WELCOME
Santa Cruz Small Water Systems Forum
2nd Quarter 2017 Meeting
June 29th, 2017

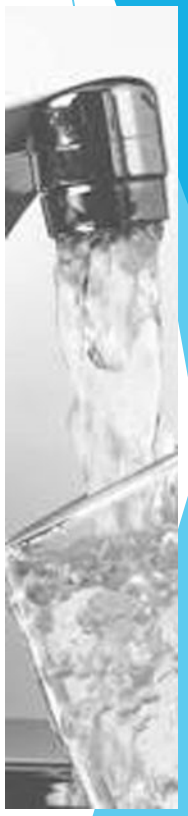
- Coliform sampling
- Chromium-6 Lawsuit
- Lead and Copper
- EPA Priorities/Budget
- 1,2,3-Trichloropropane (new sampling required)
- Human Right to Water Website

Coliform Sampling: California Revised Total Coliform Rule (Draft)

*Disclaimer: These requirements do *not* apply to State Small Water Systems*

Coliform Sampling Update

- Revised Total Coliform Rule- State
  - Under review, set to be adopted by 2018
  - “Majority” of the rule matches the Federal rule
  - Some State requirements will be more strict
  - **Requirements still in Draft form, those listed here are updated as of 3/30/17 and subject to change**



Coliform Sampling Update

- Refresher- Revised Total Coliform Rule (Federal)
  - Two or more positive samples no longer an MCL violation (total coliforms only)
    - Triggers “Level 1 Assessment”- exhaustive checklist, identify most likely cause(s), solutions needed
  - More than one “trigger” within a 12 month period requires a “Level 2 Assessment”
    - Covers same items as the Level 1 Assessment, but must be performed by the County (us!)

Coliform Sampling Update

- Revised Total Coliform Rule (rTCR)- State
  - **Changes from Federal rTCR?**

- Repeat samples analyzed for coliform density (No presence/absence methods)
- Minimum of quarterly coliform monitoring for GW sources that are continuously disinfected
- Revisions to Significant Rise in Bacterial Count
- Disinfectant residual to be measured at same point as repeat samples

Coliform Sampling Updates

- Revised Total Coliform Rule- State
  - **What will <u>not</u> change:**
    - Routine sampling
      - Number of samples required
      - Sampling frequency
    - Repeat sampling
      - Number of samples required

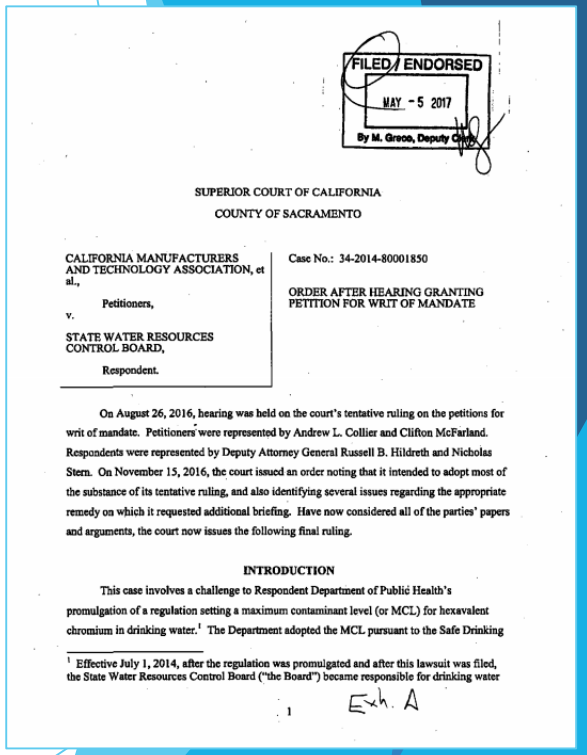
Chromium-6 Lawsuit

Chromium-6 Lawsuit

- Background
  - Chromium-6: A cancer-forming type of Chromium known as the “Erin Brockovich” contaminant
  - **July 1st, 2014**: California officially sets a Chromium-6 Maximum Contaminant Level (MCL) for drinking water after a lengthy process
  - 6 small systems affected in the County, mostly Watsonville area
    - City of Watsonville Water and Soquel Creek Water District also affected
    - Naturally occurring rather than the result of industrial pollution (Erin Brockovich lawsuit against PG&E in San Bernardino County)

Chromium-6 Lawsuit

- Pushback
  - **January 2016**: Industry and taxpayer representatives sue, claiming the State failed to consider the cost of the requirement, especially for small systems
  - **May 5th, 2017**: Court rules in favor of the suing parties, orders the MCL removed and re-established (essentially: “try again”)



FILED / ENDORSED
MAY - 5 2017
By M. Greco, Deputy Clerk

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO

CALIFORNIA MANUFACTURERS AND TECHNOLOGY ASSOCIATION, et al.,
Petitioners,
v.
STATE WATER RESOURCES CONTROL BOARD,
Respondent.

Case No.: 34-2014-80001850

ORDER AFTER HEARING GRANTING PETITION FOR WRIT OF MANDATE

On August 26, 2016, hearing was held on the court's tentative ruling on the petitions for writ of mandate. Petitioners were represented by Andrew L. Collier and Clifton McFarland. Respondents were represented by Deputy Attorney General Russell B. Hildreth and Nicholas Stern. On November 15, 2016, the court issued an order noting that it intended to adopt most of the substance of its tentative ruling, and also identifying several issues regarding the appropriate remedy on which it requested additional briefing. Have now considered all of the parties' papers and arguments, the court now issues the following final ruling.

INTRODUCTION

This case involves a challenge to Respondent Department of Public Health's promulgation of a regulation setting a maximum contaminant level (or MCL) for hexavalent chromium in drinking water.[1] The Department adopted the MCL pursuant to the Safe Drinking

[1] Effective July 1, 2014, after the regulation was promulgated and after this lawsuit was filed, the State Water Resources Control Board ("the Board") became responsible for drinking water

1

Exh. A

Chromium-6 Lawsuit

- What now??
  - Limbo!
  - July 31st, 2017: Deadline for the State to file an appeal
  - August 15th, 2017: Deadline for the State to submit written proof that the MCL has been removed
  - Updates from the State:
    - http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Chromium6.shtml

Lead and Copper

Lead and Copper

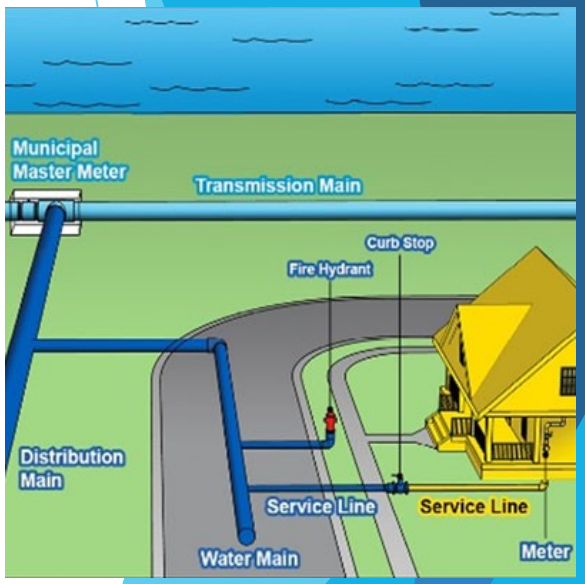
- Lead and Copper Sampling
  - National priority since crisis in Flint, MI
  - Children are especially vulnerable to lead poisoning: learning disability, hyperactivity, impaired growth, anemia
    - Lead Sampling in Schools Program (State)
    - Several other states (about 50%) are pushing to make schools test for and address lead in the water
  - The EPA and the State are planning to update lead and copper sampling requirements within the next year

Lead and Copper

- Lead and Copper Sampling cont'd
  - Legislation moving forward for California to require all schools to test for lead and provide information to parents regarding the results, in addition to removing or installing treatment for faucets that test above allowable levels (Assembly Bills 746 and 885)
  - Water systems required to minimize corrosivity in delivered water

Lead Service Line Inventory

- State Requirement
  - **September 27th, 2016**: Added by Senate Bill (SB) 1398
  - *Most likely to apply to Community systems only* (pending legislation- SB 427)
  - **July 1st, 2018**: Submit inventory of known lead service lines, possible lead lines, and lines of unknown material
  - **July 1st, 2020:** Propose schedule to replace all known lead lines and lines of unknown material
  - Stay tuned for more information!



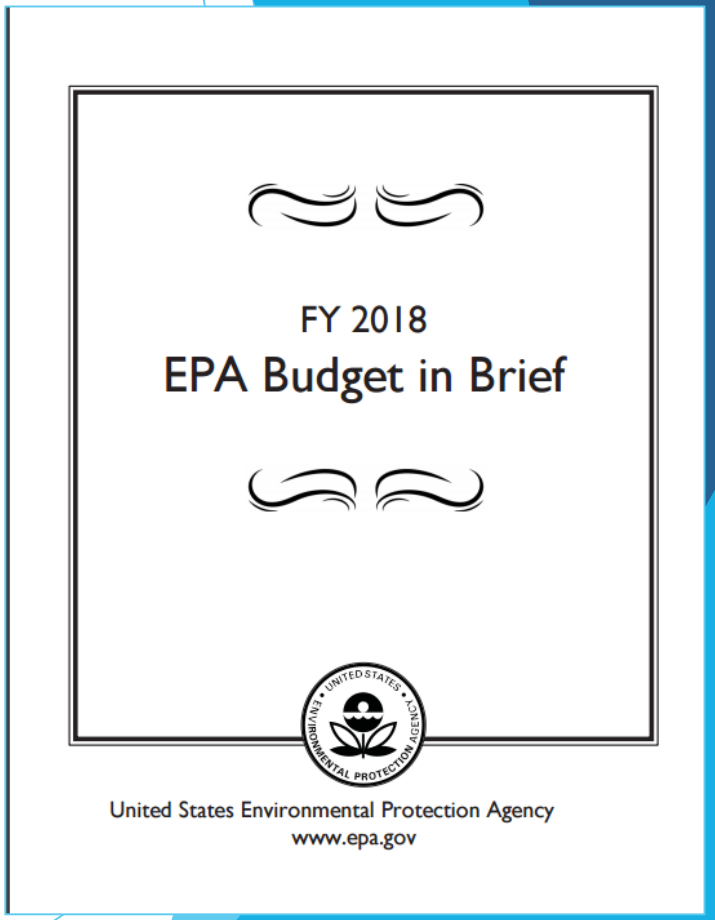
EPA Priorities/Budget

EPA Priorities/Budget

- Budget
  - Drinking water and infrastructure will continue to be a priority “for the foreseeable future”
  - Proposed 2018 budget totals $5.65 billion, (~30% cut compared to 2016 budget) includes $2.3 billion for State Revolving Funds
  - Overall approach
    - “Back-to-basics”
    - “Reduce redundancies and inefficiencies”

EPA Priorities/Budget

- Budget
  - “A priority for the agency is modernizing the outdated water infrastructure on which the American public depends. While most small systems consistently provide safe and reliable drinking water, many small systems face challenges with aging infrastructure, increasing costs and decreasing rate bases. Funding is provided for critical drinking and wastewater projects.”



EPA Priorities/Budget

- Cuts
  - $983 million in proposed cuts
  - Cuts include:
    - 40% (about $290 million) from Office of Science and Technology
    - 19% (about $700 million) from state environmental program funding
    - Elimination of funding to state-level research programs including Chesapeake Bay, Gulf of Mexico, and Puget Sound

EPA Priorities/Budget

- Drinking Water Priorities:
  - System types
    - Small communities
      - Monthly small system webinars
        - https://www.epa.gov/water-research/small-systems-monthly-webinar-series
    - Schools
    - Tribes
  - Health risks
    - Arsenic
    - Lead

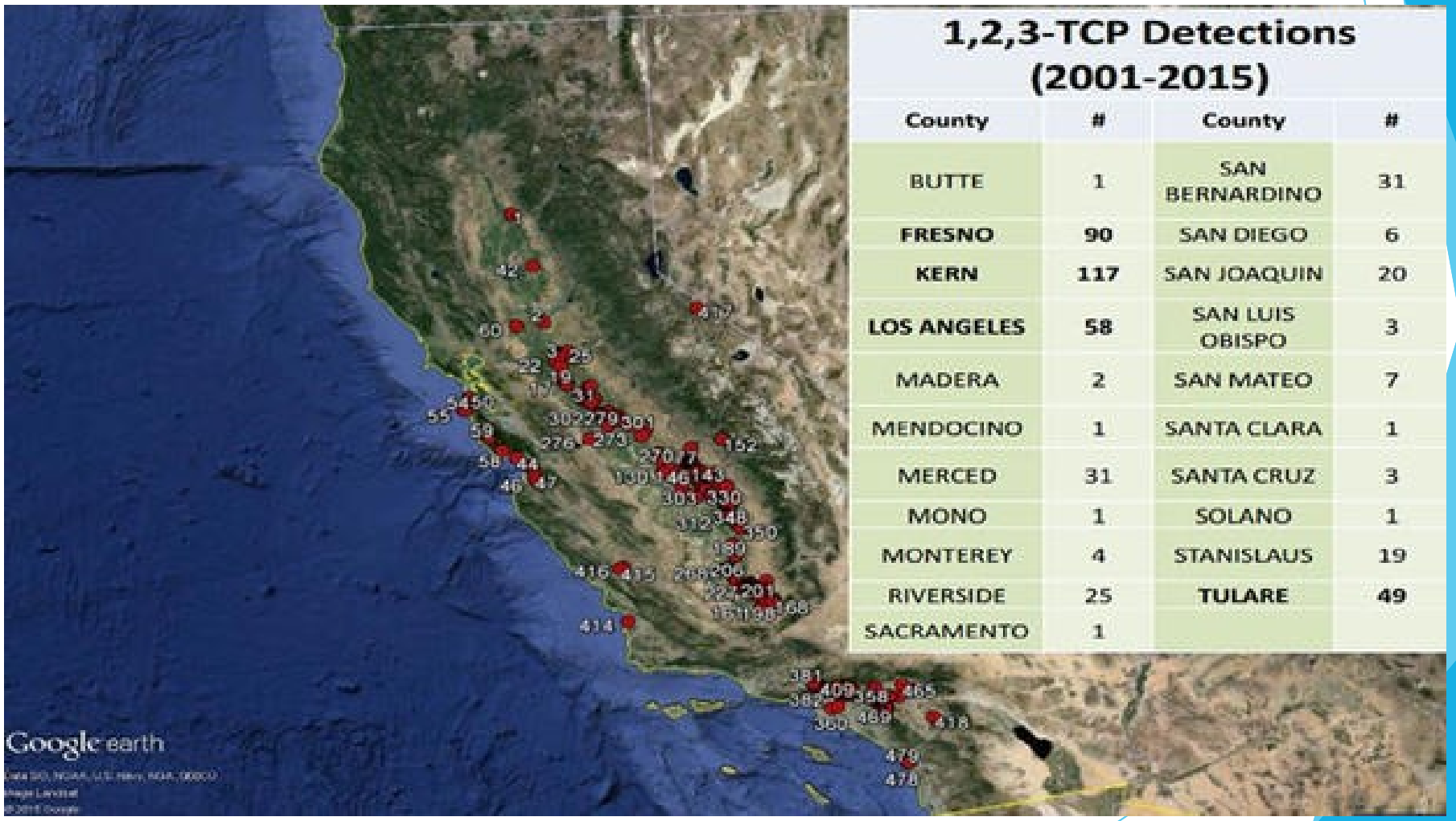
Arsenic in Drinking Water

- Health Impacts: Cancers (lung, bladder, skin), heart disease and neuro-developmental damage
- Prior standard: 50 ppb (based on 1961 USPHS standard)
- Revised standard: 10 ppb (effective 2006)

State	Systems >10 ppb 2006	Systems >10 ppb 2017
Arizona	330 (30%)	33 (3%)
California	276 (8%)	218 (6%)
Nevada	135 (30%)	16 (4%)
Tribes	115 (24%)	29 (6%)
Total	856 (16%)	296 (5.4%)

- Majority are small PWSs serving <500 persons

1,2,3-Trichloropropane

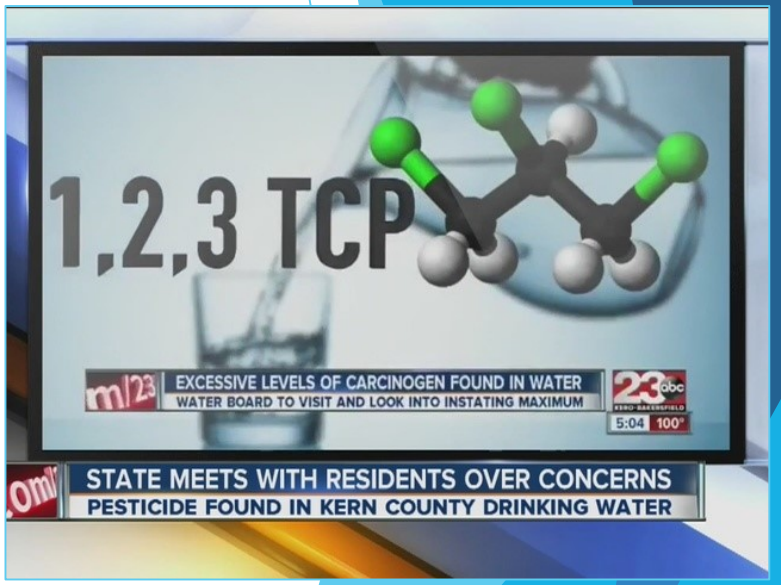


1,2,3-TCP Detections (2001-2015)

County	#	County	#
BUTTE	1	SAN BERNARDINO	31
FRESNO	90	SAN DIEGO	6
KERN	117	SAN JOAQUIN	20
LOS ANGELES	58	SAN LUIS OBISPO	3
MADERA	2	SAN MATEO	7
MENDOCINO	1	SANTA CLARA	1
MERCED	31	SANTA CRUZ	3
MONO	1	SOLANO	1
MONTEREY	4	STANISLAUS	19
RIVERSIDE	25	TULARE	49
SACRAMENTO	1		

1,2,3-Trichloropropane

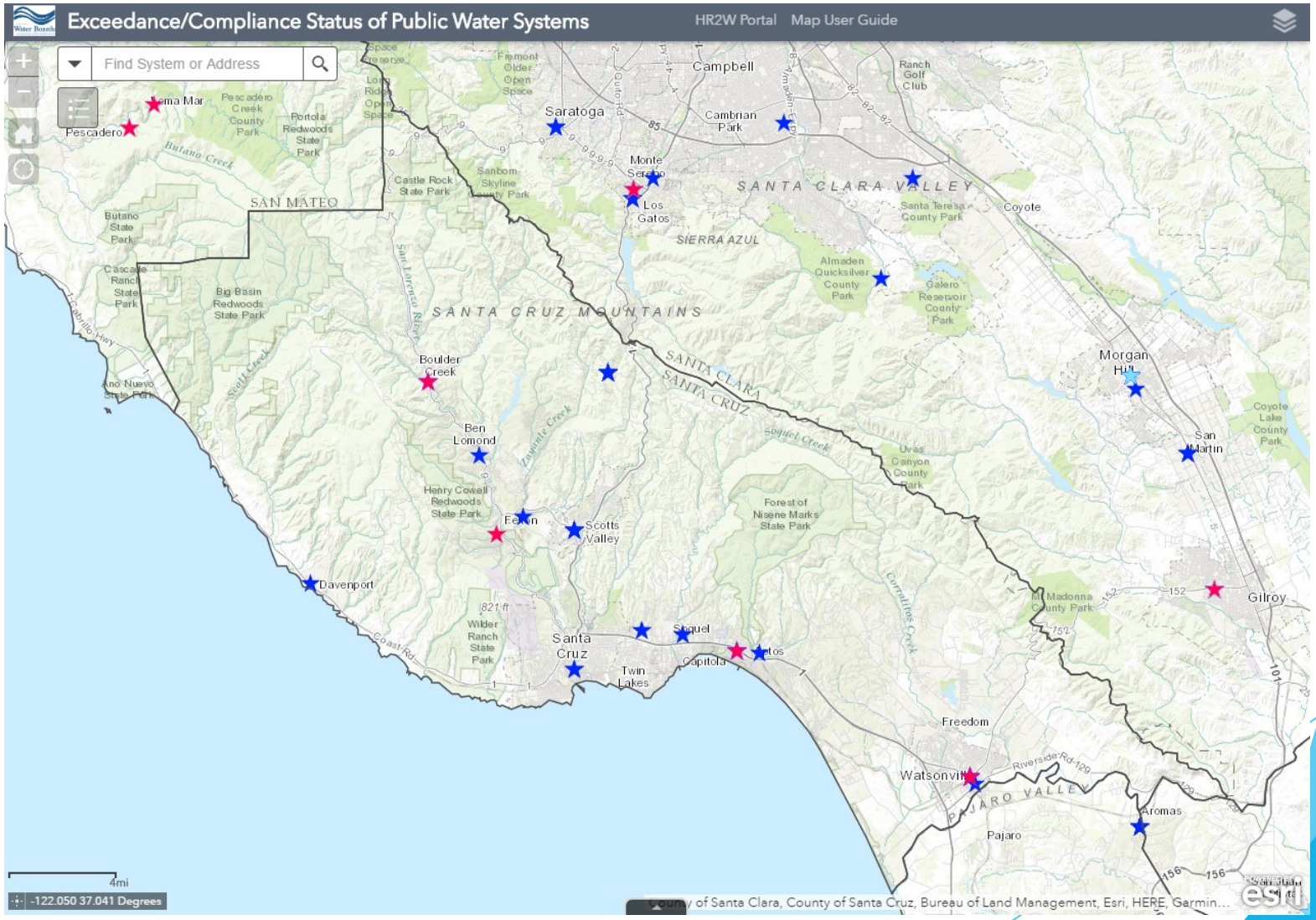
- Background
  - Historically used in cleaning solutions and pesticides
    - Carcinogenic
    - Detected at numerous cleanup sites, subject of lawsuits and settlements from Dow Chemical and Shell
    - Impacted sites clustered in the Central Valley and LA
    - Some detections in Monterey Bay Area, linked to agricultural usage



1,2,3-Trichloropropane

- Proposed MCL
  - Will apply to Community and Nontransient Noncommunity (NTNC) systems
  - No current Federal standard
  - Categorized as a Synthetic Organic Chemical (SOC)
  - Current proposal is for the MCL to be set at 5 parts per **trillion** (ppt)
  - Initial quarterly sampling to begin January 2018 (some “grandfathering” allowed)

Human Right to Water Website

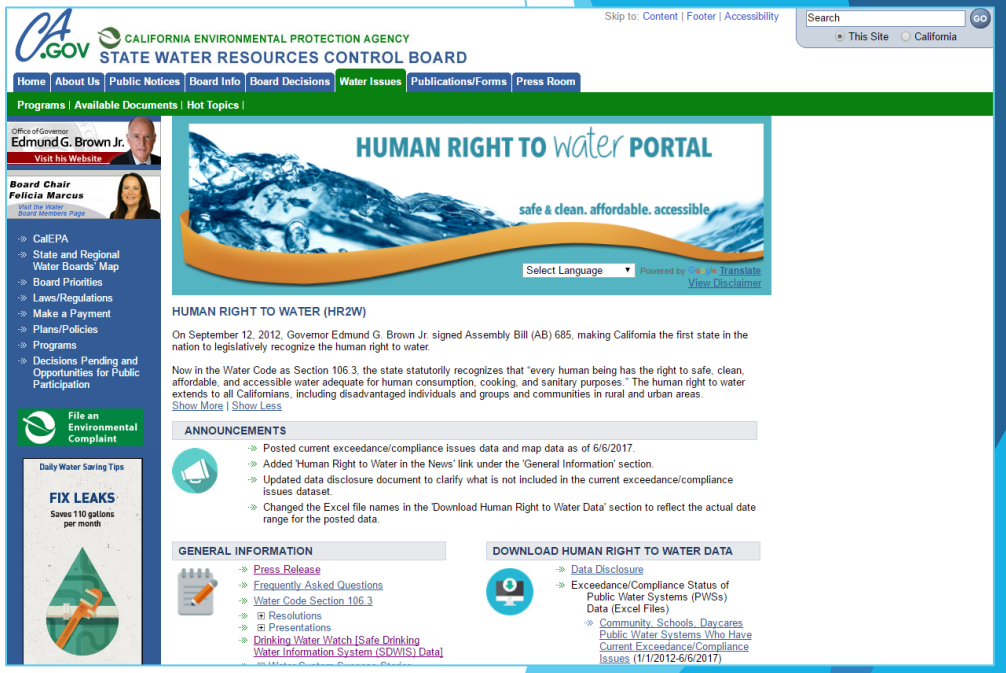


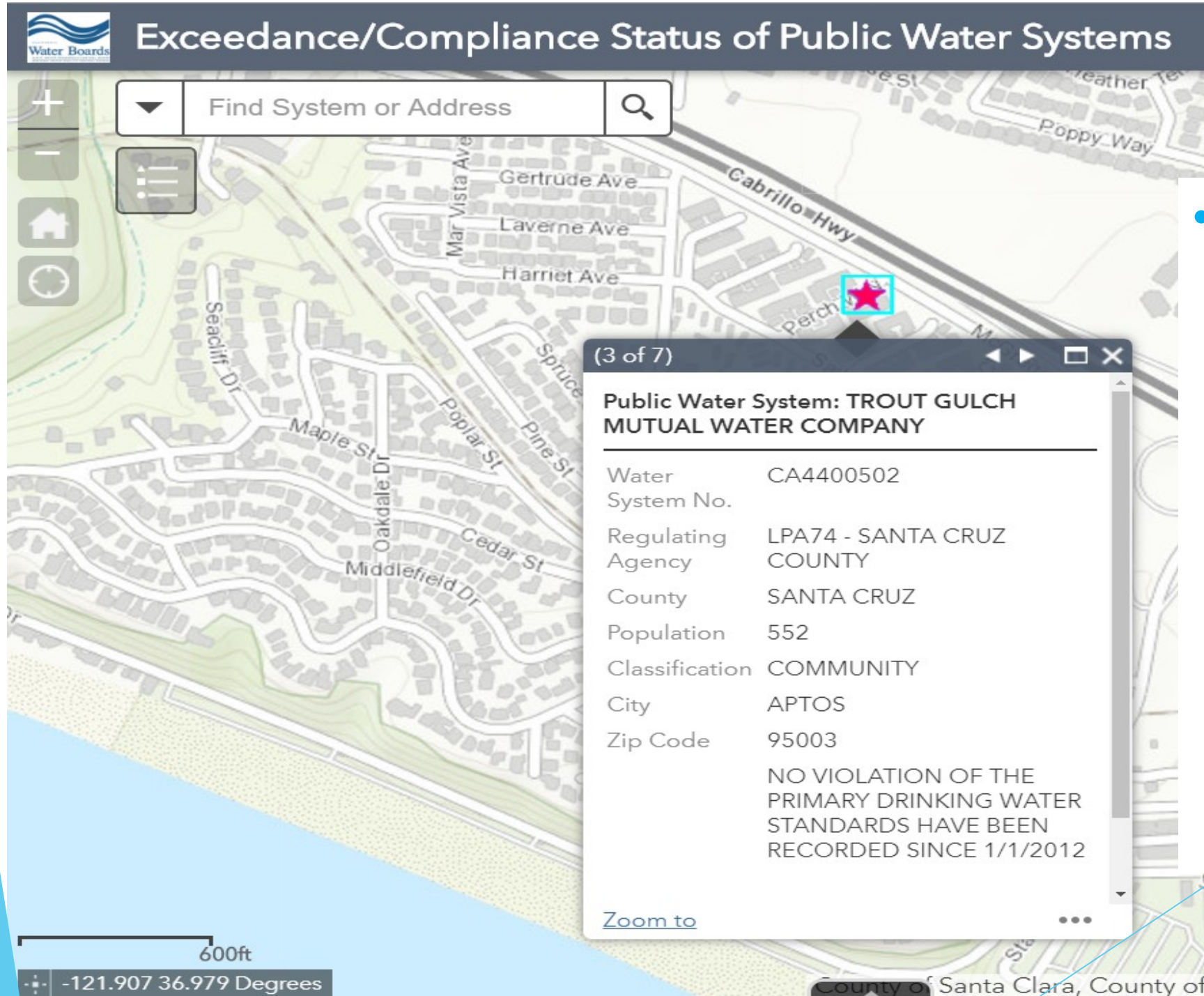
Human Right to Water Website

- State Proclamation
  - **September 12th, 2012:** Signed by Governor Brown
  - States that every Californian has a right to safe, clean, affordable, and accessible water
  - **February 16th, 2016**: State Water Board identifies human right to water as a “top priority”

Human Right to Water Website

- Current Portal- Work in Progress
  - Effort to make information regarding Public Water Systems more readily available
  - FAQs developed for the public to learn more about the water they drink

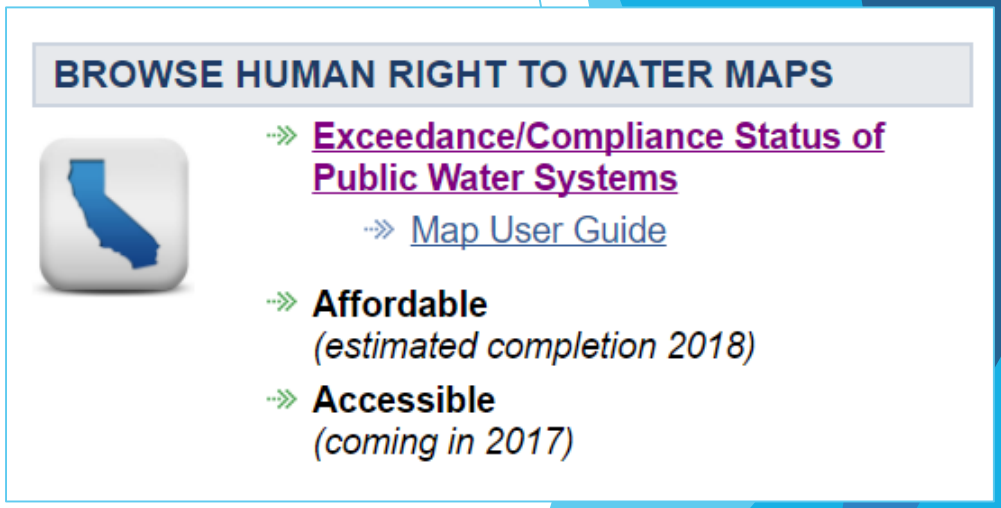




- Map
  - Map displays information reported for Community systems, schools, and day cares
  - Location based on ZIP code only
  - “Safe” and “clean” focus

Human Right to Water Website

- Ongoing Work
  - Information on “accessible” and “affordable” in development
    - “Affordable”- Water rates, Community systems only



Questions?

Future meeting topics?

Thank You!