

STATE & FEDERAL SOLUTIONS TO ADDRESS PFAS CONTAMINATION IN OC

The Problem

Perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS) are chemicals that are prevalent in the environment and were once commonly used in many consumer products. They are part of a larger group referred to as per- and polyfluoroalkyl substances (PFAS). Due to the prolonged use of PFOA and PFOS, the chemicals are now being detected in water sources throughout the United States. Some of the largest sources of these chemicals are primary chemical manufacturing sites, secondary consumer product manufacturing sites, and even airports. Now these chemicals are being found in landfills and in wastewater treatment discharges. The public exposure to these chemicals has occurred over decades through use in consumer products and through drinking water in communities where the chemicals may have reached the water supplies.

What are OCWD and OC Water Agencies Doing About PFAS?

Our priority is to provide safe, reliable and high-quality drinking water that meets all state and federal drinking water standards to cities throughout Orange County (OC). We are doing our part by investing more than \$1 million in equipment to support the testing and analysis of PFAS in drinking water. All water agencies in Orange County Water District's (OCWD) service area operate their water systems following all drinking water requirements for PFOA and PFOS established by the Environmental Protection Agency (EPA) and the California Division of Drinking Water (DDW), and OCWD's pilot testing of various PFAS treatment methods will be underway this fall.

While locally we are addressing the PFAS issue, impending decisions at the state and federal levels could have devastating impacts on the number of OC wells that could be taken out of service and/or need to be treated.

Seventy-one of the 198 drinking water wells (35%) in north and central OC could be taken out of service for 2.5 million people. In addition to supply constraints, state and federal decisions or lack of action could result in financial impacts ranging from \$20 million to \$850 million over the next 30 years for this region alone. As testing orders expand, many regions in CA will also be faced with these challenges.

What Can State Legislators Do to Address PFAS?

- Before new Response Levels (RL) are established, compel DDW to base new levels on sound science and provide sufficient time for stakeholders and the public to review the science, respond and provide input
- Compel DDW to establish a Maximum Contaminant Level (MCL) within two years through a transparent process that is based on peer-reviewed, sound science
- Provide funding in the form of grants and low-interest loans to water agencies to treat PFAS and to DDW to accelerate the approval process for treatment permit applications
- Like other states, such as New York and Vermont, explore cost recovery from PFAS manufacturers to help pay for cleanups in CA

What Can Congress Do to Address PFAS?

Both the U.S. House and Senate approved different plans to address PFAS in drinking water. Lawmakers are now working to have a deal in place on PFAS legislation sometime this fall. We request Congress:

- Compel the EPA to establish a federal MCL within two years through a transparent process that is based on peer-reviewed, sound science
- Exempt water and wastewater entities for any liability for PFAS clean-up costs if PFAS is listed under CERCLA as a hazardous waste. A water utility that properly disposes of residuals containing PFAS, in a manner consistent with applicable laws, must not be held liable for future costs associated with PFAS cleanup.
- Provide federal funding through grants and low-interest loans for PFAS treatment
- Provide funding for clean-up costs from the manufacturers of PFAS, as proposed in H.R. 2570 Rep. Harley Rouda (D-CA)

OCWD and the 19 water retail agencies it serves can't do it alone and respectfully request that their state and federal legislators advocate for these measures.



For more information regarding OCWD's efforts to address PFAS, visit

<https://www.ocwd.com/what-we-do/water-quality/pfoapfos/> or for info on

OCWD's PFAS legislative matters, contact Legislative Affairs Liaison Alicia Dunkin at adunkin@ocwd.com