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Ref: 'Amendment to the Recycled Water Policy'.

On behalf of the Western Plant Health Association (WPHA), I am writing to provide comments on the recently published report on the proposed "Amendment to the Recycled Water Policy" to incorporate monitoring requirements for constituents of emerging concern. WPHA appreciates the opportunity to provide comments on the subject mentioned in the final report. WPHA represents the interest of crop protection, and fertilizer manufacturers, distributors, agricultural biotechnology providers, and agricultural retailers in California, Arizona and Hawaii.

WPHA appreciates the State Water Resources Control Board's (SWRCB) attempt to provide more transparent, elaborate and theoretical scientific approaches to identify the source and quantify the contaminants in recycled water. The report references current constituents of emerging concerns (CECs) assessments reports from various sources including; the National Research Council (NRC), U.S. Environmental Protection Agency (USEPA), other peer reviewed literature, as well as some data related to drinking water. We appreciate the effort that the panel appointed by the SWRCB made in the many reports it utilized; however, in many areas of the report it is unclear what data the panel supports, or in some instances what the recommendations of the panel are concerning; how the SWRCB identify the CECs, development of CECs analytical methods, and trigger limits of these constituents in the recycled water.

WPHA would like to comment on a few specific sections within the report. In section 7.0 pages 51-85 the panel reviewed available literature on the monitoring of CECs in recycled water in relation to the collection of samples, preservation of samples, instrumental analysis and quality control of laboratory. Currently, the California Department of Public Health's (CDPH) Environmental Laboratory Accreditation Program (ELAP) provides evaluation and accreditation of environmental testing laboratories to ensure the quality of analytical data used for regulatory purposes to meet the requirements of the state's drinking water, wastewater, shell fish, food, and hazardous waste programs. CDPH already monitors the environmental use of the analytical data from these accredited laboratories. The ELAP-accredited laboratories have already established their capability to analyze the different environmental samples by using state-approved methods. WPHA would recommend that to the greatest extent possible the SWRCB utilize the same ELAP-accredited laboratories program for recycled water as federal water quality standards to assure consistency in the testing and analysis process.

We believe that Appendix J pages 22-23 cited a positive example for the calculation of health risk assessments. It does not appear that the panel included a recommendation on which methodology will be the best approach to accept by SWRCB for risk assessment of recycled water. WPHA suggests that the report provide greater clarity as to what the recommendation, if any, of the panel is on health risk assessment.

The Appendix D section interpreted a federal paradigm for regulating CECs in drinking water, and a candidate contaminant list (CCL) process for drinking water. It appears the panel is suggesting that this process can be used for California recycled water. This is directly derived from the U.S. EPA CCL process. While appropriateness of the federal paradigm may require additional analysis, WPHA supports whenever possible the use of already established federal standards to assure consistency in regulatory assessments, enforcement, and to minimize costs to public and private sectors.

As mentioned earlier, the panel appears to have conducted a thorough review of available state and federal studies in the development of this report. It appears that there are already multiple federal reports and programs addressing this issue. With the continued pressure on state government to reduce costs, and potential damage to the economy that more fees from another new state program could pose to the private sector, WPHA questions whether a new costly program to address recycled water is appropriate at this time. WPHA would recommend that rather than developing a new highly costly program, the SWRCB direct staff to address the issue through adoption or enhanced coordination with other state and federal agencies on already existing programs that address recycled water.

In summary, WPHA appreciates the effort the panel has made in trying to thoroughly review this issue. So we can more clearly understand the overall recommendations of the panel, we ask that the SWRCB ask for greater clarity from the panel as to their recommendations. We would also recommend that the SWRCB direct staff to focus on adopting already established federal standards to assure consistency on any regulations, and to minimize costs to the state. WPHA thanks the SWRCB for its consideration of our comments, and we look forward to continuing to work with the SWRCB staff on this and other issues. If you have any questions, please feel free to contact me at (916) 574-9744.

Yours Sincerely,



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Director of Environmental & Regulatory Affairs