



Adoption of the Point-of-Use / Point-of-Entry Water Treatment Devices Proposed Permanent Regulations

**State Water Resources Control Board
Division of Drinking Water**

**Board Meeting
22 January 2019– Item 4**



Board Meeting

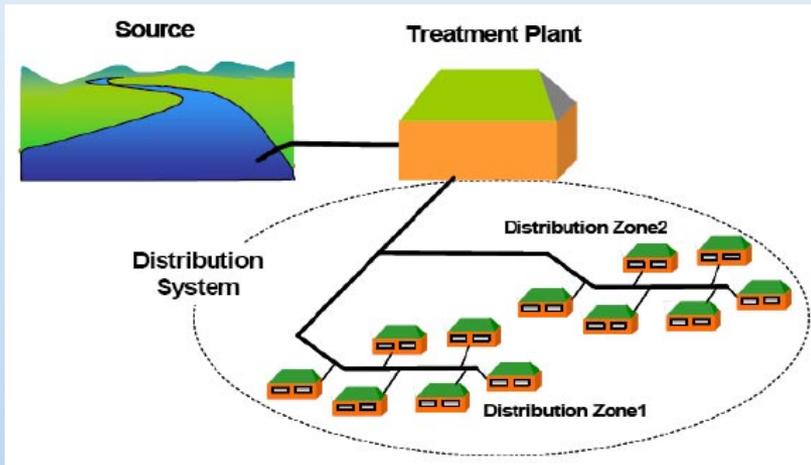
- Proposed resolution adopting the permanent regulations to govern the use of point-of-use (POU) and point-of-entry (POE) treatment devices for public water systems (PWSs) serving fewer than 200 service connections in lieu of centralized water treatment facilities



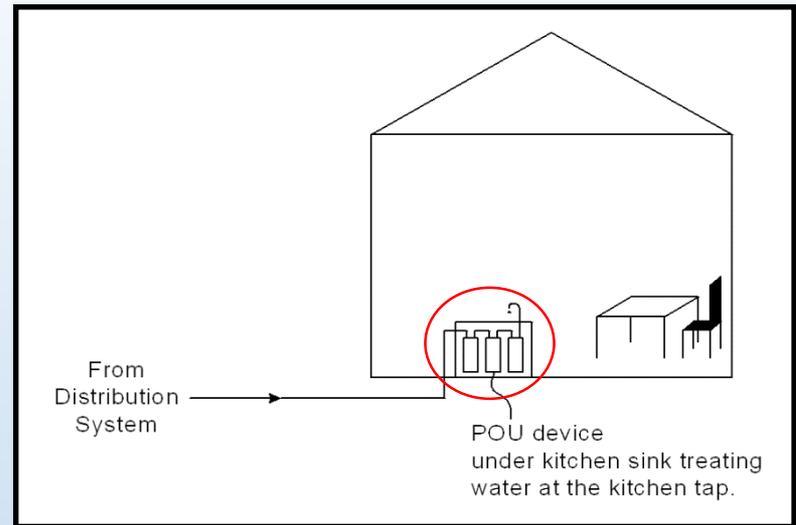
Permanent Regulations Schedule

- Public Workshops on Permanent Regulations – March 2017
- APA Public Hearing – November 27, 2017
- Public Comment Periods –
 - 45-day comment period: October 13, 2017 – November 30, 2017
 - 15-day comment periods: January 3, 2018 – February 2, 2018
- OAL Disapproval Comments Received – October 5, 2018
 - 15-day comment period: November 8, 2018 – November 27, 2018
 - Revised regulation text—clarity
 - Addendum to Initial Statement of Reasons—necessity
- Board Adoption – January 22, 2019
- *Revised Regulation Text Due to OAL – February 9, 2019*
- *Effective Date of the Regulations – April 1, 2019*

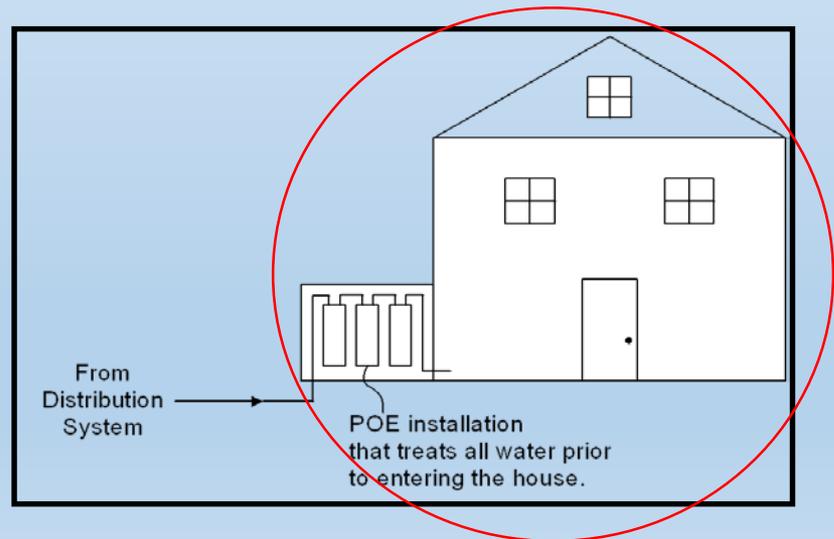
Background



Centralized Treatment



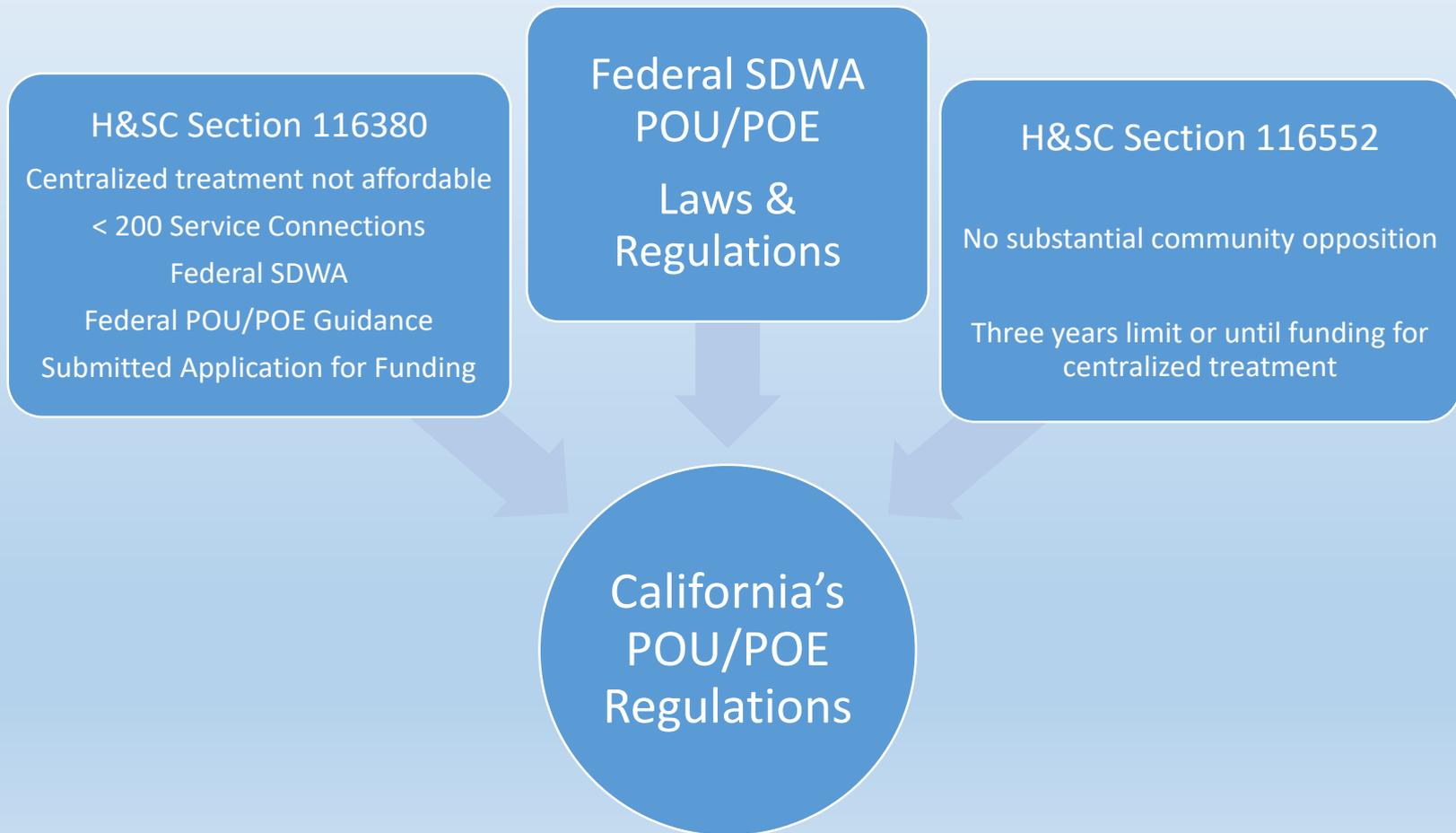
POU: Treats water at a **single tap**.



POE: Treats all water entering a **building**.



Makeup of POU/POE Regulations





Public Comments

- *APA Hearing—Oral Comments*
 - *1 commenter*
- *Written Comments*
 - *14 comment letters*



Responses to Comments

- Limitations on POU/POE use for compliance purposes
- Challenge of gaining 100% participation
- Schedule for centralized treatment—3 years
- Safe Drinking Water Act requirements
 - Mechanical warning
 - PWS must own, control, and maintain devices
 - Each residential or dwelling unit has a device installed—water system must ensure
 - PWS access to installed devices



Additional Information

- Point-of-Entry (POE) and Point-of-Use (POU) Treatment – proposed permanent regulations website
 - https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/regulations/

Questions?



POU/POE Treatment Under Emergency Regulations

- >100 Water Systems implementing or considering POU/POE program
- Targeted contaminants vary
 - Arsenic and nitrate most common
 - Selenium, iron, manganese, fluoride, uranium, hexavalent chromium
- Used most by smallest systems
 - 95% of POU/POE programs for systems with <100 service connections



Limits on Use of POU/POE Devices

Requirement

1. Public Water Systems (PWS) must have fewer than 200 service connections
[*Health and Safety Code (HSC) 116380*]
 - ~6,600 PWS with < 200 service connections, including
 - 1,800 Community Water Systems
 - 3,000 Transient-Noncommunity Water Systems
 - 1,500 Nontransient-Noncommunity Water Systems 1,464
2. PWS must demonstrate that centralized treatment is not economically feasible
[*HSC 116380*]
3. POU's cannot be used for microbial, VOCs, or radon standards
[*U.S. Safe Drinking Water Act (SDWA); U.S. EPA guidance*]
4. PWS must have submitted application for funding
[*HSC 116380*]
5. PWS must demonstrate no substantial community opposition; must hold public hearing
[*HSC 116552*]



Limits on Use of POU/POE Devices

Requirement
6. POU/POEs must, generally, be third-party certified to applicable American National Standards Institute standard, if one exists <i>[U.S. SDWA]</i>
7. PWS must have programs/plans in place to assure safe and effective use of devices <ul style="list-style-type: none">• Operations and maintenance requirements• Customer notification• Alternate water supply <i>[Health and Safety Code (HSC) 116380]</i>
8. Treatment devices must be owned, controlled, and maintained by PWS <i>[U.S. SDWA]</i>
9. Devices must be equipped with mechanical warnings <i>[U.S. SDWA]</i>



Limits on Use of POU/POE Devices

Requirement

10. For POEs, every building connected to PWS must have a POE installed; rights and responsibilities of the customer convey with title upon sale of property
[*40 CFR 141.100*]

11. For POU, the PWS must ensure that each residential or dwelling unit has a device installed in accordance with regulations
[*U.S. SDWA*]

12. Permits for use of devices are limited to 3 years in duration, or until funding for centralized treatment is available, whichever comes first
[*HSC 116552*]

13. At least 2 months of pilot testing

14. Additional monitoring



Public Comments

- *APA Hearing—Oral Comments*
 - *Friends of the North Fork of the American River*
- *Written Comments*
 - *Leadership Counsel for Justice and Accountability, Community Water Center, Self-Help Enterprises, Clean Water Action*
 - *Water Solutions Incorporated*
 - *City of Bakersfield*
 - *Helix Water District*
 - *San Francisco Public Utilities Commission*
 - *Napa County*
 - *California Farm Bureau Federation**
 - Glenn Church
 - Monterey County Water Systems
 - San Andreas Mutual Water Company
 - San Joaquin River Club Inc
 - Solano County Environmental Health
 - Strawberry Road water System
 - California Association of Mutual Water Companies*