

UPDATED INFORMATIVE DIGEST (GOV. CODE, §11346.5(a)(3)):

All public water systems, as defined in HSC Section 116275, are subject to regulations adopted by the U.S. 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 Board under the California Safe Drinking Water Act (HSC, div. 104, pt. 12, ch. 4, § 116270 et seq.). 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, but only state regulations. Federal laws and regulations require that California, in order to receive and maintain primacy, promulgate regulations that are no less stringent than the federal regulations.

Pursuant to HSC Sections 116271, 116275, 116325, 116350, 116370, 116375, 116385, 116450, 116460, 116550, and 116555, the State Water Board has the responsibility and authority to adopt the subject regulations, including regulations for water quality monitoring frequencies.

California requires PWS to sample their drinking water sources and have the samples analyzed for organic chemicals to determine compliance with drinking water standards, including MCLs. Primary MCLs are based on health protection, technological feasibility, and costs. The PWS must notify the State Water Board and the public when drinking water supplied to the public is noncompliant with a primary MCL, and take appropriate action.

HSC Section 116365 imposes requirements on the State Water Board for adoption of primary drinking water standards for the protection of public health. One of those requirements is that the State Water Board set an adopted MCL as close to the contaminant’s public health goal (PHG) as is technologically and economically feasible at the time of adoption, while placing primary emphasis on protection of public health. PHGs are established by the California Environmental Protection Agency’s Office of Environmental Health Hazard Assessment (OEHHA). In August 2009, OEHHA established the PHG for 1,2,3- TCP at 0.0007 micrograms per liter (µg/L), equivalent to 0.000007 milligrams per liter (mg/L) or 0.7 parts per trillion (0.7 ppt). The State Water Board is proposing 0.000005 mg/L as the MCL for 1,2,3-TCP. In addition, the proposed regulations will set the detection limit for purposes of reporting (DLR) at 0.000005 mg/L, identify granular activated carbon (GAC) as the best available technology for treatment (BAT), and identify language to be used by PWS for public notices and consumer confidence reports.

Comparable Federal Statute and Regulations: There are no federal regulations or statutes that address the specific subject addressed by the proposed regulations.

Note: *There have been no changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Action. No changes have been made to the originally provided informative digest.*