

**APPENDIX F**

**Full Text – Title 22 §64449**

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**Title 22. Social Security**  
**Division 4. Environmental Health**  
**Chapter 15. Domestic Water Quality and Monitoring Regulations**

**Article 16. Secondary Drinking Water Standards**

**§64449. Secondary Maximum Contaminant Levels and Compliance.**

(a) The secondary MCLs shown in Tables 64449-A and 64449-B shall not be exceeded in the water supplied to the public by community water systems.

**Table 64449-A**  
**Secondary Maximum Contaminant Levels**  
**“Consumer Acceptance Contaminant Levels”**

Constituents	Maximum Contaminant Levels/Units
Aluminum	0.2 mg/L
Color	15 Units
Copper	1.0 mg/L
Foaming Agents (MBAS)	0.5 mg/L
Iron	0.3 mg/L
Manganese	0.05 mg/L
Methyl- <i>tert</i> -butyl ether (MTBE)	0.005 mg/L
Odor – Threshold	3 Units
Silver	0.1 mg/L
Thiobencarb	0.001 mg/L
Turbidity	5 Units
Zinc	5.0 mg/L

**Table 64449-B**  
**Secondary Maximum Contaminant Levels**  
**“Consumer Acceptance Contaminant Level Ranges”**

Constituents, Units	Recommended	Upper	Short Term
Total Dissolved Solids, mg/L	500	1,000	1,500
or			
Specific Conductance, $\mu$ S/cm	900	1,600	2,200
Chloride, mg/L	250	500	600
Sulfate, mg/L	250	500	600

(b) Each community water system shall monitor its groundwater sources or distribution system entry points representative of the effluent of source treatment every three years and its approved surface water sources or distribution system entry points representative of the effluent of source treatment annually for the following:

- (1) Secondary MCLs listed in Tables 64449-A and 64449-B; and
  - (2) Bicarbonate, carbonate, and hydroxide alkalinity, calcium, magnesium, sodium, pH, and total hardness.
- (c) If the level of any constituent in Table 64449-A exceeds an MCL, the community water system shall proceed as follows:
- (1) If monitoring quarterly, determine compliance by a running annual average of four quarterly samples;
  - (2) If monitoring less than quarterly, initiate quarterly monitoring and determine compliance on the basis of an average of the initial sample and the next three consecutive quarterly samples collected;
  - (3) If a violation has occurred (average of four consecutive quarterly samples exceeds an MCL), inform the State Board when reporting pursuant to Section 64469;
  - (4) After one year of quarterly monitoring during which all the results are below the MCL and the results do not indicate any trend toward exceeding the MCL, the system may request the State Board to allow a reduced monitoring frequency.
- (d) For the constituents shown on Table 64449-B, no fixed consumer acceptance contaminant level has been established.
- (1) Constituent concentrations lower than the Recommended contaminant level are desirable for a higher degree of consumer acceptance.
  - (2) Constituent concentrations ranging to the Upper contaminant level are acceptable if it is neither reasonable nor feasible to provide more suitable waters.
  - (3) Constituent concentrations ranging to the Short Term contaminant level are acceptable only for existing community water systems on a temporary basis pending construction of treatment facilities or development of acceptable new water sources.
- (e) New services from community water systems serving water which carries constituent concentrations between the Upper and Short Term contaminant levels shall be approved only:
- (1) If adequate progress is being demonstrated toward providing water of improved mineral quality.
  - (2) For other compelling reasons approved by the State Board.
- (f) A community water system may apply to the State Board for a waiver from the monitoring frequencies specified in subsection (b), if the system has conducted at least three rounds of monitoring (three periods for groundwater sources or three years for approved surface water sources) and these analytical results are less than the MCLs. The water system shall specify the basis for its request. A system with a waiver shall collect a minimum of one sample per source while the waiver is in effect and the term of the waiver shall not exceed one compliance cycle (i.e., nine years).
- (g) Nontransient-noncommunity and transient-noncommunity water systems shall monitor their sources or distribution system entry points representative of the effluent of source treatment for bicarbonate, carbonate, and hydroxide alkalinity, calcium, iron, magnesium,

manganese, pH, specific conductance, sodium, and total hardness at least once. In addition, nontransient-noncommunity water systems shall monitor for the constituents in Tables 64449-A and B at least once.

#### **§64449.2. Waivers for Secondary MCL Compliance.**

(a) If the average of four consecutive quarters of sample results for a constituent that does not have a primary MCL is not greater than three times the secondary MCL or greater than the State Notification Level, an existing community water system is eligible to apply for a nine-year waiver of a secondary MCL in Table 64449-A, for the following:

- (1) An existing source; or
- (2) A new source that is being added to the existing water system, as long as:
  - (A) The source is not being added to expand system capacity for further development; and
  - (B) The concentration of the constituent of concern in the new source would not cause the average value of the constituent's concentration at any point in the water delivered by the system to increase by more than 20%.

(b) To apply for a waiver of a secondary MCL, the community water system shall conduct and submit a study to the State Board within one year of violating the MCL that includes the following:

- (1) The water system complaint log, maintained pursuant to section 64470(a), along with any other evidence of customer dissatisfaction, such as a log of calls to the county health department;
- (2) An engineering report, prepared by an engineer registered in California with experience in drinking water treatment, that evaluates all reasonable alternatives and costs for bringing the water system into MCL compliance and includes a recommendation for the most cost-effective and feasible approach;
- (3) The results of a customer survey distributed to all the water system's billed customers that has first been approved by the State Board based on whether it includes:
  - (A) Estimated costs to individual customers of the most cost-effective alternatives presented in the engineering report that are acceptable to the State Board based on its review of their effectiveness and feasibility;
  - (B) The query: "Are you willing to pay for (identify constituent) reduction treatment?";
  - (C) The query: "Do you prefer to avoid the cost of treatment and live with the current water quality situation?"
  - (D) The statement: "If you do not respond to this survey, (insert system name) will assume that you are in support of the reduction treatment recommended by the engineering report."
- (4) A brief report (agenda, list of attendees, and transcript) of a public meeting held by the water system to which customers were invited, and at which both the tabulated results of

the customer survey and the engineering report were presented with a request for input from the public.

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