

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2021-0009**

**ADOPTING THE PROPOSED PRIORITIZATION OF DRINKING WATER
REGULATIONS DEVELOPMENT FOR CALENDAR YEAR 2021**

WHEREAS:

1. All public water systems, as defined in Health and Safety Code (HSC) section 116275, are subject to regulations adopted by the United States 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. 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;
3. 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, secondary drinking water standards, design standards, pipe separation standards, *etc.*);
4. 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;
5. 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: [MCL Review Process Webpage](#)
6. The Division of Drinking Water has established a prioritized list for regulatory development projects for 2021; and
7. 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:

The State Water Board directs the Division of Drinking Water to prioritize their work on drinking water regulations development for calendar year 2021 as follows:

1. Hexavalent Chromium Maximum Contaminant Level
2. Lead and Copper Rule (LCR)
3. Cross-Connection and Backflow Protection Control Policy Handbook
4. Direct Potable Re-use (DPR)
 - a. Research and Framework
 - b. Regulations
5. Microplastics – Testing and Reporting Requirements
6. Investigation of Per- and Polyflouroalkyl Substances (PFAS)
7. Metal Detection Limits for Purposes of Reporting
8. Primacy Package Applications
 - a. Administrative Penalty Authority
 - b. Groundwater Rule
 - c. Long Term 2 Enhanced Surface Water Treatment Rule
 - d. Revised Total Coliform Rule
 - e. Public Notification
 - f. Consumer Confidence Reports
9. Electronic Reporting of Drinking Water Quality Data
10. Water Quality Standards for On-site Treatment and Reuse
11. Recycled Water Regulations – Comprehensive Update
12. Harmful Algal Bloom Notification and Response Levels
13. Maximum Contaminant Levels
 - a. N-nitroso-dimethylamine (NDMA)
 - b. Styrene
 - c. Cadmium

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 March 16, 2021.

AYE: Chair E. Joaquin Esquivel
 Vice Chair Dorene D'Adamo
 Board Member Tam M. Doduc
 Board Member Sean Maguire
 Board Member Laurel Firestone

NAY: None

ABSENT: None

ABSTAIN: None



 Jeanine Townsend
 Clerk to the Board