



CITY OF SIGNAL HILL



2175 Cherry Avenue ♦ Signal Hill, CA 90755-3799

May 2, 2015

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Subject: Emergency Rule Making – Drought Emergency Water Conservation – Requested Exemption for Purified Medical Water

Dear Ms. Townsend:

The City of Signal Hill generally supports the Emergency Rulemaking for water conservation contained in the April 29, 2015 regulations. However, we are requesting clarification of the application of the water conservation rules to the production of purified medical water by a business in our small community. We believe that imposing a water conservation mandate on the production of purified medical water will create a public health issue. We also believe that attempting to redistribute the water conservation burden on a community of 11,411 residents for one specialized medical water use is unrealistic, especially based on the statewide reach of this business.

Signal Hill operates a small community water system. As small system in a larger urban area, we take our water conservation responsibilities very seriously. The City began in June of 2014 to implement water conservation programs and our consumers reduced water consumption by 11% over this time frame. However, as our water system transitions to an urban water system, the proposed regulation will be difficult to implement in our community.

Section 864 of the emergency regulation provides an exemption where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency. This exemption has not been clearly defined in the regulation. For example, Signal Hill's largest consumer of potable water, Evoqua Water Technologies, provides purified water for medical uses, including for the production of heart valves from pigs used in human transplants. A 25% reduction requirement imposed on this medical use has the potential to create at the very least a regional public health emergency. Evoqua is one of the few highly specialized companies in the entire State that produces purified medical water.

We have worked with Evoqua in order to determine if they can rely on reclaimed water. However, after testing the quality of the local reclaimed water, they will not be able to meet State permitted purity requirements for medical uses due to the presence of small

amounts of fecal materials even after purification. Also, Evoqua has installed a recycled water system and makes efficient use of the potable water in their purification process. In order to give you a sense of their consumption as compared to our overall small water system, Evoqua relies on approximately 45.1 million gallons of water annually. The City is the next largest water user, at 17.8 million gallons and the Long Beach Unified School District is third largest user at 8.2 million.

The State has indicated that other consumers in our system should make up the difference, if the City determines that a particular user cannot realistically conserve water. However, this would add an additional 1.5% reduction requirement to all of Signal Hill's water consumers. Signal Hill residents and businesses are in essence being asked to conserve water for a business that services the entire State of California and for which few viable alternatives exist.

Most of the water use for the City and school district is in landscape irrigation, where we can reasonably conserve water. However, Evoqua Water Technologies has no viable options. We believe that the emergency exemption for public health and safety should be applied to producers of purified medical water. The State is extending an exemption to agriculture, since the State does not want to create food shortages and spikes in food prices. We believe this same rationale applies to purified medical water, where critical medical water shortages and price spikes for heart valves are certainly on par with the needs of California's farmers.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Forester". The signature is stylized and includes a small "For" at the end.

Larry Forester
Mayor

cc: Senator Ricardo Lara
Assembly Member Patrick O'Donnell
City Council
Evoqua Water Technologies