

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

STAFF REPORT FOR REGULAR MEETING OF OCTOBER 17, 2008

Prepared September 5, 2008

ITEM NUMBER: 11

SUBJECT: Joleen Way Cleanup Site, Santa Clara County

KEY INFORMATION

Discharger: Joleen Way Primary Responsible Party Group
Location: 16840 Joleen Way, Morgan Hill, Santa Clara County
Discharge Type: Treated groundwater
Current Flow Rate: 10,000 gallons per day on average
Treatment: Granular activated carbon in series
Disposal: Butterfield Flood Control Channel
Existing Order: Waste Discharge Requirements (WDR) Order No. 97-112
This Action: **Rescission of WDR Order No. 97-112 and Enrollment Under the General Waiver of WDRs Resolution No. R3-2008-0010**

SUMMARY

Staff recommends that the Central Coast Water Board rescind the current individual WDR Order No. 97-112, Attachment 1, for the treated groundwater discharge and authorize the Joleen Way Primary Responsible Party (PRP) Group enrollment in the General Waiver of Waste Discharge Requirements for Specific Types of Discharges Resolution No. R3-2008-0010 (General Waiver).

DISCUSSION

In 1994, the Central Coast Water Board authorized the Joleen Way PRP Group (i.e., Burt Development and Edward T. Balcunas Trust) to discharge treated groundwater under WDR Order No. 94-81. In response to a change in the treatment system, we revised the discharge requirements and authorized the discharge under WDR Order No. 97-112 in 1997. Central Coast Water Board staff generally reviews WDR orders every 10 years to determine whether the order is still appropriate. To facilitate our review for applicability of the WDR, we requested the Joleen Way PRP Group to submit a groundwater treatment system update that summarized all of the major treatment system modifications since 1997. Based on review of this May 23, 2008 update, staff concludes that regulation of the discharge under the General Waiver instead of an individual WDR is appropriate.

Site Background

The site is located at 16840 Joleen Way, Morgan Hill in Santa Clara County (Site) as shown in Attachment 2. In 1986, the Joleen Way PRP Group discovered trichloroethene (TCE) and other volatile organic compounds (VOCs) in soil, groundwater, and surface water in and near a stormwater retention basin located on the Balcunas Trust Property. Suspected dischargers of TCE to the stormwater basin are Har Chemical Inc. and Glass-Tek Industries, Inc. Both of these

companies operated in leased buildings located on the Burt Development Property (just south of the Balcunas Trust property). Both Har Chemical Inc. and Glass-Tek Industries Inc. are currently California suspended corporations.

Treatment System and Discharge Location

In January 1994, the Joleen Way PRP Group began operation of a groundwater extraction and treatment system. Currently, Joleen Way PRP Group removes VOCs from groundwater using several activated carbon vessels in series. Initially, the Joleen Way PRP Group discharged treated groundwater to the sanitary sewer. In October 1994, the Water Board issued WDR Order No. 94-81 to allow the Joleen Way PRP Group to discharge the treated groundwater to land. The Joleen Way PRP Group continued discharging treated groundwater to the sanitary sewer until April 1995, when they began discharging the treated groundwater via the storm drain to a nearby recharge area (Sutter Pond). In December 1997, the Water Board updated WDR Order No. 94-81 with WDR Order No. 97-112. Discharge locations have changed over the years as redevelopment occurs at surrounding properties. Currently, the treated groundwater discharges to the Butterfield Flood Control Channel via the storm drain system. Under the General Waiver, treated groundwater will continue to discharge to the Butterfield Flood Control Channel. The Joleen Way PRP Group discharged treated groundwater under individual WDR Order No. 97-112. The treatment system has successfully removed pollutants in groundwater prior to discharging to land and the Joleen Way PRP Group has complied with all of WDR No. 97-112's requirements. Since 1995, the treatment system has extracted about 97,000,000 gallons of groundwater and removed 87 pounds of TCE from the groundwater.

Applicability of General WDR Waiver

The current discharge meets the requirements for enrollment under the General Waiver, as detailed in Attachment A, Section B.5 of the waiver. Staff recommends enrolling the discharge in the General Waiver, as opposed to renewing an individual WDR, because this discharge fits the low-threat criteria consistent with the General Waiver, and this facilitates consistency in regulating low-threat discharges in a timely and cost effective manner.

As a condition of enrollment in the General Waiver, the Joleen Way PRP Group will not discharge treated groundwater containing VOC concentrations above the respective VOC Maximum Contaminant Level; given the treatment system design, the typical VOC discharge concentration will be below the method detection limits for the respective compounds. Through a Monitoring and Reporting Program, the Joleen Way PRP Group will be required to perform routine sampling of the treatment system's process stream, flow rate measurements, and the treatment system's influent, midpoint, and effluent for VOCs. Treatment system redundancy, routine inspection, maintenance, and confirmation sampling ensure the discharge will pose no significant threat to water quality.

RECOMMENDATION

Rescind individual WDR Order No. 97-112 and authorize Joleen Way PRP Group enrollment under the General Waiver of Waste Discharge Requirements for Specific Types of Discharges Resolution No. R3-2008-0010.

ATTACHMENTS

1. WDR Order No. 97-112
2. Site map