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State Water Resources Control Board

## NOTICE OF PUBLIC HEARING

### CONSIDERATION OF ADOPTION OF AN AMENDMENT TO THE RECYCLED WATER POLICY CONCERNING MONITORING REQUIREMENTS FOR CONSTITUENTS OF EMERGING CONCERN

**NOTICE IS HEREBY GIVEN THAT** the State Water Resources Control Board (State Water Board) is holding a hearing to consider the adoption of a proposed amendment to the Recycled Water Policy. The proposed amendment would add monitoring requirements for constituents of emerging concern (CECs) in recycled water used for groundwater recharge. The location and time of the hearing are provided below:

**January 22, 2013 - 9:00 a.m.**  
**Joe Serna Jr.-Cal/EPA Headquarters Building**  
**Coastal Hearing Room**  
**1001 I Street, 2nd Floor**  
**Sacramento, CA 95814**

#### BACKGROUND

The State Water Board adopted the [Recycled Water Policy](#) on February 3, 2009, under [Resolution No. 2009-0011](#). The Recycled Water Policy has several provisions that mandate monitoring of CECs in municipal recycled water. CECs are generally unregulated in drinking water and include hormones, pharmaceuticals, personal care products, disinfection by-products, industrial chemicals, household chemicals, pesticides, and metals.

The Recycled Water Policy states that the knowledge regarding CECs is incomplete. Therefore, in accordance with the Recycled Water Policy, a “blue-ribbon” advisory panel (Panel) was established to provide guidance to the State Water Board on future actions related to monitoring CECs in recycled water. The Panel was charged with reviewing the scientific literature regarding CECs in recycled water, describing the current state of scientific knowledge regarding the risks that CECs pose to public health and the environment, and providing recommendations on monitoring CECs for specific recycled water uses.

In June 2010, the Panel submitted a report titled: “[Monitoring Strategies for Chemicals of Emerging Concern \(CECs\) in Recycled Water – Recommendations of a Science Advisory Panel](#)” (Panel Report), which presented recommendations for monitoring CECs in municipal recycled water for the uses of groundwater recharge and landscape irrigation. In December 2010, the State Water Board held a public hearing regarding the Panel Report and received public comments.

After the hearing on the Panel Report, staff prepared a proposed amendment to the Recycled Water Policy, based on the recommendations presented in the Panel Report. The proposed amendment includes CEC monitoring requirements for recycled water used for groundwater recharge. Following the recommendations of the Panel Report, staff did not propose monitoring of individual CECs in recycled water used for landscape irrigation.

In May 2012, staff circulated the proposed amendment to the Recycled Water Policy for public written comment. In June 2012, staff sent the proposed amendment to scientific peer reviewers. Staff considered written comments submitted by the public before the July 3, 2012, deadline and written comments submitted by scientific peer reviewers, and made revisions to the proposed amendment. The revised proposed amendment was posted on September 14, 2012. Written comments were due on this revision on October 9, 2012.

The State Water Board held a hearing to consider adoption of the proposed amendment to the Recycled Water Policy on October 16, 2012. Additional changes to the proposed amendment were provided at this hearing on two change sheets. Consideration of the proposed amendment was postponed to review the additional changes and complete the responses to public comments.

After the October 16, 2012, hearing, staff incorporated the changes from the changed sheets into a new proposed amendment and made some additional changes. The latest proposed amendment has been posted on the State Water Board internet site. On the latest proposed amendment, only the most recent changes, which were proposed after the October 16, 2012, hearing, are shown in strikeout/underline format.

Adoption of the proposed amendment is not a "project" as defined by Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act, since the proposed amendment only concerns monitoring. Hence, approval of an environmental document is not required to adopt the proposed amendment.

#### **AVAILABILITY OF DOCUMENTS**

The latest proposed amendment to the Recycled Water Policy, previous versions, and other documents are available on the State Water Board's Web site at:

[http://www.waterboards.ca.gov/water\\_issues/programs/water\\_recycling\\_policy/draft\\_amendment\\_to\\_policy.shtml](http://www.waterboards.ca.gov/water_issues/programs/water_recycling_policy/draft_amendment_to_policy.shtml)

#### **SUBMISSION OF WRITTEN COMMENTS**

The State Water Board will not be accepting additional written comments on the proposed amendment to the Recycled Water Policy.

#### **PROCEDURAL MATTERS**

The hearing will be informal. There will be no sworn testimony or cross-examination of participants, but the State Water Board and its staff may ask clarifying questions. At the hearing, participants will be given an opportunity to summarize and supplement with oral presentations the written materials they submitted during the written comment periods ending on July 3, 2012, and October 9, 2012. To ensure a productive and efficient process in which all participants have an opportunity to participate, oral presentation may be time-limited. For other presentation recommendations, go to:

[http://www.waterboards.ca.gov/board\\_info/meetings/board\\_presentations.shtml](http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml) at the State Water Board's website.

**PARKING AND ACCESSIBILITY**

Joe Serna Jr. California Environmental Protection Agency Building (Cal/EPA), Sacramento.

A parking garage is located across from the Cal/EPA building with entrance on 10<sup>th</sup> and 11<sup>th</sup> Streets between "I" and "J" Streets. Metered parking spaces are also available in the vicinity of the building. For a map, refer to the State Water Board website:

<http://www.calepa.ca.gov/EPABldg/location.htm>

Please note: All visitors to the Cal/EPA Building are required to sign in and receive a badge at the Visitor Services Center located inside the main entrance (10<sup>th</sup> Street entrance). Valid picture identification may be required due to the security level. Please allow up to 15 minutes for receiving clearance before proceeding to the Coastal Hearing Room on the 2nd Floor.


The Cal/EPA Building is accessible to persons with disabilities. Individuals who require special accommodations are requested to call (916) 341-5880 at least five (5) working days prior to the meeting date. Persons with hearing or speech impairments can contact us by using the California Relay Service Telecommunications Device for the Deaf (TDD). TDD is reachable only from phone equipped with a TDD Device.

HEARING IMPAIRED RELAY SERVICE: to voice (800) 735-2929 to TDD (800) 735-2922.

**CONTACT INFORMATION**

Please direct all questions to Ms. Melenee Emanuel by telephone at (916) 341-5271 or by e-mail at [memanuel@waterboards.ca.gov](mailto:memanuel@waterboards.ca.gov).

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January 8, 2013  
Date

  
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Jeanine Townsend  
Clerk to the Board