

INITIAL STATEMENT OF REASONS – ADDENDUM
Hexavalent Chromium MCL Regulation
Title 22, California Code of Regulations

November 2023

5. SPECIFIC DISCUSSION OF PROPOSED REGULATIONS

Article 4, Section 64432, Monitoring and Compliance – Inorganic Chemicals

Paragraph (q)(1) would be revised to delete the phrase “no later than the applicable compliance date in Table 64432-B” to remove the requirement that the Hexavalent Chromium MCL Compliance Plan state how the system will comply by the applicable compliance deadline. Without this change, it would not be possible for some systems to produce approvable plans.

Article 18, Section 64463.4, Tier 2 Public Notice

Nonsubstantive changes were made in paragraphs (a)(2) and (a)(3) to accommodate the addition of paragraph (a)(4). Paragraph (a)(4) would be added to require Tier 2 public notices for hexavalent chromium MCL exceedances occurring before the applicable compliance date in proposed Table 64432-B. Had a compliance schedule not been proposed for the chromium (hexavalent) MCL, MCL exceedances would be considered violations, and existing regulations would have already required Tier 2 notices. This change was made to ensure that equivalent customer notification is provided for MCL exceedances, regardless of compliance schedules. Notification during the compliance period is necessary to ensure consumers are provided timely information regarding the quality of drinking water provided to allow consumers to make informed health decisions. Public notices are an integral part of public health protection. Public notification during the compliance schedule period would also increase transparency, increase consumer confidence in the safety of the potable water supply, and contribute to building consumer trust. With this change, consumers would receive a Tier 2 public notice for any hexavalent chromium MCL exceedances, starting from the effective date of this regulation.