

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 96-038

TO AMEND SITE CLEANUP REQUIREMENTS, ORDER NO. 91-017, WHICH AMENDED ORDER NO. 89-181

MEMOREX TELEX CORPORATION, BARRY SWENSON
BUILDER dba GREEN VALLEY CORPORATION, and
MEMOREX DRIVE LIMITED LIABILITY CORPORATION

FOR THE PROPERTY LOCATED AT:

1200 MEMOREX DRIVE
CITY OF SANTA CLARA
SANTA CLARA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region, hereinafter called the Board, finds that:

1. Site and Regulatory History. In the early 1960's Memorex Corporation, a California corporation (hereinafter called Memorex Corporation of California) purchased the property at 1200 Memorex Drive and developed a manufacturing plant (1965) to produce magnetic media tape. Memorex Corporation of California began site investigations in 1982 which detected organic solvents in soil and groundwater. Groundwater extraction and treatment systems were installed in 1983.
2. The Board adopted WDR Order No. 85-64 on May 15, 1985, for site cleanup requirements, and identified Memorex Corporation of California as owning a computer tape manufacturing facility on a 10.3-acre site at 1200 Memorex Drive, as the operator of a solvent storage and distribution system which included a number of underground tanks, and as the Discharger.
3. In 1986 Memorex Corporation, a Delaware Corporation (hereinafter called Memorex Corporation of Delaware), was formed for the purpose of acquiring certain assets of Memorex Corp. of California, including the property/facility at 1200 Memorex Drive. Memorex Corp. of Delaware became the owner and operated the facility, as Memorex.
4. Order No. 88-082 was adopted on May 18, 1988 and rescinded Order 85-64. Memorex Corp. of Delaware was the owner/operator at this time. Memorex Corporation of Delaware was named the Discharger.
5. In 1989 piping that connected an underground waste solvent tank to the manufacturing building failed, releasing waste solvents. In 1991 the waste solvent tank and associated piping were excavated and removed from the site.

6. Order No. 89-181 was adopted on December 13, 1989 and rescinded Order 88-082. Memorex Corporation of Delaware was named the Discharger. The Order required the Discharger to complete final remedial actions for polluted soil by January 14, 1991. This Order is still in effect, but the due date for soil remediation was extended in 1991 (see Finding 8).
7. From March to August, 1990, twelve or thirteen underground tanks, including eight tanks in the old tank farm area, and associated piping were excavated and removed from the site. Subsequent soil sampling indicated that soil in the old tank farm area did not meet the soil cleanup goal of 1 mg/kg total VOCs.

Prior to removal of these eight tanks, four new tanks were installed at another on-site location; construction of the new tank farm was completed in March 1990. An above-ground pipe in this new tank farm area released cyclohexanone on January 8, 1990. Analyses of soil samples found a limited lateral extent of pollution to a depth of 15 feet below the surface.

8. Order No. 91-017 was adopted on February 20, 1991, as amending Order 89-181, and is still active. This Order extended the date of completion of final remedial actions for polluted soil from January 14, 1991 to January 15, 1992. Remedial actions have not achieved the soil cleanup goal (see Finding 10).

Sampling of groundwater collected from a monitoring well installed downgradient from the new tank farm area found cyclohexanone, and groundwater extraction and treatment commenced in March 1992. Concentrations of VOCs have since declined to acceptable levels, and groundwater extraction has ceased.

9. In 1992 Memorex Corp. of Delaware was merged into and with Memorex Telex Corporation, also a Delaware Corporation, with Memorex Telex Corporation being the surviving corporation and becoming owner of the subject site. Memorex Technologies, Inc., a company affiliated with Memorex Corporation of Delaware, operated the tape plant at 1200 Memorex Drive until late 1993. All manufacturing ceased permanently on or about November 16, 1993. Interim remedial actions were continued by Memorex Telex during site occupancy by Memorex Technologies. The groundwater extraction system which was installed in 1983, was shut down August 5, 1994, with Board concurrence, as a temporary measure, and remains shut down.
10. Final remedial actions for soil have not yet been completed. The Board has agreed to a 1990 proposal by Memorex Corporation of Delaware to attempt to achieve soil remediation in the old tank farm area by in-place natural biodegradation for inaccessible soil and in-place enhanced bioremediation for accessible soil. Additional soil sampling conducted as part of "closure" activities in late 1994 related to a pending sale of the property, detected VOCs in soil beneath the floor in the audio mix room. The Dischargers intend to remediate this soil pollution by means of soil vapor extraction.

11. On or about March 27, 1995, Memorex Telex sold the facility at 1200 Memorex Drive to Barry Swenson Builder, doing business as Green Valley Corporation of San Jose, California. Ownership has been transferred to Memorex Drive Limited Liability Corporation (Memorex Drive LLC) as a holding company for the site.
12. Dischargers Named. Memorex Telex Corporation is considered to be the Discharger primarily responsible for site remediation. Memorex Telex owned the site and facility from 1992 to 1995; Memorex Corp. of Delaware which merged into and with Memorex Telex Corporation, previously owned and operated the site and facility when pollution occurred.
13. Barry Swenson Builder dba Green Valley Corporation, and Memorex Drive Limited Liability Corporation, the holding company established by Green Valley Corp., are considered secondarily responsible, and will be responsible for site remediation if Memorex Telex does not accomplish remediation as required, and for the satisfactory completion of Provisions C.1.g and C.1.h.
14. Five-Year Status Report. Memorex Telex submitted a Five-Year Status Report dated December 30, 1994. This report describes the status of actions to achieve final cleanup objectives, such as:
 - a. With the exception of soils in the old tank farm area and beneath the former mix room floor, soil cleanup objectives have been met. The Board does not object to this observation.
 - b. The Dischargers propose to accomplish soil remediation in the old tank farm area by on-going natural biodegradation coupled with enhanced bioremediation. The Board has accepted this proposal; if this methodology does not achieve the soil cleanup goal of 1 ppm total VOCs, the Dischargers will be required to re-evaluate soil remediation in this area.
 - c. Soil vapor extraction (SVE) is proposed by the Dischargers to remediate soil beneath the former mix room floor. The Board accepts this proposal; the Dischargers are required to document the effectiveness of SVE, and the results will be evaluated by the Board periodically, to ascertain that the soil cleanup goal is being achieved.
 - d. Groundwater monitoring results since the halt of groundwater extraction have demonstrated insignificant impact to groundwater from remaining VOC soil pollution. However, the achievement of stable groundwater cleanup goals throughout the site has not yet been demonstrated. This demonstration will require a showing that groundwater cleanup has been achieved throughout the entire site, by four consecutive quarterly sampling/analysis events and involving all significant wells or areas (including the old tank farm area and the area beneath the mix room). All wells and/or areas will be evaluated at the same time. Significant wells and/or areas will be chosen by consultation between the Dischargers and the Board, when the Dischargers are prepared to implement an acceptable program to demonstrate stability.

- e. The Dischargers have proposed revised final cleanup objectives (goals) for site groundwater. These goals, proposed for all significant identified volatile organic compounds (VOCs), are below or equal to California Maximum Contaminant Levels (MCLs) where these have been established, or are otherwise based on an application of procedures outlined in U.S. EPA guidance documents, such as those used to calculate an acceptable Hazard Index. The Dischargers' proposed final cleanup goals for groundwater are considered Interim Final Cleanup Goals by the Board. These are attached as Table 1.
- 15. CEQA. This action is an Order to enforce the laws and regulations administered by the Board. This action is categorically exempt from the provisions of the CEQA pursuant to Section 15321 of the Resources Agency Guidelines.
- 16. Cost Recovery. Pursuant to Section 13304 of the California Water Code the Dischargers are hereby notified that the Board is entitled to and may seek reimbursement for all reasonable costs actually incurred by the Board to investigate unauthorized discharges of waste and oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by Board Order.
- 17. Public Meeting. The Board, in public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED, that this Board's Orders Nos. 91-017 and 89-181 are amended as follows:

- 1. Titles of the Orders are amended to read:

MEMOREX TELEX CORPORATION, BARRY SWENSON
BUILDER dba GREEN VALLEY CORPORATION, and
MEMOREX DRIVE LIMITED LIABILITY CORPORATION
- 2. The following provision is added, as Provision C.1.f:
 - f. **TASK: RATIONALE FOR TERMINATING EXTRACTION.** Submit a technical report acceptable to the Executive Officer which provides a rationale for permanently terminating groundwater extraction. This report shall contain a rationale for terminating groundwater extraction, a description of the monitoring program implemented to document that the pollutant plume is not migrating or threatening to migrate off-site, and criteria for determining if and when groundwater extraction should be resumed.

COMPLETION DATE: No later than June 1, 1996
- 3. The following is added to Provision C.3:
 - i. a summary of soil remediation accomplishments since the previous quarterly report.

4. The following Provision is added as Provision C.14:

14. The Dischargers shall be liable, pursuant to Section 13304 of the California Water Code, to the Board for all reasonable costs actually incurred by the Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by Board Order. If the site addressed by this Order is enrolled in a State Board-managed reimbursement program, reimbursement shall be made pursuant to this Order and according to procedures established in that program. Any disputes raised by the Dischargers over the reimbursement amounts or methods used in that program shall be consistent with the dispute resolution procedures of that program.

I, Loretta K. Barsamian, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on March 20, 1996.


LORETTA K. BARSAMIAN
EXECUTIVE OFFICER

Attachment: Table 1

(Attachment to Order No. 96-038)

TABLE 1

Interim Final Groundwater Cleanup Goals
1200 Memorex Drive, Santa Clara

<u>Chemical</u> <u>Volatile Organic Compound (VOC)</u>	<u>Cleanup Goal</u> <u>Parts per Billion (ppb)</u>
Benzene	1
Acetone	200
Cyclohexanone	100
1,1-Dichloroethane	5
Ethylbenzene	90
Methyl ethyl ketone	800
Toluene	50
Xylenes (total)	150