ITEM: 6

SUBJECT: Sobrato Development Companies, 1271 Reamwood Avenue, Sunnyvale, Santa Clara County - Hearing to Consider Mandatory Minimum Penalty for Discharge of Partially Treated Wastewater to Waters of the State

CHRONOLOGY: October 1999 – Former Western Microwave authorized to discharge under VOC General NPDES Permit

DISCUSSION: Sobrato Development Companies (Sobrato) operated a groundwater extraction and treatment system at the former Western Microwave solvent cleanup site in Sunnyvale. On September 29, 2003, Sobrato reported two effluent limit violations, one for trichloroethylene (TCE) at a concentration of 10.0 micrograms per liter (µg/l) and one for vinyl chloride (VC) at 2.5 µg/l. The violations exceed the TCE effluent limit of 5.0 µg/l by 100% and the VC effluent limit of 0.5 µg/l by 400%, and require a mandatory minimum penalty (MMP) of $6,000.

We issued an MMP Complaint to Sobrato in January 2004 (Appendix A). Sobrato waived its right to a hearing and submitted a $6,000 supplemental environmental project (SEP) proposal. The SEP proposal (Appendix B) would support the Discovery Voyage Program at Marine Science Institute. The Program takes students on a four-hour boat exploration of the San Francisco Bay Estuary and also supports shoreside and outreach programs. The $6,000 funding will help support 735 K-12 students participate in these programs. $4,800 will be used to cover the cost of 280 students for 8 voyages, $300 will be used for 105 students in 3 shoreside programs and $900 will be used for 350 students in 10 outreach programs. All these programs are ongoing with a total of 360 voyages, 125 shoreside and 320 outreach programs planned for the 2003-2004 school year. We conclude that the proposed SEP is acceptable.

RECOMMENDATION: No action required

File No. 43S0174 (DW)
Appendices:
   A - MMP Complaint and signed waiver
   B - SEP proposal
Appendix A - MMP Complaint and signed waiver
Appendix B - SEP proposal