

## State Water Resources Control Board

# NOTICE OF PUBLIC AVAILABILITY OF CHANGES TO PROPOSED PERMANENT REGULATIONS REGARDING POINT-OF-USE AND POINT-OF-ENTRY TREATMENT

## TITLE 22. SOCIAL SECURITY DIVISION 4. ENVIRONMENTAL HEALTH CHAPTER 15. DOMESTIC WATER QUALITY AND MONITORING REGULATIONS

**NOTICE IS HEREBY GIVEN** that the State Water Resources Control Board (State Water Board) has changed the text of the proposed permanent regulations for Point-of-Use (POU) and Point-of-Entry (POE) Treatment. The State Water Board has also prepared an Addendum to the Initial Statement of Reasons (ISOR). The State Water Board is making the changes to the proposed regulatory text and the Addendum to the ISOR available for public comment. Additionally, the State Water Board is providing further opportunity for public comment on changes to the proposed regulatory text and additional documentation, which were previously noticed for public comment on January 3, 2018 and January 18, 2018.<sup>1</sup>

### CHANGES TO THE POU/POE REGULATORY TEXT

A copy of the proposed text is attached. The original text of the proposed regulations is indicated in single underline. Changes proposed in the January 3 and 18, 2018 public notices are indicated in double underline, and deleted proposed regulation text indicated in ~~double strikethrough~~. Subsequent proposed changes to the regulation text are indicated in boxed text.

**Comments related to changes proposed and noticed in the January 3, 2018 and January 18, 2018 public notices (as shown in double underline, ~~double strikethrough~~) and those changes proposed in this public notice (as shown in boxed text) will be accepted during this 15-day comment period.**

### ADDITIONAL SECTIONS 64418.8 AND 64420.8, COMPLIANCE

These sections of the proposed regulations describe how compliance with drinking water standards will be assessed for a public water system using POU (section 64418.8) or POE (section 64420.8) treatment devices in lieu of centralized treatment. These descriptions are necessary to ensure uniform compliance determination when considering effluent from numerous POU treatment devices rather than a single, centralized water treatment plant.

---

<sup>1</sup> Copies of the January 3, 2018 and January 18, 2018 public notices may be found at [https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/regulations/](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/regulations/) or by contacting the State Board contact persons listed below.

## **ADDENDUM TO THE INITIAL STATEMENT OF REASONS**

Modifications to the Initial Statement of Reasons (ISOR) were made in response to comments received from the Office of Administrative Law regarding explanations of necessity. These modifications are shown in the attached Addendum.

New and expanded descriptions of the proposed regulation sections pertaining to the POU Treatment Strategy (section 64418.3), the POE Treatment Strategy (64420.3) of the proposed regulations), Recordkeeping and Reporting (sections 64418.7 and 64420.7 for POU and POE, respectively), and Compliance (sections 64418.8 and 64420.8 for POU and POE, respectively) are provided in the Addendum to include (1) the specific purpose of each adoption; (2) the problem the agency intends to address; and (3) the rationale for the determination by the agency that each adoption is reasonably necessary to carry out the purpose and address the problem for which it is proposed.

## **ADDITIONAL DOCUMENTS RELIED UPON**

The additional documents relied upon are listed below and are available at the State Board's office at 1001 I Street, Sacramento, California during normal business hours (8:00 a.m. – 5:00 p.m. Monday-Friday) and at [https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/regulations/](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/regulations/)

- Center for Watershed Sciences, University of California, Davis, July 2012, "Drinking Water Treatment for Nitrate", Technical Report 6, for the California State Water Resources Control Board
- U.S. EPA, April 2007, EPA 815-B-07-001, "Cost Evaluation of Point-of-Use and Point-of-Entry Treatment Units for Small Systems: Cost Estimating Tool and User Guide"
- ALSA Tech, LLC, September 2011, EPA/600/R-11/090, "Costs of Arsenic Removal Technologies for Small Water Systems: U.S. EPA Arsenic Removal Technology Demonstration Program", for the National Risk Management Research Laboratory, Office of Research and Development, U.S. Environmental Protection Agency
- Water Quality & Treatment Solutions, Inc. (WQTS), 2013, "Cost of Cr(VI) Removal from Groundwater, for the Water Research Foundation"

## **WRITTEN COMMENT PERIOD AND SUBMITTAL OF COMMENTS**

Any person, or his or her representative, may submit written comments related to the changes made to the proposed regulatory text (as indicated in double underline, ~~double strikethrough~~, or boxed text), the addendum to the ISOR, and the additional documents relied upon to the State Water Board. Pursuant to Government Code section 11346.8(c), this 15-day written comment period closes at **12:00 p.m. on November 27, 2018**. The State Water Board will only consider comments received at the State Water Board offices by that time. Please submit written comments through one or more of the following means:

**Electronic mail (email):** [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

**FAX:** (916) 341-5620

**Postal Service:** Ms. Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-2000

**Hand Delivery:** Ms. Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814

**Persons delivering comments must check in with lobby security and have them contact Ms. Jeanine Townsend at (916) 341-5600.**

Also, please indicate in the subject line and/or on the cover page of submittals: **“Comments – Proposed Revised POU/POE Regulations”**.

All comments, including email or fax transmissions, should include the author’s name and U.S. Postal Service mailing address in order for the State Water Board to provide any notices that may be required in future.

Due to the limitations of the email system, emails larger than 15 megabytes (MB) may be rejected and will not be delivered and received by the State Water Board. Therefore, emails larger than 15 MB should be submitted under separate emails or via another form of delivery.

The State Water Board requests, but does not require, that written comments sent by mail or hand-delivered be submitted in triplicate.

The State Water Board requests, but does not require, that if reports or articles in excess of 25 pages are submitted in conjunction with the comments, that the commentator provide a summary of the report or article and describe the reason for which the report or article is being submitted or is relevant to the proposed regulation.

Please note that under the California Public Records Act (Gov. Code, § 6250 *et seq.*), your written and oral comments, attachments, and associated contact information (*e.g.*, your address, phone, email, *etc.*) become part of the public record and can be released to the public upon request.

The Administrative Procedures Act requires that staff respond to comments received regarding all noticed changes. In the Final Statement of Reasons, staff will respond to all comments received on the record during the comment periods.

### **SPECIAL ACCOMMODATION REQUEST**

Consistent with California Government Code Section 7296.2, special accommodation or language needs may be provided for any of the following:

- Documents made available in an alternate format or another language;
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerk to the Board at (916) 341-5524 as soon as possible. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

## SI NECESITA ARREGLOS ESPECIALES

Conforme a la Sección 7296.2, del Código del Gobierno de California, los siguientes servicios o arreglos especiales pueden ser solicitados:

- Documentos en otro idioma o en un formato alternativo;
- Arreglos razonables relacionados a una discapacidad.

Para pedir estos arreglos especiales o servicios en otro idioma, puede contactar a la Secretaria de la Junta (Board) al (916) 341-5254 lo más pronto posible. Los usuarios del Sistema TTY/TDD/Voz-a-Voz pueden marcar el 7-1-1 para utilizar el California Relay Service.

## STATE BOARD CONTACT PERSONS

Requests for copies of the proposed regulatory text, the Initial Statement of Reasons (ISOR) and its addendum, subsequent modifications of the proposed regulation text, or other inquiries concerning the proposed action may be directed to:

Melissa Hall, P.E.  
Senior Water Resource Control Engineer  
State Water Resources Control Board, Division of Drinking Water  
1001 I Street, 17<sup>th</sup> Floor  
Sacramento, California 95814  
Telephone: (916) 323-0373  
Electronic mail address: [melissa.hall@waterboards.ca.gov](mailto:melissa.hall@waterboards.ca.gov)

In the event Miss Hall is not available to respond to requests or inquiries, please contact:

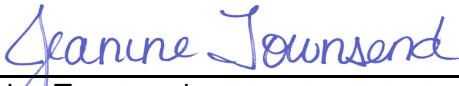
Mark Bartson, P.E.  
Supervising Sanitary Engineer  
State Water Resources Control Board, Division of Drinking Water  
1001 I Street, 17<sup>th</sup> Floor  
Sacramento, California 95814  
Telephone: (916) 449-5622  
Electronic mail address: [mark.bartson@waterboards.ca.gov](mailto:mark.bartson@waterboards.ca.gov)

## INTERNET ACCESS

Copies of this Notice, the Notice of Proposed Rulemaking, the Initial Statement of Reasons (ISOR) and its addendum, and the text of the proposed regulations may be found on the State Water Board's Web site at the following address:

[https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/regulations/](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/regulations/)

November 8, 2018  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Jeanine Townsend  
Clerk to the Board