



Paul Schubert, Chair
Kerry Schmitz, Vice
Chair

Members

- California American Water
- Carmichael Water District
- Citrus Heights Water District
- Del Paso Manor Water District
- El Dorado Irrigation District
- Elk Grove Water District
- Fair Oaks Water District
- Folsom, City of
- Golden State Water Company
- Lincoln, City of
- Orange Vale Water Company
- Placer County Water Agency
- Rancho Murieta Community Services District
- Roseville, City of
- Rio Linda / Elverta Community Water District
- Sacramento, City of
- Sacramento County Water Agency
- Sacramento Suburban Water District
- San Juan Water District
- West Sacramento, City of
- Yuba City, City of

Associates

- County of Placer
- El Dorado County Water Agency
- Sacramento Area Flood Control Agency
- Sacramento Municipal Utility District
- Sacramento Regional County Sanitation District

June 4, 2019

The Honorable Benjamin Allen
Chair, Senate Environmental Quality Committee
State Capitol, Room 2205
Sacramento, CA 95814

RE: AB 756 (C. Garcia)—OPPOSE

Dear Chair Allen:

On behalf of the Regional Water Authority (“RWA”), I am writing to respectfully express RWA’s position of opposition to AB 756, as amended May 24, 2019, relating to contaminants in public water systems. RWA is a joint powers agency representing 21 water suppliers in Sacramento, Placer, El Dorado, Yolo, and Sutter Counties.

AB 756 would grant the State Water Resources Control Board (State Water Board) the authority to require all public water systems to monitor for perfluoroalkyl and polyfluoroalkyl substances (PFAS). The bill would also establish a separate, and very extensive, customer notification process as a result of any confirmed detection.

While there are thousands of formulations in the PFAS family of chemicals, the health impacts have not been well studied and very few formulations can be reliably tested for. A number of government entities are still studying the impact of PFAS on human health and the environment.

The United States Environmental Protection Agency (U.S. EPA) has developed an action plan to determine if two common chemicals in the PFAS family, perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS), may in fact be harmful, the extent to which they exist in water systems, and what measures can be taken to reduce health risks. The State Water Board has established interim notification levels at concentrations of 13 parts per trillion for PFOS and 14 parts per trillion for PFOA. When these levels are exceeded, water systems are required to report the exceedance to the appropriate local governing body and the State Water Board. In addition, the State Water Board recommends that water systems notify their customers and that the source of the water be removed from service and treated.

AB 756 also creates a separate, and very prescriptive, notification framework in statute specific to PFAS contamination. The new requirements being proposed in statute are substantially similar to what is already contained in the State Water Board’s regulations regarding Tier 2 violations. Water systems are already required to give notice within 30 days of certain violations and must provide notices by mail, direct delivery, in newspapers, and potentially via email. It would seem counterproductive to create a

Letter to Honorable Benjamin Allen
RE: AB 756 (C. Garcia) – OPPOSE
June 4, 2019
Page two of two

separate notification framework in statute solely for PFAS chemicals. The regulatory process that is already being undertaken by the State Water Board and the Office of Environmental Health Hazard Assessment (OEHHA) is designed to gather public input on complex technical issues. By legislating the monitoring, testing, and ultimately establishing a maximum contaminant level (MCL) for specific chemicals in statute, the flexibility and transparency of the regulatory process would be lost.

Providing safe drinking water is the number one priority for all public water agencies, and RWA is supportive of the current State Water Board process for establishing MCLs and notifying customers of harmful contaminants. AB 756 attempts to subvert that process without allowing the appropriate scientific review.

For these reasons, RWA opposes AB 756 and respectfully requests your “NO” vote when it is heard in the Senate Environmental Quality Committee.

If you or your staff have any questions, please contact Ryan Ojakian of RWA’s staff at (916) 967-7692 or rojakian@rwah2o.org.

Sincerely,



Rob Swartz
Interim Executive Director