

64420 General Provisions

(a)

Except for a proposed new community water system that does not have a domestic water supply permit, a public water systems that meets the requirements of Health and Safety Code section 116380(a) may be permitted to use POEs in lieu of centralized treatment for the purpose of complying with one or more maximum contaminant levels, action levels, or treatment techniques in this Title and as allowed under the state and federal State Drinking Water Acts, if: (1) the public water system meets the requirements of this Article and any applicable statutory requirements; (2) the public water system has: (A) applied for funding from any federal, state, or local agency to correct the system's violations, and (B) demonstrated to the State Board that centralized treatment for achieving compliance is not immediately economically feasible, as defined in section 64420.1; (3) the public water system has applied for a permit or permit amendment to use POEs. The duration of the permit or permit amendment issued will be in accordance with Health and Safety Code section 116552; (4) for a community water system, following a public hearing, the State Board determines pursuant to section 64420.6 that there is no substantial community opposition; (5) the public water system has a State Board-approved: (A) POE Treatment Strategy, as defined in section 64420.3, (B) POE Operations and Maintenance Program, as defined in section 64420.4, and (C) POE Monitoring Program, as

defined in section 64420.5; and (6) the public water system ensures that each building connected to the public water system has a POE installed pursuant to this Article.

(1)

the public water system meets the requirements of this Article and any applicable statutory requirements;

(2)

the public water system has: (A) applied for funding from any federal, state, or local agency to correct the system's violations, and (B) demonstrated to the State Board that centralized treatment for achieving compliance is not immediately economically feasible, as defined in section 64420.1;

(A)

applied for funding from any federal, state, or local agency to correct the system's violations, and

(B)

demonstrated to the State Board that centralized treatment for achieving compliance is not immediately economically feasible, as defined in section 64420.1;

(3)

the public water system has applied for a permit or permit amendment to use POEs. The duration of the permit or permit amendment issued will be in accordance with Health and Safety Code section 116552;

(4)

for a community water system, following a public hearing, the State Board determines pursuant to section 64420.6 that there is no substantial community opposition;

(5)

the public water system has a State Board-approved: (A) POE Treatment Strategy, as

defined in section 64420.3, (B) POE Operations and Maintenance Program, as defined in section 64420.4, and (C) POE Monitoring Program, as defined in section 64420.5; and

(A)

POE Treatment Strategy, as defined in section 64420.3,

(B)

POE Operations and Maintenance Program, as defined in section 64420.4, and

(C)

POE Monitoring Program, as defined in section 64420.5; and

(6)

the public water system ensures that each building connected to the public water system has a POE installed pursuant to this Article.

(b)

With State Board approval and without having to meet the requirement of paragraph (a)(6), a public water system may utilize POEs in lieu of centralized treatment for the purpose of reducing contaminant levels to levels at or below one or more of the maximum contaminant levels, action levels, or treatment techniques in this Title, in the water it supplies to some or all of the persons it serves, but the public water system will not be deemed in compliance without meeting the requirement of paragraph (a)(6). A public water system's application for a permit to utilize POEs pursuant to this subsection may include a request that one or more of the requirements of this article be amended or eliminated to address the public water system's specific utilization, and such request may be granted or denied by the State Board.

(c)

Funding for centralized treatment is available when funding for centralized

treatment, from any source, is received by, or otherwise placed under control of, the public water system.

(d)

As used in this article, the estimated cost for both centralized treatment and POE treatment shall be the complete life cycle cost for a similar period of time.