

AMENDED IN ASSEMBLY JANUARY 4, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1048

Introduced by Assembly Member Harkey

February 18, 2011

An act to add Section ~~13142.3~~ 13240.5 to the Water Code, relating to water quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 1048, as amended, Harkey. Water quality *in the San Diego region*: recycled water and wastewater: fluoride.

Under the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the 9 California regional water quality control boards are the principal state agencies with responsibility for the coordination and control of water quality in the state. The act requires the state board to formulate and adopt state policies for water quality control, and requires the regional boards to adopt regional water quality control plans in compliance with the state policies.

This bill would require the state board, on or before July 1, 2012, to adopt a statewide policy establishing standards for levels of fluoride in recycled water and wastewater, as specified. The bill would require the state board to provide direction to the regional boards to revise their respective regional water quality control plans to ensure consistency with that statewide policy. *California Regional Water Quality Board, San Diego Region, to address levels of fluoride in recycled water and wastewater as part of the San Diego Regional Water Quality Control Board's review of the Water Quality Control Plan for the San Diego Basin.*

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 13240.5 is added to the Water Code, to
2 read:

3 13240.5. (a) The California Regional Water Quality Control
4 Board, San Diego Region, shall review the levels of fluoride
5 required to be added to drinking water pursuant to Article 3.5
6 (commencing with Section 116409) of Chapter 4 of Part 12 of
7 Division 104 of the Health and Safety Code to address levels of
8 fluoride in recycled water and wastewater when the California
9 Regional Water Quality Control Board, San Diego Region, reviews
10 the Water Quality Control Plan for the San Diego Basin pursuant
11 to Section 1313(c)(1) of Title 33 of the United States Code.

12 (b) Any review of levels of fluoride pursuant to subdivision (a),
13 for the San Diego Basin and any revision to the Water Quality
14 Control Plan for the San Diego Basin pursuant to subdivision (a),
15 shall be consistent with applicable provisions of the federal Clean
16 Water Act (33 U.S.C. Sec. 1251 et seq.).

17 SECTION 1. Section 13142.3 is added to the Water Code, to
18 read:

19 ~~13142.3. (a) On or before July 1, 2012, the state board shall~~
20 ~~adopt a statewide policy establishing standards for levels of fluoride~~
21 ~~in recycled water and wastewater. The policy shall ensure that~~
22 ~~water quality standards for maximum levels of fluoride in recycled~~
23 ~~water and wastewater are consistent with, and not lower than, the~~
24 ~~levels of fluoride that are required to be added to drinking water~~
25 ~~pursuant to Article 3.5 (commencing with Section 116409) of~~
26 ~~Chapter 4 of Part 12 of Division 104 of the Health and Safety~~
27 ~~Code.~~

28 ~~(b) The state board shall provide direction to the regional boards~~
29 ~~to revise their respective regional water quality control plans to~~
30 ~~ensure consistency with the policy adopted pursuant to subdivision~~
31 ~~(a).~~

32 ~~(c) The policy adopted pursuant to subdivision (a), and any~~
33 ~~revision to a regional water quality control plan pursuant to~~

- 1 ~~subdivision (b), shall be consistent with the federal Clean Water~~
- 2 ~~Act (33 U.S.C. Sec. 1251 et seq.).~~

O