



January 11, 2022

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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:

Last month, the Municipal Water District of Orange County (MWDOC), approved the annual update of our Legislative and Regulatory Policy Principles. This comprehensive process includes input and feedback from our 27 retail agencies as well as the public. One of the issues of importance to Orange County and highlighted in our policy principles is PFAS - a ubiquitous group of manmade chemicals created by chemical manufacturers.

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 principal 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 in the coming year, we respectfully request 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.

Under existing law, 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 higher costs to comply with drinking water standards. Amendments to the Safe Drinking Water Act should not delete the longstanding cost-benefit analysis.

MWDOC was pleased to support H.R. 3684, the Infrastructure Investment and Jobs Act, and supports providing direct grant funding for PFAS remediation to water and wastewater agencies, provisions contained within that measure. We encourage you to consider these important issues when implementing public policy positions.

If you have any questions, or we can assist your efforts on this measure, please contact MWDOC's General Manager, Rob Hunter, at (714) 593-5026 or our Washington advocate, Garrett Durst at (530) 867-6882.

Sincerely,

A handwritten signature in blue ink that reads "Megan Yoo Schneider". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Megan Yoo Schneider  
President