

FINAL STATEMENT OF REASONS FOR PROPOSED PERCHLORATE DETECTION LIMIT FOR PURPOSES OF REPORTING REGULATIONS

ATTACHMENT 1 – INTRODUCTION AND NOTES FOR COMMENTS RECEIVED

The following notes will facilitate review of the responses to comments in Attachment 2.

Note 1:

The State Water Board published a Notice of Proposed Rulemaking for the proposed Perchlorate Detection Limit for Purposes of Reporting (DLR) Regulations on 6 March 2020. Comments received can be grouped as follows:

- Oral comments received during the Administrative Procedure Act (APA) public hearing held on 28 April 2020;
- Written comments received during the 45+-day comment period that ran from 6 March 2020 to 12:00 p.m. (noon) on 1 May 2020, including one late comment received on 1 May 2020 after 12:00 p.m.;
- Written comments received during an additional 15+-day comment period that ran from 20 July 2020 through 12:00 p.m. 18 August 2020 for changes to the proposed regulation text and an addendum to the Initial Statement of Reasons.

State Water Board compiled, reviewed, and prepared responses to every comment received. As needed throughout this process, State Water Board staff reached out to specific commenters to answer their questions or to seek clarification about certain comments. Draft responses to all comments received were provided as part of the agenda materials for the 6 October 2020 State Water Board hearing. Responses were finalized for this submission to the Office of Administrative Law and are attached here.

Audio/video files of the 28 April 2020 APA public hearing and 6 October 2020 State Water Board meetings are available, along with a transcript of the APA public hearing.

Note 2:

Parties from whom comments were received are listed in Attachment 2 with the general comment categories for which they provided comments.

Note 3:

Notices, announcements, and other documents related to the proposed DLR for perchlorate were posted to the Perchlorate web pages at

https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Regulations.html and https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/perchlorate2.html

and on the Documents for Public Comment web page at

https://www.waterboards.ca.gov/public_notices/comments/.

Notices and announcements were also emailed to subscribers to the following listservs: Board Meetings (3,235 non-waterboards.ca.gov accounts subscribed), Board Workshops (3,687 non-waterboards.ca.gov accounts subscribed), Regulations - General, Environmental Laboratory Accreditation Program, and Drinking Water Program Announcements (4,399 non-waterboards.ca.gov account subscribed), as well as to community water system and non-transient non-community water system administrative and carbon copy contacts.