



BACKGROUND

Water quality is a concern for all bodies of freshwater, both surface water and groundwater, and depends on a variety of chemical and biological factors regulated by a number of local, state, and federal agencies.

Risks to human health and the environment are managed by federal and state standards for drinking water using permissible levels of certain contaminants, known as Maximum Contaminant Levels (MCLs). The State Water Board adopts MCLs for contaminants, which are health protective drinking water standards to be implemented by public water systems. MCLs take into account not only a contaminant's health risks but also factors such as its detectability and treatability, as well as costs of treatment.

In addition to MCL's, the State Water Board utilizes notification levels (NLs), which are health-based advisory levels for contaminants in drinking water that do not have an MCL. Generally, NLs are established as precautionary measures for contaminants that may be considered candidates for establishment of MCLs, but have not yet undergone or completed the regulatory process prescribed for the development of MCLs and are not drinking water standards.

When chemicals are found at concentrations greater than their NLs, certain requirements are imposed on public water systems. Currently there are 29 contaminants with NLs. In addition, another 24 contaminants have archived advisory NLs.

Along with NL's, the State Water Board may establish a response level (RL). This RL is set by the State Water Board's Division of Drinking Water (DDW) at a more stringent level than the NL and imposes additional requirements on water agencies including further notification, treating the source, or removing the source from its system.

EXISTING LAW

Requires, pursuant to the federal Safe Drinking Water Act (SDWA) and California SDWA, drinking water to meet specified standards for contamination (MCLs).

Requires a public water system, within 30-days of detection of a contaminant in exceedance of an MCL, notification level (NL), or a response level, to provide notification to its governing body of the detection.

Establishes the policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

PROBLEM

Under current law there is a very clear process for the establishment of an MCL. However, there is not a clear and consistent process for the establishment of NL's and RL's, which are not set by the Water Board, but administratively set by the Division of Drinking Water.

SOLUTION

AB 2560 will provide greater transparency to and will clarify the NL and RL process to provide all water agencies clear and consistent information as they can continue to provide safe, clean and affordable drinking water to their constituents. Specifically, AB 2560 requires the State Water Board to do the following:

- Post on its internet website that it has initiated the development of a NL or RL and additionally post a draft NL or RL when it's available;
- Submit a draft NL or RL for external peer review; and,
- Take a formal action to finalize the NL or RL.

SUPPORT

- California Municipal Utilities Association (co-sponsor)
- Orange County Water District (co-sponsor)

FOR MORE INFORMATION

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