

CENTRAL BASIN MUNICIPAL WATER DISTRICT

MAY 9, 2005 - Water Resources
Vasquez, No Quorum
MAY 23, 2005 - Board Meeting
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Approved by: Richard Nagel

INFORMATION CALENDAR

REGULATORY STATUS OF CONSTITUENTS OF CONCERNSUMMARY:

Five different constituents of concern are in various phases of having regulatory levels established for them federally, in the State of California, or both. Some of these have been riddled with controversy while others have slowly languished for years. A summary of the regulatory status for five constituents of concern -- arsenic, chromium-6, NDMA, perchlorate, and 1,2,3-trichloropropane are as follows:

Arsenic

The Environmental Protection Agency established a federal maximum contaminant level (MCL) of 10 parts per billion (ppb) in January 2001. Public water agencies must be in compliance with this level beginning January 23, 2006.

The California Department of Health Services (DHS) was required to establish a State MCL for arsenic by June of 2004 (State MCL's must be set as close to the public health goal (PHG) as is technically and economically feasible). A PHG was not established by the Office of Environmental Health Hazard Assessment (OEHHA) until April 2004; it was set at 4 parts per trillion (ppt). This left insufficient time for the DHS to create an arsenic MCL by June. DHS is now in progress of developing the MCL.

Although the MCL is set close to the PHG, it is done so based on technical and economic feasibility. It is unlikely that DHS will set the MCL near 4 ppt given the difficulty to achieve this level, laboratory costs to analyze this low, and costs to implement technology for compliance. It is more likely that the state MCL will be set near the federal MCL, which will still be a struggle for many water purveyors to meet. Since January of 2001, five different wells in the District's service area have detected arsenic over 10 ppb.

Chromium-6

Chromium-6 does not have a federal MCL established at this time. It is currently regulated under an MCL for total chromium (mixture of chromium-3 and chromium-6) of 100 ppb.

Chromium-6 also lacks a State MCL; it is regulated under the total chromium MCL of 50 parts per million (ppm). DHS was required to establish a separate MCL for chromium-6 by January 1, 2004; however, they cannot begin the MCL process until a PHG is established by OEHHA. OEHHA is working on developing a PHG, using results from chromium-6 testing mandated in California beginning in 2001 to establish how much chromium-6 makes up total chromium in

water supplies. Once the PHG is finalized, the MCL process can begin, establishing the nation's first drinking water standard for chromium-6.

Since 2001, when chromium-6 testing was mandated by DHS, one well in the District's service area has detected chromium-6 in excess of 50 ppm.

NDMA

There is no federal MCL for NDMA. There is also no State MCL for NDMA, however, it does have a notification level of 0.01 ppb (notification levels are non-regulatory advisory levels only). DHS has requested that OEHHA develop a PHG for NDMA to support the eventual development of an MCL. OEHHA is currently in the process of performing a risk assessment, one of the steps to establishing a PHG.

Groundwater wells in the District's service area do not currently analyze for NDMA.

Perchlorate

There is no federal MCL set for perchlorate, although a reference dose does exist. A reference dose is a preliminary step to determine if federal regulation of perchlorate is worthwhile.

Currently, perchlorate does not have a State MCL; a notification level of 6 ppb is in place. OEHHA developed a PHG of 6 ppb in 2004, which was revisited in 2005 when findings from the National Academy of Sciences report on perchlorate were released. OEHHA determined that no revision was necessary for the PHG based on the report findings. DHS is now moving forward with establishing an MCL and hopes to propose one later in 2005.

Since 1999, when perchlorate monitoring was mandated, four wells in the District's service area have detected perchlorate over 6 ppb.

1,2,3-Trichloropropane

There is no federal MCL for 1,2,3-trichloropropane. There is also no State MCL for 1,2,3-trichloropropane; however it does have a notification level of 0.005 ppb. DHS has requested that OEHHA develop a PHG for 1,2,3-trichloropropane to support the eventual development of an MCL.

Two different wells in the District's service area detected 1,2,3-trichloropropane in 2001 above the notification level; it has not been detected since (Central Basin).

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

This item was not reviewed by the Water Resources Committee on May 9, 2005. Due to a lack of quorum, Director Vasquez suggested this item be agendaized to the May 23, 2005 Board meeting as information for discussion.

RECOMMENDED MOTION:

This item is for information only.

LIST OF EXHIBITS:

None.

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