

Local/State

Editorials • Comments • Valley Log • Obituaries

Water board wants polluters to seal wells

By Mitchel Benson
Mercury News Environment Writer

Local water officials took the first step Tuesday toward requiring industrial polluters to pay for sealing as many as 3,000 abandoned wells in Santa Clara County that threaten to contaminate drinking water.

Despite doubts that specific companies can be linked to individual pollution problems, the Santa Clara Valley Water District board directed its staff to compile a list

of "appropriate defendants" whose underground chemical leaks could potentially seep into abandoned wells throughout the county.

Once that list is prepared, the district board will consider a two-pronged legal attack to recover the cost of sealing the wells — estimated at \$2,000 to \$4,000 a well — from the businesses. First, the water district's attorney would prepare a written demand for the money. If that failed, the district would sue the business.

Water officials and environmentalists fear that abandoned wells may act as conduits to speed contaminants down to deeper drinking-water supplies.

In the past 18 months, the water district has spent an estimated \$250,000 to seal 84 wells throughout the county, and has contracted to seal 28 more. District engineers are investigating 200 other wells to determine whether they should be sealed. Contractors seal the wells
See WELLS, Page 2B

Boards back plan for IBM toxic monitors

By Mitchel Benson
Mercury News Environment Writer

The Santa Clara Valley Water District and Santa Clara County Board of Supervisors on Tuesday endorsed much of a state water board proposal that would require IBM to install a more extensive system to detect chemical contamination of ground water near its South San Jose plant.

The endorsements came in separate actions after each of the groups agreed to support several amendments prepared by a group of attorneys and representatives from the county, water district, city of San Jose and two environmental groups, Citizens for a Better Environment and the Silicon Valley Toxics Coalition.

See ENDORSEMENT, Page 2B

IBM toxic-monitoring plan backed

ENDORSEMENT, from Page 1B

The amendments would require the San Francisco Bay Regional Water Quality Control Board to study the costs and effectiveness of various cleanup and treatment options intended to reduce already low levels of contaminants in drinking water to the maximum extent practicable.

The staff of the state Water Resources Control Board wrote in its proposal, released last month, that IBM's current monitoring system does not present a complete picture of how far toxic chemicals have spread in underground water supplies around the South San Jose plant or in what concentrations they might be found. IBM blames the contamination, discovered in 1980, on sloppy handling of chemicals and faulty underground plumbing.

Hearing April 2

The state board has scheduled a hearing on the proposal for April 2 in Sacramento. If the staff recommendations are followed, IBM would be required to dig many more wells to monitor water quality and to analyze water samples for a greater variety of toxic chemicals, including suspected carcinogens 1,4-dioxane and 1,1-dichloroethylene, or DCE.

The company already has spent about \$50 million to clean up its contamination problem and to improve equipment to reduce the risk of a future incident. IBM has installed more than 300 monitoring wells and 19 extraction wells, which pump tainted water from the ground.

Under the staff recommendation, IBM also would be required to consider alternatives to its current

¶ There is no scientific evidence that the public health is at any risk with the minute levels of chemicals we're dealing with in this situation. ¶

— Gary Burke, IBM community relations manager

practice of pumping as much as 17.3 million gallons a day of contaminated ground water into Canoas Creek, which empties into San Francisco Bay.

The seven-member Santa Clara Valley Water District board voted unanimously Tuesday to endorse the state water board staff recommendation over the objections of Gary Burke, an IBM community relations manager. The five-member county board also unanimously endorsed the water board recommendation with the amendments. Burke arrived at the county board meeting too late to testify because he had been delayed at the water district meeting.

'Full of inaccuracies'

Burke asked the water district board to delay taking a position on the proposal until after the April 2 hearing. At that time, he said, IBM would produce evidence to show that the state board's staff recommendation "is full of all kinds of inaccuracies, is lacking data and (includes) things they just don't understand."

"There is no scientific evidence," Burke added, "that the public health is at any risk with the minute levels of chemicals we're dealing with in this situation."

As a result, he said, for the

water district board to support the staff recommendation "would serve more to politicize and will not really add to the ultimate resolution of the issue."

Dan Kriege, the water district's operations and maintenance manager, agreed with Burke that the staff recommendation has "some real holes. There are some weaknesses in it." But he said he had not read the entire report.

Director Joe Judge said the district board should support the state

drafted amendments in consensus language — the county, the city and our staff," Judge said, "and I think we ought to adopt it."

At the county board meeting, Supervisor Susanne Wilson said the consensus amendments were important because the county should go beyond state and federal drinking-water standards in protecting residents from contaminants.

'Lowest practical levels'

"We want the lowest practical levels of contamination," Wilson said.

Added Robert Brownstein, an

aide to Wilson: "At some point, someone has to make a human decision" on whether to do further cleanup or treatment. "A computer can't do this for you."

In a related matter, San Jose City Council members Tuesday unanimously approved sending a letter to about 50,000 customers of its municipal water system, informing them that traces of the chemical DCE were found in city wells seven times in 1984. Officials suspect that the DCE is linked to the IBM contamination problem.

The letter to customers in the Evergreen area concludes that the city "is confident" the public did not receive water that contained DCE in excess of state or federal safety levels.

That conclusion was challenged by Ted Smith, chairman of the Silicon Valley Toxics Coalition. He said DCE has been measured an additional 13 times in wells that are not owned by the city.

Smith also said the letter should include that information in the letter as well and to tone down the letter's conclusion so residents could decide for themselves whether they believe that the water was contaminated. The council chose not to do so.

"We are providing a great deal of leadership with what we are doing," said Councilwoman Pat Sautedo. "There are people who would prefer we not send this letter at all."

Mercury News Staff Writers Michael Rezendes and Bert Robinson contributed to this report.

Water board wants firms to pay for wells

WELLS, from Page 1B

by filling them with an impermeable substance, such as concrete.

The district board decided last year that it did not want to stay in the well-sealing business. Under an ordinance that took effect Jan. 1, the district now can require well owners to seal any well that poses an immediate or potential threat to drinking-water supplies.

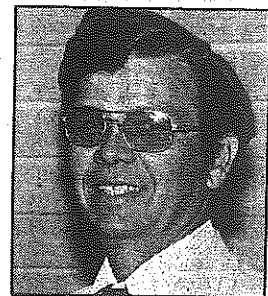
However, board Chairman Pat Ferraro has been pushing the district staff for several months to study whether the district could instead shift its bills for well-sealing to companies responsible for ground water contamination.

Albert T. Henley, the district's general counsel, said Tuesday that the district has the legal authority to require businesses to pay those costs. But he warned that it might be difficult to prove that a particular business used a particular underground pollution problem.

"There's no question in my mind that given the facts — and that's the trouble — you can win," Henley said. "But the causation — are you sure that guy did that — that's very difficult."

Daniel Kriege, the district's operations and maintenance manager, warned the board, "We're not going to spend a fortune getting the facts."

Ferraro said the district staff should at least perform a comprehensive review of its records before assuming that no case can be won.



Daniel Kriege
Operations manager

However, Director Joe Donohue said he suspects that the district will find only slim evidence to link a business to a particular plume or pocket of contamination.

"Hey," he said, "I think we're shoveling stuff against the tide."

No one knows how many abandoned wells exist in the valley, but district officials estimate there are as many as 3,000. They hope to locate the wells with the help of city and county planning authorities.

The district is most concerned about abandoned wells near the IBM and former Fairchild Camera & Instrument Corp. plants in South San Jose, and other wells in Mountain View, Palo Alto and Sunnyvale.

Hanged man suicidal, roommate tells police

By Ann Hagedorn
Mercury News Staff Writer
Timothy Lee, the 23-year-old

wrote. "He seemed to be down and easily upset." In his earlier statement, Wright