
State Water Resources Control Board

NOTICE OF PUBLIC WORKSHOP AND OPPORTUNITY FOR PUBLIC COMMENT ON ADMINISTRATIVE DRAFT

Hexavalent Chromium Maximum Contaminant Level

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board (State Water Board) will hold two public workshops to present information and solicit public input regarding the proposed administrative draft of the hexavalent chromium maximum contaminant level (MCL). These workshops are not part of the formal rulemaking under the Administrative Procedure Act. The formal rulemaking process for the hexavalent chromium regulations will begin later this year after receipt and consideration of comments on the administrative draft.

State Water Board staff will conduct two public workshops at the time 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 workshops will begin with a staff presentation summarizing the proposed administrative draft 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, April 5, 2022 – 5:30 p.m. PDT
Thursday, April 7, 2022 – 9:00 a.m. PDT

Video and Teleconference Participation Only
No Physical Meeting Location

If you would like to watch the workshops without making oral comment, join at <https://video.calepa.ca.gov/>. This link will work for both workshop dates.

If you would like to make oral comments during the workshop, join via Zoom using the link below:

Tuesday, April 5, 2022
Join at bit.ly/HexChrome_040522

Thursday, April 7, 2022
Join at bit.ly/HexChrome_040722

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

While a quorum of the State Water Board may be present, these workshops are for the public to provide comments. The Board will not take formal action. Additional information regarding State Water Board meetings, hearings, and workshops is available on the Board's website at https://www.waterboards.ca.gov/board_info/calendar/.

SPECIAL ACCOMODATION REQUEST

Spanish language interpretation services will be available for these workshops. Consistent with California Government Code section 7296.2, special accommodation or additional language needs may be provided for any of the following:

- An interpreter to be available at the workshops;
- 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 Office of Public Participation at (916) 322-4265 as soon as possible, but no later than March 30, 2022. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

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 Workshop”**.

The formal procedure for adopting regulation under the Administrative Procedure Act has not yet begun, and these workshops are not part of that process. However, input provided on the proposed administrative draft of the MCL 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, Friday, April 29, 2022**. Additional opportunities to comment on the administrative draft of the proposed drinking water standard will be available once the formal rulemaking process is initiated later this year.

Written comments may be submitted as follows:

By email to: commentletters@waterboards.ca.gov;

By fax transmission to: (916) 341-5620;

By mail to: Clerk to the Board, Ms. Jeanine Townsend, State Water Resources Control Board, P.O. Box 100, Sacramento, CA 95812-0100; or

Hand-delivered to: Clerk to the Board, Ms. Jeanine Townsend, State Water Resources Control Board, 1001 I Street, 24th 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 its relevance 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 on the proposed regulation.

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.) become part of the public record and 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 is not anticipated to cause or contribute to adverse health effects.

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 a draft proposal, which includes the regulation text, a staff report, and tables with cost estimates and occurrence information. The primary regulatory information contained in these documents is summarized below:

- The proposed hexavalent chromium MCL is 10 ppb.
- The proposed hexavalent chromium detection limit for purposes of reporting (DLR) is 0.05 ppb.
- The proposed compliance schedule based on water system size is as follows:
 - Systems with 10,000 or more service connections will have a 2-year compliance schedule;

- System with 1,000 to 10,000 service connections will have a 3-year compliance schedule;
- Systems with less than 1,000 service connections will have 4-year compliance schedule.

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, along with the draft regulation text and a summary staff report are available for review on the Division of Drinking Water's Hexavalent Chromium MCL webpage at:
https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Regulations.html.

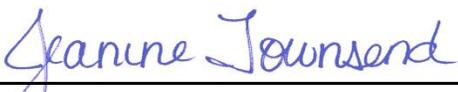
Requests for copies of the administrative draft regulation text, summary staff report, and supporting figures, or other inquiries concerning development of the hexavalent chromium MCL may be directed to:

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
Email: Melissa.Hall@Waterboards.ca.gov

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

March 21, 2022

Date



Jeanine Townsend
Clerk to the Board