



DEPARTMENT OF  
PUBLIC WORKS

WATER DIVISION

CITY OF SACRAMENTO  
CALIFORNIA

1391-35TH AVENUE  
SACRAMENTO, CA  
95822-2911

916-449-5271

April 20, 1989

CITY MANAGER'S OFFICE  
**RECEIVED**  
APR 13 1988

Law and Legislation Committee  
Sacramento, California

Honorable Members in Session:

**SUBJECT: RECOMMENDATION TO OPPOSE AB 2102 (CONNELLY) RELATING TO  
DRINKING WATER**

#### SUMMARY

Assembly Bill 2102 by Lloyd Connelly would require water purveyors to notify their customers whenever the total level of trihalomethanes (THMs) in drinking water exceeds an average 25 parts per billion (ppb) during the previous 12 months of sampling. The current Environmental Protection Agency and State standard for THMs is 100 ppb. The "trigger" level proposed in AB 2102 is arbitrary and serves no useful purpose. It is recommended that the City oppose AB 2102.

#### BACKGROUND

Chlorine is added to water during the treatment process for disinfection and taste and odor control. Before the City began using chlorine in 1916, there were numerous epidemics of typhoid, cholera and other diseases. When chlorination began, these water-borne diseases all but disappeared. Chlorine does, however, combine with materials naturally present in the water to form compounds known as trihalomethanes (THMs).

Federal and State standards require that the average level of THMs in the City's system not exceed 100 parts per billion. The average level of THMs in water provided by the City of Sacramento is about 35 parts per billion, which is well below the safe drinking water standard.

AB 2102, however, selects an arbitrary "trigger" by specifying that notices must be sent when a level of 25 parts per billion of THMs is reached. The current primary health standard of 100 ppb was set by EPA after consideration of all pertinent, scientific, political and social facts and impacts.

To notify customers with a bill insert when the level reaches 25 ppb will be confusing and possibly alarming to the consumer, as 25 ppb of THMs is not a drinking water standard of any kind. It is much more prudent to wait until the EPA develops a new standard for THMs to enact this type of notification requirement.

The Water Division supports the concept of notifying its customers as to the contents and quality of the drinking water provided to them by the City. In 1987, absent any mandate, the Division direct-mailed to all utility customers a brochure titled "What's in the Water." This brochure included a table listing all primary, secondary, and interim standards as well as the levels of each contaminant detected in the City's treated water.

#### FINANCIAL

Depending upon the quality of the utility bill insert, the Water Division will be required to spend \$2,000 to \$5,000 for the design and printing of the notification.

#### POLICY CONSIDERATIONS

No impact.

#### MBE/WBE EFFORTS

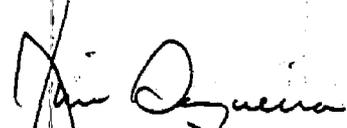
No impact.

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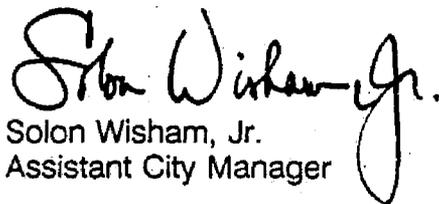
RECOMMENDATION

It is recommended that the Law and Legislation Committee declare the City's opposition to AB 2102 (Connelly) relating to drinking water.

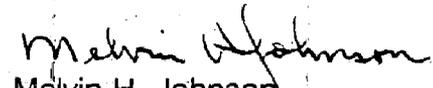
Respectfully submitted,

  
Jim Sequeira  
Water Division Manager

RECOMMENDATION APPROVED:

  
Solon Wisham, Jr.  
Assistant City Manager

APPROVED:

  
Melvin H. Johnson  
Director of Public Works

April 20, 1989  
ALL DISTRICTS

CONTACT PERSON:

Jim Sequeira  
Water Division Manager, 449-1291

B I L L   R E F E R R A L

DATE: April 4, 1989

COMMITTEE ACTION: \_\_\_\_\_

TO: Law and Legislation Committee

DATE: \_\_\_\_\_

FROM: Public Works

REPLY NO LATER THAN:

A.B. 2102

S.B.

Relating to Public Drinking Water Systems

STATUS: Pending Policy Committee Assignment

Please review the attached measure to determine its effect upon the City of Sacramento and complete the following questions as appropriate. During your analysis of this measure, if questions arise, please feel free to contact me at x5346. This questionnaire should be returned to me for presentation to the Council Committee on Law and Legislation. PLEASE LEAVE THE BILL ATTACHED TO THIS FORM.

PLEASE TYPE YOUR RESPONSE

1. Briefly describe the provisions of the bill (attach additional sheets if necessary).

AB 2102 would require public water systems to notify their customers, via a utility bill insert, whenever the running average of quarterly sampling during the previous year indicates that a level of 25 parts per billion of total trihalomethanes (THMs) in drinking water has been exceeded

2. Should this measure be: (Please circle desired position)

Supported

Opposed

Supported if Amended

Placed on Watch List

Other (explain)

3. Please explain your reasons for the above determination, including how this measure affects your Department and the fiscal impact of this measure to the City. Your analysis will be used in communicating with the Governor and the Legislature, so please make your comments in a format that can be used in a letter to those officials. (Attach additional sheets if necessary.)

See attached.

3. The Water Division supports the concept of notifying its customers as to the contents and quality of the drinking water provided to them by the City. In 1987, absent any mandate, the Division direct-mailed to all utility customers a brochure titled "What's in the Water". This brochure included a table listing all primary, secondary, and interim standards as well as the levels of each contaminant detected in the City's treated water.

AB 2102, however, selects an arbitrary "trigger" for this notification by specifying a level of 25 parts per billion of THMs. The current state and U.S. Environmental Protection Agency (EPA) standard for THMs is 100 ppb. This level was set by EPA after consideration of all pertinent scientific, political and social facts and impacts.

To notify customers with a bill insert when the level of THMs reaches 25 ppb of will be confusing and possibly alarming to the consumer, as 25 ppb of THMs is not a drinking water standard of any kind. It is much more prudent to wait until the EPA develops a new standard for THMs to enact this type of notification requirement.

- 7
4. Specify the City's legislative policy guideline(s) applicable to this measure (if any).

NONE

5. If this measure could be amended to either improve its favorable aspects or to minimize its adverse aspects, which amendments would you propose?

The bill could be amended to require notification when total THMs reach 100 ppb, which is the current health standard. However, the State Department of Health Services (DOHS) is already drafting administrative regulations that will require water purveyors to notify their customers about the level of all regulated constituents in their drinking water. AB21, by Byron Sher, would require this as well, so AB 2101 is not needed.

6. List known support or opposition to this measure by groups with which you are familiar and include addresses and phone numbers, if known. League of California Cities position: No position

Opposed: California Municipal Utilities Association

7. Does this bill involve a State-mandated local program? If so, does the bill contain an S.B. 90 waiver, or an appropriation for allocation and disbursement to local agencies pursuant to Revenue and Taxation Code Section 2231?

NO

8. Using a rating scale of 1 to 10 (with 10 as the most important), how important do you think this bill is to the City of Sacramento? 7

FORM COMPLETED BY: J. Sequeira/R. Larson DATE: 04/04/89

**ASSEMBLY BILL**

**No. 2102**

Introduced by Assembly Member Connelly

March 10, 1989

An act to add Sections 4027.3 and 4027.5 to the Health and Safety Code, relating to drinking water.

LEGISLATIVE COUNSEL'S DIGEST

AB 2102, as introduced, Connelly. Public drinking water.

Existing law does not require a public water system to notify water customers whenever the running average of quarterly sampling during the previous 12 months indicates that a level of 25 parts per billion of total trihalomethanes in drinking water has been exceeded.

This bill would require, effective January 1, 1990, a public water system to notify water customers, as specified, whenever the running average of quarterly sampling during the previous 12 months indicates that a level of 25 parts per billion of total trihalomethanes in drinking water has been exceeded. It would require the State Department of Health Services to develop the drinking water safety notice, as specified, concerning trihalomethanes for use by the public water supply systems.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 4027.3 is added to the Health
- 2 and Safety Code, to read:
- 3 4027.3. Effective January 1, 1990, a public water
- 4 system shall notify water customers, by providing a copy
- 5 of the notice developed, pursuant to Section 4027.5, as a

1 bill insert, whenever the running average of quarterly  
 2 sampling during the previous 12 months indicates that a  
 3 level of 25 parts per billion of total trihalomethanes in  
 4 drinking water has been exceeded. Notice is not required  
 5 more frequently than once annually.

6 SEC. 2. Section 4027.5 is added to the Health and  
 7 Safety Code, to read:

1 standard setting process, including the year the standard  
 2 was set by the Environmental Protection Agency, the  
 3 deadlines established for the revision of the standard  
 4 since 1979, and the progress that has been made toward  
 5 meeting the revision deadlines.

6 (c) For the purposes of developing the notice  
 7 specified in subdivision (b), the department shall