

Agenda Report

September 9, 2013

TO: Honorable Mayor and City Council
FROM: City Manager
SUBJECT: Report on Water Quality Relative to Public Health Goals

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the following proposed actions related to the City of Pasadena's Report on Water Quality Relative to Public Health Goals ("PHG") is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060 (c)(2), 15060 (c)(3) and 15378, as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment;
2. Hold a public hearing on September 9, 2013 for the purposes of accepting and responding to public comments on the PHG; and
3. Accept the PHG Report.

ENVIRONMENTAL ADVISORY COMMISSION:

On August 20, 2013, the PHG Report was presented to the Environmental Advisory Commission as an information item.

MUNICIPAL SERVICES COMMITTEE:

On July 23, 2013, the PHG Report was presented to the Municipal Services Committee ("MSC") as an information item. The PHG Report was subsequently reviewed by the Pasadena Public Health Department at the request of the MSC.

BACKGROUND:

The water that the Pasadena Water and Power Department ("PWP") delivers to its customers complies with all applicable drinking water standards or Maximum Contaminant Levels ("MCL"). The MCLs are enforceable regulatory standards under the Safe Drinking Water Act and must be met by all public drinking water systems. MCLs are set by the California Department of Public Health ("CDPH"), which is the primary

State agency responsible for the protection of public health and the regulation of drinking water.

The California legislature has established criteria for adopting MCL standards in drinking water by creating the concept of a PHG. As a result, the preparation of the PHG report is required pursuant to the enactment of Senate Bill 1307, which amended provisions of Section 116470 (b) of the Health and Safety Code and was intended to provide information to the public, in addition to the Annual Water Quality Report mailed to each customer annually.

Section 116470 (b) of the Health and Safety Code requires that public water systems with more than 10,000 service connections prepare a report to inform the public when the levels of one or more PHGs are exceeded. During the period covered by the PHG Report (2010-2012), there were instances when contaminants were detected in PWP's drinking water at levels above the PHG, or if no PHG, above the Maximum Contaminant Level Goals ("MCLG"). MCLGs are the federal equivalent to PHGs and are set by the United States Environmental Protection Agency ("USEPA"). The contaminants detected include arsenic, carbon tetrachloride, chromium VI, cis-1, 2-Dichloroethylene, fluoride, gross alpha, lead and copper, nitrate, perchlorate, tetrachloroethylene, total coliform bacteria, trichloroethylene, and uranium.

PHGs and MCLGs are health risk assessment measurements, not proposed drinking water standards. They are measurements of the level of contaminants in drinking water that are not considered to pose a significant risk to health if consumed for a lifetime. The risk-management factors that are considered by USEPA or by CDPH in setting drinking water standards are not part of the process of setting the PHGs or MCLGs. These factors include analytical detection capability, available treatment technology, benefits and costs. The PHGs are not enforceable and are not required to be met by any public water system.

PWP's PHG report provides the following information for all contaminants detected in the water supply in years 2010, 2011 and 2012 at levels exceeding the applicable PHGs or MCLGs:

1. Numerical public health risk associated with the MCL and the PHG or MCLG;
2. Category of risk to public health associated with each contaminant;
3. Best Available Treatment Technology that could be used to reduce the contaminant level to achieve the PHG or MCLG; and,
4. Estimate of the cost that would be incurred to install sufficient treatment technologies for each contaminant to achieve the desired PHG or MCLG. In some cases, it may be possible to treat multiple contaminants at a lower combined cost.

Although the PHG Report lists the estimated costs to reduce contaminant levels sufficiently to meet the PHGs or MCLGs, it does not propose implementing these technologies or pursuing any further actions. The drinking water quality of the City of

Pasadena meets all CDPH and the USEPA drinking water standards set to protect public health. To further reduce the levels of the contaminants identified in the report would require costly treatment processes and the effectiveness of these treatment processes to provide any significant reductions in contaminant levels is uncertain. The health protection benefits of these hypothetical reductions are not clear and not quantifiable.

On August 23, CDPH announced in the California Regulatory Notice Register the proposed 0.010 mg/L MCL for chromium VI. Currently, there is only a PHG for this particular constituent. PWP detected chromium VI at several groundwater wells below 0.010 mg/L. CDPH will undergo public comment and public hearing before the final adoption of the MCL for chromium VI.

The Health and Safety Code requires that a public hearing be held for the purpose of accepting and responding to public comments. The law mandates that PHG reports be completed by July 1, 2013, and every three years thereafter, and that the public hearing should be held within a reasonable time after completion of the report. PWP completed its PHG Report on June 12, 2013.

Copies of the report have been made available for public inspection at PWP's administrative offices located at 150 South Los Robles Avenue, Suite 200 and on the web at www.PWPweb.com/WaterQuality/. In addition, a notice of public hearing has been published in the Pasadena Journal on August 22, 2013.

ENVIRONMENTAL ANALYSIS:

The acceptance of the PHG Report is not subject to CEQA, pursuant to CEQA Guidelines Sections 15060 (c)(2), 15060 (c)(3), and 15378. CEQA Guidelines Section 15060 (c)(2) states that an activity is not subject to CEQA if "The activity will not result in a direct or reasonably foreseeable indirect physical change in the environment". The proposed activity consists of accepting a report on water quality information. No direct or reasonably foreseeable indirect physical change in the environment would result from this report. For the same reason, the proposed activity is not a CEQA "Project" as defined in CEQA Guidelines Section 15378 and is, therefore, also not subject to CEQA pursuant to CEQA Guidelines Section 15060 (c)(3).

FISCAL IMPACT:

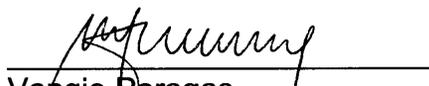
There is no fiscal impact as a result of the acceptance of the PHG Report and it will not have any indirect or support cost requirements. There are no anticipated impacts to other operational programs or capital projects as a result of this action.

Respectfully submitted,



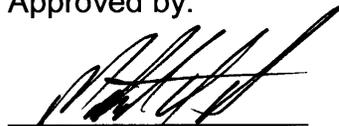
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Prepared by:



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Approved by:



MICHAEL J. BECK
City Manager

Attachment:

Attachment A – 2013 Public Health Goal Report