

# Federal Legislative Priorities



## **1 Exempt water and wastewater agencies from any liability for PFAS clean-up costs.**

The “polluter pays” principle must be upheld and OCWD is strongly advocating to add an exemption for water and wastewater agencies to the PFAS Action Act of 2021 (H.R. 2467). This pending legislation provides an exemption for the nations’ airports, and the District urges Congress to also include water and wastewater agencies under this exemption. PFAS chemicals and other constituents of emerging concern should be carefully monitored and treated, but OCWD believes it is inappropriate to impose liability on public agencies that have no responsibility for PFAS-related public health threats that are created by PFAS manufacturers and formulators that have profited from the use of these chemicals.

The Orange County Water District manages the Orange County Groundwater Basin that supplies **77% of the water supply to 2.5 million people in north and central Orange County.**

## **2 Preserve the Safe Drinking Water Act’s use of cost-benefit analysis in the development of drinking water standards such as PFAS family of chemicals and other constituents of emerging concern.**

According to the U.S. Environmental Protection Agency’s (USEPA) recently released PFAS Roadmap, Maximum Contaminant Levels (MCLs) will be set for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS) in two years. OCWD urges the USEPA to preserve the Safe Drinking Water Act’s current methodology that uses a cost-benefit analysis in the development of drinking water standards for PFOA and PFOS. This is a longstanding method that has been used and its elimination would burden ratepayers of all income levels with higher costs.

## **3 Target federal assistance to support construction of large-scale water supply facilities to support urban and agricultural needs which otherwise would not be constructed without such funding.**

Examples of these type of projects should include above and below ground storage of surface and storm water, water reuse, brackish water, and seawater desalination. Local, state and federal officials should collaborate on projects and prioritize the necessary funding. Use of such funds for environmental restoration should be for project impact mitigation and funds for environmental improvements should be classified under their own category.