

**RESOLUTION NO. 2022-03**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
LA PALMA SUPPORTING FEDERAL PFAS LEGISLATION  
THAT PROTECTS RATEPAYERS AND  
WATER/WASTEWATER AGENCIES**

**WHEREAS**, PFAS are a group of chemicals developed by chemical manufacturers that would otherwise not exist naturally 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; 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 communities 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 and water agencies and stakeholders must act to inform members of Congress of these devastating impacts; and,

**THEREFORE**, 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 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 (Safe Drinking Water Act), the 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**, When setting drinking water standards for PFOA and PFOS, we advocate for the USEPA to use this longstanding methodology; and,

**NOW, THEREFORE**, The City Council of the City of La Palma does hereby support these federal PFAS policy principles to protect water/wastewater agencies and their ratepayers and,

**FURTHERMORE**, we call upon the Orange County Congressional Delegation and California Senatorial Delegation to cast votes implementing these public policy positions.

**APPROVED AND ADOPTED** by the City Council of the City of La Palma at a regular meeting held on the 18th day of January 2022.

DocuSigned by:  
*Michele Steggell*  
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\_\_\_\_\_  
Michele Steggell  
Mayor

ATTEST:

DocuSigned by:  
*Ryan Hallett Hinton*  
5CACE574B18F4CB  
\_\_\_\_\_  
Ryan Hallett Hinton  
Deputy City Clerk

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) SS.  
CITY OF LA PALMA )

I, RYAN HALLETT HINTON, Deputy City Clerk of the City of La Palma, California, DO HEREBY CERTIFY that the foregoing Resolution was adopted by the City Council of said City at a regular meeting of said City Council held on the 18th day of January 2022, and that it was so adopted by called vote as follows:

AYES: Baker, Goodman, Steggell, and Waldman

NOES: None

ABSENT: Patel

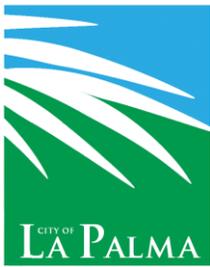
DocuSigned by:

*Ryan Hallett Hinton*

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Ryan Hallett Hinton  
Deputy City Clerk



January 25, 2022

The Honorable Congresswoman Sánchez  
2329 Rayburn House Office Building  
Washington, D.C. 20515  
(Cody.Willming@mail.house.gov)

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

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

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

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

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

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

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 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 La Palma's attention that the House-passed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would result, if enacted, in exposing the Orange County Water District (OCWD) to 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. We 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 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 PFOA and PFOS, we advocate for the USEPA to use this longstanding methodology.

Sincerely,

Michele Steggell  
Mayor

cc: La Palma City Council  
Board President Steve Sheldon (ssheldon@ocwd.com)

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[www.cityoflapalma.org](http://www.cityoflapalma.org)

7822 Walker Street  
La Palma, CA 90623-1771

PHONE  
714 690 3300  
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714 523 2141



January 25, 2022

The Honorable Senator Dianne Feinstein  
United States Senate  
331 Hart Senate Office Building  
Washington D.C. 20510  
(John\_Watts@feinstein.senate.gov)

The Honorable Senator Alex Padilla  
United States Senate  
112 Hart Senate Office Building  
Washington D.C. 20510  
(Angela\_Ebiner@padilla.senate.gov)  
(Sarah\_Swigg@padilla.senate.gov)

Dear Senator Feinstein and Senator Padilla:

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, 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.

**As you consider legislation to address PFAS and other contaminants of emerging concern, I ask 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 nation’s airports, and it is vital that you secure an exemption also to include water and wastewater agencies. Water agencies have no responsibility for the presence of PFAS, and the concept of imposing liability is bad public policy.

Also, under existing law (Safe Drinking Water Act), the 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. This is a longstanding method that has been used, and its elimination would burden ratepayers of all income levels with higher costs.

I call upon California’s Senators to cast votes implementing these public policy positions.

Sincerely,

Michele Steggell  
Mayor

cc: La Palma City Council  
Board President Steve Sheldon (ssheldon@ocwd.com)

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