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Expand toxics program, city urgedBy Mitchel Benson
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San Jose's hazardous materials inspectors are concentrating on gasoline stations, auto repair shops and grocery stores instead of on known contamination sites and larger chemical-intensive manufacturers, according to a report issued Tuesday by environmentalists.

The Silicon Valley Toxics Coalition said that delaying inspections of known trouble spots and large plants increases the chance that undetected chemical spills and

leaks could contaminate ground water.

And because smaller companies pay smaller fees to cover the cost of inspection — and pay only after they are inspected — a cash flow problem is crippling the program.

In all, the report said the San Jose program has recovered only \$301,240 in fees during the past three budget years, or only 28 percent of the total \$1.1 million program cost.

To correct "the severe deficiencies of the city of San Jose's program," the toxics

coalition concluded that the City Council must increase the staff and budget of the Fire Department's hazardous materials program, require the program to charge fees up front and concentrate on inspecting larger companies.

San Jose began inspecting storage sites in 1983 after it and other cities in the county adopted an ordinance designed to create an "early warning system" for toxic spills. The ordinance — the most comprehensive of its kind in the nation — requires businesses to replace storage

tanks with more secure versions or install expensive monitoring equipment to detect leaks.

A federal study released earlier this year called the ordinance "remarkably successful at identifying facilities which store hazardous materials and in bringing such facilities into the regulatory process."

But the toxics coalition report says San Jose's program needs lots of help. The

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Report urges more funds for S.J. toxics program

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coalition endorsed a Fire Department proposal, to be presented today to the council's environment committee, that would increase the hazardous materials program's staff to 16 from six, and more than double its budget, to \$1.2 million. Under the proposal, fees would be collected before inspection.

Fire Chief Robert Osby said he could not comment on the report because he had not read it. However, he said, "I don't feel threatened by the coalition's concern about safety in this valley because I share their

concern. I welcome their involvement."

Gary Lynch, the city's water quality/toxics program manager, said Tuesday there was nothing in the report that surprised him.

"We have fallen behind on the goals of the program," Lynch said. "We hope dramatic increases in both staffing and budget should accomplish what's needed."

Lynch said city officials originally intended for inspectors to concentrate on smaller companies so they could learn their craft and prepare for the more complicated inspections.

"Unfortunately, as we've seen, we never got up to speed enough to get to the big guys," he acknowledged.

But a spokeswoman for the Santa Clara County Manufacturing Group said the current program's staffing and budget should be studied more carefully before increases are approved.

Jacqueline Bogard, director of the manufacturing group's Clean Water Task Force, also said it makes sense to inspect the smaller companies first because the larger ones have the staff on site and the money to ensure compliance with hazardous materials ordinances.

"It's the little guys who are scrambling. They don't know up from down," Bogard said. "They need some help. They need some recommendations."

She also said industry is concerned about how cities are spending the inspection-generated fees.

"What exactly is happening with those fees?" Bogard asked. "There's no feedback (to companies) on how the dollars are being spent. And are they really getting any additional protection for those high fees? Because those fees are being passed on to the costs of the products."

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