



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

July 29, 2019

The Honorable Gavin Newsom
Governor, State of California
State Capitol Building, 1st Floor
Sacramento, CA 95814

Re: AB 756 (C. Garcia) - Public water systems: perfluoroalkyl substances and polyfluoroalkyl substances
– **REQUEST VETO**

Dear Governor Newsom,

The Metropolitan Water District of Southern California (Metropolitan) respectfully requests that you veto AB 756 (C. Garcia) regarding per- and polyfluoroalkyl substances (PFAS) in public water systems. As currently enrolled, AB 756 circumvents the State Water Resources Control Board's (State Water Board) current monitoring process and creates a separate customer notification procedure unique to PFAS.

Metropolitan is committed to delivering clean and safe water to our 26 member agencies (including 14 cities, 11 municipal water districts, and one county water authority) which in turn, directly or through their sub-agencies, provide water to approximately 19 million people in southern California. Our mission is to provide our service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

The issue of PFAS in drinking water supplies is of growing concern in southern California—including many of Metropolitan's member agencies and other retail water and groundwater management agencies within our region. Although Metropolitan has not yet detected PFAS in its imported water supplies, it has a significant impact within our service area. Over 350 groundwater wells in southern California are currently under scrutiny for PFAS contamination and the full extent of the problem is still evolving. In July 2018, The State Water Board established notification and response levels for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS), two commonly detected PFAS. Updates to these notification and response levels are expected soon and reductions in the response levels could adversely impact many of our member agencies.

As currently enrolled, AB 756 establishes the following two main provisions:

- Expands the State Water Board's authority to require all public water systems to monitor for PFAS

The Honorable Gavin Newsom
Page Two
July 29, 2019

- Establishes a separate prescribed customer notification procedure if a public water system exceeds PFAS response levels or notification levels

Metropolitan is supportive of initiatives to monitor for PFAS and better understand their occurrence in drinking water and risk to public health. In April 2019, the State Water Board issued investigative orders to impacted public water systems to monitor for PFAS, as part of a three-phased investigative approach. The public water systems targeted are considered higher risk for potential PFAS contamination due to their proximity to facilities known to use, produce, or store PFAS. While the state's monitoring effort is ongoing, a separate legislative action to monitor for PFAS circumvents the normal regulatory process and duplicates efforts.

Also, pursuant to Health and Safety Code Section 116450-116485, the State Water Board currently follows a recommended procedure to notify customers in case of a response level exceedance for all contaminants based on the nature of exceedance and urgency. AB 756 would require notification to customers via mail, email, internet, and another additional posting if a public water system exceeds a PFAS response level. This bill would create separate requirements for just one contaminant class and circumvent the current regulatory process. Also, informing the customers about only one contaminant in their drinking water system will confuse the consumer about the quality of their drinking water.

For these reasons, we urge you to veto AB 756, and create an opportunity to bring water agencies, the state, and legislators back to the table to work through how best to address the emerging problem of PFAS in our water supplies in a way that protects public health but does not create confusion. As further background, I have enclosed our letter dated July 10, 2019, to the ranking members of the U. S. House of Representatives Committee on Armed Services in response to over 30 bills introduced in Congress this year related to PFAS in the environment. If you have any questions regarding our position, please contact me at jkightlinger@mwdh2o.com or (213) 217-6211, or our Executive Legislative Representative Kathy Viatella at kviatella@mwdh2o.com or (916) 650-2614.

Sincerely,



Jeff Kightlinger
General Manager
Metropolitan Water District of Southern California

cc: The Honorable Cristina Garcia
Rachel Waggoner, Deputy Legislative Secretary, Office of Governor Newsom