

From: [Glenn Church](#)
To: [commentletters](#)
Subject: Proposed POU/POE Regulations
Date: Tuesday, November 27, 2018 6:46:53 AM



Ms. Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-2000

Dear Ms. Townsend:

The following comments are regarding proposed changes to regulations regarding Point of Use (POU) and Point of Entry (POE) water treatment systems.

First, I would like to state that imposing the same regulations on a system that has 15 users to one that has 199 is not practical. A system with nearly 200 users has far more resources at its disposal than one with barely over a dozen. These regulations are more easily enforced by a system on the larger end than one that is simply a small neighborhood group. Water systems of 20 or 30 users have far more in common with the state small systems than ones that number in the hundreds of users. The regulatory burdens on these small systems create onerous problems that do not enhance a smoothly operated and, therefore, safe water supply.

Specifically, these are some of my concerns with the proposed regulations:

§64418.6. Public Hearing and Acceptance.

(a) A community water system shall conduct a customer survey and participate in, and provide information for, a public hearing held by the State Board.

Most of the community water systems operate with decisions made by the owners of water rights. These owners hold shares in a water system that can be single or multiple. These regulations do not clearly define what is a customer. If customer is defined as a renter, then a person who is more likely to be transient than an owner will be making decisions on the long-term financial and operations matters of a

water system. This would also be contrary to the way most community water systems operate.

This section goes on to state that each customer will be provided a survey with an option of voting for or against a POU/POE system. Water systems have bylaws stipulating how decisions are made. If a centralized treatment system is to be voted on, the water systems bylaws will be used. However, these regulations require a completely different process that may lead to confusion and distort how water systems have traditionally operated. There seems no reason that traditional voting processes must be turned upside down for this particular matter. For example, a system with 25 connections may have one customer who owns 10 water shares. The other 15 are owned by individual shares. The person with 10 shares has a larger stake in the water system, but according to the proposed regulations is now just one of sixteen votes. These water systems are private enterprises, although non-profit entities. Private enterprises usually make decisions based on one's ownership. These regulations run counter to that and treat a water system as one would a publicly owned water district where every individual has a vote.

I would also like to point out that the use of 25% opposition as a threshold for approving or rejecting a POU/POE system is problematic. If 24% of the people oppose a POU/POE system, then that is nearly 1 in 4 people who are opposed. This represents substantial opposition. This is particularly concerning because it only takes 5% of the water system's users to put it out of compliance (§64420.8. Compliance. (a) (1)). The number of those needed to approve the system should not exceed the number of those who can put a system out of compliance. Otherwise, this gives those who oppose POU/POE systems a second way to veto the use of POU/POE treatment system.

Respectfully,

Glenn Church