

Prioritization of Drinking Water Regulations for Calendar Year 2018

State Water Resources Control Board (State Water Board)
Division of Drinking Water (DDW)



CWA Spring Conference

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Darrin Polhemus, Deputy Director

Establishing Priorities for Regulatory Work

Prioritizing to **protect public health:**

- Investigating key drinking water quality issues
- New or revised PHG or MCL review
- Promulgation of new federal rule or regulation, e.g., new federal MCL
- Meeting statutory mandates
- Other priorities and staffing resources

2018 MCL Review

- All 82 MCLs evaluated in 2017
- MCLs for 55 contaminants evaluated this year
 - 29 MCLs are established at levels less than or equal to corresponding PHG
 - 26 regulated contaminants were not detected in the last four years of statewide monitoring of public water system sources
- No MCL revisions recommended
- Perchlorate DLR
 - PHG lowered from 6 ppb to 1 ppb in 2015
 - DDW recommended lowering the detection limit for reporting purposes – *Approved by Board July 5, 2017*
 - Recommendation coming later in this year

Prioritization of Drinking Water Regulations in Calendar Year 2017

WORK PRIORITIES



- 1) ✓ MCL for 1,2,3-Trichloropropane (1,2,3-TCP MCL)
- 2) ✓ Surface Water Augmentation (SWA) Regulation
- 3) Revised Total Coliform Rule (RTCR)
- 4) Lead and Copper Rule (LCR)
- 5) Maximum Contaminant Level (MCL) Review for Perchlorate
- 6) Cross-connection regulations
- 7) Environmental Laboratory Accreditation Program (ELAP) Regulations
- 8) ✓ Permanent Point of Use (POU) / Point of Entry (POE) Regulations
- 9) Unregulated Contaminant Monitoring Rule (UCMR)
- 10) Primacy Package Applications
- 11) Work to Support Direct Potable Reuse (DPR)

Drinking Water Regulations Update

- MCL for 1,2,3-Trichloropropane (1,2,3-TCP)
 - *Adopted July 18, 2017; effective December 14, 2017*
- Surface Water Augmentation (SWA) Regulation
 - *Scheduled for State Water Board adoption hearing March 6, 2018*
- Permanent Point of Use (POU) / Point of Entry (POE) Regulations
 - *Adopted February 6, 2018; expected effective July 1, 2018*
- Court Invalidated Chromium VI MCL May 31, 2017
 - *MCL removed from Code of Regulations September 11, 2017*

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WORK PRIORITIES

- 1) Economic Feasibility Criteria for the Hexavalent Chromium and other potential future regulations
- 2) Hexavalent Chromium MCL
- 3) Lead and Copper Rule (LCR)
- 4)  Surface Water Augmentation (SWA) Regulation
- 5)  Direct Potable Re-use (DPR) – Research and Framework
- 6) Revised Total Coliform Rule (RTCR)
- 7) Cross-connection control regulations
- 8) Environmental Laboratory Accreditation Program (ELAP) Regulations
- 9) Primacy Package Applications
- 10) Direct Potable Re-use – Regulations
- 11) Detection Limit for Purposes of Reporting (DLR) Revision for Perchlorate

Economic Feasibility and Cr6

- Completely redoing the Cr6 rule package
- First looking at Economic Feasibility in a generic sense – then apply specifically to Cr6.
- Working towards public workshops on Economic Feasibility – Summer time
- Started work on Cr6 treatment costs models

Lead and Copper Rule Reconsidered

- Some communication from U.S. EPA that they are moving towards revisions
- Issues that keep coming up:
 - Why 15 ppm when 0 recommended
 - Statistics and where monitoring occurs
- Keep focusing on lead removal
 - Lead service line inventory
 - School testing

Revised Total Coliform Rule Status

- U.S. EPA Revised Total Coliform Rule effective April 1, 2016
- Proposed CA RTCR
 - Would adopt all but 9 federal provisions; CA more stringent
 - Increased levels of monitoring to determine contamination levels
- 6 public workshops held in February and March 2017
- Public notification beginning formal public comment period - expected in late 2018
- Public hearing
- Board adoption
- Regulations effective following OAL review/approval in early to mid-2019

Cross-Connection Control

- **Title 17, section 7583(e): “Cross-Connection”**
 - *“an unprotected actual or potential connection between a potable water system used to supply water for drinking purposes and any source or system containing unapproved water or a substance that is not or cannot be approved as safe, wholesome, and potable.”*
- **Two components**
 - Update of existing regulations
 - AB 1671 (2017)
 - Mandated adoption of standards by 2020
 - May do so through adoption of a policy handbook

Environmental Laboratory Accreditation Program (ELAP)

ELAP - accredits laboratories conducting environmental testing for regulatory compliance in California

- “Preliminary draft regulations” posted July 2017 for review and comment
- Six workshops held in July and August 2017
- Board adoption tentatively planned for 2019
- Full compliance date approximately 3 years from adoption

Primacy Packages

- To maintain primacy, states must demonstrate that state regulations are legally enforceable and at least as stringent as federal regulations
- States submit a primacy package to U.S. EPA, including a 'crosswalk', to show how adopted state regulations align with all provisions of the federal regulations
- DDW has a backlog of primacy packages, some dating back to pre-1997
- High priority for U.S. EPA – DDW staff is coordinating with U.S. EPA to reduce backlog
- DDW staff completed two crosswalks in 2016 (LT1 and LT2)

WHAT IS COMING UP?



PFAS Compounds

- UCMR3 – monitored for 6 PFAS compounds
 - 4 detected in CA, largest number were PFOA and PFOS
- U.S. EPA Health Advisory for PFOA and PFOS of 70 ppt combined
- DDW Preparing Initial Notification Level matching HA
- Reviewing HA materials with OEHHA to:
 - Confirm agreement with HA level
 - Evaluate other PFAS compounds for inclusion
- More to come on PFASs

Questions

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