

RESOLUTION NO. 918

RESOLUTION OF THE EAST ORANGE COUNTY WATER DISTRICT BOARD OF DIRECTORS SUPPORTING FEDERAL PER- AND POLYFLUOROALKYL SUBSTANCE (PFAS) LEGISLATION THAT PROTECTS RATEPAYERS AND WATER AND WASTEWATER AGENCIES

WHEREAS, the East Orange County Water District (“EOCWD”) is a county water district organized and existing pursuant the California Water Code; and

WHEREAS, per- and polyfluoroalkyl substances (“PFAS”) are a group of man-made chemicals created by chemical manufacturers, which, despite playing no role in releasing PFAS into the environment, cities and water agencies must find ways to remove them from local water supplies; and

WHEREAS, PFAS have been detected in the Orange County Groundwater Basin, managed by Orange County Water District, and are estimated to cost Orange County more than \$1 billion, over 30 years—a cost that will likely increase; and

WHEREAS, ratepayers are at risk from pending PFAS legislation and associated PFAS costs, such that water agencies and stakeholders must take action to inform members of Congress of these devastating impacts; and

WHEREAS, all PFAS related legislation must exempt water and wastewater agencies from any liability for PFAS cleanup costs; and

WHEREAS, a water utility that complies with applicable and appropriate federal management and treatment standards must not be responsible for current and future costs associated with a PFAS cleanup; and

WHEREAS, given the potential for federal legislation, such as the PFAS Action Act of 2021 (H.R. 2467), to expose water agencies, that simply receive and treat water supplies, with across-the-board liability for PFAS-related cleanups when they have no responsibility for the presence of PFAS, an explicit exemption from Superfund clean-up liability must be made for water and wastewater agencies; and,

WHEREAS, under existing law, the United States Environmental Protection Agency (“USEPA”) ensures that public health benefits of new drinking water standards are reasonably balanced with the compliance costs that water system ratepayers will ultimately incur and eliminating this analysis would burden ratepayers of all income levels with astronomical costs to comply with drinking water standards; and

WHEREAS, Amendments to the Safe Drinking Water Act should not delete the longstanding cost-benefit analysis; and


WHEREAS, EOCWD supports 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).

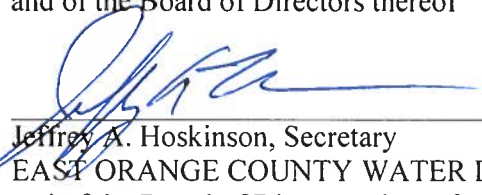
NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EAST ORANGE COUNTY WATER DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The EOCWD Board of Directors (“Board”) hereby supports the above-referenced federal PFAS policy principles to protect water/wastewater agencies and their ratepayers.

Section 2. The Board calls upon the Orange County Congressional Delegation and California Senatorial Delegation to cast votes implementing these public policy positions.

APPROVED, ADOPTED, AND SIGNED this 18th day of November, 2021.

  
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Douglass S. Davert, President  
EAST ORANGE COUNTY WATER DISTRICT  
and of the Board of Directors thereof

  
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Jeffrey A. Hoskinson, Secretary  
EAST ORANGE COUNTY WATER DISTRICT  
and of the Board of Directors thereof

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF ORANGE )

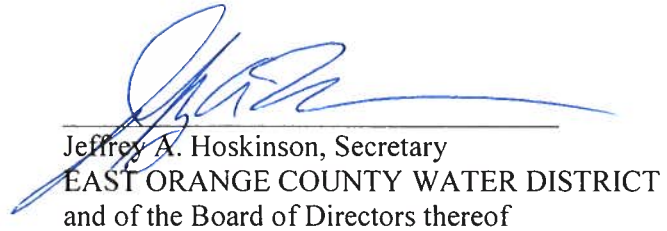
I, JEFFREY A. HOSKINSON, Secretary of the Board of Directors of the EAST ORANGE COUNTY WATER DISTRICT, do hereby certify that the foregoing Resolution No. 918 was duly adopted by the Board of Directors of said District at a Regular Meeting of said District held on November 18, 2021, and that it was so adopted by the following vote:

AYES: BELL, DAVERT, DULEBOHN, MURDOCH, SEARS

NOES:

ABSENT:

ABSTAIN:

  
Jeffrey A. Hoskinson, Secretary  
EAST ORANGE COUNTY WATER DISTRICT  
and of the Board of Directors thereof