useful

The EPA study also faults the ordinance for generating data that is not useful, both because it is poorly organized and because cities are not sharing information.

Most importantly, say those most familiar with the ordinance, cleanup of leaks and spills is not getting the attention it demands.

"Getting the inspections is only half the problem," said Ted Smith, chairman of the Silicon Valley Toxics Coalition. "The other half is what do you do when you discover a leak?"

Roger James, executive officer of the San Francisco Bay Regional Water Quality Control Board, an arm of the state, conceded that his

agency has been able to do little with the massive amounts of information generated from Santa Clara County.

"All we've been able to do is screen reports and catalog them as far as what's the most significant threat to ground water," James said.

Mercury News Environmental Writer Mitchel Benson contributed to this report.

Man's disappearance probed

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appeared. But Menlo Park police investigating the incident are not convinced Jones committed suicide, and have enlisted the FBI to search for him in his native England.

Friends speculate he may have fled the country because of mounting financial problems.

Jones made \$50,000 a year as an employee in San Jose's fire department. His contract was up for renewal Feb. 1.

San Jose provided Jones fewer inspectors and less money, in relation to the size of his task, than his counterparts in Santa Clara and Sunnyvale. Yet, Newfarmer said that Jones apparently did not in-

have kept closer tabs on the program's progress.

Some observers say that blaming the missing Jones is unfair. Environmental scientist Joe Along, who concedes that Jones initially underestimated how many inspectors were needed to run the program, noted that the city was three to 21 months late in providing Jones the employees he did request.

And Ted Smith, chairman of the Silicon Valley Toxics Coalition, argued that Jones did all he could.

"My sense is he was trying. He knew they were swamped," Smith said. "But he wasn't getting good response from the city."