

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

FINAL ORDER NO. R2-2007-0002
NPDES Permit No. CA0027961

**RESCISSION OF WASTE DISCHARGE REQUIREMENTS FOR:
INTERNATIONAL BUSINESS MACHINES CORPORATION (IBM)
SAN JOSE, SANTA CLARA COUNTY**

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

1. IBM owned and operated a manufacturing complex located at 5600 Cottle Road, San Jose, Santa Clara County. The facility manufactured computer heads, disk drive equipment, and disk media, and conducted product development.
2. On November 18, 1999, the Water Board adopted National Pollutant Discharge Elimination System (NPDES) Permit No. CA0027961 for IBM through Order No. 99-094. The permit covered the discharge of on-site storm water and waste water from monitoring extraction and treatment systems. These discharges flowed to the San Jose storm drain system to Canoas Creek, which is tributary to the Guadalupe River and thence South San Francisco Bay.
3. On December 31, 2002, Hitachi Global Storage Technologies, Inc. acquired the site. Hitachi Global Storage Technologies, Inc. now monitors and reports on discharges to storm water associated with industrial activity. However, IBM continues to own and operate the on-site and off-site groundwater monitoring extraction and treatment systems.
4. On April 20, 2004, in compliance with the requirements of the NPDES permit, IBM submitted a permit reissuance application, which included a final report covering effluent and receiving water monitoring data collected through 2003. By its timely submittal of a complete application, IBM continued in effect the NPDES permit beyond the permit's expiration date.
5. IBM's permit reissuance application describes the anticipated characteristics of its discharges which include volatile organic compounds.
6. On July 21, 2004, the Water Board adopted an NPDES General Permit No. CAG912003 (Order No. R2-2004-0055) to regulate the discharge and reuse of extracted and treated groundwater resulting from the cleanup of groundwater

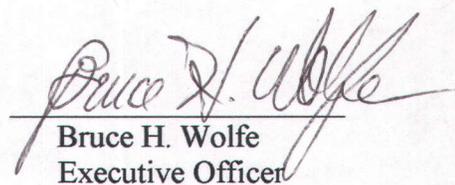
polluted by volatile organic compounds. All dischargers eligible for this permit may file a Notice of Intent to obtain coverage.

7. IBM qualifies for coverage under the General Permit because the discharge results from the cleanup of volatile organic compound-polluted groundwater, IBM can meet the provisions of Resolution No. 88-160 (re-use policy), and the treatment system is capable of ensuring that the discharge will meet the provisions, prohibitions, and limitations of the General Permit.
8. Because the existing individual permit is no longer needed, Order No. 99-094 should be rescinded.

IT IS HEREBY ORDERED, pursuant to provisions of Division 7 of the California Water Code, regulations, and plans and policies adopted thereunder, that:

1. Order No. 99-094 is rescinded effective May 31, 2007.
2. IBM shall file a Notice of Intent for coverage under General Permit No. CAG912003 at least 30 days prior to the rescission effective date.

I, Bruce H. Wolfe, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Region on January 23, 2007.


Bruce H. Wolfe
Executive Officer