January 30, 2019

Office of Environmental Health Hazard Assessment
Attn: Carolina Balazs
1515 Clay Street, 16th Floor
Oakland, CA 94612

RE: Tools and Framework for Assessing Progress in Achieving the Human Right to Water

The Environmental Working Group, a nonprofit research and policy organization with offices in San Francisco and Sacramento, Calif., Minneapolis, Minn., and Washington, D.C., supports the proposal from the California Office of Environmental Health Hazard Assessment (OEHHA) to establish a framework for evaluating key objectives of the human right to water.

In 2012, California became the first state to legislate the right to clean, affordable and accessible water for everyone in the state. Further, in 2016, the state water board adopted a resolution making the human right to water a priority for all state and regional water board programs.

The Environmental Working Group has worked on water quality issues for more than two decades and advocated for stronger protections for the nation's drinking water. Since 2005, EWG has regularly published a national tap water database, a free public tool for researching drinking water quality information for community water systems.

Overall, EWG wholeheartedly supports the human right to water.

We have several comments relating specifically to the indicators for the water quality objective in the proposed framework:

1. Water quality indicator 1 defines a high potential for exposure when a system's average annual contaminant level is at or above the contaminant's enforceable standard. However, we suggest to OEHHA to apply a comparison of average contaminant levels with a health-based metric such as cancer risk or a dose that does not cause adverse effects. A framework that can compare averages to a health-based benchmark represents a more powerful indicator for potential exposure and subsequent health effects.

   Evaluating contaminants at levels above the current detection levels and below the legally enforceable drinking water standard would give a clearer picture of the risk of exposure.

2. In Appendix Table A1 in the proposal, exposure to secondary contaminants is listed as a potential indicator for future versions of the proposed framework. We suggest evaluating current and proposed contaminants based on the potential for adverse health effects, independent of the contaminants' classification as primary or secondary. For example, EWG advises OEHHA to use a health benchmark for manganese based on neurodevelopmental health effects for vulnerable populations, which represents the relevant health endpoint for this water contaminant.[1]

3. For proposed future versions of the framework, EWG urges OEHHA to include the relative toxicity of contaminants in the water quality indicator. For a meaningful quantification of cumulative risk, it is essential both to include the relevant health benchmark for a specific contaminant as well as to weigh the severity of adverse health effects that can follow exposure to this contaminant.

   As an example of a framework for assessing the cumulative non-cancer and cancer health effects from drinking water contaminants and the severity scores, EWG highlights the research conducted under the auspices of the Water Research Foundation.[2,3] This framework results in a comparative, common index for drinking water and, in our view, such an approach could be used as a tool for policy decision-making and resource allocation.[2,3]

Conclusion

EWG applauds the efforts of OEHHA to construct a framework to ensure safe, affordable and accessible water for all people in California and urges California officials to develop health-based metrics for water quality.

Submitted on behalf of the Environmental Working Group,

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References

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