FINDINGS:
1. Health and Safety Code section 116455 provides the State Water Resources Control Board’s Division of Drinking Water (DDW) the authority to issue notification levels for contaminants in drinking water delivered for human consumption before a maximum contaminant level has been set.

2. Notification levels are nonregulatory, health-based advisory levels for contaminants that are established as precautionary measures for contaminants.

3. The establishment of a notification level does not require public water systems to monitor for the contaminant, except when water systems are subject to the recycled water regulations. Some water systems, however, will sample for constituents in addition to those contaminants for which there are MCLs, and if those monitoring results indicate that a notification level has been exceeded, the water system must comply with the statute’s notification requirements. In addition, to those requirements, the DDW recommends that a public water system inform its customers and consumers about the presence of the constituent and any health concerns associated with exposure.

4. Since the early 1980s, notification levels (known as "action levels" through 2004) for 95 contaminants have been established. Of those, 40 have gone through the formal regulatory process and now have MCLs. Currently there are 31 chemicals with notification levels. In addition, another 24 chemicals have archived advisory levels. For more information: https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/NotificationLevels.html
5. The contamination of drinking water with perfluoroalkyl substances (PFASs) has become an increasing concern due to the tendency of PFASs to accumulate in groundwater. These manmade compounds have been used extensively in consumer products such as carpets, clothing, fabrics for furniture, paper packaging for food, and other materials (e.g., cookware) designed to be waterproof, stain-resistant, or non-stick. In addition, they have been used in fire-retarding foam and in various industrial processes.

6. In May 2016, the United States Environmental Protection Agency (U.S. EPA) issued a lifetime health advisory for PFOS in drinking water in public water systems, advising municipalities that they should notify their customers of the presence of levels over 70 parts per trillion in community water supplies.

7. On July 13, 2018, DDW established a notification of 13 parts per trillion (ppt) and a response level of 70 ppt for PFOS.

8. In August 2019, the Office of Health Hazard and Assessment (OEHHA) developed PFOS reference levels in drinking water associated with liver tumors. The level of 0.4 ng/L (nanogram/liter) or parts per trillion (ppt) represents the concentration of PFOS in drinking water that would not pose more than a one in one million cancer risk.

9. OEHHA’s scientific review and recommendation has warranted the revision of the notification and response level for PFOS.

Approved:

8/22/2019
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