



City of Anaheim

PUBLIC UTILITIES DEPARTMENT

November 4, 2021

The Honorable Congressman Lou Correa
2301 Rayburn House Office Building
Washington D.C. 20515

Re: Pending Legislation on PFAS Ratepayer Risks

Dear Congressman Correa,

On behalf of Anaheim Public Utilities (APU), we respectfully urge your consideration of revisions to pending legislation regarding PFAS.

As a publicly-owned electric and water utility serving over 350,000 residents in the City of Anaheim and a community where over half of the households are low-income, APU focuses on providing the highest quality, reliable services in a cost-effective manner to our customers. PFAS are a group of man-made chemicals created by chemical manufacturers and despite playing no role in releasing PFAS into the environment, cities and water agencies must now find ways to remove them from local water supplies, find alternative water supply, and conduct expensive monitoring. PFAS have been detected in the Orange County Groundwater Basin, managed by Orange County Water District (OCWD), which is one of APU's suppliers and are estimated to cost Orange County communities more than \$1 billion, over 30 years — a cost that could increase. Complicating this cleanup burden, ratepayers are at additional risk from pending PFAS legislation that would effectively abandon the polluter pays principal and create a new separate drinking water standard setting process for PFAS chemicals.

Specifically, it has come to our attention that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach CERCLA liability to water agencies, including the Orange County Water District (OCWD) as it removes PFAS from drinking water. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability on water agencies runs contrary to the "Polluter Pays" public policy. We respectfully request that you assist efforts in garnering an exemption from CERCLA liability for water agencies as they properly remove PFAS from drinking water. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability on them is bad public policy.

Additionally, the House-approved Infrastructure Act (H.R. 3684) unfortunately included a section that amends the Safe Drinking Water Act to delete the longstanding cost-benefit analysis in the development of new drinking water standards. Under current law, the US-EPA ensures that public health benefits of new drinking water standards are balanced with the compliance costs that water system ratepayers will ultimately incur. Eliminating the cost-benefit analysis would burden ratepayers of all income levels with higher costs to comply with new drinking water standards. Please support the efforts to maintain the cost-benefit analysis in the Safe Water Drinking Act.

Finally, we support providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684).

For these reasons, we respectfully request your support to ensure the changes.

If I can provide any further information or assistance, please contact me at 714-765-4956, or mrmoores@anaheim.net.

Sincerely,



Michael Moore
Assistant General Manager – Water Services
Anaheim Public Utilities

cc: The Honorable Harry Sidhu, Mayor of the City of Anaheim
Steve Shelden, OCWD Board President
Dukku Lee, General Manager – Anaheim Public Utilities
Janis Lehman, Interim Assistant General Manager – Anaheim Public Utilities



City of Anaheim

PUBLIC UTILITIES DEPARTMENT

November 4, 2021

The Honorable Congresswoman Young Kim
1306 Longworth House Office Building
Washington D.C. 20515

Re: Pending Legislation on PFAS Ratepayer Risks

Dear Congresswoman Kim,

On behalf of Anaheim Public Utilities (APU), we respectfully urge your consideration of revisions to pending legislation regarding PFAS.

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City of Anaheim PUBLIC UTILITIES DEPARTMENT

November 4, 2021

The Honorable Congresswoman Katie Porter
1117 Longworth House Office Building
Washington D.C. 20515

Re: Pending Legislation on PFAS Ratepayer Risks

Dear Congresswoman Kim,

On behalf of Anaheim Public Utilities (APU), we respectfully urge your consideration of revisions to pending legislation regarding PFAS.

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City of Anaheim

PUBLIC UTILITIES DEPARTMENT

November 4, 2021

The Honorable Senator Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington D.C. 20510

Re: Pending Legislation on PFAS Ratepayer Risks

Dear Senator Feinstein,

On behalf of Anaheim Public Utilities (APU), we respectfully urge your consideration of revisions to pending legislation regarding PFAS.

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PUBLIC UTILITIES DEPARTMENT

November 4, 2021

The Honorable Senator Alex Padilla
United States Senate
112 Hart Senate Office Building
Washington D.C. 20510

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