

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 88-88

SANTA TERESA GROUND WATER BASIN

WHEREAS:

1. Fairchild Semiconductor Corporation (Fairchild) and International Business Machines (IBM) have engaged in cleanup activities to address ground water pollution problems at their Santa Clara County facilities since the 1980's.
2. As part of the cleanup programs both Fairchild and IBM have pumped large quantities of ground water from a valuable water supply aquifer, the Santa Teresa ground water basin (Basin).
3. This ground water, pumped to protect current and potential beneficial uses and maintain the high quality of ground water in the aquifer, has been discharged without use to the San Francisco Bay (Bay).
4. The pumping has significantly contributed to substantial declines in Basin ground water levels. As a result of these declines some water suppliers in the Basin area have used other water supplies to respond to these declines. These supplies include imported water.
5. The State Board, in Order No. 86-8, directed IBM to evaluate cleanup alternatives which would lessen long-term impacts on the Basin.
6. The State Board has deferred to the efforts of the dischargers, the San Francisco Bay Regional Water Quality Board (Regional Board), and local water districts to address this important water issue.
7. The State Board held a hearing on February 5, 1988 to receive testimony on the issue of whether such pumping constitutes a waste or unreasonable use of water. The State Board intends to continue to use its broad authority under the Water Code to assure that both misuse of water supplies does not occur and that reasonable protection of beneficial uses of water continues.
8. Site cleanup requirements for IBM and Fairchild were amended by the Regional Board on March 16, 1988, to authorize a temporary reduction of ground water pumping to prevent impacts on ground water cleanups in the Basin due to dewatering impacts of the pumping.
9. IBM and Fairchild continue to pump reduced, but substantial, amounts of ground water that appear suitable from a public health standpoint for beneficial use.
10. The IBM and Fairchild cleanup programs are among the first major ground water cleanup programs in the State.

11. At this time the State Board feels that the pumping issue must be fully addressed.

THEREFORE BE IT RESOLVED:

1. By October 31, 1988 IBM, and by January 31, 1989, Fairchild must submit to the Regional Board (for approval) and State Board (for information) proposed final cleanup plans which fully address the ground water pumping issue. By February 28, 1989, IBM and Fairchild must submit their approved ground water use plans to the State Board.
2. Except as provided in 3, the final plans must result in either the beneficial use of a significant amount of pumped ground water prior to discharge into the Bay, or treatment and recharge to the Basin of pumped water.
3. If pumping without use or reinjection is proposed to continue beyond January 31, 1989, IBM and Fairchild shall fully justify reasons why the pumped water cannot be used beneficially or returned to the Basin. Such justification must clearly demonstrate why continued pumping is necessary from the standpoints of public health, protection of potential and present beneficial uses, maintaining high quality water, and providing the maximum benefit to the people of the State. The dischargers shall document efforts made to secure users for the water and reasons why potential users would not accept the water.
4. The Regional Board shall provide a status report to the State Board on the ground water pumping issue by September 1, 1988.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does certify that the foregoing is a full, true, and correct copy of a policy duly and regularly adopted at a meeting of the State Water Resources Control Board held on
JUL 21 1988


Maureen Marche
Administrative Assistant to the Board