



# State Water Resources Control Board

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**Arnold Schwarzenegger**  
Governor

## **NOTICE OF PUBLIC HEARING**

### **TOTAL RESIDUAL CHLORINE AND CHLORINE-PRODUCED OXIDANTS POLICY OF CALIFORNIA**

Monday, June 19, 2006, 10 a.m.  
Sierra Hearing Room – Second Floor  
Joe Serna, Jr. Cal/EPA Building  
1001 I Street, Sacramento, CA 95814

**NOTICE IS HEREBY GIVEN** in accordance with Water Code Section 13147 that a public hearing will be held by the State Water Resources Control Board (State Water Board) to seek comments on the proposed Total Residual Chlorine and Chlorine-Produced Oxidants Policy of California (Policy) and accompanying Substitute Environmental Document (SED). The Policy will affect entities who discharge to the State's inland surface waters, enclosed bays, and estuaries of California and will occur through the issuance of National Pollutant Discharge Elimination System (NPDES) permits. The purpose of this Policy is to (1) establish total residual chlorine (TRC) and chlorine-produced oxidant (CPO) objectives to protect aquatic life beneficial uses by adopting U.S. Environmental Protection Agency (U.S. EPA) 304(a) criteria, (2) provide consistent procedures that apply to NPDES permits that contain one or more numeric water quality-based effluent limitations to regulate discharges, and (3) supply a basis for equitable enforcement of violations of TRC or CPO effluent limitations in NPDES permits.

### **BACKGROUND**

In California, the State Water Board and nine Regional Water Quality Control Boards (Regional Water Boards) have regulatory authority over discharges to waters of the State. Each Regional Water Board has its own basin plan providing narrative or numerical water quality standards and objectives for TRC and CPO. However, there is no statewide policy for regulating these pollutants in NPDES permits.

In 1985, U.S. EPA published revised water quality criteria for chlorine and recommended the adoption of these criteria for freshwater and saltwater. The State Water Board is considering adoption of the proposed Policy to provide a consistent statewide approach to implementing U.S. EPA's revised chlorine criteria. In the absence of such a policy, the Regional Water Boards will implement the criteria using existing basin plans, applicable State and federal regulations, U.S. EPA guidance for regulating toxic pollutants, and existing Regional Water Board practices.

The lack of statewide consistency and potential harm to aquatic life are not the only issues surrounding TRC and CPO criteria. In 1999, the Clean Water Enforcement and Pollution Prevention Act was passed, adding enforcement provisions that limited the ability of Regional Water Boards to interpret violations. A statewide policy would bring consistency to permitting, enforcement decisions, and protection to aquatic life.

## **AVAILABILITY OF THE PROPOSED POLICY, SED, AND ECONOMIC ANALYSIS**

Informational documents on the proposed draft Policy may be obtained via the Internet on the State Water Board Web site at <http://www.waterboards.ca.gov>. Copies can also be received by contacting: Dena McCann, Division of Water Quality, State Water Resources Control Board, 1001 I Street, Sacramento, CA 95814, (916) 323-9690, FAX: (916) 341-5584, email: [dmccann@waterboards.ca.gov](mailto:dmccann@waterboards.ca.gov)

## **SUBMISSION OF COMMENTS**

Persons wishing to comment or make recommendations on the draft Policy, SED, and Economic Analysis at the public hearing should submit written comments, or a summary of their comments, in advance of the hearing. Written comments are due by 5 p.m., June 5, 2006. Please indicate in the subject line, **Comments – Chlorine Policy**, and submit to:

Song Her, Clerk to the Board  
State Water Resources Control Board  
Executive Office  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814  
Fax: (916) 341-5620  
Email: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

At the hearing, participants are encouraged to briefly summarize their written comments. Time limitations on oral presentations may be imposed. Persons with similar views are encouraged to make joint presentations. The State Water Board will consider all comments before taking final action on the proposed draft documents. The State Water Board may take action at this hearing or may defer action to a later noticed Board meeting.

## **COURT REPORTER**

A court reporter will record all the oral comments made during the public hearing. Persons who desire a copy of the hearing transcript must make their own arrangement with the court reporter.

## **PARKING AND ACCESSIBILITY**

There is a parking garage across from the Joe Serna, Jr. Cal/EPA Building with entrances on 10<sup>th</sup> and 11<sup>th</sup> Streets between "I" and "J" Streets, and metered parking spaces are in the vicinity of the building. For a map, see our web site at <http://www.calepa.ca.gov/EPABldg/location.htm>. The facilities are accessible to persons with disabilities. Individuals who require special accommodations are requested to contact Adrian Perez at (916) 341-5880 at least five working days prior to the public hearing date. Persons with hearing or speech impairments can contact us by using the California Relay Service Telecommunications Device for the Deaf (TDD). TDD is reachable only from phones equipped with a TDD Device. HEARING IMPAIRED RELAY SERVICE: TDD to voice 1-800-735-2929, Voice to TDD 1-800-735-2922.

All visitors are required to sign in and receive a badge prior to attending any meeting in the building. The Visitor and Environmental Services Center is located just inside and to the left of the Cal/EPA Building's public entrance. Valid picture identification may be required due to the security level. Please allow up to 15 minutes for receiving clearance to proceed to the Coastal Hearing Room.

April 6, 2006  
Date



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Song Her  
Clerk to the Board