



December 6, 2021

VIA E-MAIL: ddw-hexavalentchromium@waterboards.ca.gov

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Rosanna Carvacho Elliott
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Kim Niemeyer
State Water Board
Office of Chief Counsel
P.O. Box 100
Sacramento, CA 95812-0100

RE: Notice of Preparation of a Draft Program Environmental Impact Report Adoption of a Regulation for the Hexavalent Chromium Maximum Contaminant Level

Dear Ms. Niemeyer,

On behalf of the California Groundwater Coalition (CGC), thank you for the opportunity to comment on the Notice of Preparation (NOP) of a Draft Program Environmental Impact Report Adoption of a Regulation for the Hexavalent Chromium Maximum Contaminant Level (Project). CGC members include public and private groundwater managers located throughout California and consist of experts with technical, legal, and professional groundwater and related expertise.

CGC respectfully requests that the State Water Board complete a full Environmental Impact Report (EIR) for the Project, following the science and risk assessment while also considering the cost and benefit of treatment options, especially for disadvantaged communities that lack access to financial resources and the ability to raise water rates on their customers.

The State Water Board should follow the science and risk assessment when selecting a maximum contaminant level (MCL) for hexavalent chromium (Chromium 6). Unfortunately, at this point the Project is being undertaken without using the best available science. The State Water Board is basing the MCL on a Public Health Goal (PHG) that is more than ten years old and is derived from a study by the National Toxicology Program that is almost fifteen years old. This ignores the Office of Environmental Health Hazard Assessment's (OEHHA) determination, five years ago, that more scientific information requires an updated PHG.

Additionally, the cost and benefit of different treatment options must be considered prior to adopting an MCL. The NOP provides potential methods of compliance depending on the best available technologies identified or alternative measures to reduce Chromium 6 in the distribution system. The cost impacts of these

Ms. Niemeyer, State Water Board

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compliance methods will be the most harmful to disadvantaged communities where increased water rates compromise affordability and access.

CGC respectfully requests that the State Water Board base the new Chromium 6 MCL on an updated PHG through OEHHA that incorporates the best available science.

Thank you for the opportunity to provide these comments on the NOP. If you have questions about any of CGC's comments please contact our Legislative Advocate, Rosanna Carvacho Elliott at 916-812-6519 or rosanna@clearadvocacy.com.

Sincerely,



Ann DuBay

President, California Groundwater Coalition