

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. R2-2012-0057

RESCISSION OF SITE CLEANUP REQUIREMENTS (ORDER NO. 01-053) for:

WXI/696 REALTY LLC, and
QUEBECOR WORLD, INC.

for the property located at:

696 EAST TRIMBLE ROAD
SAN JOSE
SANTA CLARA COUNTY

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

1. **Regional Water Board Orders:** The Regional Water Board adopted site cleanup requirements under California Water Code Section 13304 for the property at 696 East Trimble Road, San Jose (Site) on May 22, 2001 (Order No. 01-053). Order No. 01-053 replaced Order No. 89-182, the initial site cleanup requirements for the Site, which was adopted on December 13, 1989.

WXI/696 Realty LLC is named as a discharger because it was the owner of the Site at the time Order No. 01-053 was adopted. Quebecor World, Inc., is named as a discharger because it was the owner of the Site and operated a printing facility on the Site at the time the discharges of pollutants to soil and groundwater occurred. Quebecor World, Inc., was named as the sole responsible party in Order No. 89-182. WXI/696 Realty LLC acquired the Site in 1999 and was named discharger along with Quebecor World, Inc., in Order No. 01-053. F.E. Trimble, LLC, is the current owner of the Site.

2. **Summary of Investigation and Remediation Activities:** Soil and groundwater contamination at the Site originates in two areas: the southern area due to a petroleum-based solvent release and the western area due to spills from a metals plating operation.

Southern Area: Groundwater contamination was discovered beneath the Site in 1988. This contamination consisted of a petroleum-solvent mixture used at the Site, made up predominantly of toluene, n-heptane, and methylcyclohexane. A remedial investigation was undertaken to determine the extent of contamination. Monitoring wells were installed and a remediation system consisting of soil vapor extraction combined with groundwater extraction was implemented. This system operated from 1993-1999 and removed some solvent mass but did not work as well as anticipated due to the tight soils beneath the Site. The remediation system was eventually removed and a new strategy consisting of the excavation of impacted vadose zone soil, the addition of an oxygen-

release compound to the saturated zone-vadose zone interface in the excavation, and monitored natural attenuation was approved. The new remedy was implemented in 2001.

Western Area: During 1990-1994, Quebecor closed and removed a combination of aboveground storage tanks, aboveground plating tanks, and underground storage tanks, a sump, and piping from a former plating room and former pretreatment system. The pretreatment system was used to treat wastewater from a chrome and copper electroplating operation prior to discharge to the sanitary sewer. The system contained a total of three aboveground storage tanks, seven underground storage tanks, one sump, and associated piping. Soil sampling was performed in the affected areas and soil impacted with chromium, copper, and nickel was excavated to background concentrations for these metals where possible. Due to the proximity to the building foundation some contaminated soil was left in place. Additional excavation of impacted soil in the metals source area was conducted in 2004; however, there was still some contaminated soil left in place that could not be excavated. The results of groundwater monitoring indicate that there was a localized impact to groundwater from the plating operation. Groundwater containing elevated chromium and copper levels does not appear to have migrated more than approximately 100 feet from the source area.

3. **Basis for Rescission:** The remedial measures implemented at the site: soil vapor extraction, groundwater extraction, and excavation of contaminated vadose zone soil have reduced contaminant levels in soil to where it no longer acts as a source of contaminants to groundwater. Risk-management measures are sufficient to protect human health and the environment in the future. Groundwater monitoring has shown a steady decline in contaminant levels. The remaining monitoring wells had no detections of solvents prior to their decommissioning. There is likely some residual solvent present in the solvent source area; however, natural processes over time are expected to restore water quality.

The dischargers have implemented the following risk-management measures: recordation of a covenant and an environmental deed restriction for the Site that prohibits the extraction of groundwater and certain sensitive land uses such as residential. The deed restriction incorporates a soil management plan to ensure that proper safeguards and soil handling practices will be used if excavation work is performed in areas where impacted soil may remain. The covenant and environmental deed restriction were recorded on June 27, 2012. This restriction will run with the land in perpetuity and is binding on all owners and occupants of the Site, in order to protect human health and the environment from the pollutants that remain on the Site. The Regional Water Board may, in the future, consider a variance or termination of the requirements of the restriction should conditions at the Site change.

4. **Monitoring Well Closure:** Monitoring wells at the Site have been properly destroyed to eliminate vertical conduits for potential future groundwater contamination. One groundwater monitoring well and two soil vapor monitoring wells were unable to be

located. These wells have been listed with the Santa Clara Valley Water District and will be properly destroyed if they are located in the future.

5. **CEQA:** This action rescinds an Order to enforce the laws and regulations administered by the Regional Water Board. All actions mandated by the Order have been completed and no further action will occur. As such, the Regional Water Board finds that the rescission of the Order is not a project as defined in the California Environmental Quality Act (CEQA).
6. **Notification:** The Regional Water Board has notified the dischargers and all interested agencies and persons of its intent under California Water Code Section 13304 to rescind site cleanup requirements for the discharge and has provided them with an opportunity to submit their written comments.

IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that Order No. 01-053 is rescinded.

Bruce H. Wolfe
Executive Officer

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FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS ORDER MAY SUBJECT YOU TO ENFORCEMENT ACTION, INCLUDING BUT NOT LIMITED TO: IMPOSITION OF ADMINISTRATIVE CIVIL LIABILITY UNDER WATER CODE SECTIONS 13268 OR 13350, OR REFERRAL TO THE ATTORNEY GENERAL FOR INJUNCTIVE RELIEF OR CIVIL OR CRIMINAL LIABILITY

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