August 11, 2023

VIA U.S. MAIL and EMAIL (commentletters@waterboards.ca.gov)

Courtney Tyler
Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-2000

Re.: City of Dixon Comment Letter on SWRCB-DDW-21-003: Hexavalent Chromium MCL

Dear Ms. Tyler:

On behalf of the City of Dixon ("City") thank you for the opportunity to provide comment on the proposed hexavalent chromium ("chrom-6") maximum contaminant level ("MCL") regulation ("Proposed Regulation") the State Water Resources Control Board ("SWRCB") is currently considering. The MCL for chrom-6 under the Proposed Regulation is 10 ppb or 0.010 milligrams per liter (mg/L), with an associated detection limit for purposes of reporting of 0.1 ppb or 0.0001 mg/L. The MCL of 10 ppb is identical to the MCL that was previously adopted in 2014 and was subsequently overturned in 2017, and the detection limit is even lower than the detection limit that was included in the 2014 regulation.

The City is located in northern Solano County, California with a population of approximately 18,989 at the 2020 census. City residents receive water from both the California Water Company and through a City operated system. In 2021, the City operated system connected its 3,000th customer connection. Consequently, under the Proposed Regulation, the City would only have three years from the Proposed Regulation's effective date to reach compliance with the MCL. The City relies entirely upon the groundwater produced through its wells and does not currently have access to surface water supplies. The groundwater the City produces has naturally occurring chrom-6 in excess of the MCL in the Proposed Regulation.[1]

Because the City's water supply has naturally occurring chrom-6, the costs of complying with the Proposed Regulation would fall to the City's rate payers. Therefore, the City opposes the Proposed Regulation.

The cost analysis associated with the Proposed Regulations estimates that the City, as a local government entity that is a public water system with chrom-6 in its water supply, would incur

[1] Consumer confidence report available at: https://www.sidwater.org/DocumentCenter/View/352/Dixon-Solano-Water-Authority-2012-Water-Quality-Report?bidId=

monitoring, amortized capital costs, and operation and maintenance costs of $2,178,130.18 per year to comply with an MCL of 10 ppb. That figure does not include an estimated $7,619 that the City would incur in preparing and approving a compliance and operation plan to meet the MCL, nor does it take into account the significant up-front investment that would be required for well-head treatment. Instead, the up-front costs are instead evaluated as amortized costs.

The compliance costs for the City's customers would be significant, with a total annual increase in rates necessary to meet the compliance costs likely to be at least Five Hundred Dollars ($500.00) per household. The capital, continuous monitoring, and operations and maintenance costs necessary to meet the MCL are currently out of the City's financial reach. Additional time, beyond the three years established under the Proposed Regulation, or funding opportunities to support upgrades and treatment are necessary for the City to meet the MCL. The remediation standards for a small water system that have been approved by the state are not cost effective.

As such the City opposes the Proposed Regulation until there is additional support for small water suppliers like the City to meet the MCL. Due to the limited number of service connections, small water suppliers, such as the City, do not have the economies of scale necessary to distribute the costs of compliance to a manageable amount over a wide user base. No funding mechanisms or other potential revenue streams have been provided for small water suppliers to assist with compliance costs. Because the Proposed Regulation continues to result in significant costs to the City's ratepayers without assistance to address that impact, the City opposes the Proposed Regulation.

Sincerely,

Steve Bird
Mayor
City of Dixon

Cc: Jim Lindley, City Manager, City of Dixon
Douglas I. White, City Attorney, City of Dixon