

**From:** lyris@swrcb18.waterboards.ca.gov  
**Sent:** Tuesday, March 07, 2017 6:21 PM  
**To:** Hall, Melissa@Waterboards  
**Subject:** Notice of Administrative Procedure Act (APA) Public Hearing, Notice of Intent to Adopt a Mitigated Negative Declaration, and Opportunity for Public Comment  
notice\_123tcp.pdf



**This is a message from the State Water Resources Control Board.**

**NOTICE OF ADMINISTRATIVE PROCEDURE ACT (APA) PUBLIC HEARING, NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION, AND OPPORTUNITY FOR PUBLIC COMMENT**

REGARDING A PROPOSED MAXIMUM CONTAMINANT LEVEL (MCL) AND SUPPORTING REGULATIONS FOR 1,2,3-TRICHLOROPROPANE (1,2,3-TCP)

**NOTICE IS HEREBY GIVEN** that the State Water Resources Control Board (State Water Board) will hold an Administrative Procedure Act (APA) public hearing during a board workshop to receive public comments, both verbal and written, regarding the proposed 1,2,3-TCP regulations and an associated California Environmental Quality Act (CEQA) Draft Initial Study/Mitigated Negative Declaration. The hearing will include a presentation by State Water Board staff on the proposed regulations. While a quorum of the State Water Board may be present, this hearing is for the public to provide comments in accordance with the APA, and the State Water Board will take no formal action.

The location and time of the hearing is provided below:

**Wednesday, April 19, 2017 – 9:00 a.m.**  
Joe Serna Jr. – CalEPA Headquarters Building  
Coastal Hearing Room  
1001 I Street, Second Floor  
Sacramento, CA 95814

**BACKGROUND**

The State Water Board has proposed regulations to establish an MCL for 1,2,3-Trichloropropane, or 1,2,3-TCP at 5 parts per trillion (ppt). In 2009, OEHHA established a Public Health Goal (PHG) for 1,2,3-TCP of 0.7 ppt that is based on cancer risk. 1,2,3-TCP has been detected in numerous drinking water sources in California. The State Water Board is aware that some public water systems are currently delivering water to their customers containing concentrations of 1,2,3-TCP that exceed the PHG and the proposed MCL. Public water systems with drinking water above the MCL would likely have to treat the water before it is delivered to its customers. The most impacted counties are Kern, Fresno, Tulare, Merced, and Los Angeles. 1,2,3-TCP has been found by the U.S. Environmental Protection Agency (EPA) to likely be carcinogenic in humans. There is no federal drinking water standard for 1,2,3-TCP.

The State Water Board intends to adopt a Mitigated Negative Declaration for the proposed regulations. Based on the contents of the Draft Initial Study/Mitigated Negative Declaration and proposed mitigation measures, the State Board anticipates that the proposed regulations will have less than significant effects on the environment.

The public comment period for the proposed regulations and draft Initial Study/Mitigated Negative Declaration begins on **March 4, 2017** and will conclude on **April 21, 2017**. The State Water Board will review, consider, and respond to all comments received during the public comment period. The State Water Board tentatively anticipates adoption of the proposed regulations and approval of the Mitigated Negative Declaration in the summer 2017. A separate notice of public hearing for the adoption of the proposed regulations and Mitigated Negative Declaration will follow.

### **HEARING OVERVIEW**

The purpose of this hearing is to receive comments from the public regarding the proposed regulations and in accordance with the APA. The hearing will begin with a staff presentation with background information on 1,2,3-TCP, including a summary of potential health concerns associated with 1,2,3-TCP; an overview of the proposed 1,2,3-TCP regulations; and a summary of the draft Initial Study/Mitigated Negative Declaration. The staff presentation will be followed by an opportunity for the public to submit verbal and written comments on the proposed regulation and the Draft Initial Study/Mitigated Negative Declaration. The State Water Board is interested in receiving comments from all interested parties including residents, business owners, local government representatives, public water systems and other stakeholders.

Verbal comments will only be accepted during the hearing. The State Water Board intends to close the written comment period on **Friday, April 21, 2017 at 5:00 p.m.**

### **DOCUMENT AVAILABILITY**

The proposed 1,2,3-TCP regulations, initial statement of reasons, notice of proposed rulemaking, draft Initial Study/Negative Declarations, and other supporting documents can be found at:

[http://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/123TCP.shtml](http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/123TCP.shtml)

### **PROCEDURAL MATTERS**

While a quorum of the State Water Board may be present at the hearing, the Board will not take formal action. The State Water Board and its staff may ask clarifying questions. To ensure a productive and efficient meeting in which all participants have an opportunity to participate, oral comments or presentations at the hearing may be time-limited. For other presentation recommendations, please go to the State Water Board's web site at: [http://www.waterboards.ca.gov/board\\_info/meetings/board\\_presentations.shtml](http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml).

### **SUBMISSION OF WRITTEN COMMENTS**

The State Water Board will accept written comments for the proposed regulations and draft Initial Study/Mitigated Negative Declaration until **Friday, April 21, 2017 at 5:00 p.m.**

Written comments may be submitted to the Clerk of the Board via email at:

[commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov). Please include in the subject line the regulation package identifier "**SBDDW-17-001**".

Written comments may be submitted by mail to the attention of:

State Water Resources Control Board  
Clerk to the Board, Ms. Jeanine Townsend  
P.O. Box 997377, MS 7400  
Sacramento, CA 95899-7377

Comments may also be submitted by fax at (916) 341-5620 or may be hand delivered to:

State Water Resources Control Board  
Clerk to the Board, Ms. Jeanine Townsend  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814.

Couriers delivering comment letters must check in with lobby security personnel on the first floor of the CalEPA Building at the above address.

### **HEARING LOCATIONS, PARKING AND ACCESSIBILITY**

For directions to the Joe Serna, Jr. (CalEPA) Building and public parking information, please refer to the map on the State Water Board web site at: <http://www.calepa.ca.gov/headquarters-sacramento/location/>.

The CalEPA Building is accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5880 at least five working days prior to the meeting. Telecommunications Device for the Deaf (TDD) users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922. An audio broadcast of the meeting will be available via the Internet and can be accessed at: <https://video.calepa.ca.gov/>.

All visitors to the CalEPA Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance (10th Street entrance). Valid picture identification may be required. Please allow up to 15 minutes for receiving security clearance.

### **FUTURE NOTICES RELATED TO THIS HEARING**

The State Water Board will hold the hearing at the time and place noted above. Change in the date, time, and place of the hearing will be posted to the State Water Board main web page at [http://www.waterboards.ca.gov/drinking\\_water/programs/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/index.shtml) under "Announcements". To receive additional information via email, please sign up at [http://www.waterboards.ca.gov/resources/email\\_subscriptions/](http://www.waterboards.ca.gov/resources/email_subscriptions/)

### **CONTACT INFORMATION**

Please direct all questions regarding this notice, the proposed 1,2,3-TCP regulations, and draft Initial Study/Mitigated Negative Declaration to the following email address: [DDWRegUnit@waterboards.ca.gov](mailto:DDWRegUnit@waterboards.ca.gov).

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