

---

## State Water Resources Control Board

# NOTICE OF PUBLIC WORKSHOP AND OPPORTUNITY FOR PUBLIC COMMENT

## Hexavalent Chromium Maximum Contaminant Level Estimates of Costs

**NOTICE IS HEREBY GIVEN** that the State Water Resources Control Board (State Water Board) will hold a public workshop to receive information and solicit public input regarding estimates of costs associated with a range of potential hexavalent chromium maximum contaminant levels (MCL) and treatment technologies.

State Water Board staff will conduct two public workshops at the times and place described below. At the workshops, any person may present comments orally or in writing relevant to the subject described in this notice. The workshop will begin with a staff presentation summarizing the development of estimated costs for each respective MCL, followed by an opportunity for public comment. During the comment period, members of the public will be allowed three minutes to provide oral comments, unless additional time is approved.

**Tuesday, December 8, 2020 – 9:30 a.m.**

**Wednesday, December 9, 2020 – 1:30 p.m.**

**Video and Teleconference Participation Only  
No Physical Meeting Location**

As a result of the COVID-19 emergency and the Governor's Executive Orders to protect public health by limiting public gatherings and requiring social distancing, this workshop is scheduled at this time to occur via remote presence. The workshop will be recorded and will be webcast at <https://video.calepa.ca.gov/>.

For those who only wish to watch the workshop, the customary webcast remains available at <https://video.calepa.ca.gov/> and should be used UNLESS you intend to comment.

For those who wish to make oral comments, additional information about participating telephonically or via the remote meeting solution is available here:  
[https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/Regulations.html](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Regulations.html)

While a quorum of the State Water Board may be present, this workshop is for the public to provide comments. The Board will not take formal action. Hexavalent chromium MCL regulations are expected to be proposed in early 2021. Additional information regarding State Water Board meetings, hearings, and workshops is available on the Board's Internet web page at [Board Meeting Information](https://www.waterboards.ca.gov/board_info/calendar/) [https://www.waterboards.ca.gov/board\\_info/calendar/](https://www.waterboards.ca.gov/board_info/calendar/).

### Special Accommodation Request

Consistent with California Government Code section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the workshop;
- Documents made available in an alternate format or another language; or
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerk to the Board at (916) 341-5600 as soon as possible, but no later than 10 business days before the scheduled workshop. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia
- Documentos disponibles en un formato alterno u otro idioma
- Una acomodación razonable relacionada con una incapacidad

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 341-5600 lo más pronto posible, pero no menos de 10 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

### **SUBMISSION OF WRITTEN COMMENTS**

Any interested person, or their representative, may submit written comments relevant to the subject described in this notice to the Clerk to the State Water Board. To facilitate timely identification and review of written comments, please use the subject line: **“Comment Letter – Hexavalent Chromium MCL Costs”**.

The formal procedure for adopting regulations under the Administrative Procedure Act has not yet begun, and these workshops are not part of that process. However, input provided on the analysis of the costs may be used to inform the development of the regulation. In order for those comments to be considered during the development of the formal regulations package, written comments, regardless of the method of transmittal, must be received by the Clerk by **12:00 p.m. noon, December 31, 2020**. Additional

opportunities to comment on the proposed drinking water standard will be available once the formal rulemaking process is initiated.

Written comments may be submitted as follows:

1. By email to: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov);
2. By fax transmission to: (916) 341-5620;
3. By mail to: Clerk to the Board, Ms. Jeanine Townsend, State Water Resources Control Board, P.O. Box 997377, MS 7400, Sacramento, CA 95899-7377; or
4. Hand-delivered to: Clerk to the Board, Ms. Jeanine Townsend, State Water Resources Control Board, 1001 I Street, 24<sup>th</sup> Floor, Sacramento, CA 95814.

The State Water Board requests but does not require that written comments sent by mail or hand-delivered be submitted in triplicate.

The State Water Board requests but does not require that, if reports or articles in excess of 25 pages are submitted in conjunction with the comments, the commenter provide a summary of the report or article and describe the reason for which the report or article is being submitted or is relevant to the proposed regulation.

All comments, including email or fax transmissions, should include the author's name and U.S. Postal Service mailing address in order for the State Water Board to provide copies of any notices for proposed changes to the regulation text on which additional comments may be solicited.

Please note that under the California Public Records Act (Gov. Code, §6250 *et seq.*), your written and oral comments, attachments, and associated contact information (*e.g.*, your address, phone, email, *etc.*) can be released to the public upon request.

## **BACKGROUND**

California Health and Safety Code Section 116365(a) requires the State Water Board to establish an MCL at a level as close to the public health goal (PHG) as is technologically and economically feasible. The PHG is the concentration of a contaminant in drinking water that does not pose a significant risk to health.

Hexavalent chromium has been detected in numerous drinking water sources in California. In 2011, the Office of Environmental Health Hazard Assessments (OEHHA) established a hexavalent chromium PHG of 0.02 parts per billion (ppb) based on cancer risk. In 2014, the California Department of Public Health established an MCL of 10 ppb (0.010 mg/l) for hexavalent chromium. In 2017, the Superior Court of California, Sacramento County, invalidated that MCL and directed the State Water Board to withdraw the current MCL and establish a new MCL.

As part of the development of the MCL, State Water Board staff have developed preliminary estimates of the following that will be presented at the workshop:

1. The number of public water system sources that would be impacted at various potential MCL values. This is based on the current hexavalent chromium occurrence data for drinking water sources of public water systems.
2. Information on the costs of various treatment technologies to lower the levels of hexavalent chromium in the water delivered to the public.
3. Information on the anticipated overall costs for public water systems impacted by various potential MCL values. This includes both the capital and operational costs estimated across various sizes of water systems.

The release of preliminary information on hexavalent chromium occurrence and costs of treatment at potential MCLs in advance of the formal rulemaking process will allow for additional public input prior to the development of the proposed regulation.

### DOCUMENT AVAILABILITY

Draft determinations of hexavalent chromium occurrence and estimates of costs are available for review on the Division of Drinking Water's Hexavalent Chromium MCL Internet Web page at

[https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/Regulations.html](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Regulations.html)

Requests for copies of the estimates, or other inquiries concerning development of the hexavalent chromium maximum contaminant level may be directed to:

Melissa Hall, P.E.

Senior Water Resource Control Engineer

State Water Resources Control Board, Division of Drinking Water

1001 I Street, 17th Floor

Sacramento, CA 95814

Telephone: (916) 323-0373

Electronic mail: melissa.hall@waterboards.ca.gov

In the event Melissa Hall is not available, please contact:

Mark Bartson, P.E.

Supervising Sanitary Engineer

State Water Resources Control Board, Division of Drinking Water

1001 I Street, 17th Floor

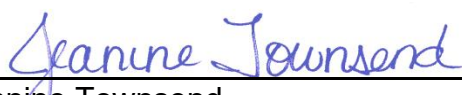
Sacramento, CA 95814

Telephone: (916) 449-5622

Electronic mail: mark.bartson@waterboards.ca.gov

**Please identify the correspondence by using the State Water Board identifier, "Comment Letter – Hexavalent Chromium MCL Costs" in any inquiries or written comments.**

November 25, 2020  
Date

  
Jeanine Townsend  
Clerk to the Board