

---

**State Water Resources Control Board**

**TO:** Office of Administrative Law  
300 Capitol Mall, Suite 1250  
Sacramento, CA 95814

**FROM:** Melissa Hall, P.E. *Melissa Hall*  
Regulatory Development Unit  
**DIVISION OF DRINKING WATER**

**DATE:** 14 August 2018

**SUBJECT:** REQUEST FOR EARLY EFFECTIVE DATE FOR THE POINT-OF-USE AND  
POINT-OF-ENTRY TREATMENT – PERMANENT REGULATIONS

The State Water Resources Control Board (State Water Board) is requesting an early effective date for the regulatory package governing the use of point-of-use (POU) and point-of-entry (POE) treatment in lieu of centralized treatment by public water systems serving fewer than 200 service connections. Specifically, as noted in Standard Form 400, the State Water Board requests that the Office of Administrative Law (OAL) make these regulations effective upon filing with the Secretary of State.

The State Water Board requests an early effective date for these regulations pursuant to Administrative Procedures Act, section 11343.4(b). That section allows OAL to prescribe an earlier effective date based on consideration of a written request demonstrating "good cause." The primary purpose of this request is to minimize permitting delays to allow small water systems to use POU and POE treatment to comply with drinking water standards.

Pursuant to Health and Safety Code section 116380, the emergency POU and POE treatment regulations adopted by the State Water Board in 2016 were to remain in effect until 1 January 2018, or the effective date of "standard" regulations, whichever occurred first. As the emergency regulations ceased to be in effect on 1 January 2018, delay in the effective date for the permanent POU and POE treatment regulations increases the time gap between the emergency and permanent regulations. This means that the State Water Board would continue to be unable to issue permits allowing water systems to use POU or POE treatment to comply with drinking water regulations and protect public health.

Therefore, the State Water Board believes it is in the public interest to ensure that permanent POU and POE treatment regulations are not further delayed, and that the proposed regulations take effect upon filing with the Secretary of State.