

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 01-053

FINAL SITE CLEANUP REQUIREMENTS 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 Board), finds that:

1. **Site Location:** WXI/696 Realty LLC (WXI), owns an approximately 17 acre site in the City of San Jose, Santa Clara County. The site is located at 696 East Trimble Road, near the intersection of Trimble Road and the Montague Expressway. A substantial portion of the site is covered by structures.
2. **Site History:** The site was agricultural land before construction began on a printing plant in 1968. The site was originally named San Jose Graphics. In 1985 the site was acquired by the Baltimore based company, Arcata Graphics, and the site name changed to Arcata Graphics San Jose. The site was acquired by Quebecor Corporation (Quebecor) in February 1990, and the site name changed to Quebecor Printing San Jose. Quebecor is now known as Quebecor World, Inc. and has merged with Arcata Graphics. The printing plant produced inserts for newspapers throughout the Western United States. The printing process was a roto-gravure operation wherein engraved copper cylinders are rotated in a solution of ink and then brought in contact with paper. As part of the printing plant operation Quebecor and its predecessors at the site operated storage, distribution, and recovery systems for petroleum-based solvents used as part of the printing process. WXI purchased the site in 1999 and leased the site to Quebecor until July 2000. Quebecor ceased operations at the site in December 1999 and performed closure activities through June 2000. WXI plans to demolish the existing structures on the site and build a business park.
3. **Named Dischargers:** WXI/696 Realty LLC is hereby named as a discharger because they are the owner of the site. Quebecor World, Inc. is named as a discharger because

they are the successor company to Arcata Graphics which owned the site and operated the facilities onsite when a main release of pollutants to soil and groundwater occurred. Quebecor World, Inc. will be responsible for compliance only if the Board or Executive Officer finds that WXI/696 Realty LLC has failed to comply with the requirements of this order.

If additional information is submitted indicating that other parties caused or permitted any waste to be discharged on the site where it entered or could have entered waters of the state, the Board will consider adding that party's name to this order.

4. **Regulatory Status:** The Board has adopted the following orders for this site:
 - o Site Cleanup Requirements (Order No. 89-182) adopted December 13, 1989.
5. **Site Hydrogeology:** The site is located in the Santa Clara Valley, a structural basin filled with marine and alluvial sediments. The coarser deposits are probably the result of deposition in or near stream channels that drain the highlands that surround the basin. Finer grain deposits result from a variety of conditions with the eventual result of a heterogeneous sequence of interbedded sands, silts, and clays. Municipal water supply wells tap an extensive deep regional confined aquifer that lies generally greater than 200 to 300 feet below ground surface (BGS). A thick, relatively impermeable aquitard separates this deep confined aquifer from a complex series of discontinuous aquifers and aquitards that may extend up to within a few feet of the ground surface. Three distinct water bearing units have been identified beneath the site during the remedial investigation. They are: 1) localized perched groundwater present about four to eight feet BGS in the southern area of the site; 2) A semi-confined water bearing zone found from about 16 to 38 feet BGS which is known as the A-zone aquifer; and 3) a deeper, confined aquifer first encountered at about 50 feet BGS. The A-zone is semi-confined by an overlying silty clay unit. The potentiometric surface in wells screened from approximately 15 to 25 feet BGS in the A-zone is roughly 12 feet BGS. The potentiometric surface of the deeper unit is approximately equivalent to the potentiometric surface of the overlying semi-confined A-zone unit. The direction of groundwater flow in the A-zone is to the northwest, towards San Francisco Bay.
6. **Remedial Investigation:** Five groundwater monitoring wells were installed at the facility in 1983-84 to comply with Santa Clara County underground storage tank regulations. In the course of routine water level measurements in September 1988 it was discovered that one of the monitoring wells (MW-2) contained free product. This product consisted of a petroleum solvent mixture, made up predominantly of toluene, n-heptane, and methylcyclohexane. The pollution is believed to be the result of an overflow from an underground sump connected to the solvent recovery system. Due to the spill, pollutants were introduced into the soil from where they were able to migrate down to groundwater. In addition, as a result of damage to the well seal of MW-2 during unrelated site

construction activity, pollutants may also have been introduced directly into the saturated zone. Well MW-2 was destroyed as a precaution to prevent it from acting as a conduit for additional pollutants to enter groundwater.

After discovering the pollutant release, Arcata Graphics began an investigation to determine the extent of soil and groundwater pollution. Quebecor continued the investigation after purchasing the property. A total of 20 monitoring wells were installed at the site. These wells have been removed as part of planned site redevelopment. The remedial investigation has determined that solvents from the spill have spread radially from the underground sump source area. In addition, there appear to have been releases to soil from spills in the vicinity of the underground sump. It is believed that solvent has migrated down through an initial silty soil layer and then encountered a silty-clay layer of lower porosity where it has perched and spread radially for about 150 feet. It is believed that contaminants have dissolved into groundwater found in rootholes and vertical fractures in the silty-clay layer and migrated down to the first aquifer.

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 above ground storage tanks, seven underground storage tanks, one sump, and associated piping. Soil sampling was performed in the effected 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. 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.

Current maximum concentrations of chemicals of concern in samples from groundwater monitoring wells (over the last three years) and in soil are:

<u>Contaminant</u>	<u>Soil Concentration (mg/kg)</u>	<u>Groundwater Concentration (ug/l)</u>
Benzene	0.7	120
Ethylbenzene	280	350
Hexane	0.13	2000
Methyl – Cyclohexane	190	1,200
n-heptane	57	52
Toluene	180	5,000
Xylenes	740	740

Chromium(3+)	427	60
Copper	663	40
Nickel	2,320	82

Grab groundwater samples taken from the top of the water bearing zone contain much higher concentrations of petroleum hydrocarbon solvents. This is believed due to the presence of product trapped in soil that is in the area affected by rising and falling groundwater levels.

7. **Adjacent Sites:** There are no known contaminant problems at adjacent sites that could affect the cleanup at Quebecor.

8. **Interim Remedial Measures:** The free product present in well MW-2 was removed by pumping. The solvent recovery system underground sump was removed and replaced with a bermed, above ground unit. Contaminated soil was excavated and removed to the maximum extent possible. Due to the location of the spill inside the main building onsite, some contaminated soil had to be left in place as it could not be excavated without endangering building foundations. Soil contaminated with chromium and copper from the former electroplating operation was excavated. Some chromium and copper impacted soil was left in place as excavation was not practicable due to proximity to the building foundation. The planned demolition of the structures onsite will make excavation of the remaining soil impacted with metals above the cleanup standards possible.

9. **Feasibility Study:** Quebecor's March 1991 final feasibility study considered a number of alternatives for cleaning up polluted soil and groundwater. The criteria used to evaluate the alternatives included overall protection of human health and the environment; State and Federal cleanup goals and standards; long term effectiveness and permanence; reduction of the toxicity, mobility and volume of the contaminants; short term effectiveness; implementability; cost; and regulatory agency acceptance. The selected alternative consisted of soil vapor extraction combined with groundwater extraction. This cleanup plan was implemented from 1993 – 1999. Although some solvent mass was removed, the cleanup plan did not meet expectations. Removal efficiency was low and there were a number of operational difficulties. In 2000, WXI performed an additional feasibility study and an additional soil and groundwater investigation. Based on the results of this additional investigation and previous data including information about the soil and groundwater conditions gained through operation of the cleanup system, WXI found that soil conditions at the site were such that the previously selected cleanup plan was unlikely to work. Other active remedial technologies were also found to be unlikely to provide effective remediation at the site due to the tight, high clay content soils on-site. WXI requested that the Board allow cessation of active remediation and approve implementation of a monitored natural attenuation program at the site. After review of the data, Board staff concurred that active groundwater remediation was not practical at this site, and that soil vapor extraction would not be effective either. WXI has proposed

monitored natural attenuation for groundwater and excavation of contaminated soil exceeding risk-based cleanup standards.

10. **Cleanup Plan:** WXI's cleanup plan consists of the following: excavation of vadose zone soil that exceeds the risk based cleanup level goals; and monitored natural attenuation for impacted groundwater.

The cleanup plan proposes monitored natural attenuation, whereby groundwater on the site property can exceed MCLs, without active remediation underway. Experience gained from operating a groundwater extraction system and a soil vapor extraction system at the site, as well as data from soil and groundwater investigations show that active remediation is not effective at restoring the groundwater quality at this site. Due to soil conditions at the site groundwater extraction and soil vapor extraction are not an effective and economical means of reducing pollutant levels and restoring the polluted aquifer to cleanup levels. WXI has proposed that the final remedial action plan for the site consist of:

- a. Excavation of vadose zone soil that exceeds risk-based cleanup level goals.
- b. Maintenance of a deed restriction prohibiting the use of shallow groundwater at the site and containing institutional restrictions designed to prevent exposure to contaminants that remain in soil and groundwater.
- c. Monitoring of five wells for pollutants. Three of these monitoring wells will bound the downgradient area of the groundwater pollutant plume and provide a check that the plume is not migrating. Two of the wells will be located in the source area of the plume and will be used to track the extent of biodegradation of the plume and the vertical profile of the plume.

The solvents released to soil and groundwater at the site are petroleum hydrocarbons and methylcyclohexane, a petroleum hydrocarbon based solvent. Studies of the fate and transport of petroleum hydrocarbons in groundwater, such as the Lawrence Livermore National Laboratory study, have shown that petroleum hydrocarbons typically do not travel far in groundwater and are readily broken down in soil and groundwater to non-toxic end-products through natural biodegradation. Monitoring data from this site shows that the petroleum hydrocarbon plume has migrated only 150 feet from the source area even though the initial release of contaminants was relatively large. In addition, concentrations of the petroleum hydrocarbon solvents have decreased over time even though the groundwater extraction and soil vapor extraction systems have not been effective in removing contaminant mass.

Methylcyclohexane is a petroleum hydrocarbon based solvent. It is insoluble in water. There is little information on its behavior in soil. At this site it has not migrated beyond

about 100 feet from the source area. This is due to its insolubility in water and the tight, fine grained soil at the site.

Given what is known about petroleum hydrocarbon fate and transport in the subsurface at other sites in this region and elsewhere in the country, and based on all the available information for this site, monitored natural attenuation is appropriate as a cleanup remedy for this site.

The other contaminant release at this site, chromium, copper, and nickel from the former plating operation, resulted in fairly localized contamination. Most of the impacted soil has been removed and five years of groundwater monitoring of two wells near the source area show that the metals have not migrated very far from the source area.

Concentrations of copper, nickel and chromium in these wells are relatively low. Nickel and copper are now below the cleanup level and chromium exceeds the cleanup level only slightly. Excavation of the remaining soil containing copper, chromium, and nickel above risk-based cleanup levels will be performed when the overlying building is demolished for site redevelopment. Additional monitoring of groundwater for metals will not be required because groundwater monitoring has shown that the metals plume is stable and metals levels are now and have typically been below cleanup levels except for chromium which slightly exceeded the cleanup level once in the last four years.

Additional soil and groundwater investigation performed as part of the preparation for site redevelopment has found that soil associated with an underground pipeline contains elevated levels of arsenic, selenium, and thallium. This soil was apparently used as the backfill for the pipeline. Soil containing levels of these metals above risk-based cleanup levels will be excavated and disposed of during pending site redevelopment.

11. **Risk Assessment:** As part of the Site Remediation Redevelopment Plan, WXI has developed risk-based cleanup level goals. Risk-based cleanup goals were calculated for protection of human health for potential exposure routes from contamination present in soil and groundwater. The risk-based cleanup goals were developed for the planned future land use at the site, a business park. The risk-based cleanup goals were developed for four exposure pathways and receptors.

1. Human Health Protection - Vapors from soil and groundwater to indoor air.
2. Human Health Protection - Direct contact with soil, construction workers and utility workers.
3. Protection of Groundwater - Leaching of contaminants from soil.
4. Protection of Groundwater – Groundwater cleanup levels.

The cleanup levels for groundwater are the drinking water maximum contaminant levels. The cleanup levels for soils are the most stringent of the risk-based levels for the different exposure pathways and groundwater protection.

The Board considers the following risks to be acceptable at remediation sites: a hazard index of 1.0 or less for non-carcinogens, and an excess cancer risk of 10^{-6} or less for carcinogens. The cleanup levels meet or exceed this standard. The excess cancer risk of the cleanup standards for carcinogens is 10^{-6} and the hazard index for non-carcinogens is 0.2.

Due to the presence of contaminants on-site, institutional constraints are appropriate to limit on-site exposure to acceptable levels. Institutional constraints include a deed restriction that notifies future owners of sub-surface contamination and prohibits the use of shallow groundwater beneath the site as a source of drinking water until cleanup standards are met. The deed restriction also prohibits residential use of the site unless it can be shown that the risk level is acceptable for residential use.

12. **Basis for Cleanup Standards**

- a. **General:** State Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California," applies to this discharge and requires attainment of background levels of water quality, or the highest level of water quality which is reasonable if background levels of water quality cannot be restored. Cleanup levels less than background must be consistent with the maximum benefit to the people of the State, not unreasonably affect present and anticipated beneficial uses of such water, and not result in exceedance of applicable water quality objectives.

State Board Resolution No. 92-49, "Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304," applies to this discharge. This order and its requirements are consistent with the provisions of Resolution No. 92-49, as amended.

- b. **Beneficial Uses and Associated Water Quality Objectives:** The Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on December 17, 1986, and the State Board approved it on May 21, 1987. The Board has amended the Basin Plan several times since then. The Basin Plan defines beneficial uses and water quality objectives for waters of the State, including surface waters and groundwaters.

Board Resolution No. 89-39, "Sources of Drinking Water," defines potential sources of drinking water to include all groundwater in the region, with limited exceptions for areas of high TDS, low yield, or naturally-high contaminant levels. Groundwater underlying and adjacent to the site qualifies as a potential source of drinking water.

The Basin Plan designates the following potential beneficial uses of groundwater underlying and adjacent to the site:

- o Municipal and domestic water supply
- o Industrial process water supply
- o Industrial service water supply
- o Agricultural water supply
- o Freshwater replenishment to surface waters

- c. **Basis for Groundwater Cleanup Standards:** The groundwater cleanup standards for the site are based on applicable water quality objectives and are the more stringent of EPA and California primary maximum contaminant levels (MCLs). Cleanup to this level will result in acceptable residual risk to humans.
- d. **Basis for Soil Cleanup Standards:** The soil cleanup standards for the site are 1000 mg/kg total Petroleum Hydrocarbons as diesel and the following chemical specific standards. Cleanup to these levels is intended to prevent leaching of contaminants to groundwater and will result in acceptable residual risk to humans for commercial/industrial land use.

<u>Constituent</u>	<u>Cleanup Standard (mg/kg)</u>	<u>Basis</u>
Benzene	0.045	Groundwater Protection
Ethylbenzene	13	Groundwater Protection
Methylcyclohexane	88	Groundwater Protection
n-Heptane	88	Groundwater Protection
Toluene	2.6	Groundwater Protection
Xylenes	35	Groundwater Protection
Arsenic	13	Human Health-Direct contact
Chromium (3+)	6,310	Groundwater Protection
Copper	8,220	Groundwater Protection
Nickel	1000	Human Health-Direct contact
Thallium	8	Groundwater Protection

13. **Future Changes to Cleanup Standards:** The goal of this remedial action is to restore the beneficial uses of groundwater underlying and adjacent to the site. Results from other sites suggest that full restoration of beneficial uses to groundwater as a result of active remediation at this site may not be possible. If full restoration of beneficial uses is not technologically nor economically achievable within a reasonable period of time, then the discharger may request modification to the cleanup standards or establishment of a containment zone, a limited groundwater pollution zone where water quality objectives are exceeded. Conversely, if new technical information indicates that cleanup standards can be surpassed, the Board may decide if further cleanup actions should be taken.

14. **Reuse or Disposal of Extracted Groundwater:** Board Resolution No. 88-160 allows discharges of extracted, treated groundwater from site cleanups to surface waters only if it has been demonstrated that neither reclamation nor discharge to the sanitary sewer is technically and economically feasible.
15. **Basis for 13304 Order:** The discharger has caused or permitted waste to be discharged or deposited where it is or probably will be discharged into waters of the State and creates or threatens to create a condition of pollution or nuisance.
16. **Cost Recovery:** Pursuant to California Water Code Section 13304, the discharger is 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 to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this order.
17. **CEQA:** This action is an order to enforce the laws and regulations administered by the Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15321 of the Resources Agency Guidelines.
18. **Notification:** The Board has notified the discharger and all interested agencies and persons of its intent under California Water Code Section 13304 to prescribe site cleanup requirements for the discharge, and has provided them with an opportunity to submit their written comments.
19. **Public Hearing:** The Board, at a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that the dischargers (or their agents, successors, or assigns) shall cleanup and abate the effects described in the above findings as follows:

A. PROHIBITIONS

1. The discharge of wastes or hazardous substances in a manner which will degrade water quality or adversely affect beneficial uses of waters of the State is prohibited.
2. Further significant migration of wastes or hazardous substances through subsurface transport to waters of the State is prohibited.

3. Activities associated with the subsurface investigation and cleanup which will cause significant adverse migration of wastes or hazardous substances are prohibited.

B. CLEANUP PLAN AND CLEANUP STANDARDS

1. **Implement Cleanup Plan:** The discharger shall implement the cleanup plan described in finding 10.
2. **Groundwater Cleanup Standards:** The following groundwater cleanup standards shall be met in all wells identified in the Self-Monitoring Program:

Constituent	Cleanup Standard (ug/l)	Basis
Toluene	150	CA MCL
Ethylbenzene	700	CA MCL
Benzene	1	CA MCL
Xylene	1750	CA MCL

3. **Soil Cleanup Standards:** The following soil cleanup standards shall be met in all on-site vadose-zone soils.

Constituent	Cleanup Standard (mg/kg)
Total Petroleum Hydrocarbons- as Diesel	1000
Benzene	0.045
Ethylbenzene	13
Methyl Cyclohexane	88
n-Heptane	88
Toulene	2.6
Xylenes	35

Constituent	Cleanup Standard (mg/kg)
Arsenic	13
Chromium(3+)	6,310
Copper	8,221
Nickel	1000
Thallium	8

C. TASKS

1. PROPOSED INSTITUTIONAL CONSTRAINTS

COMPLIANCE DATE: June 30, 2001

Submit a technical report acceptable to the Executive Officer documenting procedures to be used by the discharger to prevent or minimize human exposure to soil and groundwater contamination prior to meeting cleanup standards. Such procedures shall include a deed restriction prohibiting the use of shallow groundwater as a source of drinking water and prohibiting the use of the land for residential development.

2. IMPLEMENTATION OF INSTITUTIONAL CONSTRAINTS

COMPLIANCE DATE: 60 days after Executive Officer approval

Submit a technical report acceptable to the Executive Officer documenting that the proposed institutional constraints have been implemented.

3. ADDITIONAL SOIL CLEANUP

COMPLIANCE DATE: September 30, 2001

Submit a technical report acceptable to the Executive Officer documenting the removal and disposal/treatment of soils to comply with Soil cleanup standards in B. 3. above. Soil may exceed these cleanup levels in areas where soil removal is not practical subject to the approval of the Executive Officer. The discharger shall submit a request for such exemption to the Executive Officer indicating the reasons for exceeding soil cleanup standards in specific locations.

4. **FIVE-YEAR STATUS REPORT**

COMPLIANCE DATE: December 30, 2006

Submit a technical report acceptable to the Executive Officer evaluating the effectiveness of the approved cleanup plan. The report should include:

- a. Summary of effectiveness in controlling contaminant migration and protecting human health and the environment
- b. Comparison of contaminant concentration trends with cleanup standards
- c. Comparison of anticipated versus actual costs of cleanup activities
- d. Performance data (e.g. groundwater volume extracted, chemical mass removed, mass removed per million gallons extracted)
- e. Cost effectiveness data (e.g. cost per pound of contaminant removed)
- f. Summary of additional investigations (including results) and significant modifications to remediation systems
- g. Additional remedial actions proposed to meet cleanup standards (if applicable) including time schedule

If cleanup standards have not been met and are not projected to be met within a reasonable time, the report should assess the technical practicability of meeting cleanup standards and may propose an alternative cleanup strategy.

5. **PROPOSED CURTAILMENT**

COMPLIANCE DATE: 60 days prior to proposed curtailment

Submit a technical report acceptable to the Executive Officer containing a proposal to curtail remediation. Curtailment includes system closure (e.g. well abandonment), system suspension (e.g. cease extraction but wells retained), and significant system modification (e.g. major reduction in extraction rates, closure of individual extraction wells within extraction network). The report should include the rationale for curtailment. Proposals for final closure should demonstrate that cleanup standards have been met, contaminant concentrations are stable, and contaminant migration potential is minimal.

6. **IMPLEMENTATION OF CURTAILMENT**

COMPLIANCE DATE: 60 days after Executive Officer approval

Submit a technical report acceptable to the Executive Officer documenting completion of the tasks identified in Task 8.

7. **EVALUATION OF NEW HEALTH CRITERIA**

COMPLIANCE DATE: 90 days after requested
by Executive Officer

Submit a technical report acceptable to the Executive Officer evaluating the effect on the approved cleanup plan of revising one or more cleanup standards in response to revision of drinking water standards, maximum contaminant levels, or other health-based criteria.

8. **EVALUATION OF NEW TECHNICAL INFORMATION**

COMPLIANCE DATE: 90 days after requested
by Executive Officer

Submit a technical report acceptable to the Executive Officer evaluating new technical information which bears on the approved cleanup plan and cleanup standards for this site. In the case of a new cleanup technology, the report should evaluate the technology using the same criteria used in the feasibility study. Such technical reports shall not be requested unless the Executive Officer determines that the new information is reasonably likely to warrant a revision in the approved cleanup plan or cleanup standards.

9. **Delayed Compliance:** If the discharger is delayed, interrupted, or prevented from meeting one or more of the completion dates specified for the above tasks, the discharger shall promptly notify the Executive Officer and the Board may consider revision to this Order.

D. PROVISIONS

1. **No Nuisance:** The storage, handling, treatment, or disposal of polluted soil or groundwater shall not create a nuisance as defined in California Water Code Section 13050(m).
2. **Good O&M:** The discharger shall maintain in good working order and operate as efficiently as possible any facility or control system installed to achieve compliance with the requirements of this Order.
3. **Cost Recovery:** The discharger shall be liable, pursuant to California Water

Code Section 13304, 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 this 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 the procedures established in that program. Any disputes raised by the discharger over reimbursement amounts or methods used in that program shall be consistent with the dispute resolution procedures for that program.

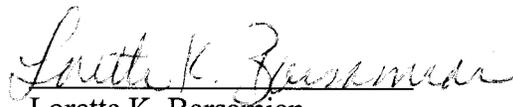
4. **Access to Site and Records:** In accordance with California Water Code Section 13267(c), the discharger shall permit the Board or its authorized representative:
 - a. Entry upon premises in which any pollution source exists, or may potentially exist, or in which any required records are kept, which are relevant to this Order.
 - b. Access to copy any records required to be kept under the requirements of this Order.
 - c. Inspection of any monitoring or remediation facilities installed in response to this Order.
 - d. Sampling of any groundwater or soil which is accessible, or may become accessible, as part of any investigation or remedial action program undertaken by the discharger.
5. **Self-Monitoring Program:** The discharger shall comply with the Self-Monitoring Program as attached to this Order and as may be amended by the Executive Officer.
6. **Contractor/Consultant Qualifications:** All technical documents (plans, specifications, and reports) shall be signed by and stamped with the seal of a California registered geologist, a California certified engineering geologist, or a California registered civil engineer.
7. **Lab Qualifications:** All samples shall be analyzed by State-certified laboratories or laboratories accepted by the Board using approved EPA methods for the type of analysis to be performed. All laboratories shall maintain quality assurance/quality control (QA/QC) records for Board review. This provision does not apply to analyses that can only reasonably be performed on-site (e.g. temperature).

8. **Document Distribution:** Copies of all correspondence, technical reports, and other documents pertaining to compliance with this Order shall be provided to the following agencies:
 - a. Santa Clara Valley Water District - attention Tom Mohr
9. **Reporting of Changed Owner or Operator:** The discharger shall file a technical report on any changes in site occupancy or ownership associated with the property described in this Order.
10. **Reporting of Hazardous Substance Release:** If any hazardous substance is discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, the discharger shall report such discharge to the Regional Board by calling (510) 286-1255 during regular office hours (Monday through Friday, 8:00 to 5:00).

A written report shall be filed with the Board within five working days. The report shall describe: the nature of the hazardous substance, estimated quantity involved, duration of incident, cause of release, estimated size of affected area, nature of effect, corrective actions taken or planned, schedule of corrective actions planned, and persons/agencies notified.

This reporting is in addition to reporting to the Office of Emergency Services required pursuant to the Health and Safety Code.
11. **Secondarily Responsible Discharger:** Within 60 days after being notified by the Executive Officer that the other named discharger has failed to comply with this order, Quebecor World, Inc. shall then be responsible for complying with this order. Task deadlines will be automatically adjusted to add 60 days.
12. **Rescission of Existing Order:** This Order rescinds Order No. 89-182.
13. **Periodic SCR Review:** The Board will review this Order periodically and may revise it when necessary.

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 May 22, 2001.


Loretta K. Barsamian
Executive Officer

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 13267 OR 13350, OR REFERRAL TO THE ATTORNEY GENERAL FOR INJUNCTIVE RELIEF OR CIVIL OR CRIMINAL LIABILITY

Attachments: Site Map
Self-Monitoring Program

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

SELF-MONITORING PROGRAM FOR:

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

for the property located at

696 EAST TRIMBLE ROAD
SAN JOSE
SANTA CLARA COUNTY

1. **Authority and Purpose:** The Board requests the technical reports required in this Self-Monitoring Program pursuant to Water Code Sections 13267 and 13304. This Self-Monitoring Program is intended to document compliance with Board Order No. 01-053 (site cleanup requirements).
2. **Monitoring:** The discharger shall measure groundwater elevations semiannually in all monitoring wells, and shall collect and analyze representative samples of groundwater from all wells semiannually according to the following table:

<u>Quarter</u>	<u>Wells Sampled</u>
First	All wells
Third	All wells

All wells shall be sampled for BTEX compounds, methylcyclohexane, heptane, hexane, and total petroleum hydrocarbons as gasoline and diesel.

The discharger shall sample any new monitoring or extraction wells semiannually and analyze groundwater samples for the same constituents as shown in the above table. The discharger may propose changes in the above table; any proposed changes are subject to Executive Officer approval.

3. **Semiannual Monitoring Reports:** The discharger shall submit semiannual monitoring reports to the Board no later than 30 days following the end of the quarter (e.g. first quarter report due April 30). The reports shall include:
 - a. **Transmittal Letter:** The transmittal letter shall discuss any violations during the

reporting period and actions taken or planned to correct the problem. The letter shall be signed by the discharger's principal executive officer or his/her duly authorized representative, and shall include a statement by the official, under penalty of perjury, that the report is true and correct to the best of the official's knowledge.

- b. **Groundwater Elevations:** Groundwater elevation data shall be presented in tabular form, and a groundwater elevation map should be prepared for each monitored water-bearing zone. Historical groundwater elevations shall be included in the fourth quarterly report each year.
 - c. **Groundwater Analyses:** Groundwater sampling data shall be presented in tabular form, and an isoconcentration map should be prepared for one or more key contaminants for each monitored water-bearing zone, as appropriate. The report shall indicate the analytical method used, detection limits obtained for each reported constituent, and a summary of QA/QC data. Historical groundwater sampling results shall be included in the fourth quarterly report each year. The report shall describe any significant increases in contaminant concentrations since the last report, and any measures proposed to address the increases. Supporting data, such as lab data sheets, need not be included (however, see record keeping - below).
 - d. **Groundwater Extraction:** If applicable, the report shall include groundwater extraction results in tabular form, for each extraction well and for the site as a whole, expressed in gallons per minute and total groundwater volume for the quarter. The report shall also include contaminant removal results, from groundwater extraction wells and from other remediation systems (e.g. soil vapor extraction), expressed in units of chemical mass per day and mass for the quarter. Historical mass removal results shall be included in the fourth quarterly report each year.
 - e. **Status Report:** The report shall describe relevant work completed during the reporting period (e.g. site investigation, remedial measures) and work planned for the following quarter.
5. **Violation Reports:** If the discharger violates requirements in the Site Cleanup Requirements, then the discharger shall notify the Board office by telephone as soon as practicable once the discharger has knowledge of the violation. Board staff may, depending on violation severity, require the discharger to submit a separate technical report on the violation within five working days of telephone notification.
 6. **Other Reports:** The discharger shall notify the Board in writing prior to any site activities, such as construction or underground tank removal, which have the potential to

cause further migration of contaminants or which would provide new opportunities for site investigation.

7. **Record Keeping:** The discharger or his/her agent shall retain data generated for the above reports, including lab results and QA/QC data, for a minimum of six years after origination and shall make them available to the Board upon request.
8. **SMP Revisions:** Revisions to the Self-Monitoring Program may be ordered by the Executive Officer, either on his/her own initiative or at the request of the discharger. Prior to making SMP revisions, the Executive Officer will consider the burden, including costs, of associated self-monitoring reports relative to the benefits to be obtained from these reports.

I, Loretta K. Barsamian, Executive officer, hereby certify that this Self-Monitoring Program was adopted by the Board on May 22, 2001.



Loretta K. Barsamian
Executive Officer

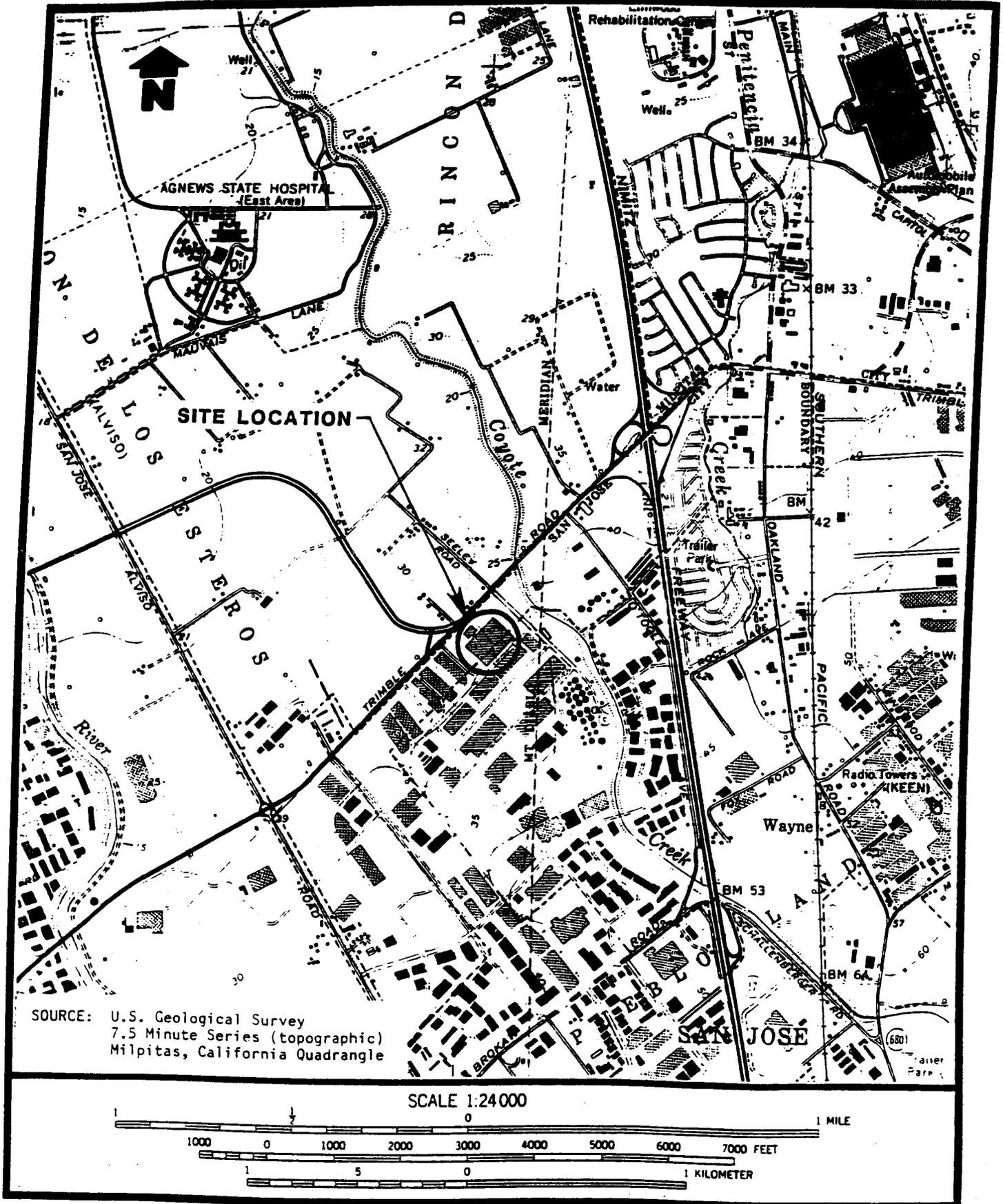


FIGURE 1-1
SITE LOCATION MAP



California Regional Water Quality Control Board

San Francisco Bay Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov>
1515 Clay Street, Suite 1400, Oakland, California 94612
Phone (510) 622-2300 • FAX (510) 622-2460

Gray Davis
Governor

Certified Mail No. 70993220000146713907

Date: **MAY 31 2001**
File: 2189.8326 (DIB)

Mr. Todd Hedrick
WXI/696 Realty LLC-
Legacy Partners Commercial, Inc.
4000 East Third Ave., Suite 600
Foster City, CA 94404

Subject: Transmittal of Regional Board Order No. 01-053, Final Site Cleanup Requirements for the Former Quebecor Site, 696 East Trimble Road, San Jose, Santa Clara County, CA

Dear Mr. Hedrick:

Enclosed is a copy of Order No. 01-053, adopted by the Regional Board at the May 22, 2001 meeting. The Order contains the Final Site Cleanup Requirements for the Former Quebecor Site, 696 East Trimble Road, San Jose, Santa Clara County, CA

If you have any questions please contact David Barr of my staff at (510) 622-2313 (email db@rb2.swrcb.ca.gov).

Sincerely,

Loretta K. Barsamian
Executive Officer

cc: Tom Mohr, SCVWD

Dianne Sarmiento
Brown & Caldwell
201 N. Civic Drive, Suite 115
Walnut Creek, CA 94563

Gary Hayes
Archon Group
600 E. Las Colinas Blvd., Suite 400
Irving, Texas 75039

California Environmental Protection Agency