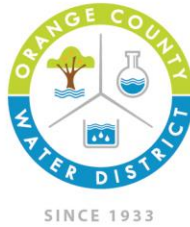


DIRECTORS

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**ORANGE COUNTY WATER DISTRICT**  
ORANGE COUNTY'S GROUNDWATER AUTHORITY

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Second Vice President  
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MICHAEL R. MARKUS, P.E., D.WRE

October 21, 2021

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:

The Orange County Water District (OCWD) greatly appreciates that Congress is addressing the nationwide problem of Per- and polyfluoroalkyl substances (PFAS) in our drinking water. I write to respectfully request your assistance with two related matters. The House approved PFAS Action Act of 2021 (H.R. 2467) creates liability for water agencies that simply receive and treat water supplies with across-the-board CERCLA liability for PFAS-related cleanups. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability on water districts run contrary to the "Polluter Pays" public policy. We respectfully request your assistance in garnering an exemption from CERCLA liability for water districts. As a note airports do have such an exemption.

The House-approved Infrastructure Act (H.R. 3684) unfortunately included a section that amends the Safe Drinking Water Act to delete the longstanding cost-benefit analysis in the development of new drinking water standards. Under existing law, 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. Eliminating the cost-benefit analysis would potentially subject ratepayers of all income levels to higher costs. We respectfully request that the cost-benefit analysis be maintained in the Safe Water Drinking Act.

Thank you for the consideration of our request. We will follow-up with your legislative staff to discuss potential solutions to these two items. If I can provide any further information or assistance, please do not hesitate to contact me or Legislative Affairs Liaison, Alicia Dunkin, at [adunkin@ocwd.com](mailto:adunkin@ocwd.com) or (714) 477-3750.

Sincerely,

Stephen R. Sheldon  
Board President