

The People are the City



Mayor
CRAIG S. GREEN

Mayor Pro Tem
CHAD P. WANKE

Councilmembers:
RHONDA SHADER
WARD L. SMITH
JEREMY B. YAMAGUCHI

City Clerk:
ROBERT S. MCKINNELL

City Treasurer
KEVIN A. LARSON

City Administrator
DAMIEN R. ARRULA

401 East Chapman Avenue – Placentia, California 92870

December 7, 2021

The Honorable Congressman Correa
2301 Rayburn House Office Building
Washington, D.C. 20515
(email: Ngoc.Nguyen@mail.house.gov)

The Honorable Congresswoman Kim
1306 Longworth House Office Building
Washington, D.C. 20515
(email: Colin.Timmerman@mail.house.gov)

The Honorable Congressman Lowenthal
108 Cannon House Office Building
Washington, D.C. 20515
(email: Shane.Trimmer@mail.house.gov)

The Honorable Congresswoman Porter
1117 Longworth House Office Building
Washington, D.C. 20515
(email: Jacob.Marx@mail.house.gov)

The Honorable Congresswoman Steel
1113 Longworth House Office Building
Washington, D.C. 20515
(email: Jonathan.Kuperman@mail.house.gov)

Dear Representatives Correa, Kim, Lowenthal, Porter, and Steel:

Orange County is a national leader in water recycling with the Groundwater Replenishment System, stormwater capture behind Prado Dam and most recently regarding extraction of Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) from our drinking water. These landmark projects are environmentally superior and have saved Orange County ratepayers billions of dollars from not purchasing expensive, imported water.

It has come to the City of Placentia's attention that the House-passed federal legislation, PFAS Action Act of 2021 (H.R. 2467), which would result, if enacted, in exposing the Orange County Water District (OCWD) to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA's) liability standard as OCWD works to remove PFAS from drinking water. OCWD has no responsibility for the presence of PFAS and the concept of imposing CERCLA liability on water districts runs contrary to the "polluter pays" public policy. The City of Placentia respectfully request that you work in support of OCWD's efforts in garnering an exemption from CERCLA liability for water and wastewater agencies as they properly remove PFAS from drinking water as Congress continues to consider legislative responses to protect our drinking water supplies.

Additionally, under current law (Safe Drinking Water Act), the U.S. Environmental Protection Agency (USEPA) ensures that public health benefits of new drinking water standards are balanced with the compliance costs that water system ratepayers will ultimately incur. When setting drinking water standards for Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS), we advocate for the USEPA to use this longstanding methodology.

If you have any questions regarding this letter, please contact me at (714) 993-8118.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Craig S. Green', is written over a white background.

Craig S. Green, Mayor
City of Placentia

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

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

Dear Senator Feinstein and Senator Padilla:

Perfluoroalkyl and Polyfluoroalkyl Substances (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 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), 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” principle and create a new separate drinking water standard setting process for PFAS chemicals.

The City of Placentia ask as you consider legislation to address PFAS and other contaminants of emerging concern, that you ensure such legislation provides an explicit exemption from liability for water and wastewater agencies related to PFAS cleanup costs. 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. We are especially concerned that the House has approved the PFAS Action Act of 2021 (H.R. 2467). This bill creates liability for water agencies that simply receive and treat water supplies with across-the-board CERCLA liability for PFAS-related cleanups. This pending legislation provides an exemption for the nations’ airports, and it is vital that you secure an exemption to also include water and wastewater agencies. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability is bad public policy.

Also, under existing law (Safe Drinking Water Act), the U.S. Environmental Protection Agency (USEPA) ensures that public health benefits of new drinking water standards are reasonably balanced with the compliance costs. We advocate for the USEPA to use this current methodology when setting drinking water standards for Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS). This is a longstanding method that has been used and its elimination would burden ratepayers of all income levels with higher costs.

Placentia calls upon California’s Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact me at (714) 993-8118.

Sincerely,

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Craig S. Green, Mayor
City of Placentia

cc: Board President Steve Sheldon (ssheldon@ocwd.com)