STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2019-0009

ADOPTING THE PROPOSED PRIORITIZATION OF
DRINKING WATER REGULATIONS FOR CALENDAR YEAR 2019

WHEREAS:

1. All public water systems, as defined in Health and Safety Code (HSC) section 116275, are subject to regulations adopted by the United States Environmental Protection Agency (U.S. EPA) under the Safe Drinking Water Act of 1974, as amended (42 U.S.C. 300f *et seq*.), as well as by the State Water Resources Control Board (State Water Board) under the California Safe Drinking Water Act (HSC, div. 104, pt. 12, ch. 4, § 116270 *et seq*.);

2. California has been granted primary enforcement responsibility (primacy) by U.S. EPA for public water systems (PWS) in California. California has no authority to enforce federal regulations, and federal laws and regulations require that California, in order to receive and maintain primacy, promulgate regulations for California that are no less stringent than the federal regulations;

3. The State Water Board is tasked with adopting drinking water regulations and recycled water regulations associated with the protection of public health. These regulations include primary drinking water standards (*e.g*., maximum contaminant levels (MCLs) or treatment techniques), monitoring and reporting requirements, and any other standards related to providing safe drinking water (*e.g*., operator requirements, laboratory accreditation standards, secondary drinking water standards, design standards, pipe separation standards, *etc*.);

4. HSC section 116365(g) requires the State Water Board to review each MCL at least once every five years and HSC section 116365(h) requires the State Water Board to provide, by March 1 of each year, notice of each primary drinking water standard it proposes to review that year and to solicit and consider public comment and hold one or more public hearings regarding any proposal to either amend or maintain an existing standard;

5. A review of existing MCLs was conducted in 2018. No further review of existing MCLs is planned for this year;

6. The Division of Drinking Water (DDW) posts the annual MCL reviews on its website. The annual reviews for 2016, 2017, and 2018 are available at: https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/MCLReview.shtml;

7. The Division of Drinking Water has established a prioritized list for regulatory development projects for 2019; and

8. DDW staff use multiple factors in prioritizing drinking water regulations, including the protection of public health, establishment of a new or revised federal regulation or rule, existence of statutory mandates, as well as the existence of other priorities and staffing resources available for the development and implementation of regulations.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board approves DDW proposal not to re-examine any existing MCLs this year.

2. The State Water Board directs DDW to prioritize their work on drinking water regulations for calendar year 2019 as follows:

    1. Hexavalent Chromium MCL
        a. Economic Feasibility Workshops
        b. Maximum Contaminant Level
    2. Lead and Copper Rule (LCR)
        a. Short-Term Revisions
        b. Revised Lead Detection Limit for Purposes of Reporting (DLR)
        c. Assistance to Department of Social Services for Daycare Regulations
        d. Lead and Copper Rule Revision
    3. Revised Total Coliform Rule (RTCR)
    4. Direct Potable Re-use (DPR)
        a. Research and Framework
        b. Regulations
    5. Cross-Connection and Backflow Protection Control Regulations
        a. Review of Existing Regulations
        b. Policy Handbook
    6. Environmental Laboratory Accreditation Program (ELAP) Regulations
    7. Primacy Package Applications
        a. Consumer Confidence Reports
        b. Public Notification
    8. Revised Perchlorate DLR
    9. Microplastics
        a. Definition
        b. Testing and Reporting Regulations
    10. Water Quality Standards for On-site Treatment and Reuse
    11. Electronic Reporting of Drinking Water Quality Data
    12. Investigation of Per- and Polyflouroalkyl Substances (PFAS)

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on March 5, 2019.

AYE:	Chair E. Joaquin Esquivel Vice Chair Dorene D'Adamo Board Member Tam M. Doduc Board Member Sean Maguire Board Member Laurel Firestone
NAY:	None
ABSENT:	None
ABSTAIN:	None

Jeanine Townsend
Clerk to the Board