



Co-sponsor Legislation for a Statewide Constituents of Emerging Concern Program

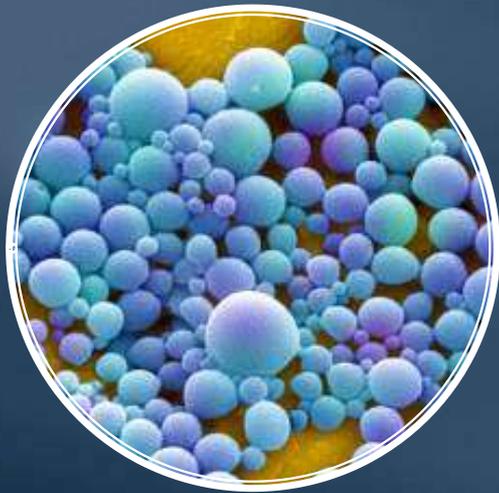
Communications and Legislation Committee

Item 8-2

November 4, 2019

Proposed Action

- Seek authorization to co-sponsor legislation to create a statewide program to identify and evaluate Constituents of Emerging Concern (CECs) in drinking water sources



Background on CECs

- Diverse group of synthetic and naturally occurring chemicals and some microorganisms
- No drinking water standards for CECs
- Limited information available on occurrence and health effects



Drinking Water Regulatory Process



Utilizes the
Contaminant
Candidate List
& Unregulated
Contaminant
Monitoring
Rule

Consults with
OEHHA to
establish
Public Health
Goal and
initiate MCL
process

Mandates
new
regulatory
requirements
through
legislation

Proposed Legislative Concept

Establish a statewide CEC program to streamline and inform existing regulatory processes

- Collaborate with regulators, non-profit organizations, and water agencies
- Research and fill data gaps needed by regulators on CECs relevant to California
- Identify and evaluate CECs based on occurrence and health effects
- Help develop science to support state agency regulatory determinations and policy decisions

Focus on Avoiding Unintended Consequences

- Don't create a new regulatory process
- Don't infringe upon current regulatory or legislative authorities to address CECs
- Don't add additional hurdles to reach a regulatory determination

Do expedite the regulatory review process by developing data/science proactively

Benefits of the Program

- Ensures unified and consistent approach to identify CECs relevant to California that warrant further action
- Improves efficiencies and fills research/data gaps that often delay current processes
- Enhances stakeholder coordination and input
- Informs regulatory determinations and water agency management decisions

Next Steps

- Assess CEC programs in other states
- Collaborate with partners (regulators, non-profit organizations, water agencies) to develop program elements
 - Optimal structure
 - Funding
- Seek co-sponsorship with California Municipal Utilities Association
- Seek author and develop bill language

Board Options

- Option #1
 - Authorize the General Manager to co-sponsor legislation to create a statewide program to identify and evaluate drinking water quality constituents of emerging concern
- Option #2
 - Do not authorize the General Manager to seek co-sponsor legislation to create a statewide CEC program

Staff Recommendation

- Option #1

