

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2018-0009**

ADOPTING THE PROPOSED PRIORITIZATION OF DRINKING WATER REGULATIONS  
FOR CALENDAR YEAR 2018

WHEREAS:

1. All public water systems, as defined in Health and Safety Code (HSC) section 116275, are subject to regulations adopted by the U.S. Environmental Protection Agency (U.S. EPA) under the Safe Drinking Water Act of 1974, as amended (42 U.S.C. 300f *et seq.*), as well as by the State Water Resources Control Board (State Water Board) under the California Safe Drinking Water Act (HSC, div. 104, pt. 12, ch. 4, § 116270 *et seq.*);
2. California has been granted primary enforcement responsibility (“primacy”) by U.S. EPA for public water systems (PWS) in California;
3. California has no authority to enforce federal regulations, and federal laws and regulations require that California, in order to receive and maintain primacy, promulgate regulations for California that are no less stringent than the federal regulations;
4. The State Water Board is tasked with adopting drinking water regulations and recycled water regulations associated with the protection of public health. These regulations include primary drinking water standards (*e.g.*, maximum contaminant levels (MCLs) or treatment techniques), monitoring and reporting requirements, and any other standards related to providing safe drinking water (*e.g.*, operator requirements, laboratory accreditation standards, design standards, pipe separation standards, *etc.*);
5. HSC section 116365(g) requires the State Water Board to review each MCL at least once every five years and HSC section 116365(h) requires the State Water Board to provide, by March 1 of each year, notice of each primary drinking water standard it proposes to review that year and to solicit and consider public comment and hold one or more public hearings regarding any proposal to either amend or maintain an existing standard;
6. No changes in technology or treatment techniques have been identified that would permit a materially greater protection of public health or attainment of the Public Health Goal, and no new scientific evidence indicates that regulated contaminants may present a materially greater risk to public health than was previously determined. Therefore, no further review of MCLs is planned for this year;
7. The Division of Drinking Water (DDW) posts the annual MCL reviews on its website. The annual reviews for 2016, 2017, and 2018 are available at:  
[https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/MCLReview.shtml](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/MCLReview.shtml);
8. The Division of Drinking Water has established a prioritized list for regulatory development projects for 2018; and

9. DDW staff use multiple factors in prioritizing drinking water regulations, including the protection of public health, establishment of a new or revised federal regulation or rule, existence of statutory mandates, as well as the existence of other priorities and staffing resources available for the development and implementation of regulations.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board approves DDW staff's proposal not to re-examine any existing MCLs this year.
2. The State Water Board directs DDW staff to prioritize their work on drinking water regulations for calendar year 2018 as follows:
  - (1) Economic Feasibility Criteria for the Hexavalent Chromium and other potential future regulations
  - (2) Hexavalent Chromium MCL
  - (3) Lead and Copper Rule (LCR)
  - (4) Surface Water Augmentation (SWA) Regulation
  - (5) Direct Potable Re-use (DPR) – Research and Framework
  - (6) Revised Total Coliform Rule (RTCR)
  - (7) Cross-Connection Control Regulations
  - (8) Environmental Laboratory Accreditation Program (ELAP) Regulations
  - (9) Primacy Package Applications
  - (10) Direct Potable Re-use – Regulations
  - (11) Detection Limit for Purposes of Reporting (DLR) Revision for Perchlorate

**CERTIFICATION**

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on February 20, 2018.

AYE: Chair Felicia Marcus  
Board Member Dorene D'Adamo  
Board Member Tam M. Doduc  
Board Member E. Joaquin Esquivel

NAY: None

ABSENT: Vice Chair Steven Moore

ABSTAIN: None

  
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for Jeanine Townsend  
Clerk to the Board