DIRECTORS

DENIS R. BILODEAU, P.E.
CATHY GREEN
NELIDA MENDOZA
DINA L. NGUYEN, ESQ.
KELLY E. ROWE, C.E.G., C.H.
STEPHEN R. SHELDON
HARRY SIDHU, P.E.
TRI TA
BRUCE WHITAKER
ROGER C. YOH, P.E.

SINCE 1933

ORANGE COUNTY WATER DISTRICT

ORANGE COUNTY'S GROUNDWATER AUTHORITY

OFFICERS

President
STEPHEN R. SHELDON

First Vice President
CATHY GREEN

Second Vice President
TRI TA

General Manager
MICHAEL R. MARKUS, P.E., D.WRE

April 11, 2022

The Honorable Alan Lowenthal
United States House of Representatives
108 Cannon House Office Building
Washington, D.C. 20515

Dear Representative Lowenthal:

On behalf of the Orange County Water District (OCWD), I write following our previous discussion on PFAS contamination and proposals to impose CERCLA liability through the designation of this family of chemicals as hazardous substances. Orange County water agencies, and ultimately ratepayers, are facing a cost of more than $1 billion to remove PFAS from their water supplies. As we discussed, it is vital that you support an explicit exemption from CERCLA liability in any final legislation or rulemaking for water agencies like OCWD and their counterpart wastewater agencies; and in so doing, preserve the polluter pays principle that is the foundation of CERCLA.

The PFAS Action Act of 2021, H.R. 2467, which you voted for, does not include an exemption for water and wastewater agencies despite calls from OCWD and the broader stakeholder community representing these agencies. We respectfully request that you work with your colleagues to ensure that any final legislation or rulemaking provides an exemption from liability for water and wastewater agencies. The entities responsible for the PFAS pollution could attempt to unfairly shift the liability for the cost of contamination from themselves onto innocent water agencies like OCWD—and ultimately citizen ratepayers—in contravention of the spirit of CERCLA.

We also advocate that USEPA rely upon the Safe Drinking Water Act's current methodology which includes a cost-benefit analysis as a component in the development of drinking water standards for PFOA and PFOS.

I appreciate your time and urgent attention to these issues. Enclosed are letters and resolutions from Orange County stakeholders who join us in our advocacy. Should you have any questions, please contact me at (949) 230-7170.

Sincerely,

Steve Sheldon

Stephen R. Sheldon
Board President

PO Box 8300
Fountain Valley, CA 92728-8300

18700 Ward Street
Fountain Valley, CA 92708

(714) 378-3200
(714) 378-3373 fax

www.ocwd.com

Enclosure:

Letters and resolutions from nearly 40 Orange County cities, chambers, associations, and agencies in support of OCWD's efforts

Orange County Stakeholders' Resolutions and Letters Advocating for the Following Federal PFAS Priorities:

1) All PFAS-related legislation and rulemaking must exempt water and wastewater agencies from any liability for PFAS clean-up costs

2) When setting drinking water standards for PFOA and PFOS, the U.S. Environmental Protection Agency should use current methodology

ORANGE COUNTY WATER DISTRICT

SINCE 1933

March 31, 2022

ANAHEIM CHAMBER OF COMMERCE

2099 S. State College Blvd, Suite 650
Anaheim, CA 92806
Phone: 714-758-0222
www.anaheimchamber.org

January 5, 2022

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:

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 (OCWD), 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.

The Anaheim Chamber of Commerce asks as you consider legislation to address PFAS and other contaminants of emerging concern, 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 nations' airports, and it is vital that you secure an exemption to also include water and wastewater agencies. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA 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 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.

The Anaheim Chamber of Commerce calls upon California's Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact me at (714) 758-0222.

Sincerely,

Laura Cunningham
President & CEO
Anaheim Chamber of Commerce

cc: Board President Steve Sheldon

ANAHEIM CHAMBER OF COMMERCE

2099 S. State College Blvd, Suite 650
Anaheim, CA 92806
Phone: 714-758-0222
www.anaheimchamber.org

January 5, 2022

The Honorable Congressman Correa
2301 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Kim
1306 Longworth House Office Building
Washington, D.C. 20515

The Honorable Congressman Lowenthal
108 Cannon House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Porter
1117 Longworth House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Steel
1113 Longworth House Office Building
Washington, D.C. 20515

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

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 attention of the Anaheim Chamber of Commerce that the House-passed federal legislation, PFAS Action Act of 2021 (H.R. 2467), that 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. I 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,

Laura Cunningham
President & CEO
Anaheim Chamber of Commerce

cc: Board President Steve Sheldon

City of Anaheim
PUBLIC UTILITIES DEPARTMENT

November 4, 2021

The Honorable Senator Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington D.C. 20510

Re: Pending Legislation on PFAS Ratepayer Risks

Dear Senator Feinstein,

On behalf of Anaheim Public Utilities (APU), we respectfully urge your consideration of revisions to pending legislation regarding PFAS.

As a publicly-owned electric and water utility serving over 350,000 residents in the City of Anaheim and a community where over half of the households are low-income, APU focuses on providing the highest quality, reliable services in a cost-effective manner to our customers. 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 now 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 (OCWD), which is one of APU's suppliers 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.

Specifically, it has come to our attention that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach CERCLA liability to water agencies, including the Orange County Water District (OCWD) as it removes PFAS from drinking water. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability on water agencies runs contrary to the "Polluter Pays" public policy. We respectfully request that you assist efforts in garnering an exemption from CERCLA liability for water agencies as they properly remove PFAS from drinking water. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability on them is bad public policy.

Additionally, 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 current law, the US-EPA 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 burden ratepayers of all income levels with higher costs to comply with new drinking water standards. Please support the efforts to maintain the cost-benefit analysis in the Safe Water Drinking Act.

201 S. Anaheim Blvd.
#1101
Anaheim, CA 92805
TEL: 714.765.5173

Finally, we support providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684).

For these reasons, we respectfully request your support to ensure the changes.

If I can provide any further information or assistance, please contact me at 714-765-4956, or mrmoore@anaheim.net.

Sincerely,

Michael Moore
Assistant General Manager – Water Services
Anaheim Public Utilities

cc: The Honorable Harry Sidhu, Mayor of the City of Anaheim
Steve Shelden, OCWD Board President
Dukku Lee, General Manager – Anaheim Public Utilities
Janis Lehman, Interim Assistant General Manager – Anaheim Public Utilities

City of Anaheim
PUBLIC UTILITIES DEPARTMENT

November 4, 2021

The Honorable Senator Alex Padilla
United States Senate
112 Hart Senate Office Building
Washington D.C. 20510

Re: Pending Legislation on PFAS Ratepayer Risks

Dear Senator Padilla,

On behalf of Anaheim Public Utilities (APU), we respectfully urge your consideration of revisions to pending legislation regarding PFAS.

As a publicly-owned electric and water utility serving over 350,000 residents in the City of Anaheim and a community where over half of the households are low-income, APU focuses on providing the highest quality, reliable services in a cost-effective manner to our customers. 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 now 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 (OCWD), which is one of APU's suppliers 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.

Specifically, it has come to our attention that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach CERCLA liability to water agencies, including the Orange County Water District (OCWD) as it removes PFAS from drinking water. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability on water agencies runs contrary to the "Polluter Pays" public policy. We respectfully request that you assist efforts in garnering an exemption from CERCLA liability for water agencies as they properly remove PFAS from drinking water. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability on them is bad public policy.

Additionally, 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 current law, the US-EPA 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 burden ratepayers of all income levels with higher costs to comply with new drinking water standards. Please support the efforts to maintain the cost-benefit analysis in the Safe Water Drinking Act.

201 S. Anaheim Blvd.
#1101
Anaheim, CA 92805
TEL: 714.765.5173

Finally, we support providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684).

For these reasons, we respectfully request your support to ensure the changes.

If I can provide any further information or assistance, please contact me at 714-765-4956, or mrmoore@anaheim.net.

Sincerely,

Michael Moore
Assistant General Manager – Water Services
Anaheim Public Utilities

cc: The Honorable Harry Sidhu, Mayor of the City of Anaheim
Steve Shelden, OCWD Board President
Dukku Lee, General Manager – Anaheim Public Utilities
Janis Lehman, Interim Assistant General Manager – Anaheim Public Utilities

City of Anaheim
PUBLIC UTILITIES DEPARTMENT

November 4, 2021

The Honorable Congresswoman Katie Porter
1117 Longworth House Office Building
Washington D.C. 20515

Re: Pending Legislation on PFAS Ratepayer Risks

Dear Congresswoman Kim,

On behalf of Anaheim Public Utilities (APU), we respectfully urge your consideration of revisions to pending legislation regarding PFAS.

As a publicly-owned electric and water utility serving over 350,000 residents in the City of Anaheim and a community where over half of the households are low-income, APU focuses on providing the highest quality, reliable services in a cost-effective manner to our customers. 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 now 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 (OCWD), which is one of APU's suppliers 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.

Specifically, it has come to our attention that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach CERCLA liability to water agencies, including the Orange County Water District (OCWD) as it removes PFAS from drinking water. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability on water agencies runs contrary to the "Polluter Pays" public policy. We respectfully request that you assist efforts in garnering an exemption from CERCLA liability for water agencies as they properly remove PFAS from drinking water. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability on them is bad public policy.

Additionally, 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 current law, the US-EPA 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 burden ratepayers of all income levels with higher costs to comply with new drinking water standards. Please support the efforts to maintain the cost-benefit analysis in the Safe Water Drinking Act.

201 S. Anaheim Blvd.
#1101
Anaheim, CA 92805
TEL: 714.765.5173

Finally, we support providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684).

For these reasons, we respectfully request your support to ensure the changes.

If I can provide any further information or assistance, please contact me at 714-765-4956, or mrmoore@anaheim.net.

Sincerely,

Michael Moore
Assistant General Manager – Water Services
Anaheim Public Utilities

cc: The Honorable Harry Sidhu, Mayor of the City of Anaheim
Steve Shelden, OCWD Board President
Dukku Lee, General Manager – Anaheim Public Utilities
Janis Lehman, Interim Assistant General Manager – Anaheim Public Utilities

City of Anaheim
PUBLIC UTILITIES DEPARTMENT

November 4, 2021

The Honorable Congressman Lou Correa
2301 Rayburn House Office Building
Washington D.C. 20515

Re: Pending Legislation on PFAS Ratepayer Risks

Dear Congressman Correa,

On behalf of Anaheim Public Utilities (APU), we respectfully urge your consideration of revisions to pending legislation regarding PFAS.

As a publicly-owned electric and water utility serving over 350,000 residents in the City of Anaheim and a community where over half of the households are low-income, APU focuses on providing the highest quality, reliable services in a cost-effective manner to our customers. 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 now 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 (OCWD), which is one of APU's suppliers 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.

Specifically, it has come to our attention that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach CERCLA liability to water agencies, including the Orange County Water District (OCWD) as it removes PFAS from drinking water. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability on water agencies runs contrary to the "Polluter Pays" public policy. We respectfully request that you assist efforts in garnering an exemption from CERCLA liability for water agencies as they properly remove PFAS from drinking water. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability on them is bad public policy.

Additionally, 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 current law, the US-EPA 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 burden ratepayers of all income levels with higher costs to comply with new drinking water standards. Please support the efforts to maintain the cost-benefit analysis in the Safe Water Drinking Act.

201 S. Anaheim Blvd.
#1101
Anaheim, CA 92805
TEL: 714.765.5173

Finally, we support providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684).

For these reasons, we respectfully request your support to ensure the changes.

If I can provide any further information or assistance, please contact me at 714-765-4956, or mrmoore@anaheim.net.

Sincerely,

Michael Moore
Assistant General Manager – Water Services
Anaheim Public Utilities

cc: The Honorable Harry Sidhu, Mayor of the City of Anaheim
Steve Shelden, OCWD Board President
Dukku Lee, General Manager – Anaheim Public Utilities
Janis Lehman, Interim Assistant General Manager – Anaheim Public Utilities

City of Anaheim
PUBLIC UTILITIES DEPARTMENT

November 4, 2021

The Honorable Congresswoman Young Kim
1306 Longworth House Office Building
Washington D.C. 20515

Re: Pending Legislation on PFAS Ratepayer Risks

Dear Congresswoman Kim,

On behalf of Anaheim Public Utilities (APU), we respectfully urge your consideration of revisions to pending legislation regarding PFAS.

As a publicly-owned electric and water utility serving over 350,000 residents in the City of Anaheim and a community where over half of the households are low-income, APU focuses on providing the highest quality, reliable services in a cost-effective manner to our customers. 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 now 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 (OCWD), which is one of APU's suppliers 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.

Specifically, it has come to our attention that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach CERCLA liability to water agencies, including the Orange County Water District (OCWD) as it removes PFAS from drinking water. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability on water agencies runs contrary to the "Polluter Pays" public policy. We respectfully request that you assist efforts in garnering an exemption from CERCLA liability for water agencies as they properly remove PFAS from drinking water. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability on them is bad public policy.

Additionally, 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 current law, the US-EPA 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 burden ratepayers of all income levels with higher costs to comply with new drinking water standards. Please support the efforts to maintain the cost-benefit analysis in the Safe Water Drinking Act.

201 S. Anaheim Blvd.
#1101
Anaheim, CA 92805
TEL: 714.765.5173

Finally, we support providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684).

For these reasons, we respectfully request your support to ensure the changes.

If I can provide any further information or assistance, please contact me at 714-765-4956, or mrmoore@anaheim.net.

Sincerely,

Michael Moore
Assistant General Manager – Water Services
Anaheim Public Utilities

cc: The Honorable Harry Sidhu, Mayor of the City of Anaheim
Steve Shelden, OCWD Board President
Dukku Lee, General Manager – Anaheim Public Utilities
Janis Lehman, Interim Assistant General Manager – Anaheim Public Utilities

CITY of BREA

City of Brea
1 Civic Center Circle
Brea, California 92821-5732
P: 714.990.7600 | F: 714.990.2258
www.cityofbrea.net

January 20, 2022

Sent via email to: John_Watts@feinstein.senate.gov;
Angela_Ebiner@padilla.senate.gov; Sarah_Swigg@padilla.senate.gov

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:

Per- and polyfluoroalkyl substances (PFAS) are a group of man-made chemicals that persist in the environment, accumulate in humans and animals, and cause harmful health effects. PFAS have been detected in our nation's waters, including the Orange County Groundwater Basin managed by the Orange County Water District (OCWD).

Despite playing no role in releasing PFAS into the environment, cities and water agencies, such as OCWD, must now find ways to address PFAS. Methods include removal, use of alternative supplies, and expensive monitoring. It is currently estimated that cleaning up PFAS from local water supplies will cost Orange County communities more than $1 billion over 30 years, and that cost will likely increase. In addition, pending PFAS legislation would effectively abandon the "polluter pays" principle and may further increase the potential liability for water and wastewater agencies and their ratepayers.

As you consider legislation to address PFAS and other contaminants of emerging concern, the Brea City Council respectfully asks that you ensure such legislation explicitly exempts water and wastewater agencies from PFAS cleanup costs. A water utility in compliance with applicable federal management and treatment standards must not be responsible for current and future costs associated with PFAS cleanup.

We are especially concerned with the PFAS Action Act of 2021 (H.R. 2467), which, among other things, would designate certain PFAS as hazardous substances under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Such a designation creates additional liability for water agencies simply receiving and treating water supplies. The PFAS Action Act, which the House recently passed, exempts the nations' airports from PFAS cleanup liability. It is vital that you secure a similar exemption for water and wastewater agencies. Water agencies have no responsibility for the presence of PFAS in the local water supplies. The concept of imposing CERCLA liability on water and wastewater agencies for PFAS cleanup is bad public policy.

Cecilia Hupp, *Mayor* | Glenn Parker, *Mayor Pro Tem* | Christine Marick, *Council Member* | Marty Simonoff, *Council Member* | Steve Vargas, *Council Member*

In contrast, under the Safe Drinking Water Act, the U.S. Environmental Protection Agency (USEPA) ensures that public health benefits of new drinking water standards are reasonably balanced with compliance costs. We advocate for USEPA to use this framework when setting drinking water standards for PFAS.

The Brea City Council respectfully calls upon California's Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact me at (714) 990-7704.

Sincerely,

Cecilia Hupp
Mayor

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

CITY of BREA

City of Brea
1 Civic Center Circle
Brea, California 92821-5732
P: 714.990.7600 | F: 714.990.2258
www.cityofbrea.net

January 20, 2022

Sent via email to: Chris Gorud; Colin.Timmerman@mail.house.gov; Shane.Trimmer@mail.house.gov; Jacob.Marx@mail.house.gov; Jonathan.Kuperman@mail.house.gov

The Honorable Congressman Correa
2301 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Kim
1306 Longworth House Office Building
Washington, D.C. 20515

The Honorable Congressman Lowenthal
108 Cannon House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Porter
1117 Longworth House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Steel
1113 Longworth House Office Building
Washington, D.C. 20515

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

Orange County is a national leader in water recycling, stormwater capture, and most recently extraction of per- and polyfluoroalkyl substances (PFAS) from drinking water. These landmark projects protect the environment and have saved Orange County ratepayers billions of dollars by avoiding the purchase of expensive, imported water.

It has come to the Brea City Council's attention that the House recently passed the PFAS Action Act of 2021 (H.R. 2467). If enacted, the PFAS Action Act of 2021 would, among other things, designate certain PFAS as hazardous substances under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Such a designation would expose the Orange County Water District (OCWD) to CERCLA's liability standard despite the fact that OCWD has no responsibility for the presence of PFAS in the local water supply. The concept of imposing CERCLA liability on water districts for PFAS contamination runs contrary to the "polluter pays" public policy. We respectfully requests that you work in support of OCWD's efforts to provide an exemption from CERCLA liability for PFAS contamination for water and wastewater agencies.

Additionally, under the Safe Drinking Water Act, the U.S. Environmental Protection Agency (USEPA) ensures that public health benefits of new drinking water standards are balanced with compliance costs. When setting drinking water standards for PFAS, we advocate for the USEPA to use this longstanding framework.

Cecilia Hupp, *Mayor* | Glenn Parker, *Mayor Pro Tem* | Christine Marick, *Council Member* | Marty Simonoff, *Council Member* | Steve Vargas, *Council Member*

Sincerely,

Cecilia Hupp
Mayor

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

RESOLUTION NO. 14439

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, SUPPORTING FEDERAL PER- AND POLYFLUOROALKYL SUBSTANCES (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 take action to inform members of Congress of these devastating impacts; and

WHEREAS, 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 simply 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 Buena Park does hereby resolve determine and order as follows:

Section 1. That the City Council of the City of Buena Park hereby supports these federal PFAS policy principles to protect water and wastewater agencies and their rate payers.

Section 2. That the City of Buena Park calls upon the Orange County Congressional Delegation and California Senatorial Delegation to cast voles implementing these public policy positions.

Section 3. The City Clerk shall certify to the adoption of this Resolution and it shall become effective immediately.

PASSED AND ADOPTED this 25th day of January 2022, by the following called vote:

AYES: Traut, Swift, Brown, Sonne, Park

NOES: None

ABSENT: None

ABSTAIN: None

Mayor

ATTEST:

City Clerk

I, Adria Jimenez, MMC, City Clerk of the City of Buena Park, California, hereby certify that the foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Buena Park, held this 25th day of January 2022.

City Clerk

BOARD MEMBERS
Jennifer Farrell, Board Chair
Partner, Rutan & Tucker, LLP
Arthur Alderete
Realtor, RE/MAX International
Ray Arroyo
Digital Sales Manager, LA Times
Lori Ann Farrell Harrison
City Manager, City of Costa Mesa
James Fisler
Board Member, Mesa Water District
Jim Fitzpatrick
President, Soluntioneers
Magdalena Gomez
Director of Public Relations, Cal Southern
Juan Gutierrez
Dir. Marketing & PR, Orange Coast College
Ken Karns
COO, OC Fair
David Koeblitz
CFO, Cla-Val
Alice La Dow
VP of Retail Banking, First Bank
Kimberley Layton
VP, External Affairs, LA Chargers
Paulette Lombardi-Fries
President, Travel Costa Mesa
Phillip Patterson
Director of Sales, Avenue of the Arts
Nick Peterson
Financial Advisor, Edward Jones
Todd Priest
President, Todd Priest & Assoc.
Mykal Urbina
Director off Corporate and Foundation Relations, Segerstrom Center or the Arts
David Vazquez
Senior Director, Strategic Partnerships, Vanguard University
Tim Wigmore
Owner, Wigmore Insurance Agency

LEADERSHIP CIRCLE

Gold
City of Costa Mesa
C.J. Segerstrom & Sons
Nuzuna Fitness
OC Fair
Rose Equities
Sesh
Segerstrom Center for the Arts
South Coast Plaza

Silver
LA Chargers
Mesa Water
Orange Coast College
Rutan & Tucker, LLP
Travel Costa Mesa
Wigmore Insurance

Bronze
Art Alderete
California Southern University
Center Club
Hoag
Janet Krochman
LA Times
Legacy Partners
SoCal Gas
Sweet Flower
Vanguard University

STAFF
Carla Valenzuela
CEO/ President
Tom Johnson
President Emeritus
Juliann Harkness
Membership Dev. & Event Planning Coordinator

COSTA MESA
Chamber of Commerce

December 16, 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:

On behalf of the Costa Mesa Chamber of Commerce, we respectfully request that you include proception to public water agencies as you consider legislation addressing PFAS chemicals. The Chamber is the leading proponent for the interests of local business, which include the prosperity of its individual members, the vitality of its marketplace and the quality of its community life.

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 (OCWD), 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.

We ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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 nations' airports, and it is vital that you secure an exemption to also include water and wastewater agencies. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA 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 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.

We respectfully ask that you support implementing these public policy positions.

Sincerely,

Todd Priest
Chair, Government Affairs Committee

Platinum Level
District of Distinction

COSTA MESA SANITARY DISTRICT

December 20, 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

Sent via email to: John_Watts@feinstein.senate.gov; Angela_Ebiner@padilla.senate.gov; Sarah_Swigg@padilla.senate.gov

Dear Senator Feinstein and Senator Padilla:

Per- and Polyfluoroalkyl Substances (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 (OCWD), 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.

On behalf of the Costa Mesa Sanitary District Board of Directors, I ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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 Comprehensive Environmental Response Compensation and Liability Act (CERCLA) liability for PFAS-related cleanups.

Board of Directors
Robert Ooten
Michael Scheafer
Arlene Schafer
Arthur Perry
Brett Eckles

Staff
Scott Carroll
General Manager

Harper & Burns, LLP
District Counsel

Davis Farr, LLP
District Treasurer

Mark Esquer
District Engineer

Noelani Middenway
District Clerk & Public Information Officer

Kaitlin Tran
Finance Manager

Dyana Bojarski
Administrative Services Manager

Steve Cano
Wastewater Maintenance Superintendent

www.cmsdca.gov

290 Paularino Ave, Costa Mesa, CA 92626 • (949) 645-8400 • fax: (714) 540-1392
"Protecting public health and the environment for current and future generations."

This pending legislation provides an exemption for the nations' airports, and it is vital that you secure an exemption to also include water and wastewater agencies. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability is bad public policy.

Also, under existing law (Safe Drinking Water Act), the United States Environmental Protection Agency (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 for Perfluorooctanoic acid (PFOA) and Perfluorooctane sulfonic acid (PFOS). 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,

Robert Ooten
President

C: OCWD Board President, Steve Sheldon (ssheldon@ocwd.com)
OCSan Board President, John Withers (klore@ocsd.com)

Platinum Level
District of Distinction

COSTA MESA SANITARY DISTRICT

December 20, 2021

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

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

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

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

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

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

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 my 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.

Board of Directors
Robert Ooten
Michael Scheafer
Arlene Schafer
Arthur Perry
Brett Eckles

Staff
Scott Carroll
General Manager

Harper & Burns, LLP
District Counsel

Davis Farr, LLP
District Treasurer

Mark Esquer
District Engineer

Noelani Middenway
District Clerk & Public Information Officer

Kaitlin Tran
Finance Manager

Dyana Bojarski
Administrative Services Manager

Steve Cano
Wastewater Maintenance Superintendent

www.cmsdca.gov

On behalf of the Costa Mesa Sanitary District Board of Directors, I respectfully request that you work in support of OCWD's efforts in garnering an exemption from Comprehensive Environmental Response Compensation and Liability Act (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 United States Environmental Protection Agency (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 Perfluorooctanoic acid (PFOA) and Perfluorooctane sulfonic acid (PFOS), we advocate for the USEPA to use this longstanding methodology.

Sincerely,

Robert Ooten
President

C: OCWD Board President, Steve Sheldon (ssheldon@ocwd.com)
OCSan Board President, John Withers (klore@ocsd.com)

RESOLUTION NO. 2021-949

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE COSTA MESA SANITARY DISTRICT SUPPORTING FEDERAL POLYFLUOROALKYL SUBSTANCES (PFAS) LEGISLATION THAT PROTECTS RATEPAYERS AND WATER/WASTEWATER AGENCIES

WHEREAS, Per- and Polyfluoroalkyl Substances (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 take action to inform members of Congress of these devastating impacts; and,

WHEREAS, 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 simply 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 United States Environmental Protection Agency (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 Perfluorooctanoic acid (PFOA) and Perfluorooctane sulfonic acid (PFOS), the Costa Mesa Sanitary District advocates for the USEPA to use this longstanding methodology.

NOW, THEREFORE, the Board of Directors does hereby resolve:

That the Costa Mesa Sanitary District supports these federal PFAS policy principles to protect water/wastewater agencies and their ratepayers and calls upon the Orange County Congressional Delegation and California Senatorial Delegation to cast votes implementing these public policy positions.

PASSED and **ADOPTED** on this 20th day of December 2021.

Secretary, Costa Mesa Sanitary District
Board of Directors

President, Costa Mesa Sanitary District
Board of Directors

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF COSTA MESA)

I, Noelani Middenway, District Clerk of the Costa Mesa Sanitary District, hereby certify that the above and foregoing Resolution No. 2021-949, was duly and regularly passed and adopted by said Board of Directors at a regular meeting thereof held on the 20th day of December 2021, by the following vote:

AYES: Ooten, Scheafer, Schafer, Perry, Eckles

NOES: None

ABSENT: None

ABSTAIN: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Costa Mesa Sanitary District, this 20th day of December 2021.

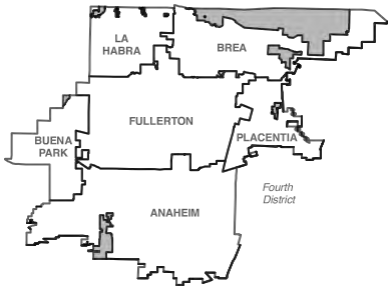
Clerk of the Costa Mesa Sanitary District

C: Orange County Water District
Orange County Sanitation District

DOUG CHAFFEE

VICE CHAIRMAN
ORANGE COUNTY BOARD OF SUPERVISORS
SUPERVISOR, FOURTH DISTRICT

ORANGE COUNTY HALL OF ADMINISTRATION
333 W. SANTA ANA BLVD.
SANTA ANA, CALIFORNIA 92701
PHONE (714) 834-3440 FAX (714) 834-2045
doug.chaffee@ocgov.com
bos.ocgov.com/fourth



January 4, 2022

The Honorable Congressman Correa
2301 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Kim
1306 Longworth House Office Building
Washington, D.C. 20515

The Honorable Congressman Lowenthal
108 Cannon House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Porter
1117 Longworth House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Steel
1113 Longworth House Office Building
Washington, D.C. 20515

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

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.

PFAS have been detected in the Orange County Groundwater Basin, managed by Orange County Water District (OCWD), 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.

I respectfully request that as Congress continues to consider legislative responses to protect our drinking water supplies, 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.

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,

Doug Chaffee
Vice Chairman, Orange County Board of Supervisors
Supervisor, Fourth District

RESOLUTION NO. 6877

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CYPRESS 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 take action to inform members of Congress of these devastating impacts; and

WHEREAS, 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 simply 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.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Cypress hereby supports 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.

PASSED AND ADOPTED by the City Council of the City of Cypress at a regular meeting held on the 14th day of February, 2022.

Daniel N. Morales

MAYOR OF THE CITY OF CYPRESS

ATTEST:

Alisha Farnell

CITY CLERK OF THE CITY OF CYPRESS

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS

I, ALISHA FARNELL, City Clerk of the City of Cypress, DO HEREBY CERTIFY that the foregoing Resolution was duly adopted at a regular meeting of the said City Council held on the 14th day of February, 2022, by the following roll call vote:

AYES:	4	COUNCIL MEMBERS:	Minikus, Peat, Hertz-Mallari and Morales
NOES:	1	COUNCIL MEMBERS:	Marquez
ABSENT:	0	COUNCIL MEMBERS:	None

Alisha Farnell
CITY CLERK OF THE CITY OF CYPRESS

CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

February 28, 2022

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:

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 (OCWD), 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.

I ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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 nations' airports, and it is vital that you secure an exemption to also include water and wastewater agencies. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA 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 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.

Paulo Morales, Mayor

Anne Hertz-Mallari, Mayor Pro Tem **Frances Marquez, Ph.D.**, Council Member

Scott Minikus, Council Member **Jon E. Peat**, Council Member

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

Sincerely,

Paulo M. Morales
Mayor

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

February 28, 2022

The Honorable Congressman Correa
2301 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Kim
1306 Longworth House Office Building
Washington, D.C. 20515

The Honorable Congressman Lowenthal
108 Cannon House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Porter
1117 Longworth House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Steel
1113 Longworth House Office Building
Washington, D.C. 20515

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

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 my 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. I 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,

Paulo M. Morales
Mayor

Paulo Morales, Mayor

Anne Hertz-Mallari, Mayor Pro Tem **Frances Marquez, Ph.D.**, Council Member

Scott Minikus, Council Member **Jon E. Peat**, Council Member

EAST ORANGE COUNTY WATER DISTRICT

185 N. McPherson Rd.
Orange, Ca 92869
P: 714-538-5815
F: 714-538-0334
eocwd.com

BOARD OF DIRECTORS

Douglass S. Davert
President

John Dulebohn
Vice President

Richard B. Bell
Director

George A. Murdoch
Director

John L. Sears
Director

David A. Youngblood, P.E.
General Manager

December 3, 2021

Transmittal via email to: John_Watts@feinstein.senate.gov; Angela_Ebiner@padilla.senate.gov

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:

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 (OCWD), 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.

I ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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. It is vital that you secure an exemption for these agencies from CERLA liability no less than that provided to our nation's airports. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability is bad public policy.

Also, 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.**

Finally, I support providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684).

I call upon California's Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact me at (714) 538-5185 or dyoungblood@eocwd.com.

Sincerely,

David Youngblood, P.E.
General Manager

EAST ORANGE COUNTY WATER DISTRICT

185 N. McPherson Rd.
Orange, Ca 92869
P: 714-538-5815
F: 714-538-0334
eocwd.com

BOARD OF DIRECTORS

Douglass S. Davert
President

John Dulebohn
Vice President

Richard B. Bell
Director

George A. Murdoch
Director

John L. Sears
Director

David A. Youngblood, P.E.
General Manager

December 3, 2021

The Honorable Congressman Correa
2301 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Kim
1306 Longworth House Office Building
Washington, D.C. 20515

The Honorable Congressman Lowenthal
108 Cannon House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Porter
1117 Longworth House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Steel
1113 Longworth House Office Building
Washington, D.C. 20515

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

Orange County is a national leader in water recycling with the Groundwater Replenishment System, storm water 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 my attention that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach CERCLA liability to the Orange County Water District (OCWD) as it removes 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. I respectfully request that you assist OCWD's efforts in garnering an exemption from CERCLA liability for water districts as they properly remove PFAS from drinking water.

Additionally, 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 current law, the US-EPA 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. Please support the efforts of OCWD to maintain the cost-benefit analysis in the Safe Water Drinking Act.

Sincerely,

David Youngblood, P.E.
General Manager

RESOLUTION NO. 918

RESOLUTION OF THE EAST ORANGE COUNTY WATER DISTRICT BOARD OF DIRECTORS SUPPORTING FEDERAL PER- AND POLYFLUOROALKYL SUBSTANCE (PFAS) LEGISLATION THAT PROTECTS RATEPAYERS AND WATER AND WASTEWATER AGENCIES

WHEREAS, the East Orange County Water District ("EOCWD") is a county water district organized and existing pursuant the California Water Code; and

WHEREAS, per- and polyfluoroalkyl substances ("PFAS") are a group of man-made chemicals created by chemical manufacturers, which, 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 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, such that water agencies and stakeholders must take action to inform members of Congress of these devastating impacts; and

WHEREAS, 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 simply 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, the United States Environmental Protection Agency ("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, Amendments to the Safe Drinking Water Act should not delete the longstanding cost-benefit analysis; and

WHEREAS, EOCWD supports providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684).

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EAST ORANGE COUNTY WATER DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The EOCWD Board of Directors ("Board") hereby supports the above-referenced federal PFAS policy principles to protect water/wastewater agencies and their ratepayers.

Section 2. The Board calls upon the Orange County Congressional Delegation and California Senatorial Delegation to cast votes implementing these public policy positions.

APPROVED, ADOPTED, AND SIGNED this 18th day of November, 2021.

Douglass S. Davert, President
EAST ORANGE COUNTY WATER DISTRICT
and of the Board of Directors thereof

Jeffrey A. Hoskinson, Secretary
EAST ORANGE COUNTY WATER DISTRICT
and of the Board of Directors thereof

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

I, JEFFREY A. HOSKINSON, Secretary of the Board of Directors of the EAST ORANGE COUNTY WATER DISTRICT, do hereby certify that the foregoing Resolution No. 918 was duly adopted by the Board of Directors of said District at a Regular Meeting of said District held on November 18, 2021, and that it was so adopted by the following vote:

AYES: BELL, DAVERT, DULEBOHN, MURDOCH, SEARS

NOES:

ABSENT:

ABSTAIN:

Jeffrey A. Hoskinson, Secretary
EAST ORANGE COUNTY WATER DISTRICT
and of the Board of Directors thereof

006313.00004
35196406.1

CITY OF FOUNTAIN VALLEY

CITY HALL 10200 SLATER AVENUE FOUNTAIN VALLEY, CALIFORNIA 92708

THE OFFICE OF THE MAYOR (714) 593-4403 FAX: (714) 593-4494
Website: www.fountainvalley.org Email: fvproud@fountainvalley.org

Mayor:
Patrick Harper

Mayor Pro Tem:
Kim Constantine

Council Members:
Glenn Grandis
Ted Bui
Michael Vo

City Manager:
Rob Houston

January 3, 2022

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:

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 (OCWD), 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.

I ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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 nations' airports, and it is vital that you secure an exemption to also include water and wastewater agencies. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA 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 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.

I call upon California's Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact Hye Jin Lee, Public Works Director, at (714) 593-4435.

Sincerely,

Patrick Harper
Mayor, City of Fountain Valley

cc: State Senator Tom Umberg, steven.mai@sen.ca.gov
Assemblywoman Janet Nguyen, janet.nguyen@asm.ca.gov
Memory Bartlett, ceo@fvchamber.com
Jenn Lowe, jlowe@accoc.org
Tony Cardenas, League Regional Public Affairs Manager
Meg Desmond, League of California Cities, cityletters@cacities.org

CITY OF FOUNTAIN VALLEY

CITY HALL 10200 SLATER AVENUE FOUNTAIN VALLEY, CALIFORNIA 92708

THE OFFICE OF THE MAYOR (714) 593-4403 FAX: (714) 593-4494
Website: www.fountainvalley.org Email: fvproud@fountainvalley.org

Mayor:
Patrick Harper

Mayor Pro Tem:
Kim Constantine

Council Members:
Glenn Grandis
Ted Bui
Michael Vo

City Manager:
Rob Houston

January 3, 2022

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

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

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

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

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

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

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 my 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. I 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,

Patrick Harper

Patrick Harper
Mayor, City of Fountain Valley

cc: State Senator Tom Umberg, steven.mai@sen.ca.gov
Assemblywoman Janet Nguyen, janet.nguyen@asm.ca.gov
Memory Bartlett, ceo@fvchamber.com
Jenn Lowe, jlowe@accoc.org
Tony Cardenas, League Regional Public Affairs Manager
Meg Desmond, League of California Cities, cityletters@cacities.org

RESOLUTION NO. 9819

A RESOLUTION OF THE CITY OF FOUNTAIN VALLEY 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 has 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 take action 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 simply 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, LET IT BE RESOLVED that the Council of the City of Fountain Valley hereby supports 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.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Fountain Valley this 18th day of January, 2022.

Ayes:	Bui, Grandis, Vo, Constantine, Harper
Nays:	None
Absent:	None
Abstain:	None

ATTEST:

Rick Miller, City Clerk

Patrick Harper, Mayor

APPROVED AS TO FORM:

Attorney for the City

C: Orange County Water District

CITY OF FULLERTON
Public Works Department

December 7, 2021

The Honorable Senator Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington D.C. 20510

Dear Senator Feinstein,

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 (OCWD), 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.

I ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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. It is vital that you secure an exemption for these agencies from CERLA liability no less than that provided to our nation's airports. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability is bad public policy.

Also, 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.**

Finally, I support providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684).

I call upon California's Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact me at MMcWade@cityoffullerton.com.

Sincerely,

Meg McWade
Director of Public Works, City of Fullerton

Enclosure: City of Fullerton Resolution in support of Federal PFAS legislation protection

CC: Steve Sheldon, OCWD Board President
Bruce Whitaker, OCWD Division 10 Representative
Gina Ayala, OCWD Director of Public Affairs
Lisa Ohlund, Principal
Steve Danley, Fullerton Acting City Manager

CITY OF FULLERTON
Public Works Department

December 7, 2021

The Honorable Senator Alex Padilla
United States Senate
112 Hart Senate Office Building
Washington D.C. 20510

Dear 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 (OCWD), 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.

I ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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. It is vital that you secure an exemption for these agencies from CERLA liability no less than that provided to our nation's airports. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability is bad public policy.

Also, 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.**

Finally, I support providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684).

I call upon California's Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact me at MMcWade@cityoffullerton.com.

Sincerely,

Meg McWade

Meg McWade
Director of Public Works, City of Fullerton

Enclosure: City of Fullerton Resolution in support of Federal PFAS legislation protection

CC: Steve Sheldon, OCWD Board President
Bruce Whitaker, OCWD Division 10 Representative
Gina Ayala, OCWD Director of Public Affairs
Lisa Ohlund, Principal
Steve Danley, Fullerton Acting City Manager

CITY OF FULLERTON
Public Works Department

December 7, 2021

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

Dear Representative Correa,

Orange County is a national leader in water recycling with the Groundwater Replenishment System, storm water 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 my attention that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach CERCLA liability to the City of Fullerton as it removes PFAS from drinking water. Fullerton 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. I respectfully request that you assist Fullerton's efforts in garnering an exemption from CERCLA liability for water districts as they properly remove PFAS from drinking water.

Additionally, 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 current law, the US-EPA 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. Please support the efforts of OCWD to maintain the cost-benefit analysis in the Safe Water Drinking Act.

Sincerely,

Meg McWade

Meg McWade
Director of Public Works, City of Fullerton

Enclosure: City of Fullerton Resolution in support of Federal PFAS legislation protection

CC: Steve Sheldon, OCWD Board President
Bruce Whitaker, OCWD Division 10 Representative
Gina Ayala, OCWD Director of Public Affairs
Lisa Ohlund, Principal
Steve Danley, Fullerton Acting City Manager

CITY OF FULLERTON
Public Works Department

December 7, 2021

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

Dear Representative Kim,

Orange County is a national leader in water recycling with the Groundwater Replenishment System, storm water 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 my attention that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach CERCLA liability to the City of Fullerton as it removes PFAS from drinking water. Fullerton 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. I respectfully request that you assist Fullerton's efforts in garnering an exemption from CERCLA liability for water districts as they properly remove PFAS from drinking water.

Additionally, 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 current law, the US-EPA 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. Please support the efforts of OCWD to maintain the cost-benefit analysis in the Safe Water Drinking Act.

Sincerely,

Meg McWade
Director of Public Works, City of Fullerton

Enclosure: City of Fullerton Resolution in support of Federal PFAS legislation protection

CC: Steve Sheldon, OCWD Board President
Bruce Whitaker, OCWD Division 10 Representative
Gina Ayala, OCWD Director of Public Affairs
Lisa Ohlund, Principal
Steve Danley, Fullerton Acting City Manager

CITY OF FULLERTON
Public Works Department

December 7, 2021

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

Dear Representative Lowenthal,

Orange County is a national leader in water recycling with the Groundwater Replenishment System, storm water 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 my attention that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach CERCLA liability to the City of Fullerton as it removes PFAS from drinking water. Fullerton 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. I respectfully request that you assist Fullerton's efforts in garnering an exemption from CERCLA liability for water districts as they properly remove PFAS from drinking water.

Additionally, 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 current law, the US-EPA 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. Please support the efforts of OCWD to maintain the cost-benefit analysis in the Safe Water Drinking Act.

Sincerely,

Meg McWade
Director of Public Works, City of Fullerton

Enclosure: City of Fullerton Resolution in support of Federal PFAS legislation protection

CC: Steve Sheldon, OCWD Board President
Bruce Whitaker, OCWD Division 10 Representative
Gina Ayala, OCWD Director of Public Affairs
Lisa Ohlund, Principal
Steve Danley, Fullerton Acting City Manager

CITY OF FULLERTON
Public Works Department

December 7, 2021

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

Dear Representative Porter,

Orange County is a national leader in water recycling with the Groundwater Replenishment System, storm water 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 my attention that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach CERCLA liability to the City of Fullerton as it removes PFAS from drinking water. Fullerton 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. I respectfully request that you assist Fullerton's efforts in garnering an exemption from CERCLA liability for water districts as they properly remove PFAS from drinking water.

Additionally, 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 current law, the US-EPA 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. Please support the efforts of OCWD to maintain the cost-benefit analysis in the Safe Water Drinking Act.

Sincerely,

Meg McWade
Director of Public Works, City of Fullerton

Enclosure: City of Fullerton Resolution in support of Federal PFAS legislation protection

CC: Steve Sheldon, OCWD Board President
Bruce Whitaker, OCWD Division 10 Representative
Gina Ayala, OCWD Director of Public Affairs
Lisa Ohlund, Principal
Steve Danley, Fullerton Acting City Manager

CITY OF FULLERTON
Public Works Department

December 7, 2021

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

Dear Representative Steel,

Orange County is a national leader in water recycling with the Groundwater Replenishment System, storm water 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 my attention that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach CERCLA liability to the City of Fullerton as it removes PFAS from drinking water. Fullerton 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. I respectfully request that you assist Fullerton's efforts in garnering an exemption from CERCLA liability for water districts as they properly remove PFAS from drinking water.

Additionally, 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 current law, the US-EPA 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. Please support the efforts of OCWD to maintain the cost-benefit analysis in the Safe Water Drinking Act.

Sincerely,

Meg McWade
Director of Public Works, City of Fullerton

Enclosure: City of Fullerton Resolution in support of Federal PFAS legislation protection

CC: Steve Sheldon, OCWD Board President
Bruce Whitaker, OCWD Division 10 Representative
Gina Ayala, OCWD Director of Public Affairs
Lisa Ohlund, Principal
Steve Danley, Fullerton Acting City Manager

RESOLUTION NO. 2021-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, SUPPORTING FEDERAL PFAS LEGISLATION THAT PROTECTS RATEPAYERS AND WATER / WASTEWATER AGENCIES

WHEREAS, 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.

WHEREAS, PFAS have been detected in the Orange County Groundwater Basin, managed by Orange County Water District, and are estimated to cost Orange County more than $1 billion, over 30 years—a cost that will likely increase.

WHEREAS, ratepayers, including those from the City of Fullerton, are at risk from pending PFAS legislation and associated PFAS costs and water agencies and stakeholders must take action to inform members of Congress of these devastating impacts.

WHEREAS, therefore, all PFAS related legislation must exempt water and wastewater agencies from any liability for PFAS cleanup costs.

WHEREAS, a water utility, such as Fullerton, that complies with applicable and appropriate federal management and treatment standards must not bear responsibility for current and future costs associated with a PFAS cleanup.

WHEREAS, given the potential for federal legislation, such as the PFAS Action Act of 2021 (H.R. 2467), to expose water agencies, that simply 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.

WHEREAS, 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 astronomical costs to comply with drinking water standards.

WHEREAS, amendments to the Safe Drinking Water Act should not delete the longstanding cost-benefit analysis.

WHEREAS, OCWD and the City of Fullerton support providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FULLERTON RESOLVES:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FULLERTON RESOLVES:

That the City Council of the City of Fullerton hereby supports these federal PFAS policy principles to protect water / wastewater agencies and their ratepayers.

The City of Fullerton calls upon the Orange County Congressional Delegation and California Senatorial Delegation to cast votes implementing these public policy positions.

ADOPTED BY THE FULLERTON CITY COUNCIL ON NOVEMBER 16, 2021.

Bruce Whitaker
Mayor

ATTEST:

Lucinda Williams, MMC
City Clerk

November 16, 2021
Date

City of Fullerton
RESOLUTION CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF FULLERTON)

RESOLUTION NO. 2021-87

I, Lucinda Williams, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certify that the whole number of the members of the City Council of the City of Fullerton is five, and that the City Council adopted the above and foregoing Resolution No. 2021-87 at a regular meeting of the City Council held on the November 16, 2021 by the following vote:

COUNCIL MEMBERS IN FAVOR:	Whitaker, Dunlap, Jung, Silva, Zahra
COUNCIL MEMBERS OPPOSED:	None
COUNCIL MEMBERS ABSTAINED:	None
COUNCIL MEMBERS ABSENT:	None

Lucinda Williams, MMC
City Clerk

CITY OF GARDEN GROVE

Steve Jones
Mayor

Diedre Thu-Ha Nguyen
Mayor Pro Tem - District 3

George S. Brietigam
Council Member - District 1

John R. O'Neill
Council Member - District 2

Patrick Phat Bui
Council Member - District 4

Stephanie Klopfenstein
Council Member - District 5

Kim Bernice Nguyen
Council Member - District 6

December 15, 2021

The Honorable Senator Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington D.C. 20510

Dear Senator Feinstein:

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 (OCWD), 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, I respectfully 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 Comprehensive Environmental Response Compensation Liability (CERCLA) for PFAS-related cleanup. It is vital for an exemption be secured for these agencies from CERLA liability no less than what is provided to our nation's airports. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability is bad public policy.

Also, 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. 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. On behalf of the City of Garden Grove and the Garden Grove City Council, I call upon California's Senators to cast votes implementing these public policy positions. Finally, I support providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684). If I can provide any further information or assistance, please contact City of Garden Grove Water Manager, Samuel Kim, at (714) 741-5534.

Sincerely,

Steve Jones
Mayor

cc: The Honorable Senator Alex Padilla
OCWD Board President Steve Sheldon

11222 ACACIA PARKWAY, P.O. BOX 3070, GARDEN GROVE, CA 92842
TELEPHONE (714) 741-5000 • FAX (714) 741-5205 • ggcity.org

CITY OF GARDEN GROVE

Steve Jones
Mayor

Diedre Thu-Ha Nguyen
Mayor Pro Tem - District 3

George S. Brietigam
Council Member - District 1

John R. O'Neill
Council Member - District 2

Patrick Phat Bui
Council Member - District 4

Stephanie Klopfenstein
Council Member - District 5

Kim Bernice Nguyen
Council Member - District 6

December 15, 2021

The Honorable Senator Alex Padilla
United States Senate
112 Hart Senate Office Building
Washington D.C. 20510

Dear 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 (OCWD), 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, I respectfully 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 Comprehensive Environmental Response Compensation Liability (CERCLA) for PFAS-related cleanup. It is vital for an exemption be secured for these agencies from CERLA liability no less than what is provided to our nation's airports. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability is bad public policy.

Also, 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. 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. On behalf of the City of Garden Grove and the Garden Grove City Council, I call upon California's Senators to cast votes implementing these public policy positions. Finally, I support providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684). If I can provide any further information or assistance, please contact City of Garden Grove Water Manager, Samuel Kim, at (714) 741-5534.

Sincerely,

Steve Jones
Mayor

cc: The Honorable Senator Dianne Feinstein
OCWD Board President Steve Sheldon

CITY OF GARDEN GROVE

Steve Jones
Mayor

Diedre Thu-Ha Nguyen
Mayor Pro Tem - District 3

George S. Brietigam
Council Member - District 1

John R. O'Neill
Council Member - District 2

Patrick Phat Bui
Council Member - District 4

Stephanie Klopfenstein
Council Member - District 5

Kim Bernice Nguyen
Council Member - District 6

December 15, 2021

The Honorable Congressman Correa
2301 Rayburn House Office Building
Washington, D.C. 20515

Subject: Per- and Polyfluoroalkyl (PFAS) Federal legislation

Dear Congressman Correa:

Orange County is a national leader in water recycling with the Groundwater Replenishment System, storm water 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 having to purchase expensive imported water.

It has come to the attention of the City of Garden Grove that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach Comprehensive Environmental Response Compensation and Liability (CERCLA) to the Orange County Water District (OCWD) as it removes 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. I respectfully request that you assist OCWD's efforts in garnering an exemption from CERCLA liability for water districts as they properly remove PFAS from drinking water.

Additionally, 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 current law, the US-EPA 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.

At the Garden Grove City Council meeting held on December 14, 2021, Resolution No. 9718-21 was adopted by the City Council in support of pending federal PFAS legislation to protect ratepayers and water/wastewater agencies. On behalf of the Garden Grove City Council, I am respectfully requesting support for the efforts of OCWD to maintain the cost-benefit analysis in the Safe Water Drinking Act.

Sincerely,

Steve Jones
Mayor

cc: The Honorable Congressman Lowenthal
The Honorable Congresswoman Steel
The Honorable Congresswoman Kim
The Honorable Congresswoman Porter
OCWD Board President Steve Sheldon

CITY OF GARDEN GROVE

Steve Jones
Mayor

Diedre Thu-Ha Nguyen
Mayor Pro Tem - District 3

George S. Brietigam
Council Member - District 1

John R. O'Neill
Council Member - District 2

Patrick Phat Bui
Council Member - District 4

Stephanie Klopfenstein
Council Member - District 5

Kim Bernice Nguyen
Council Member - District 6

December 15, 2021

The Honorable Congressman Lowenthal
108 Cannon Housing Office Building
Washington, D.C. 20515

Subject: Per- and Polyfluoroalkyl (PFAS) Federal legislation

Dear Congressman Lowenthal:

Orange County is a national leader in water recycling with the Groundwater Replenishment System, storm water 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 having to purchase expensive imported water.

It has come to the attention of the City of Garden Grove that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach Comprehensive Environmental Response Compensation and Liability (CERCLA) to the Orange County Water District (OCWD) as it removes 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. I respectfully request that you assist OCWD's efforts in garnering an exemption from CERCLA liability for water districts as they properly remove PFAS from drinking water.

Additionally, 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 current law, the US-EPA 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.

At the Garden Grove City Council meeting held on December 14, 2021, Resolution No. 9718-21 was adopted by the City Council in support of pending federal PFAS legislation to protect ratepayers and water/wastewater agencies. On behalf of the Garden Grove City Council, I am respectfully requesting support for the efforts of OCWD to maintain the cost-benefit analysis in the Safe Water Drinking Act.

Sincerely,

Steve Jones
Mayor

cc: The Honorable Congressman Correa
The Honorable Congresswoman Steel
The Honorable Congresswoman Kim
The Honorable Congresswoman Porter
OCWD Board President Steve Sheldon

CITY OF GARDEN GROVE

Steve Jones
Mayor

Diedre Thu-Ha Nguyen
Mayor Pro Tem - District 3

George S. Brietigam
Council Member - District 1

John R. O'Neill
Council Member - District 2

Patrick Phat Bui
Council Member - District 4

Stephanie Klopfenstein
Council Member - District 5

Kim Bernice Nguyen
Council Member - District 6

December 15, 2021

The Honorable Congresswoman Kim
1306 Longworth House Office Building
Washington, D.C. 20515

Subject: Per- and Polyfluoroalkyl (PFAS) Federal legislation

Dear Congresswoman Kim:

Orange County is a national leader in water recycling with the Groundwater Replenishment System, storm water 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 having to purchase expensive imported water.

It has come to the attention of the City of Garden Grove that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach Comprehensive Environmental Response Compensation and Liability (CERCLA) to the Orange County Water District (OCWD) as it removes 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. I respectfully request that you assist OCWD's efforts in garnering an exemption from CERCLA liability for water districts as they properly remove PFAS from drinking water.

Additionally, 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 current law, the US-EPA 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.

At the Garden Grove City Council meeting held on December 14, 2021, Resolution No. 9718-21 was adopted by the City Council in support of pending federal PFAS legislation to protect ratepayers and water/wastewater agencies. On behalf of the Garden Grove City Council, I am respectfully requesting support for the efforts of OCWD to maintain the cost-benefit analysis in the Safe Water Drinking Act.

Sincerely,

Steve Jones
Mayor

cc: The Honorable Congressman Correa
The Honorable Congressman Lowenthal
The Honorable Congresswoman Steel
The Honorable Congresswoman Porter
OCWD Board President Steve Sheldon

CITY OF GARDEN GROVE

Steve Jones
Mayor

Diedre Thu-Ha Nguyen
Mayor Pro Tem - District 3

George S. Brietigam
Council Member - District 1

John R. O'Neill
Council Member - District 2

Patrick Phat Bui
Council Member - District 4

Stephanie Klopfenstein
Council Member - District 5

Kim Bernice Nguyen
Council Member - District 6

December 15, 2021

The Honorable Congresswoman Porter
1117 Longworth House Office Building
Washington, D.C. 20515

Subject: Per- and Polyfluoroalkyl (PFAS) Federal legislation

Dear Congresswoman Porter:

Orange County is a national leader in water recycling with the Groundwater Replenishment System, storm water 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 having to purchase expensive imported water.

It has come to the attention of the City of Garden Grove that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach Comprehensive Environmental Response Compensation and Liability (CERCLA) to the Orange County Water District (OCWD) as it removes 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. I respectfully request that you assist OCWD's efforts in garnering an exemption from CERCLA liability for water districts as they properly remove PFAS from drinking water.

Additionally, 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 current law, the US-EPA 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.

At the Garden Grove City Council meeting held on December 14, 2021, Resolution No. 9718-21 was adopted by the City Council in support of pending federal PFAS legislation to protect ratepayers and water/wastewater agencies. On behalf of the Garden Grove City Council, I am respectfully requesting support for the efforts of OCWD to maintain the cost-benefit analysis in the Safe Water Drinking Act.

Sincerely,

Steve Jones
Mayor

cc: The Honorable Congressman Correa
The Honorable Congressman Lowenthal
The Honorable Congresswoman Steel
The Honorable Congresswoman Kim
OCWD Board President Steve Sheldon

CITY OF GARDEN GROVE

Steve Jones
Mayor

Diedre Thu-Ha Nguyen
Mayor Pro Tem - District 3

George S. Brietigam
Council Member - District 1

John R. O'Neill
Council Member - District 2

Patrick Phat Bui
Council Member - District 4

Stephanie Klopfenstein
Council Member - District 5

Kim Bernice Nguyen
Council Member - District 6

December 15, 2021

The Honorable Congresswoman Steel
1113 Longworth House Office Building
Washington, D.C. 20515

Subject: Per- and Polyfluoroalkyl (PFAS) Federal legislation

Dear Congresswoman Steel:

Orange County is a national leader in water recycling with the Groundwater Replenishment System, storm water 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 having to purchase expensive imported water.

It has come to the attention of the City of Garden Grove that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach Comprehensive Environmental Response Compensation and Liability (CERCLA) to the Orange County Water District (OCWD) as it removes 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. I respectfully request that you assist OCWD's efforts in garnering an exemption from CERCLA liability for water districts as they properly remove PFAS from drinking water.

Additionally, 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 current law, the US-EPA 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.

At the Garden Grove City Council meeting held on December 14, 2021, Resolution No. 9718-21 was adopted by the City Council in support of pending federal PFAS legislation to protect ratepayers and water/wastewater agencies. On behalf of the Garden Grove City Council, I am respectfully requesting support for the efforts of OCWD to maintain the cost-benefit analysis in the Safe Water Drinking Act.

Sincerely,

Steve Jones
Mayor

cc: The Honorable Congressman Correa
The Honorable Congressman Lowenthal
The Honorable Congresswoman Kim
The Honorable Congresswoman Porter
OCWD Board President Steve Sheldon

GARDEN GROVE CITY COUNCIL

RESOLUTION NO. 9718-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE SUPPORTING FEDERAL PFAS LEGISLATION THAT PROTECTS RATEPAYERS AND WATER/WASTEWATER AGENCIES

WHEREAS, 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;

WHEREAS, PFAS have been detected in the Orange County Groundwater Basin, managed by Orange County Water District, and are estimated to cost Orange County more than $1 billion, over 30 years—a cost that will likely increase;

WHEREAS, Ratepayers are at risk from pending PFAS legislation and associated PFAS costs and water agencies and stakeholders must take action to inform members of Congress of these devastating impacts;

WHEREAS, All PFAS related legislation must exempt water and wastewater agencies from any liability for PFAS cleanup costs;

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;

WHEREAS, Given the potential for federal legislation, such as the PFAS Action Act of 2021 (H.R. 2467), to expose water agencies, that simply 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;

WHEREAS, 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 astronomical costs to comply with drinking water standards;

WHEREAS, Amendments to the Safe Drinking Water Act should not delete the longstanding cost-benefit analysis; and

WHEREAS, OCWD supports providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684.

NOW, THEREFORE, let it be resolved that the City of Garden Grove City Council supports these federal PFAS policy principles to protect water/wastewater agencies and their ratepayers; and

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

Adopted this 14th day of December 2021.

ATTEST: /s/ STEVE JONES
MAYOR

/s/ TERESA POMEROY, CMC
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, TERESA POMEROY, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Garden Grove, California, at a meeting held on December 14, 2021, by the following vote:

AYES:	COUNCIL MEMBERS:	(7)	BRIETIGAM, O'NEILL, NGUYEN D., BUI, KLOPFENSTEIN, NGUYEN K., JONES
NOES:	COUNCIL MEMBERS:	(0)	NONE
ABSENT:	COUNCIL MEMBERS:	(0)	NONE

/s/ TERESA POMEROY, CMC
CITY CLERK

Garden Grove
— Chamber of Commerce —
Founded 1907

January 13, 2022

The Honorable Senator Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Feinstein:

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 (OCWD), 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.

I ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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 nations' airports, and it is vital that you secure an exemption to also include water and wastewater agencies. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA 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 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.

I call upon California's Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact me at 714-638-7950.

Sincerely,

Cindy Spindle

Cindy Spindle
CEO/President
Garden Grove Chamber of Commerce
714-638-7950
ceo@gardengrovechamber.com
www.gardengrovechamber.com

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

Garden Grove
— Chamber of Commerce —
Founded 1907

January 13, 2022

The Honorable Senator Alex Padilla
United States Senate
112 Hart Senate Office Building
Washington, D.C. 20510

Dear 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 (OCWD), 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.

I ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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 nations' airports, and it is vital that you secure an exemption to also include water and wastewater agencies. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA 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 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.

I call upon California's Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact me at 714-638-7950.

Sincerely,

Cindy Spindle

Cindy Spindle
CEO/President
Garden Grove Chamber of Commerce
714-638-7950
ceo@gardengrovechamber.com
www.gardengrovechamber.com

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

Garden Grove
— Chamber of Commerce —
Founded 1907

January 13, 2022

The Honorable Congresswoman Steel
1113 Longworth House Office Building
Washington, D.C. 20515

Dear Representative Steel:

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 my 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. I 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,

Cindy Spindle

Cindy Spindle
CEO/President
Garden Grove Chamber of Commerce
714-638-7950
ceo@gardengrovechamber.com
www.gardengrovechamber.com

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

Garden Grove
— Chamber of Commerce —
Founded 1907

January 13, 2022

The Honorable Congressman Correa
2301 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Correa:

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 my 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. I 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,

Cindy Spindle

Cindy Spindle
CEO/President
Garden Grove Chamber of Commerce
714-638-7950
ceo@gardengrovechamber.com
www.gardengrovechamber.com

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

Garden Grove
— Chamber of Commerce —
Founded 1907

January 13, 2022

The Honorable Congresswoman Kim
1306 Longworth House Office Building
Washington, D.C. 20515

Dear Representative Kim:

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 my 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. I 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,

Cindy Spindle

Cindy Spindle
CEO/President
Garden Grove Chamber of Commerce
714-638-7950
ceo@gardengrovechamber.com
www.gardengrovechamber.com

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

Garden Grove
— Chamber of Commerce —
Founded 1907

January 13, 2022

The Honorable Congressman Lowenthal
108 Cannon House Office Building
Washington, D.C. 20515

Dear Representative Lowenthal:

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 my 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. I 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,

Cindy Spindle

Cindy Spindle
CEO/President
Garden Grove Chamber of Commerce
714-638-7950
ceo@gardengrovechamber.com
www.gardengrovechamber.com

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

Garden Grove
— Chamber of Commerce —
Founded 1907

January 13, 2022

The Honorable Congresswoman Porter
1117 Longworth House Office Building
Washington, D.C. 20515

Dear Representative 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 my 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. I 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,

Cindy Spindle

Cindy Spindle
CEO/President
Garden Grove Chamber of Commerce
714-638-7950
ceo@gardengrovechamber.com
www.gardengrovechamber.com

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

City of Huntington Beach
2000 MAIN STREET CALIFORNIA 92648

January 5, 2022

Sent via email to: John_Watts@feinstein.senate.gov; Angela_Ebiner@padilla.senate.gov; Sarah_Swigg@padilla.senate.gov

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:

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 (OCWD), 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.

I ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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 nations' airports, and it is vital that you secure an exemption to also include water and wastewater agencies. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA 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 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.

I call upon California's Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact me at 714-536-5553.

Sincerely,

Barbara Delgleize
Mayor

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

City of Huntington Beach
2000 MAIN STREET CALIFORNIA 92648

January 5, 2022

Sent via email to: Chris Gorud; Colin.Timmerman@mail.house.gov; Shane.Trimmer@mail.house.gov; Jacob.Marx@mail.house.gov; Jonathan.Kuperman@mail.house.gov

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

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

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

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

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

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

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 my 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. I 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,

Barbara Delgleize
Mayor

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

RESOLUTION NO. 2021-80

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH SUPPORTING FEDERAL PER AND POLYFLOUROALKLY SUBSTANCES (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 take action 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 simply 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 Huntington Beach does hereby resolve as follows:

1. We hereby support these federal PFAS policy principles to protect water/wastewater agencies and their ratepayers; and

2. We call upon the Orange County Congressional Delegation and California Senatorial Delegation to cast votes implementing these public policy positions.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting held on the 21 day of December, 2021.

Barbara Delgleiz
Mayor

REVIEWED AND APPROVED:

City Manager

INITIATED AND APPROVED:

Assistant City Manager

APPROVED AS TO FORM:

City Attorney

Res. No. 2021-80

STATE OF CALIFORNIA
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, ROBIN ESTANISLAU, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at a **Regular** meeting thereof held on **December 21, 2021** by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, Kalmick
NOES: None
ABSENT: None
RECUSE: None

Robin Estanislau

City Clerk and ex-officio Clerk of the
City Council of the City of
Huntington Beach, California

Irvine Ranch
WATER DISTRICT

December 20, 2021

The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Alex Padilla
United States Senate
112 Hart Senate Office Building
Washington, D.C. 20510

RE: PFAS Liability Exemption & Use of the Existing Drinking Water Standards Methodology

Dear Senator Feinstein and Senator Padilla:

On behalf of the Irvine Ranch Water District (IRWD), I am writing to request your support for an expressed exemption from liability for water and wastewater agencies that properly clean up PFAS contamination, if PFAS compounds are designated as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

As you are aware, the U.S. EPA is developing a Notice of Proposed Rulemaking to designate PFOA and PFOS, two of many PFAS chemicals, as hazardous substances under CERCLA. When this designation occurs, the likely result will be that water and wastewater agencies who responsibly and properly clean up PFAS contamination will have liability for PFAS when they are simply working to address the nation's PFAS contamination.

PFAS are a group of man-made chemicals created by chemical manufacturers. These chemicals have been found in some water supplies and are found in wastewater due to human consumption and industrial uses of PFAS. For example, PFAS has been detected in the Orange County Groundwater Basin and in one of IRWD's groundwater wells. Once detected, the well was put out of service and IRWD is working to clean up the PFAS contamination. Additionally, the District is working with OCWD and the United States Department of the Navy to clean a plume of contaminants, including PFAS, that was created from activities on a now-closed Marine Corps Air Station, El Toro.

As you can see, IRWD is among the water and wastewater suppliers in California and around the country that are diligently working to clean up PFAS contamination that we did not create. Manufacturers and users of PFAS, not water and wastewater agencies working to remove these chemicals, should be responsible under CERCLA for PFAS. A water supplier that complies with applicable and appropriate federal management and treatment standards should not be liable. Water suppliers have no responsibility for the presence of PFAS and subjecting us to CERCLA liability would be unjustified and unfair to our ratepayers who would bear the costs in their rates.

Additionally, I ask for your support for the U.S. EPA applying the long-standing cost-benefit methodology currently required by the Safe Drinking Water Act when the agency sets drinking water standards for PFOA and PFOS. The existing cost-benefit methodology ensures that public health benefits of new drinking water standards are balanced with the compliance costs, and it has worked to ensure public health and safety are protected.

Thank you for considering our requests related to PFAS. Should you have any questions or if we can be of assistance to you or your office, please feel free to contact me at (949) 453-5590 or our federal advocate, Mark Kadesh, at (202) 547-8800.

Sincerely,

Paul A. Cook, P.E.
General Manager

Irvine Ranch
WATER DISTRICT

December 20, 2021

The Honorable Lou Correa
U.S. House of Representatives
2301 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Young Kim
U.S. House of Representatives
1306 Longworth House Office Building
Washington, D.C. 20515

The Honorable Alan Lowenthal
U.S. House of Representatives
108 Cannon House Office Building
Washington, D.C. 20515

The Honorable Katie Porter
U.S. House of Representatives
1117 Longworth House Office Building
Washington, D.C. 20515

The Honorable Michelle Steel
U.S. House of Representatives
1113 Longworth House Office Building
Washington, D.C. 20515

RE: PFAS Liability Exemption & Use of the Existing Drinking Water Standards Methodology

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

On behalf of the Irvine Ranch Water District (IRWD), I am writing to request your support for an expressed exemption from liability for water and wastewater agencies that properly clean up PFAS contamination, if PFAS compounds are designated as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

As you are aware, the U.S. EPA is developing a Notice of Proposed Rulemaking to designate PFOA and PFOS, two of many PFAS chemicals, as hazardous substances under CERCLA. When this designation occurs, the likely result will be that water and wastewater agencies who responsibly and properly clean up PFAS contamination will have liability for PFAS when they are simply working to address the nation's PFAS contamination.

PFAS are a group of man-made chemicals created by chemical manufacturers. These chemicals have been found in some water supplies and are found in wastewater due to human consumption and industrial uses of PFAS. For example, PFAS has been detected in the Orange County Groundwater Basin and in one of IRWD's groundwater wells. Once detected, the well was put out of service and IRWD is working to clean up the PFAS contamination. Additionally, the District is working with OCWD and the United States Department of the Navy to clean a plume of contaminants, including PFAS, that was created from activities on a now-closed Marine Corps Air Station, El Toro.

As you can see, IRWD is among the water and wastewater suppliers in California and around the country that are diligently working to clean up PFAS contamination that we did not create. Manufacturers and users of PFAS, not water and wastewater agencies working to remove these chemicals, should be responsible under CERCLA for PFAS. A water supplier that complies with applicable and appropriate federal management and treatment standards should not be liable. Water suppliers have no responsibility for the presence of PFAS and subjecting us to CERCLA liability would be unjustified and unfair to our ratepayers who would bear the costs in their rates.

Additionally, I ask for your support for the U.S. EPA applying the long-standing cost-benefit methodology currently required by the Safe Drinking Water Act when the agency sets drinking water standards for PFOA and PFOS. The existing cost-benefit methodology ensures that public health benefits of new drinking water standards are balanced with the compliance costs, and it has worked to ensure public health and safety are protected.

Thank you for considering our requests related to PFAS. Should you have any questions or if we can be of assistance to you or your office, please feel free to contact me at (949) 453-5590 or our federal advocate, Mark Kadesh, at (202) 547-8800.

Sincerely,

Paul A. Cook, P.E.
General Manager

IRWD POLICY POSITION REGARDING PFAS CONTAMINANTS

OCTOBER 12, 2020

Issue Summary:

The policy issues associated with the cleanup of what are often referred to as "PFAS compounds" in the Orange County Groundwater Basin (Basin), both prior to and after the establishment of regulatory limits in drinking water, are complex and likely to be controversial. To help guide IRWD's advocacy efforts related legislative and regulatory efforts, as well as issues of concern to IRWD services and the cleanup of PFAS compounds that have been found in the Basin, this paper reflects the policy position adopted by the IRWD Board.

Background on PFAS Contaminants:

In 2012, the United States Environmental Protection Agency (EPA) issued rules which required monitoring for 30 added contaminants by public water systems across the United States. Perfluorooctanic acid (PFOA) and perfluorooctane sulfonate (PFOS) were included on the list for monitoring. These compounds are organic chemicals that are part of a larger group of man-made chemicals referred to as per-and polyfluoroalkyl substances (PFAS). These substances, sometimes referred to as "forever chemicals," are persistent in the environment while being generally resistant to heat, water, and oil. They have been widely used in consumer products such as carpet, clothing, fabrics for furniture, paper packaging for food, fire-fighting foams, and other materials (e.g., cookware) designed to be waterproof, stain-resistant, or non-stick.

Between 2013 and 2015, OCWD tested water from the Basin consistent with EPA requirements. The results of the tests were submitted to the EPA and the State Water Resources Control Board Division of Drinking Water (DDW). In July 2018, DDW established precautionary advisory levels for PFOA and PFOS.

Precautionary Advisory Levels:

Notification Levels are precautionary health-based advisory levels established by DDW for chemicals in drinking water that are not regulated by Maximum Contaminant Levels (MCLs). State law requires timely notification to local jurisdictional authorities by a retail water system whenever a Notification Level is exceeded in drinking water. DDW recommends that public water systems take a source of water out of service if a contaminant is present at concentrations considerably higher than the Notification Levels. The level prompting such recommendations is called the "Response Level".

Notification and Response Levels have no binding effect on a public water system's ability to serve water to customers. Because of public perception issues associated with continuing to serve water that contains PFOA and PFOS at concentrations above the Response Levels, the thresholds can be interpreted by some entities as "de facto MCLs."

Maximum Contaminant Levels:

MCLs are standards that are set by the EPA and some states for drinking water quality. MCLs serve as legal threshold limits on the amount of a substance that is allowed in a potable water supply. The EPA is moving forward with developing MCLs for PFOA and PFOS. The State of

California has taken the first step in the MCL development process by requesting that the Office of Environmental Health Hazard Assessment (OEHHA) develop Public Health Goals for PFOA and PFOS. In general, the federal or state MCL process takes at least three years to complete. Until either federal or state MCLs are set for PFOA and PFOS, there are no legal requirements for a public water system to blend, treat or take an affected water source out of production.

Contaminants Could Become a Widespread Problem:

In April 2019, monitoring orders were sent by DDW to public water systems across California including IRWD and 11 other Orange County Groundwater Producers (Producers). In response to the orders, OCWD implemented a sampling and analysis program that identified that PFOA and PFOS contaminants exist in a substantial portion of the Basin.

In August 2019, DDW released new lower Notification Levels for PFOA and PFOS, and DDW also requested that OEHHA evaluate seven other PFAS compounds to determine if Notification Levels are appropriate[1]. In February 2020, DDW released lower Response Levels, which have impacted the operation of approximately 70 Producer wells. Additional Producers are at risk if the contaminants continue to migrate through the Basin. A migration would likely reduce many other Producers' ability to rely on groundwater.

OCWD and Groundwater Basin Considerations:

OCWD is conducting pilot studies to evaluate various treatment processes that might be effective at removing PFOA and PFOS from groundwater recovered from the Basin. In addition, OCWD is studying how treatment facilities can be integrated into Producer potable water production distribution systems that are affected by the contaminants. As part of these ongoing efforts, OCWD has developed and implemented a policy on how the costs of the design, construction, operation and maintenance (O&M) of treatment facilities will be allocated to OCWD and the affected Producers. Agreements based on this policy have been executed between many of the affected Producers and OCWD. These agreements will facilitate the design, construction and operation of PFAS treatment facilities.

BEA Exemptions Should Be Considered:

OCWD District Act gives OCWD the power to enter into a contract with a Groundwater Producer to encourage the Producer to increase production of groundwater in lieu of using imported water for the purpose of removing contaminants from the Basin. The corresponding treatment facilities are commonly referred to as Basin Equity Assessment (BEA) exempt projects. In practice, a Producer that operates such facilities is annually credited pro-rated capital and actual O&M costs associated with the treatment facilities. The credits are used to offset BEA payments owed by the Producer for pumping above the OCWD Basin Production Percentage (BPP). Providing BEA exemptions to PFOA and PFOS treatment projects would not

[1] Perfluorohexane sulfonic acid (PFHxS), perfluorobutane sulfonic acid (PFBS), perfluorohexanoic acid (PFHxA), perfluoroheptanoic acid (PFHpA), perfluorononanoic acid (PFNA), perfluorodecanoic acid (PFDA), and 4,8-dioxia-3H-perflourononanoic acid (ADONA)

be applicable to Producers that would use such a project to treat groundwater extracted under the BPP. Where Producer agencies have enough well capacity to pump above the BPP, the implementation of BEA exempt project might be useful for removing PFOA and PFOS from the Basin.

IRWD Policy Principles:

To help guide IRWD's advocacy efforts related to PFAS contaminants, the following policy position principles have been assembled. These principles provide guidance on issues related to legislative and regulatory action, IRWD services, and the Orange County Groundwater Basin.

State and Federal Legislative and Regulatory Issues:

1. Public health and environmental standards should be developed that are based on science and a comprehensive understanding of the risk that PFAS contaminants pose to public health and the environment;

2. State and federal agencies should hold PFAS producers ultimately liable for cleanup costs. Additionally, regulators should ban the importation of PFAS containing products that can result in further environmental contamination;

3. Regulations should focus on the most persistent PFAS compounds that pose the greatest human health risk and sources that produce the highest levels of exposure;

4. Federal MCLs for PFOA and PFOS should be established in a timely manner in accordance with the established regulatory processes under the Safe Drinking Water Act;

5. If PFAS is designated as hazardous substance under CERCLA, then wastewater and water utilities must be exempted from liability because water and wastewater utilities do not produce or create PFAS – they only receive PFAS in the water and wastewater they treat; and

6. Federal financial assistance should be provided through the EPA's Drinking Water State Revolving Fund and other programs to communities that are forced to address contaminated water supplies.

7. The federal government shall take responsibility for PFAS contamination associated with the many active and closed military bases under its jurisdiction.

IRWD Service Issues:

1. IRWD elects not to produce water from any source for its potable water system that contains unacceptable levels of PFOA and PFOS unless an effective water treatment system is in place to remove these contaminants;

2. IRWD will look for opportunities to collaborate with other Producer agencies to develop mutually beneficial joint PFOA and PFOS removal facilities; and

3. IRWD will establish a policy position on the impacts of PFAS in recycled water or residual biosolids materials once the regulations for these products are promulgated. Until such time, IRWD will not use sources of recycled water that increase the concentrations of PFAS in the recycled water produced at MWRP or LAWRP.

Orange County Groundwater Basin Issues:

1. OCWD should establish a policy for the removal of PFOA and PFOS contaminants in the Basin that takes into consideration regulatory recommendations and requirements, equity issues associated with other contaminants in the Basin, protection of the use of BEA-exempt projects to clean up other contaminants, and the need to stop the migration of the contaminants before they impact additional Producers' wells;

2. IRWD supports OCWD treatment pilot studies to evaluate various treatment processes to cost-effectively remove PFOA and PFOS from groundwater recovered from the Basin. Viable treatment systems must consider the ultimate fate of these contaminants rather than shifting them to another environmental media;

3. Until the MCLs are established or the RLs are significantly reduced for PFOA and PFOS, IRWD does not support the final design, construction and operation of treatment facilities that would result in costs being assessed through the RA to the Producers;

4. Once MCLs are established for PFOA and PFOS, OCWD should work with Producers to implement BEA-exempt projects where possible to remove the contaminants;

5. Where use of BEA-exempt projects is not possible, OCWD should develop and fund the design, construction and operation of treatment facilities that can be integrated into a Producer's retail water system;

6. Producers affected by the PFOA and PFOS contaminants should pay for a portion if not all the O&M costs associated with the treatment of groundwater delivered through their potable water system. Producers should remain responsible for cost to convey and pump treated groundwater into their distribution systems;

7. OCWD should pursue avenues to obtain reimbursement for the design, construction, and operation of treatment facilities to remove PFAS contaminants from the Basin from the companies that produced PFOA and PFOS;

8. OCWD should support efforts to implement upstream source control including the funding, design, construction, and operation of treatment processes to remove PFOA and PFOS from sewage treatment plant effluent that is discharged upstream into the Santa Ana River where feasible;

9. To ensure that no area of the Basin is unfairly impacted by recharge of Santa Ana River water that has concentrations of PFOA and PFOS, OCWD should strategically balance among its facilities (including the Santiago Basins) the recharge of imported water and water produced from the Groundwater Replenishment System; and

10. OCWD should not pay for a Producer's alternative source of imported water. In addition, OCWD should not pay for temporary PFAS treatment and conveyance facilities if a Producer elects to incur these costs, unless the temporary facilities are incorporated into the permanent solution that is acceptable to OCWD.

City of La Habra

"A Caring Community"

ADMINISTRATION

110 East La Habra Boulevard
Post Office Box 337
La Habra, CA 90633-0785
Office: (562) 383-4010
Fax: (562) 383-4474

December 21, 2021

Sent via email to:

John_Watts@feinstein.senate.gov
Angela_Ebiner@padilla.senate.gov
Sarah_Swigg@padilla.senate.gov

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:

Per-and Polyfluoroalkyl Substances, also known as 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 supplies, and conduct expensive monitoring.

As you may know, PFAS have been detected in the Orange County Groundwater Basin, managed by Orange County Water District (OCWD), and are estimated to cost Orange County communities more than $1 billion, over 30 years, a cost that could potentially increase over time. 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.

We respectfully ask you to consider legislation to address PFAS and other contaminants of emerging concern and 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), a bill that 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 our nation's airports, and it is vital that you secure an exemption to also include water and wastewater agencies. Water agencies have **no** responsibility for the presence of PFAS and the concept of imposing CERCLA 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 for PFOA and PFOS. This is a longstanding method and its elimination would potentially burden ratepayers of all income levels with higher costs.

Sincerely,

Jose Medrano
Mayor
City of La Habra

cc: La Habra City Council
Jim Sadro, City Manager
Elias Saykali, Director of Public Works
Steve Sheldon, OCWD Board President (ssheldon@ocwd.com)
Lisa Ohlund, Ohlund Management and Technical Services (l.ohlund@me.com)
Cori Takkinen, Townsend Public Affairs (ctakkinen@townsendpa.com)

City of La Habra

"A Caring Community"

ADMINISTRATION

110 East La Habra Boulevard
Post Office Box 337
La Habra, CA 90633-0785
Office: (562) 383-4010
Fax: (562) 383-4474

December 21, 2021

Sent via email to:

Chris.Gorud@mail.house.gov
Colin.Timmerman@mail.house.gov
Shane.Trimmer@mail.house.gov
Jacob.Marx@mail.house.gov
Jonathan.Kuperman@mail.house.gov

The Honorable Congressman Correa
2301 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Kim
1306 Longworth House Office Building
Washington, D.C. 20515

The Honorable Congressman Lowenthal
108 Cannon House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Porter
1117 Longworth House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Steel
1113 Longworth House Office Building
Washington, D.C. 20515

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

Orange County is a national leader in water recycling projects and programs, including the Groundwater Replenishment System, stormwater capture behind Prado Dam, and most recently, the extraction of per-and polyfluoroalkyl substances (PFAS) from our drinking water. Each of these landmark projects and programs are environmentally superior and have saved Orange County ratepayers billions of dollars from not purchasing expensive, imported water.

It has come to our 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. As you know, OCWD has no responsibility for the presence of PFAS and the potential imposition of 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 to garner 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 that would better 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,

Jose Medrano
Mayor
City of La Habra

cc: La Habra City Council
Jim Sadro, City Manager
Elias Saykali, Director of Public Works
Steve Sheldon, OCWD Board President (ssheldon@ocwd.com)
Lisa Ohlund, Ohlund Management and Technical Services (l.ohlund@me.com)
Cori Takkinen, Townsend Public Affairs (ctakkinen@townsendpa.com)

RESOLUTION NO. 6039

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, SUPPORTING THE ORANGE COUNTY WATER DISTRICT AND 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 over time; and,

WHEREAS, water and wastewater agencies are potentially at risk from pending PFAS legislation and associated PFAS costs, water agencies and stakeholders must act on behalf of ratepayers to inform members of Congress of these devastating impacts; and,

WHEREAS, water and waste water agencies did not discharge PFAS into local water basins, PFAS-related legislation must exempt those 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 to litigation for simply receiving and treating water supplies, there must be an explicit exemption from Superfund clean-up liability for water and wastewater agencies; and,

WHEREAS, under existing law (Safe Drinking Water Act), the United States Environmental Protection Agency (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 PFAS agencies like the Orange County Water District advocate for the USEPA to use this longstanding methodology,

THE CITY COUNCIL OF THE CITY OF LA HABRA DOES HEREBY RESOLVE AS FOLLOWS:

NOW, THEREFORE, IT IS ORDERED by the City Council of the City of La Habra as follows:

A. The City Council supports the Orange County Water District position as it relates to federal PFAS legislation and the need to protect ratepayers and water and wastewater treatment agencies; and

B. Directs City staff to prepare and transmit letters supporting the Orange County Water District's position to federal elected officials.

PASSED, APPROVED AND ADOPTED this 20th Day of December, 2021.

Jose Medrano
Mayor

ATTEST:

Laurie Swindell, CMC
City Clerk

APPROVED AS TO FORM:

Richard D. Jones
City Attorney

STATE OF CALIFORNIA }
COUNTY OF ORANGE } ss
CITY OF LA HABRA }

I, LAURIE SWINDELL, CMC, City Clerk of the City of La Habra, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 6039 and was duly passed and adopted by the City Council of the City of La Habra at a regularly scheduled meeting held on the 20th day of December, 2021, by the following roll call vote, to wit:

AYES: COUNCILMEMBERS: Medrano, Gomez, Espinoza, Shaw, Simonian
NOES: COUNCILMEMBERS: NONE
ABSTAIN: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of La Habra this 20th day of December, 2021.

Laurie Swindell, CMC
City Clerk

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

Michele Steggell
Mayor

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

www.cityoflapalma.org
7822 Walker Street
La Palma, CA 90623-1771
PHONE 714 690 3300
FAX 714 523 2141

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

Michele Steggell
Mayor

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

www.cityoflapalma.org

7822 Walker Street
La Palma, CA 90623-1771

PHONE
714 690 3300

FAX
714 523 2141

DocuSign Envelope ID: A4349C69-382F-45B4-AA37-67AAA619BA6A

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.

DocuSign Envelope ID: A4349C69-382F-45B4-AA37-67AAA619BA6A

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
E5C9A71658CD4BE...

Michele Steggell
Mayor

ATTEST:

DocuSigned by:
Ryan Hallett Hinton
5CACE574B18F4CB...

Ryan Hallett Hinton
Deputy City Clerk

DocuSign Envelope ID: A4349C69-382F-45B4-AA37-67AAA619BA6A

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
5CACE574B18F4CB...

Ryan Hallett Hinton
Deputy City Clerk

DocuSign Envelope ID: 2C887200-6A7F-4443-A8DE-DD0FD6AA1E67

RESOLUTION NO. 2022-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, 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 take action to inform members of Congress of these devastating impacts; and,

WHEREAS, 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 to expose water agencies that simply 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.

NOW, THEREFORE, THE CITY COUNIL OF THE CITY OF LOS ALAMITOS DOES RESOLVE AS FOLLOWS:

SECTION 1. The City Council finds that the above recitals are true and correct.

DocuSign Envelope ID: 2C887200-6A7F-4443-A8DE-DD0FD6AA1E67

SECTION 2. The City Council hereby supports these federal PFAS policy principles to protect water/wastewater agencies and their ratepayers.

SECTION 3. The City Council calls upon the Orange County Congressional Delegation and California Senatorial Delegation to cast votes implementing these public policy positions.

SECTION 4. The City Clerk shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 28th day of February 2022.

DocuSigned by:
Shelley Hasselbrink
AF57F110E7A146D...
Shelley Hasselbrink, Mayor

ATTEST:

DocuSigned by:
Windmera Quintanar
54BCC26B4CA8409...
Windmera Quintanar, MMC, City Clerk

APPROVED AS TO FORM:

DocuSigned by:
Michael S. Daudt
D2A022E0E4DF418...
Michael S. Daudt, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Windmera Quintanar, MMC, City Clerk, of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at an adjourned regular meeting of the City Council held on the 28th day of February, 2022, by the following vote, to wit:

AYES: COUNCILMEMBERS: Chirco, Bates, Doby, Hasselbrink, Nefulda
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None

DocuSigned by:
Windmera Quintanar
54BCC26B4CA8409...
Windmera Quintanar, MMC, City Clerk

Mesa Water DISTRICT®

Dedicated to Satisfying our Community's Water Needs

BOARD OF DIRECTORS

Marice H. DePasquale
President
Division III

Shawn Dewane
Vice President
Division V

Jim Atkinson
Director
Division IV

Fred R. Bockmiller, P.E.
Director
Division I

James R. Fisler
Director
Division II

Paul E. Shoenberger, P.E.
General Manager

Denise Garcia
District Secretary

Marwan Khalifa, CPA, MBA
District Treasurer

Atkinson, Andelson, Loya, Ruud & Romo
Legal Counsel

1965 Placentia Avenue
Costa Mesa, CA 92627
tel 949.631.1200
fax 949.574.1036
info@MesaWater.org
MesaWater.org

November 18, 2021

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 B
Washington D.C. 20510
Angela_Ebiner@padilla.senate.gov

RE: H.R. 2467 PFAS Action Act of 2021 and H.R. 3684 Infrastructure Act – Polluter Pays Principle Support and Cost-Benefit Analysis Support

Dear Senator Feinstein and Senator Padilla:

Mesa Water District (Mesa Water®) is an independent special district that serves safe, affordable, and 100 percent local reliable groundwater to businesses and 110,000 residents in an 18-sqare-mile service area that includes most of Costa Mesa, a portion of Newport Beach, and John Wayne Airport. Mesa Water's groundwater is pumped from an underground aquifer managed by Orange County Water District (OCWD).

Per- and Polyflouroalkyl Substances (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 districts must find ways to: 1) remove them from our local water supplies; 2) find alternative water supplies; and, 3) conduct expensive monitoring. PFAS have been detected in the Orange County Groundwater Basin, managed by OCWD, 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, we respectfully request that you ensure such legislation provides an explicit exemption from liability for water and wastewater agencies related to PFAS cleanup costs for the following reasons:

- 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.
- It is vital that you secure an exemption for these agencies from CERLA liability no less than that provided to our nation's airports.
- Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability is bad public policy.

MesaWater DISTRICT®

Dedicated to Satisfying our Community's Water Needs

BOARD OF DIRECTORS

Marice H. DePasquale
President
Division III

Shawn Dewane
Vice President
Division V

Jim Atkinson
Director
Division IV

Fred R. Bockmiller, P.E.
Director
Division I

James R. Fisler
Director
Division II

Paul E. Shoenberger, P.E.
General Manager

Denise Garcia
District Secretary

Marwan Khalifa, CPA, MBA
District Treasurer

Atkinson, Andelson, Loya, Ruud & Romo
Legal Counsel

1965 Placentia Avenue
Costa Mesa, CA 92627
tel 949.631.1200
fax 949.574.1036
info@MesaWater.org
MesaWater.org

Also, under existing law, the U.S. Environmental Protection Agency 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 (SDWA) should not delete the longstanding cost-benefit analysis. Additionally, we I support providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684).

We call upon California's Senators to cast votes implementing these public policy positions.

For any questions regarding Mesa Water's requests expressed herein, or if we can provide any further information or assistance, please contact us or our Water Policy Manager, Stacy Taylor, at StacyT@MesaWater.org or 714.791.0848. Thank you for your attention to this important matter.

Sincerely,

Marice H. DePasquale
Mesa Water Board President
MariceD@MesaWater.org
949.631.1205

Paul E. Shoenberger, P.E.
Mesa Water General Manager
PaulS@MesaWater.org
949.631.1206

c: Mesa Water Board of Directors
OCWD Board President Steve Sheldon (SSheldon@OCWD.com)
Association of California Water Agencies
California Municipal Utilities Association
Dennis Albiani & Anthony Molina, California Advocates

Mesa Water DISTRICT®

Dedicated to Satisfying our Community's Water Needs

BOARD OF DIRECTORS

Marice H. DePasquale
President
Division III

Shawn Dewane
Vice President
Division V

Jim Atkinson
Director
Division IV

Fred R. Bockmiller, P.E.
Director
Division I

James R. Fisler
Director
Division II

Paul E. Shoenberger, P.E.
General Manager

Denise Garcia
District Secretary

Marwan Khalifa, CPA, MBA
District Treasurer

Atkinson, Andelson, Loya, Ruud & Romo
Legal Counsel

1965 Placentia Avenue
Costa Mesa, CA 92627
tel 949.631.1200
fax 949.574.1036
info@MesaWater.org
MesaWater.org

November 18, 2021

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

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

RE: H.R. 2467 PFAS Action Act of 2021 and H.R. 3684 Infrastructure Act – Polluter Pays Principle Support and Cost-Benefit Analysis Support

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

Mesa Water District (Mesa Water®) is an independent special district that serves safe, affordable, and 100 percent local reliable groundwater to businesses and 110,000 residents in an 18-sqare-mile service area that includes most of Costa Mesa, a portion of Newport Beach, and John Wayne Airport.

Mesa Water's groundwater is pumped from an underground aquifer managed by Orange County Water District (OCWD). On behalf of Mesa Water, we are writing to communicate our support of OCWD's efforts to: 1) garner an exemption from CERCLA liability for water districts as they properly remove Per- and Polyflouroalkyl Substances (PFAS) from drinking water; and, 2) maintain the cost-benefit analysis in the Safe Drinking Water Act (SDWA).

Orange County is a national leader in water recycling with the Groundwater Replenishment System (GWRS), storm water capture behind Prado Dam and, most recently, the extraction of PFAS from our drinking water. These landmark projects are environmentally superior and have saved Orange County ratepayers billions of dollars by supplanting the purchase of more costly and drought-impacted surface water imported from the Colorado River and Northern California.

It has come to our attention that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach CERCLA liability to OCWD as it removes 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 your assistance in support of OCWD's efforts to garner an exemption from CERCLA liability for water districts as they properly remove PFAS from drinking water.

Additionally, 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.

MesaWater DISTRICT®

Dedicated to Satisfying our Community's Water Needs

BOARD OF DIRECTORS

Marice H. DePasquale
President
Division III

Shawn Dewane
Vice President
Division V

Jim Atkinson
Director
Division IV

Fred R. Bockmiller, P.E.
Director
Division I

James R. Fisler
Director
Division II

Paul E. Shoenberger, P.E.
General Manager

Denise Garcia
District Secretary

Marwan Khalifa, CPA, MBA
District Treasurer

Atkinson, Andelson, Loya, Ruud & Romo
Legal Counsel

1965 Placentia Avenue
Costa Mesa, CA 92627
tel 949.631.1200
fax 949.574.1036
info@MesaWater.org
MesaWater.org

Under current law, the U.S. Environmental Protection Agency 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 your assistance in support of OCWD's efforts to maintain the cost-benefit analysis in the SDWA.

For any questions or clarifications regarding Mesa Water's requests expressed herein, please contact us or our Water Policy Manager, Stacy Taylor, at StacyT@MesaWater.org or 714.791.0848. Thank you for your attention to this important matter.

Sincerely,

Marice H. DePasquale
Mesa Water Board President
MariceD@MesaWater.org
949.631.1205

Paul E. Shoenberger, P.E.
Mesa Water General Manager
PaulS@MesaWater.org
949.631.1206

c: Mesa Water Board of Directors
OCWD Board President Steve Sheldon (SSheldon@OCWD.com)
Association of California Water Agencies
California Municipal Utilities Association
Dennis Albiani & Anthony Molina, California Advocates

DocuSign Envelope ID: 599D3771-DDE9-4125-99D5-9156D8E1797F

RESOLUTION NO. 1550

RESOLUTION OF THE MESA WATER DISTRICT BOARD OF DIRECTORS SUPPORTING FEDERAL PFAS LEGISLATION THAT PROTECTS RATEPAYERS AND WATER/WASTEWATER AGENCIES

WHEREAS, Mesa Water District (Mesa Water®) is a county water district organized and operating pursuant to the provisions of the laws of the State of California (State or California); and

WHEREAS, Per- and Polyfluoroalkyl Substances (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; and

WHEREAS, PFAS have been detected in the Orange County Groundwater Basin, managed by Orange County Water District (OCWD), and are estimated to cost Orange County 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 take action 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 simply 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, the United States Environmental Protection Agency 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, Amendments to the Safe Drinking Water Act should not delete the longstanding cost-benefit analysis; and

DocuSign Envelope ID: 599D3771-DDE9-4125-99D5-9156D8E1797F

WHEREAS, OCWD supports providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684).

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MESA WATER DISTRICT DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. The Board of Directors of the Mesa Water District hereby supports these federal PFAS policy principles to protect water/wastewater agencies and their ratepayers.

Section 2. Mesa Water calls upon the Orange County Congressional Delegation and California Senatorial Delegation to cast votes implementing these public policy positions.

ADOPTED, SIGNED, and APPROVED this 10th day of November 2021 by a roll call vote.

AYES:	DIRECTORS:	Atkinson, Bockmiller, Fisler, DePasquale
NOES:	DIRECTORS:	
ABSTAIN:	DIRECTORS:	
ABSENT:	DIRECTORS:	Dewane

DocuSigned by:
Marice DePasquale
E5D6D720E60F4B4...
Marice H. DePasquale
President, Board of Directors

DocuSigned by:
Denise Garcia
F61DD5296C8E4B5...
Denise Garcia
District Secretary

Board of Directors

Andrew Nguyen
Tyler Diep
Chi Charlie Nguyen
Sergio Contreras
Mark Nguyen

General Manager
Ken Robbins

Date: December 22, 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:

PFAS are a group of man-made chemicals created by chemical manufacturers and despite playing no role in releasing PFAS into the environment, water and wastewater agencies must find ways to remove them from local water supplies, find alternative water supply, and/or conduct expensive monitoring. PFAS have been detected in the Orange County Groundwater Basin, managed by Orange County Water District (OCWD), 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.

I ask as you consider legislation to address PFAS and other contaminants of emerging concern, that you ensure such legislation provides an explicit exemption from liability for water and wastewater agencies related to PFAS cleanup costs. A water or wastewater 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 and wastewater agencies that simply receive and treat supplies with across-the-board CERCLA liability for PFAS-related cleanups. This pending legislation provides an exemption for the nations' airports, and it is vital that you secure an exemption to also include water and wastewater agencies. Water and wastewater agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability is bad public policy.

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

Sincerely,

Ken Robbins
General Manager
Midway City Sanitary District

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

14451 Cedarwood Avenue • Westminster, California 92683 • (714) 893-3553 • Fax (714) 891-8624
www.mcsandst.com

Board of Directors

Andrew Nguyen
Tyler Diep
Chi Charlie Nguyen
Sergio Contreras
Mark Nguyen

General Manager
Ken Robbins

Date: December 22, 2021

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

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

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

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

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

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

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 and reducing the amount of treated wastewater that is disposed of to the ocean.

It has come to my 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), the Orange County Sanitation District and other local water and wastewater agencies to CERCLA's liability standard as OCWD works to remove PFAS from drinking water. Water and wastewater agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability on these districts runs contrary to the "polluter pays" public policy. I respectfully request that you work in support of Orange County's efforts in garnering an exemption from CERCLA liability for water and wastewater agencies as Congress continues to consider legislative responses to protect our water supplies.

Sincerely,

Ken Robbins
General Manager
Midway City Sanitary District

14451 Cedarwood Avenue • Westminster, California 92683 • (714) 893-3553 • Fax (714) 891-8624
www.mcsandst.com

RESOLUTION 2021-16

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, 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, PFAS have been detected in influent of the treatment plants managed by the Orange County Sanitation District; and,

WHEREAS, ratepayers are at risk from pending PFAS legislation and associated PFAS costs, and water and wastewater agencies and stakeholders must take action to inform members of Congress of these devastating impacts; and,

WHEREAS, all PFAS-related legislation must exempt water and wastewater agencies from any liability for PFAS cleanup costs; and,

WHEREAS, a water or wastewater 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 and wastewater agencies that simply receive and treat water and wastewater 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, the Midway City Sanitary District supports Federal Government efforts to provide funding for PFAS remediation for water and wastewater agencies.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

1. The Board of Directors of the Midway City Sanitary District hereby supports these federal PFAS policy principles to protect water/wastewater agencies and their ratepayers.

2. Furthermore, the Board of Directors of the Midway City Sanitary District calls upon the Orange County Congressional Delegation and California Senatorial Delegation to cast votes implementing these public policy positions.

PASSED AND ADOPTED, at a regular meeting of the Board of Directors of Midway City Sanitary District of Orange County, California, held this 21th day of December, 2021.

Andrew Nguyen, President

ATTEST:

Sergio Contreras, Secretary

CERTIFICATION

I, Sergio Contreras, Secretary of the Midway City Sanitary District of Orange County, California, do hereby certify that the foregoing Resolution No. 2021-16 was duly adopted at a meeting of the Board of Directors of said District, held on the 21st day of December, 2021, by the following vote of the members of the Board:

AYES: T. Diep, A. Nguyen, C. Nguyen, M. Nguyen

NOES:

ABSENT: S. Contreras

ABSTAIN:

and I further certify that Andrew Nguyen, as President, and Sergio Contreras, as Secretary, signed and approved said Resolution on the 21st day of December, 2021.

Sergio Contreras, Secretary

(District Seal)

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

I, Sergio Contreras, Secretary of Midway City Sanitary District of Orange County, California, do hereby certify that the foregoing is a full, true and correct copy of Resolution No. 2021-16 passed and adopted by the Board of Directors of said District at a meeting thereof held on the 21st day of December, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official Seal of said District on the 21st day of December, 2021.

Sergio Contreras, Secretary

moulton niguel water district

February 14, 2022

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:

PFAS are a group of man-made chemicals created by chemical manufacturers. Despite playing no role in releasing PFAS into the environment, water and wastewater agencies must find ways to address their impacts and conduct expensive monitoring. For example, PFAS have been detected in the Orange County Groundwater Basin, managed by Orange County Water District (OCWD), and are estimated to cost north Orange County communities more than $1 billion, over 30 years. Complicating this cleanup burden, all Orange County ratepayers are at additional risk from pending PFAS legislation that would effectively abandon the “polluter pays” principle.

We join other water and wastewater agencies in asking that as you consider legislation to address PFAS and other contaminants of emerging concern, that you ensure such legislation provides an explicit exemption from liability for water and wastewater agencies related to PFAS cleanup costs.

A water or wastewater utility that complies with 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). Without amendment, this bill could potentially burden water and wastewater agencies that simply receive water and/or wastewater that contains PFAS with across-the-board Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) responsibility, commonly known as Superfund liability, for PFAS-related cleanups. This legislation provides an exemption for the nations’ airports, and it is vital that you secure an exemption to also include water and wastewater agencies. Water and wastewater agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability is bad public policy.

Also, under the Safe Drinking Water Act, the USEPA ensures that public health benefits of new drinking water standards are reasonably balanced with compliance costs. We advocate for the USEPA to use their current methodology when setting drinking water standards for PFAS. This is a longstanding method that has been used and its elimination would burden ratepayers of all income levels with higher costs.

We call upon California’s Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact me at (949) 831-2500.

Sincerely,

Brian S Probolsky

Brian Probolsky
President, Board of Directors

BOARD OF DIRECTORS | Duane D. Cave VICE PRESIDENT | Richard Fiore DIRECTOR | Donald Froelich VICE PRESIDENT | Bill Moorhead DIRECTOR | Brian S. Probolsky PRESIDENT | Diane Rifkin DIRECTOR | Sherry Wanninger DIRECTOR

moulton niguel water district

February 14, 2022

The Honorable Congressman Correa
2301 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Kim
1306 Longworth House Office Building
Washington, D.C. 20515

The Honorable Congressman Lowenthal
108 Cannon House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Porter
1117 Longworth House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Steel
1113 Longworth House Office Building
Washington, D.C. 20515

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

On behalf of the Moulton Niguel Water District (MNWD), we join other essential public water and wastewater agencies to express our concerns with recently passed legislation regarding PFAS, a group of man-made chemicals created by chemical manufacturers.

It has come to our attention that the House-passed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would result, if enacted, in exposing Orange County water and wastewater districts, including MNWD, to across-the-board Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) responsibility, commonly known as Superfund liability, for PFAS-related cleanups.

MNWD has no responsibility for the presence of PFAS and the concept of imposing CERCLA liability on water and wastewater districts runs contrary to the “polluter pays” public policy. We respectfully request that you work with your colleagues in support of providing an exemption from CERCLA liability for water and wastewater agencies. H.R. 2467 provides an exemption for the nations’ airports, and it is vital that you secure an exemption to also include water and wastewater agencies.

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 PFAS chemicals, we advocate for the USEPA to use this longstanding methodology.

Thank you for your consideration of our request. If I can provide any further information or assistance, please contact me at (949) 831-2500.

Sincerely,

Brian Probolsky
President, Board of Directors

BOARD OF DIRECTORS | Duane D. Cave VICE PRESIDENT | Richard Fiore DIRECTOR | Donald Froelich VICE PRESIDENT | Bill Moorhead DIRECTOR | Brian S. Probolsky PRESIDENT | Diane Rifkin DIRECTOR | Sherry Wanninger DIRECTOR

Street Address:
18700 Ward Street
Fountain Valley, California 92708

Mailing Address:
P.O. Box 20895
Fountain Valley, CA 92728-0895

(714) 963-3058
Fax: (714) 964-9389
www.mwdoc.com

Megan Yoo Schneider, P.E.
President

Bob McVicker, P.E., D.WRE
Vice President

Al Nederhood
Director

Larry D. Dick
Director

Karl W. Seckel, P.E.
Director

Sat Tamaribuchi
Director

Jeffrey M. Thomas
Director

Robert J. Hunter
General Manager

MEMBER AGENCIES

City of Brea
City of Buena Park
East Orange County Water District
El Toro Water District
Emerald Bay Service District
City of Fountain Valley
City of Garden Grove
Golden State Water Co.
City of Huntington Beach
Irvine Ranch Water District
Laguna Beach County Water District
City of La Habra
City of La Palma
Mesa Water District
Moulton Niguel Water District
City of Newport Beach
City of Orange
Orange County Water District
City of San Clemente
Santa Margarita Water District
City of Seal Beach
Serrano Water District
South Coast Water District
Trabuco Canyon Water District
City of Tustin
City of Westminster
Yorba Linda Water District

January 11, 2022

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.

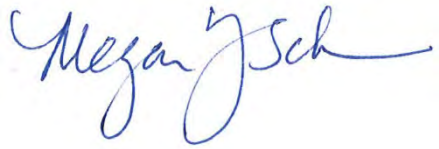
As you consider legislation to address PFAS and other contaminants of emerging concern in the coming year, we respectfully request that you ensure such legislation provides an explicit exemption from liability for water and wastewater agencies related to PFAS cleanup costs. A water utility that complies 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,



Megan Yoo Schneider
President

OCTax.org

Orange County Taxpayers Association

1/5/2022

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:

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 (OCWD), 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.

I ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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. It is vital that you secure an exemption for these agencies from CERLA liability no less than that provided to our nation's airports. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability is bad public policy.

Also, 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.**

Finally, I support providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684).

I call upon California's Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact me at carolyn@octax.org

Sincerely,

Carolyn Cavecche
CEO and President, Orange County Taxpayers Association

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

OCTax.org
OCTAX
Orange County Taxpayers Association

1/5/2022

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

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

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

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

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

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

Orange County is a national leader in water recycling with the Groundwater Replenishment System, storm water 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 my attention that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach CERCLA liability to the Orange County Water District (OCWD) as it removes 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. I respectfully request that you assist OCWD’s efforts in garnering an exemption from CERCLA liability for water districts as they properly remove PFAS from drinking water.

Additionally, 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 current law, the US-EPA 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. Please support the efforts of OCWD to maintain the cost-benefit analysis in the Safe Water Drinking Act.

Sincerely,

Carolyn Cavecche
CEO and President
Orange County Taxpayers Association

ORANGE COUNTY SANITATION DISTRICT
10844 Ellis Avenue
Fountain Valley, CA 92708
714.962.2411
www.ocsan.gov

Serving:
Anaheim
Brea
Buena Park
Cypress
Fountain Valley
Fullerton
Garden Grove
Huntington Beach
Irvine
La Habra
La Palma
Los Alamitos
Newport Beach
Orange
Placentia
Santa Ana
Seal Beach
Stanton
Tustin
Villa Park
County of Orange
Costa Mesa Sanitary District
Midway City Sanitary District
Irvine Ranch Water District
Yorba Linda Water District

July 15, 2021

The Honorable Diane Feinstein
U.S. Senate
Washington, D.C. 20510

The Honorable Alex Padilla
U.S. Senate
Washington, D.C. 20510

Dear Senators Feinstein and Padilla:

The Orange County Sanitation District (OC San) writes on a matter of the utmost urgency. Over the past few years, Congress has been working to develop a reasonable approach to the treatment and disposal of the Per- and polyfluoroalkyl (PFAS and PFOA) family of chemicals. There has been significant congressional debate surrounding the most appropriate approach to ensure that those responsible for the production of these chemicals are held responsible for the costs associated with any response to contaminated waters or the byproducts of wastewater.

OC San is deeply concerned that the House Committee on Energy and Commerce approved the PFAS Action Act that included provisions requiring United States Environmental Protection Agency (USEPA) to list a portion of these forever chemicals as hazardous substances under Superfund (CERCLA) and further mandated the agency to determine whether other chemical compounds of this family should be listed.

We would also like to note that the Committee on Appropriations recently reported its Fiscal Year 2022 spending bill for USEPA. This spending bill directs the agency to pursue the listing of these chemicals as hazardous substances under CERCLA. Each of these actions would expose clean water agencies dedicated to the improvement of water quality to unknown and potentially endless (and costly) litigation related to the potential discharge of wastewater or disposal of biosolids that *might contain* PFAS chemicals. We urge you to work to ensure that agencies like OC San are provided protection from such an outcome. At a minimum, we request that you work to provide an exemption from any CERCLA liabilities similar to that enjoyed by our nation's airports.

OC San is a passive recipient of PFAS/PFOA—we are not the creators. OC San has a stringent Source Control program helping to decrease the amount of toxic pollutants entering the sewer. However, OC San is unable to discriminate against discharges of PFAS chemicals that have been defined as ubiquitous. These chemicals are part of our daily lives, ranging from the manufacturing of clothing, food or industrial production.

OC San is unable to mandate the elimination of the use of such chemicals. It is vital that the responsibility for the control, discharge and treatment of these chemicals should be the sole responsibility of the producers and managed at the source.

A decision to classify these chemicals as CERCLA hazardous substances would inevitably result in capturing agencies, like OC San, as a potentially responsible party for cleanups of contaminated waters and soils; simply because OC San was carrying out a public service, collecting and treating wastewater.

This situation is attributable to CERCLA's Joint, Several and Strict Liability regime. When CERCLA was enacted into law it was constructed to allow for cleanup of communities impacted by the indiscriminate disposal of hazardous substances at the Valley of Drums and other sites and to ensure that those responsible for the management and disposal of the chemicals would be held liable for cleanups and damages. It was never intended to assess responsibility or create an environment where legal action could be initiated against those that were not involved in the management and disposal of hazardous substances.

We note that Congress is considering legislation that would provide clean water agencies with financial assistance to implement pretreatment standards for discharges containing PFAS and to require dischargers to notify an agency of such discharges. While we appreciate this support, it fails to address the true policy and legal concern: imposing liability on public agencies that have no direct or indirect responsibility for the production, generation or discharge of these chemicals. Only through an explicit exemption from CERCLA liability can we ensure a balanced and appropriate approach to eliminate these chemicals from our environment without imposing unreasonable and unfair costs that would simply be shifted from the responsible parties to our ratepayers.

Again, we urge you to support a commonsense approach to responding to PFAS threats by maintaining responsibility at the source of PFAS.

Sincerely,

John B. Withers
Board Chairman
"CORO Foundation Fellow, Los Angeles Class of 1979"

ORANGE COUNTY SANITATION DISTRICT
10844 Ellis Avenue
Fountain Valley, CA 92708
714.962.2411
www.ocsan.gov

November 4, 2021

The Honorable Dianne Feinstein
U.S. Senate
Washington, D.C. 20510

Dear Senator Feinstein:

Per- and polyfluoroalkyl substances (PFAS/PFOA) are a group of man-made chemicals created by manufacturers and despite playing no role in releasing PFAS into the environment, clean water agencies must find ways to remove them from entering our water treatment systems.

The U.S. Environmental Protection Agency (U.S. EPA) is currently conducting research into the presences of such chemicals in biosolids and appropriate actions to address any scientifically documented findings. We note that the House passed the PFAS Action Act (H.R. 2467) in August and the Senate has yet to act on the legislation. If enacted in its current form, H.R. 2467 would impose drastic liability on clean water agencies like the Orange County Sanitation District (OC San) that have no responsibility for the presence of these chemicals in the environment.

OC San is a passive recipient of PFAS/PFOA. We are not the creators. OC San is unable to discriminate against discharges of PFAS chemicals that have been defined as ubiquitous. These chemicals are part of our daily lives, ranging from the manufacturing of clothing to food to industrial production.

I ask as you consider final legislation to address PFAS and other contaminants of emerging concern that you ensure such legislation explicitly exempts clean water agencies from PFAS cleanup costs. It is vital that responsibility for the control, discharge and treatment of these chemicals should be the sole responsibility of the producers.

Additionally, we endorse recent congressional actions that would provide federal assistance to clean water agencies to implement pretreatment programs related to PFAS management and discharge. Source control of these chemicals is the most appropriate approach to protect public health and the environment.

Serving:

Anaheim
Brea
Buena Park
Cypress
Fountain Valley
Fullerton
Garden Grove
Huntington Beach
Irvine
La Habra
La Palma
Los Alamitos
Newport Beach
Orange
Placentia
Santa Ana
Seal Beach
Stanton
Tustin
Villa Park
County of Orange
Costa Mesa Sanitary District
Midway City Sanitary District
Irvine Ranch Water District
Yorba Linda Water District

OC SAN
ORANGE COUNTY SANITATION DISTRICT

A clean water agency 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. Additionally, H.R. 2467 liability could be imposed for agencies that simply receive and treat water. It is vital that you secure an exemption for these agencies from the Comprehensive Environmental Response, Compensation, and Liability Act (CERLA) no less than that provided to our nation's airports. OC San and similar agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability is not good public policy.

I call upon the Orange County Congressional Delegation to cast votes implementing these public policy positions. Please do not hesitate to contact Jennifer Cabral, OC San Administration Manager at (714) 593-7581 or via email at JCabral@ocsan.gov should you have any questions.

Sincerely,

John B. Withers
Board Chairman

OC SAN
ORANGE COUNTY SANITATION DISTRICT
10844 Ellis Avenue
Fountain Valley, CA 92708
714.962.2411
www.ocsan.gov

November 4, 2021

The Honorable Alex Padilla
U.S. Senate
Washington, D.C. 20510

Dear Senator Padilla:

Per- and polyfluoroalkyl substances (PFAS/PFOA) are a group of man-made chemicals created by manufacturers and despite playing no role in releasing PFAS into the environment, clean water agencies must find ways to remove them from entering our water treatment systems.

The U.S. Environmental Protection Agency (U.S. EPA) is currently conducting research into the presences of such chemicals in biosolids and appropriate actions to address any scientifically documented findings. We note that the House passed the PFAS Action Act (H.R. 2467) in August and the Senate has yet to act on the legislation. If enacted in its current form, H.R. 2467 would impose drastic liability on clean water agencies like the Orange County Sanitation District (OC San) that have no responsibility for the presence of these chemicals in the environment.

OC San is a passive recipient of PFAS/PFOA. We are not the creators. OC San is unable to discriminate against discharges of PFAS chemicals that have been defined as ubiquitous. These chemicals are part of our daily lives, ranging from the manufacturing of clothing to food to industrial production.

I ask as you consider final legislation to address PFAS and other contaminants of emerging concern that you ensure such legislation explicitly exempts clean water agencies from PFAS cleanup costs. It is vital that responsibility for the control, discharge and treatment of these chemicals should be the sole responsibility of the producers.

Additionally, we endorse recent congressional actions that would provide federal assistance to clean water agencies to implement pretreatment programs related to PFAS management and discharge. Source control of these chemicals is the most appropriate approach to protect public health and the environment.

Serving:

Anaheim
Brea
Buena Park
Cypress
Fountain Valley
Fullerton
Garden Grove
Huntington Beach
Irvine
La Habra
La Palma
Los Alamitos
Newport Beach
Orange
Placentia
Santa Ana
Seal Beach
Stanton
Tustin
Villa Park
County of Orange
Costa Mesa Sanitary District
Midway City Sanitary District
Irvine Ranch Water District
Yorba Linda Water District

ORANGE COUNTY SANITATION DISTRICT

A clean water agency 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. Additionally, H.R. 2467 liability could be imposed for agencies that simply receive and treat water. It is vital that you secure an exemption for these agencies from the Comprehensive Environmental Response, Compensation, and Liability Act (CERLA) no less than that provided to our nation's airports. OC San and similar agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability is not good public policy.

I call upon the Orange County Congressional Delegation to cast votes implementing these public policy positions. Please do not hesitate to contact Jennifer Cabral, OC San Administration Manager at (714) 593-7581 or via email at JCabral@ocsan.gov should you have any questions.

Sincerely,

John B. Withers
Board Chairman

ORANGE COUNTY SANITATION DISTRICT
10844 Ellis Avenue
Fountain Valley, CA 92708
714.962.2411
www.ocsan.gov

July 15, 2021

The Honorable Alan Lowenthal
The Honorable Lou Correa
The Honorable Katie Porter
The Honorable Michelle Steel
The Honorable Young Kim
U.S. House of Representatives
Washington, D.C. 20515

Dear Members of the Orange County Congressional Delegation:

The Orange County Sanitation District (OC San) writes on a matter of the utmost urgency. Over the past few years, Congress has been working to develop a reasonable approach to the treatment and disposal of the Per- and polyfluoroalkyl (PFAS and PFOA) family of chemicals. There has been significant congressional debate surrounding the most appropriate approach to ensure that those responsible for the production of these chemicals are held responsible for the costs associated with any response to contaminated waters or the byproducts of wastewater treatment. As the House prepares to debate the PFAS Action Act (H.R. 2467), we write to urge you to oppose any provision that would shift liability to public agencies.

OC San is deeply concerned that the House Committee on Energy and Commerce approved the PFAS Action Act that included provisions requiring United States Environmental Protection Agency (USEPA) to list a portion of these forever chemicals as hazardous substances under Superfund (CERCLA) and further mandated the agency to determine whether other chemical compounds of this family should be listed.

Each of these actions would expose clean water agencies dedicated to the improvement of water quality to unknown and potentially endless (and costly) litigation related to the potential discharge of wastewater or disposal of biosolids that *might contain* PFAS chemicals. We urge you to ensure that any House-passed bill provides an explicit exemption from any CERCLA liabilities similar to that enjoyed by our nation's airports.

OC San is a passive recipient of PFAS/PFOA. We are not the creators. OC San is unable to discriminate against discharges of PFAS chemicals that have been defined as ubiquitous. These chemicals are part of our daily lives, ranging from the manufacturing of clothing to food to industrial production.

OC San is unable to mandate the elimination of the use of such chemicals. It is vital that responsibility for the control, discharge and treatment of these chemicals should be the sole responsibility of the producers.

Serving:
Anaheim
Brea
Buena Park
Cypress
Fountain Valley
Fullerton
Garden Grove
Huntington Beach
Irvine
La Habra
La Palma
Los Alamitos
Newport Beach
Orange
Placentia
Santa Ana
Seal Beach
Stanton
Tustin
Villa Park
County of Orange
Costa Mesa Sanitary District
Midway City Sanitary District
Irvine Ranch Water District
Yorba Linda Water District

A decision to classify these chemicals as CERCLA hazardous substances would inevitably result in capturing agencies, like OC San, as a potentially responsible party for cleanups of contaminated waters and soils; simply because OC San was carrying out a public service, treating wastewater.

This situation is attributable to CERCLA's Joint, Several and Strict Liability regime. When CERCLA was enacted into law it was constructed to allow for cleanup of communities impacted by the indiscriminate disposal of hazardous substances at the Valley of Drums and other sites and to ensure that those responsible for the management and disposal of the chemicals would be held liable for cleanups and damages. It was never intended to assess responsibility or create an environment where legal action could be initiated against those that were not involved in the management and disposal of hazardous substances.

We note that Congress is considering legislation that would provide clean water agencies with financial assistance to implement pretreatment standards for discharges containing PFAS and to require dischargers to notify an agency of such discharges. While we appreciate this support, it fails to address the true policy and legal concern: imposing liability on public agencies that have no direct or indirect responsibility for the production, generation, or discharge of these chemicals. Only through an explicit exemption from CERCLA liability can we ensure a balanced and appropriate approach to eliminate these chemicals from our environment without imposing unreasonable and unfair costs that would simply be shifted from the responsible parties to our ratepayers.

Again, we urge you to support a commonsense approach in responding to PFAS threats by maintaining responsibility at the source of PFAS.

Sincerely,

John B. Withers
Board Chairman

ORANGE COUNTY SANITATION DISTRICT
10844 Ellis Avenue
Fountain Valley, CA 92708
714.962.2411
www.ocsan.gov

October 18, 2021

The Honorable Alan Lowenthal
The Honorable Lou Correa
The Honorable Katie Porter
The Honorable Michelle Steel
The Honorable Young Kim
U.S. House of Representatives
Washington, D.C. 20515

Dear Members of the Orange County Congressional Delegation:

Per- and polyfluoroalkyl substances (PFAS/PFOA) are a group of man-made chemicals created by manufacturers and despite playing no role in releasing PFAS into the environment, clean water agencies must find ways to remove them from entering our water treatment systems.

The U.S. Environmental Protection Agency (U.S. EPA) is currently conducting research into the presences of such chemicals in biosolids and appropriate actions to address any scientifically documented findings. We note that the House passed the PFAS Action Act (H.R. 2467) in August and would if enacted impose drastic liability on clean water agencies like the Orange County Sanitation District (OC San) that have no responsibility for the presence of these chemicals in the environment.

OC San is a passive recipient of PFAS/PFOA. We are not the creators. OC San is unable to discriminate against discharges of PFAS chemicals that have been defined as ubiquitous. These chemicals are part of our daily lives, ranging from the manufacturing of clothing to food to industrial production.

I ask as you consider final legislation to address PFAS and other contaminants of emerging concern that you ensure such legislation explicitly exempts clean water agencies from PFAS cleanup costs. It is vital that responsibility for the control, discharge and treatment of these chemicals should be the sole responsibility of the producers.

Additionally, we endorse recent congressional actions that would provide federal assistance to clean water agencies to implement pretreatment programs related to PFAS management and discharge. Source control of these chemicals is the most appropriate approach to protect public health and the environment.

Serving:

Anaheim
Brea
Buena Park
Cypress
Fountain Valley
Fullerton
Garden Grove
Huntington Beach
Irvine
La Habra
La Palma
Los Alamitos
Newport Beach
Orange
Placentia
Santa Ana
Seal Beach
Stanton
Tustin
Villa Park
County of Orange
Costa Mesa Sanitary District
Midway City Sanitary District
Irvine Ranch Water District
Yorba Linda Water District

ORANGE COUNTY SANITATION DISTRICT

A clean water agency 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 H.R. 2467, liability could be imposed for agencies that simply receive and treat water. It is vital that you secure an exemption for these agencies from the Comprehensive Environmental Response, Compensation, and Liability Act (CERLA) no less than that provided to our nation's airports. OC San and similar agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability is not good public policy.

I call upon the Orange County Congressional Delegation to cast votes implementing these public policy positions. Please do not hesitate to contact Jennifer Cabral, OC San Administration Manager at (714) 593-7581 or via email at JCabral@ocsan.gov should you have any questions.

Sincerely,

John B. Withers
Board Chairman

RESOLUTION NO. 11364

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE EXPRESSING SUPPORT FOR FEDERAL PFAS LEGISLATION PROTECTING RATEPAYERS AND WATER AND WASTEWATER AGENCIES

WHEREAS, 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 and wastewater agencies are now obliged to 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 ("OCWD") and from which the City of Orange draws water, and are estimated to cost Orange County more than $1 billion, over 30 years—a cost that will likely increase; and

WHEREAS, City ratepayers are at risk from pending PFAS legislation and associated PFAS costs and it is essential that water and wastewater agencies and stakeholders, including the City of Orange, take action to inform members of Congress of these devastating impacts; and

WHEREAS, it is also essential that any PFAS-related legislation exempt water agencies such as the City of Orange 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 PFAS cleanup; and

WHEREAS, given the potential for federal legislation such as the PFAS Action Act of 2021 (H.R. 2467), to expose water and wastewater agencies that simply receive and treat water supplies, with across-the-board liability for PFAS-related cleanup when they have no responsibility for the presence of PFAS, it is essential that an explicit exemption from Superfund clean-up liability must be made for water and wastewater agencies; and

WHEREAS, under existing law, the U. S. Environmental Protection Agency 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, amendments to the Safe Drinking Water Act should not delete this longstanding cost-benefit analysis; and

WHEREAS, OCWD supports providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Orange hereby:

SECTION 1. Supports these PFAS policy principles to protect water and wastewater agencies and their ratepayers.

SECTION 2. Supports federal PFAS legislation effecting such policy principles to protect water and wastewater agencies and their ratepayers.

SECTION 3. Calls upon the Orange County Congressional delegation and California Senators to cast votes for legislation implementing these PFAS policy principles.

ADOPTED this 9th day of November 2021.

Mark A. Murphy, Mayor, City of Orange

ATTEST:

Pamela Coleman, City Clerk, City of Orange

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF ORANGE)

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Resolution was duly and regularly adopted by the City Council of the City of Orange at a regular meeting thereof held on the 9th day of November 2021, by the following vote:

AYES:	COUNCILMEMBERS:	Nichols, Monaco, Barrios, Dumitru, Tavoularis, Gutierrez, and Murphy
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

Pamela Coleman, City Clerk, City of Orange

RESOLUTION NO. 11369

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE EXPRESSING OPPOSITION TO H.R. 2467 FEDERAL PFAS LEGISLATION THAT WILL SHIFT FINANCIAL LIABILITIES TO RATEPAYERS AND WATER AGENCIES

WHEREAS, 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 and wastewater agencies are now obliged to 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 ("OCWD") and from which the City of Orange draws water, and are estimated to cost Orange County more than $1 billion, over 30 years, a cost that will likely increase; and

WHEREAS, City ratepayers are at risk from pending PFAS legislation and associated PFAS costs and it is essential that water and wastewater agencies and stakeholders, including the City of Orange, take action to inform members of Congress of these devastating impacts; and

WHEREAS, it is also essential that any PFAS-related legislation exempt water agencies such as the City of Orange 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 PFAS cleanup; and

WHEREAS, given the potential for federal legislation such as the PFAS Action Act of 2021 (H.R. 2467) to expose water and wastewater agencies that simply receive and treat water supplies with across-the-board liability for PFAS-related cleanup when they have no responsibility for the presence of PFAS, it is essential that an explicit exemption from Superfund clean-up liability must be made for water and wastewater agencies.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Orange hereby:

SECTION 1. Opposes H.R. 2467 unless amended

SECTION 2. Supports PFAS policy principles to protect water and wastewater agencies and their ratepayers.

SECTION 3. Supports federal PFAS legislation effecting such policy principles to protect water and wastewater agencies and their ratepayers.

SECTION 4. Calls upon the Orange County Congressional delegation and California Senators to cast votes for legislation implementing these PFAS policy principles.

ADOPTED this 14th day of December 2021.

Mark A. Murphy, Mayor, City of Orange

ATTEST:

Pamela Coleman, City Clerk, City of Orange

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF ORANGE)

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Resolution was duly and regularly adopted by the City Council of the City of Orange at a regular meeting thereof held on the 14th day of December 2021, by the following vote:

AYES:	COUNCILMEMBERS:	Nichols, Monaco, Barrios, Dumitru, Tavoularis, Gutierrez, and Murphy
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

Pamela Coleman, City Clerk, City of Orange

The People are the City

Mayor
CRAIG S. GREEN

Mayor Pro Tem
CHAD P. WANKE

Councilmembers:
RHONDA SHADER
WARD L. SMITH
JEREMY B. YAMAGUCHI

City Clerk:
ROBERT S. MCKINNELL

City Treasurer
KEVIN A. LARSON

City Administrator
DAMIEN R. ARRULA

401 East Chapman Avenue – Placentia, California 92870

December 7, 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:

Perfluoroalkyl and Polyfluoroalkyl Substances (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 (OCWD), 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.

The City of Placentia ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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 nations' airports, and it is vital that you secure an exemption to also include water and wastewater agencies. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability is bad public policy.

Also, under existing law (Safe Drinking Water Act), the U.S. Environmental Protection Agency (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 for Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS). This is a longstanding method that has been used and its elimination would burden ratepayers of all income levels with higher costs.

Placentia calls upon California's Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact me at (714) 993-8118.

Sincerely,

Craig S. Green, Mayor
City of Placentia

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

The People are the City

Mayor
CRAIG S. GREEN

Mayor Pro Tem
CHAD P. WANKE

Councilmembers:
RHONDA SHADER
WARD L. SMITH
JEREMY B. YAMAGUCHI

City Clerk:
ROBERT S. MCKINNELL

City Treasurer
KEVIN A. LARSON

City Administrator
DAMIEN R. ARRULA

401 East Chapman Avenue – Placentia, California 92870

December 7, 2021

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

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

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

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

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

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

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 Perfluoroalkyl and Polyfluoroalkyl Substances (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 Placentia's attention that the House-passed federal legislation, PFAS Action Act of 2021 (H.R. 2467), which would result, if enacted, in exposing the Orange County Water District (OCWD) to the Comprehensive Environmental Response, Compensation and Liability Act (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. The City of Placentia 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 U.S. Environmental Protection Agency (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 Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS), we advocate for the USEPA to use this longstanding methodology.

If you have any questions regarding this letter, please contact me at (714) 993-8118.

Sincerely,

Craig S. Green, Mayor
City of Placentia

CITY OF SANTA ANA

December 30, 2021 **Sent Via E-mail**

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:

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 (OCWD), 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.

We ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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 nations' airports, and it is vital that you secure an exemption to also include water and wastewater agencies. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA 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 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.

We call upon California's Senators to cast votes implementing these public policy positions. If further information is needed, feel free to contact our office at 714-647-6900.

Sincerely,

Vicente Sarmiento
Mayor

Nelida Mendoza
Councilmember,
OCWD Board Member

C: Steve Sheldon, Board President (ssheldon@ocwd.com)

CITY OF SANTA ANA

December 30, 2021 **Sent Via E-mail**

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

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

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

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

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

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

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 our 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,

Vicente Sarmiento
Mayor

Nelida Mendoza
Councilmember, OCWD Board Member

C: Steve Sheldon, Board President (ssheldon@ocwd.com)

RESOLUTION NO. 2021-081

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA SUPPORTING FEDERAL PFAS LEGISLATION THAT PROTECTS RATEPAYERS AND WASTE/WASTEWATER AGENCIES

WHEREAS, Per- and Polyfluoroalkyl Substances ("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; 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 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 take action to inform members of Congress of these devastating impacts; and

WHEREAS, all PFAS related legislation must therefore 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 simply 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, the U.S. Environmental Protection Agency 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, amendments to the Safe Drinking Water Act should not delete the longstanding cost-benefit analysis; and

WHEREAS, the Orange County Water District supports providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Ana as follows:

Section 1. The City Council of the City of Santa Ana hereby supports these federal PFAS policy principles to protect water/wastewater agencies and their ratepayers.

Section 2. The Orange County Congressional Delegation and California Senatorial Delegation are called upon to cast votes implementing these public policy positions.

Section 3. This Resolution shall take effect immediately upon its adoption by the City Council, and the Clerk of the Council shall attest to and certify the vote adopting this Resolution.

ADOPTED this 21st day of December, 2021.

Vicente Sarmiento
Mayor

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: John M. Funk
John M. Funk
Sr. Assistant City Attorney

AYES:	Councilmembers	Hernandez, Lopez, Mendoza, Penaloza, Phan, Bacerra, Sarmiento (7)
NOES:	Councilmembers	None (0)
ABSTAIN:	Councilmembers	None (0)
NOT PRESENT:	Councilmembers	None (0)

CERTIFICATION OF ATTESTATION AND ORIGINALITY

I, DAISY GOMEZ, Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2021-081 to be the original resolution adopted by the City Council of the City of Santa Ana on December 21, 2021.

Date: 12-23-2021

Daisy Gomez
Clerk of the Council
City of Santa Ana

BOARD OF DIRECTORS

PRESIDENT JUSTIN McCUSKER
VICE PRESIDENT FRANK URY
SAUNDRA F. JACOBS
BETTY H. OLSON, PH.D
CHARLES T. GIBSON

DANIEL R. FERONS
GENERAL MANAGER

Santa Margarita Water District

February 18, 2022

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:

On behalf of the board of directors of the Santa Margarita Water District ("SMWD" or "District") I urge you consider legislation that provides an explicit exemption from liability for water and wastewater agencies related to cleanup costs for Per- and Polyfluoroalkyl Substances ("PFAS") and other water contaminants of emerging concern.

PFAS are a group of man-made chemicals created by chemical manufacturers. Local and regional water providers played no role in releasing PFAS into the environment. Nevertheless, these agencies must find ways to address PFAS impacts and conduct expensive monitoring. For example, PFAS have been detected in the San Juan basin which will have an impact on our agency and customers in the coming years. Orange County Groundwater Basin, managed by Orange County Water District ("OCWD"), and are estimated to cost north Orange County communities more than $1 billion, over 30 years—a cost that could increase. Complicating this cleanup burden, all Orange County ratepayers are at additional risk from pending PFAS legislation that would effectively abandon the "polluter pays" principle.

A water or wastewater utility that complies with applicable and appropriate federal management and treatment standards must *not* be held 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). Without amendment, this bill could potentially burden water and wastewater agencies that simply receive water and/or wastewater that contains PFAS with across-the-board Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA")—the Superfund--liability for PFAS-related cleanups. This legislation provides an exemption for the nations' airports; it is vital that we secure an exemption to include water and wastewater agencies. Water and wastewater agencies have *no* responsibility for the presence of PFAS. The concept of imposing CERCLA liability is simply 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 methodology when setting drinking water standards for PFAS. This is a longstanding method that has been used and its elimination would burden ratepayers of all income levels with higher costs.

We call upon our California senators to cast votes implementing these important public policy positions. If I can provide any further information or assistance, please contact me at 949-459-6590 or at danf@smwd.com

Sincerely,

Daniel R. Ferons
General Manager

BOARD OF DIRECTORS

JUSTIN MCCUSKER
FRANK URY
SAUNDRA JACOBS
BETTY H. OLSON, PHD
CHARLES T. GIBSON

DANIEL R. FERONS
GENERAL MANAGER

Santa Margarita Water District

February 22, 2022

The Honorable Congresswoman Katie Porter
1117 Longworth HOB
Washington, DC 20515

Via E-Mail

Dear Representative Porter:

On behalf of the board of directors of the Santa Margarita Water District ("SMWD" or "District"), I am writing to express our concerns with recently passed legislation regarding Per- and Polyfluoroalkyl Substances (more commonly known as PFAS), the group of man-made chemicals created by chemical manufacturers decades ago. The House of Representatives recently passed legislation—the PFAS Action Act of 2021 (H.R. 2467) -- which, if enacted, will result in exposing Orange County water and wastewater districts to the liability standard of the *Comprehensive Environmental Response, Compensation, and Liability Act* -- otherwise known as CERCLA or Superfund.

Neither SMWD nor the other OC agencies bear any responsibility for the presence of PFAS. The idea of imposing Superfund liability on water and wastewater districts runs contrary to the long-standing "polluter pays" public policy. We urge you to work with your colleagues in support of providing an exemption from Superfund liability for water and wastewater agencies in the same way that airports are exempted. Shifting all or part of the liability for the cost of cleaning up this contamination from the chemical manufacturers to the ratepayers of these agencies is, respectfully, unsupportable.

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 PFAS, we support the EPA employing this longstanding approach.

Thank you for your attention to our concerns. If I can provide further information or clarification, please do not hesitate to contact me at 949-459-6590 or at danf@smwd.com.

Sincerely,

Daniel R. Ferons
General Manager

City of Seal Beach

CITY HALL 211 EIGHTH STREET
SEAL BEACH, CALIFORNIA 90740
(562) 431-2527 • www.sealbeachca.gov

December 13, 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:

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 (OCWD), 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.

I ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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. It is vital that you secure an exemption for these agencies from CERLA liability no less than that provided to our nation's airports. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability is bad public policy.

Also, 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.**

Finally, I support providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684).

I call upon California's Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact me at City of Seal Beach.

Sincerely,

CITY OF SEAL BEACH

Joe Kalmick

Joe Kalmick, Mayor

cc: Seal Beach City Council
OCWD Board President Steve Sheldon

City of Seal Beach

CITY HALL 211 EIGHTH STREET
SEAL BEACH, CALIFORNIA 90740
(562) 431-2527 • www.sealbeachca.gov

December 13, 2021

The Honorable Congressman Correa
2301 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Kim
1306 Longworth House Office Building
Washington, D.C. 20515

The Honorable Congressman Lowenthal
108 Cannon House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Porter
1117 Longworth House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Steel
1113 Longworth House Office Building
Washington, D.C. 20515

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

Orange County is a national leader in water recycling with the Groundwater Replenishment System, storm water 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 my attention that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach CERCLA liability to the Orange County Water District (OCWD) as it removes 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. I respectfully request that you assist OCWD's efforts in garnering an exemption from CERCLA liability for water districts as they properly remove PFAS from drinking water.

Additionally, 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 current law, the US-EPA 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. Please support the efforts of OCWD to maintain the cost-benefit analysis in the Safe Water Drinking Act.

Sincerely,

CITY OF SEAL BEACH

Joe Kalmick, Mayor

cc: Seal Beach City Council
OCWD Board President Steve Sheldon

RESOLUTION 7229

A RESOLUTION OF THE SEAL BEACH CITY COUNCIL SUPPORTING FEDERAL PFAS LEGISLATION THAT PROTECTS RATEPAYERS AND WATER/WASTEWATER AGENCIES

WHEREAS, PFAS are a group of man-made 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 take action to inform members of Congress of these devastating impacts; and,

WHEREAS, 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 simply 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, the USEPA (Safe Drinking Water Act), 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, Amendments to the Safe Drinking Water Act should not delete the longstanding cost-benefit analysis; and,

WHEREAS, The City of Seal Beach supports providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684); and,

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

THE SEAL BEACH CITY COUNCIL DOES HEREBY RESOLVE:

Section 1. That the Seal Beach City Council hereby supports these federal PFAS policy principles to protect water/wastewater agencies and their ratepayers.

Section 2. That the Seal Beach City Council call upon the Orange County U.S Congressional Delegation and California U.S. Senatorial Delegation to cast votes implementing these public policy positions.

PASSED, APPROVED AND ADOPTED by the Seal Beach City Council at a regular meeting held on the 13th day of December, 2021 by the following vote:

AYES: Council Members: Kalmick, Massa-Lavitt, Moore, Sustarsic, Varipapa

NOES: Council Members: None

ABSENT: Council Members: None

ABSTAIN: Council Members: None

Joe Kalmick

Joe Kalmick, Mayor

ATTEST:

CITY OF SEAL BEACH INCORPORATED OCTOBER 27, 1915 A.D. ORANGE COUNTY CALIFORNIA

Gloria D. Harper, City Clerk

STATE OF CALIFORNIA }
COUNTY OF ORANGE }SS
CITY OF SEAL BEACH }

I, Gloria D. Harper, City Clerk of the City of Seal Beach, do hereby certify that the foregoing resolution is the original copy of Resolution 7229 on file in the office of the City Clerk, passed, approved, and adopted by the City Council at a regular meeting held on the 13th day of December 2021.

Gloria D. Harper, City Clerk

SERRANO WATER DISTRICT
18021 EAST LINCOLN STREET
VILLA PARK, CA 92861-6446
714-538-0079

Directors
Greg Mills, President
Brad Reese, Vice President
C.L. "Larry" Pharris Jr.
Frank O. Bryant
Jerry L. Haight

Jerry Vilander, General Manager

December 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:

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 (OCWD), 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.

I ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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 nations' airports, and it is vital that you secure an exemption to also include water and wastewater agencies. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA 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 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.

I call upon California's Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact me at 714-538-0079.

Sincerely,

Greg Mills
Board President
Serrano Water District

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

SERRANO WATER DISTRICT
18021 EAST LINCOLN STREET
VILLA PARK, CA 92861-6446
714-538-0079

Directors
Greg Mills, President
Brad Reese, Vice President
C.L. "Larry" Pharris Jr.
Frank O. Bryant
Jerry L. Haight

Jerry Vilander, General Manager

December 21, 2021

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

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

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

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

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

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

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 my attention that the House-passed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would impose CERCLA liability to the Orange County Water District (OCWD) as it removes 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. I respectfully request that you assist OCWD's efforts in garnering an exemption from CERCLA liability for water and wastewater agencies as they properly remove PFAS from drinking water.

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,

Greg Mills
Board President
Serrano Water District

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

RESOLUTION NO. 2021-12-01
OF THE SERRANO WATER DISTRICT
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 take action 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 simply 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, let it be resolved that the Board of Directors of the Serrano Water District hereby supports 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.

PASSED AND ADOPTED by the Board of Directors of the Serrano Water District at a regular meeting on December 21, 2021 by the following roll call vote:

Directors:	YES:	Mills, Reese, Haight, Pharris Jr., Bryant
Directors:	NO:	
Directors:	ABSENT:	

President
Board of Directors of the Serrano Water District

ATTEST:

Secretary
Serrano Water District

7800 Katella Avenue
Stanton, CA 90680

P | (714) 379-9222
F | (714) 890-1443

Stanton@StantonCA.gov
StantonCA.gov

Date:
December 20, 2021

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 (OCWD), 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.

I ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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 nations' airports, and it is vital that you secure an exemption to also include water and wastewater agencies. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA 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 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.

I call upon California's Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact me at DShawver@StantonCA.gov.

Sincerely,

David John Shawver

David J. Shawver
Mayor
City of Stanton

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

7800 Katella Avenue
Stanton, CA 90680

P | (714) 379-9222
F | (714) 890-1443

Stanton@StantonCA.gov
StantonCA.gov

Date:
December 20, 2021

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

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

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

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 my 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. I 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,

David John Shawver

David J. Shawver
Mayor
City of Stanton

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

RESOLUTION NO. 2021-43

A RESOLUTION OF THE CITY COUNCIL OF STANTON, CALIFORNIA SUPPORTING FEDERAL PFAS LEGISLATION THAT PROTECTS RATEPAYERS AND WATER/WASTEWATER AGENCIES

WHEREAS, Per- and Polyfluoroalkyl Substances (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 (OCWD), and are estimated by OCWD to cost Orange County communities more than $1 billion, over 30 years—a cost that will likely increase; and

WHEREAS, OCWD proports ratepayers are at risk from pending PFAS legislation and associated PFAS costs, and OCWD requests that water agencies and stakeholders such as the City of Stanton take action to inform members of Congress of these devastating impacts; and

WHEREAS, the City of Stanton supports OCWD in desiring that all PFAS-related legislation 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 should 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 should be made for water and wastewater agencies; and

WHEREAS, under existing law, the Safe Drinking Water Act, the United States Environmental Protection Agency (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 Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonic Acid (PFOS), the City of Stanton joins OCWD in advocating for the USEPA to use this longstanding methodology; and

WHEREAS, the City calls upon the Orange County Congressional Delegation and California Senatorial Delegation to cast votes implementing these public policy positions; and

WHEREAS, the City Council of the City of Stanton hereby supports these federal PFAS policy principles to protect water/wastewater agencies and their ratepayers.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, DOES HEREBY RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

SECTION 1: Incorporation of Recitals. The foregoing recitals are true and correct and are hereby incorporated and made an operative part of this Resolution.

SECTION 2: Effective Date. This Resolution shall take effect immediately.

SECTION 3: Certification. The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption thereof.

ADOPTED, SIGNED AND APPROVED this 14th day of December, 2021.

DAVID J. SHAWVER, MAYOR

APPROVED AS TO FORM:

HONGDAO NGUYEN, CITY ATTORNEY

ATTEST:

I, Patricia A. Vazquez, City Clerk of the City of Stanton, California DO HEREBY CERTIFY that the foregoing Resolution, being Resolution No. 2021-43 has been duly signed by the Mayor and attested by the City Clerk, all at a regular meeting of the Stanton City Council, held on December 14, 2021, and that the same was adopted, signed and approved by the following vote to wit:

AYES: Ramirez, Shawver, Taylor, Van

NOES: None

ABSENT: Warren

ABSTAIN: None

PATRICIA A. VAZQUEZ, CITY CLERK

Office of the City Council

December 1, 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:

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 (OCWD), 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.

I ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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. It is vital that you secure an exemption for these agencies from CERLA liability no less than that provided to our nation's airports. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability is bad public policy.

Also, 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.

Finally, I support providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684).

I call upon California's Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact me at lclark@tustinca.org.

Sincerely,

Letitia Clark
Mayor

cc: Board President Steve Sheldon (ssheldon@ocwd.com

Office of the City Council

December 1, 2021

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

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

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

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

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

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

Orange County is a national leader in water recycling with the Groundwater Replenishment System, storm water 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 my attention that proposed federal legislation, PFAS Action Act of 2021 (H.R. 2467), would attach CERCLA liability to the Orange County Water District (OCWD) as it removes 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. I respectfully request that you assist OCWD's efforts in garnering an exemption from CERCLA liability for water districts as they properly remove PFAS from drinking water.

Additionally, 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 current law, the US-EPA 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. Please support the efforts of OCWD to maintain the cost-benefit analysis in the Safe Water Drinking Act.

Sincerely,

Letitia Clark
Mayor

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

DocuSign Envelope ID: 06F62B41-23E6-4D82-BD10-A43EDC95AEB3

RESOLUTION NO 21-97

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

WHEREAS, 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; and,

WHEREAS, PFAS have been detected in the Orange County Groundwater Basin, managed by Orange County Water District (OCWD), and are estimated to cost Orange County 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 take action 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 simply 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, 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, Amendments to the Safe Drinking Water Act should not delete the longstanding cost-benefit analysis; and,

WHEREAS, OCWD supports providing direct grant funding for PFAS remediation to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684); and,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Tustin hereby supports these federal PFAS policy principles to protect water/wastewater agencies and their ratepayers and,

DocuSign Envelope ID: 06F62B41-23E6-4D82-BD10-A43EDC95AEB3

BE IT FURTHER RESOLVED, we call upon the Orange County Congressional Delegation and California Senatorial Delegation to cast votes implementing these public policy positions and authorize the Mayor to finalize, sign and execute the letters attached to the agenda report, respectively.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Tustin held on the 16th day of November, 2021.

DocuSigned by:

LETITIA CLARK,
Mayor

ATTEST:

DocuSigned by:

ERICA N. YASUDA,
City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF TUSTIN)

I, Erica N. Yasuda, City Clerk and ex-officio Clerk of the City Council of the City of Tustin, California, do hereby certify that the whole number of the members of the City Council is five; that the above and foregoing Resolution No. 21-97 was duly and regularly passed and adopted at a regular meeting of the City Council held on the 16th day of November, 2021 by the following vote:

COUNCILMEMBER AYES:	Clark, Lumbard, Cooper, Gallagher, Gomez	(5)
COUNCILMEMBER NOES:		(0)
COUNCILMEMBER ABSTAINED:		(0)
COUNCILMEMBER ABSENT:		(0)

DocuSigned by:

ERICA N. YASUDA,
City Clerk

City of Villa Park

17855 Santiago Boulevard, Villa Park, California 92861-4187
(714) 998-1500 • Fax: (714) 998-1508
www.villapark.org

December 16, 2021

Sent via email to: John_Watts@feinstein.senate.gov; Angela_Ebiner@padilla.senate.gov; Sarah_Swigg@padilla.senate.gov

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:

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 (OCWD), 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.

I ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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 nations' airports, and it is vital that you secure an exemption to also include water and wastewater agencies. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA 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 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.

I call upon California's Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact me at 714-998-1500 or sfranks@villapark.org.

Sincerely,

Steve Franks
City Manager

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

CHAD ZIMMERMAN, Mayor • VINCE ROSSINI, Mayor Pro Tem
ROBERT COLLACOTT, Councilmember • CRYSTAL MILES, Councilmember • ROBBIE PITTS, Councilmember

City of Villa Park

17855 Santiago Boulevard, Villa Park, California 92861-4187
(714) 998-1500 • Fax: (714) 998-1508
www.villapark.org

December 16, 2021

Sent via email to: Chris Gorud; Colin.Timmerman@mail.house.gov; Shane.Trimmer@mail.house.gov; Jacob.Marx@mail.house.gov; Jonathan.Kuperman@mail.house.gov

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

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

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

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

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

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

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 my 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. I 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,

Steve Franks
City Manager

cc: Board President Steve Sheldon (ssheldon@ocwd.com)

CHAD ZIMMERMAN, Mayor • VINCE ROSSINI, Mayor Pro Tem
ROBERT COLLACOTT, Councilmember • CRYSTAL MILES, Councilmember • ROBBIE PITTS, Councilmember

RESOLUTION NO. 2021- 3532

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VILLA PARK 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 take action 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 simply 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, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VILLA PARK THAT THE CITY OF VILLA PARK, 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.

PASSED AND ADOPTED by the City Council of the City of Villa Park at an adjourned regular meeting held on the 14th day of December 2021.

Chad Zimmerman, Mayor
City of Villa Park

ATTEST:

Steve Franks, City Clerk
City of Villa Park

STATE OF CALIFORNIA
COUNTY OF ORANGE } SS
CITY OF VILLA PARK

I, **Steve Franks**, City Clerk of the City of Villa Park **DO HEREBY CERTIFY** that the foregoing Resolution was adopted at an adjourned regular meeting of the City Council of the City of Villa Park held on the 14th day of December 2021, and was carried by the following roll call vote, to wit:

AYES: COUNCILMEMBERS: Miles, Rossini, Collacott, Pitts, Zimmerman

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

Steve Franks, City Clerk
City of Villa Park

CITY OF WESTMINSTER
RESOLUTION NO. 5093

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WESTMINSTER 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 take action 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 simply 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.

NOW, THEREFORE, THE MAYOR AND CITY COUNCIL OF THE CITY OF WESTMINSTER HEREBY RESOLVES AS FOLLOWS:

SECTION 1. Support these federal PFAS policy principles to protect water/wastewater agencies and their ratepayer.

SECTION 2. We call upon the Orange County Congressional Delegation and California Senatorial Delegation to cast votes implementing these public policy positions.

SECTION 3. The Mayor shall sign as to the passage, approval, and adoption of this Resolution.

SECTION 4. The Interim City Clerk shall certify to the passage and adoption of this resolution and shall affix their signature and City Seal and that same shall be entered into the Book of Resolutions.

PASSED, APPROVED, and ADOPTED this 12th day of January 2022.

CITY OF WESTMINSTER

TRI TA
MAYOR

ATTEST:

for LUCIE COLOMBO, CMC, CPMC
INTERIM CITY CLERK

CITY OF WESTMINSTER
CITY CLERK'S OFFICE

CERTIFICATION
OF
RESOLUTION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF WESTMINSTER)

I, LUCIE COLOMBO, CMC, CPMC, Interim City Clerk of the City of Westminster, do hereby certify that the foregoing Resolution No. 5093 was duly passed and adopted by the City Council of the City of Westminster at a regular meeting held on the 12th day of January 2022, with the following vote:

AYES:	COUNCIL MEMBERS:	TA, MANZO, DO, HO, NGUYEN
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	NONE

for Lucie Colombo, CMC, CPMC
Interim City Clerk

CITY of YORBA LINDA
OFFICE OF THE MAYOR

February 14, 2022

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:

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 (OCWD), 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.

I ask as you consider legislation to address PFAS and other contaminants of emerging concern, 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 nations' airports, and it is vital that you secure an exemption to also include water and wastewater agencies. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA 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 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.

I call upon California's Senators to cast votes implementing these public policy positions. If I can provide any further information or assistance, please contact me at crodriguez@yorbalindaca.gov

Sincerely,

Carlos Rodriguez
Mayor, City of Yorba Linda

CITY of YORBA LINDA
OFFICE OF THE MAYOR

February 14, 2022

The Honorable Congressman Correa
2301 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Kim
1306 Longworth House Office Building
Washington, D.C. 20515

The Honorable Congressman Lowenthal
108 Cannon House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Porter
1117 Longworth House Office Building
Washington, D.C. 20515

The Honorable Congresswoman Steel
1113 Longworth House Office Building
Washington, D.C. 20515

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

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 my 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. I 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,

Carlos Rodriguez
Mayor, City of Yorba Linda

4845 Casa Loma Avenue, Yorba Linda, CA 92886
714-961-7110 | www.yorbalindaca.gov

RESOLUTION NO. 2022-5785

A RESOLUTION OF THE CITY COUNCIL 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 take action 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 simply 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, let it be resolved that the City Council of Yorba Linda hereby supports 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.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Yorba Linda on this 1st day of February 2022.

CARLOS RODRIGUEZ, MAYOR
CITY OF YORBA LINDA

ATTEST:

MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

APPROVED AS TO FORM:
RUTAN & TUCKER LLP

CITY ATTORNEY

STATE OF CALIFORNIA)
ss.
COUNTY OF ORANGE)

I, MARCIA BROWN, City Clerk of the City of Yorba Linda, California, **DO HEREBY CERTIFY** that the foregoing Resolution was adopted at a regular meeting of the City of Yorba Linda held on the 1st day of February, 2022, and was carried by the following roll call vote:

AYES:	COUNCILMEMBERS: Haney, Hernandez, Huang, Rodriguez
NOES:	COUNCILMEMBERS: None
ABSENT:	COUNCILMEMBERS: None
ABSTAIN:	COUNCILMEMBERS: Campbell

MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

Yorba Linda Water District
Serving the Community Since 1909

November 18, 2021

The Honorable Dianne Feinstein
United States Senator
331 Hart Senate Office Building
Washington D.C. 20510

The Honorable Alex Padilla
United States Senator
112 Hart Senate Office Building
Washington D.C. 20510

Dear Senator Feinstein and Senator Padilla:

PFAS are a group of man-made chemicals created by chemical manufacturers. These contaminants have been detected in the Orange County Groundwater Basin and are estimated to cost Orange County communities more than $1 billion, over 30 years—a cost that could increase. 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. 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.

The Yorba Linda Water District (District) asks as you consider legislation to address PFAS and other contaminants of emerging concern, 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 liability for PFAS-related cleanups with regard to Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERLA). It is vital that you secure an exemption for these agencies from CERCLA liability no less than that provided to our nation's airports. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability is bad public policy.

The District calls upon California's Senators to cast votes implementing these public policy positions. If the District can provide any further information or assistance, please contact Alison Martin at amartin@ylwd.com or 714-701-3023.

Sincerely,

Phil Hawkins
President

Cc: John Watts (John_Watts@feinstein.senate.gov); Angela Ebiner (Angela_Ebiner@padilla.senate.gov)

Phillip D. Hawkins *President* | **J. Wayne Miller, PhD** *Vice President* | **Brooke Jones** *Director* | **Trudi Kew DesRoches** *Director* | **Tom Lindsey** *Director*

Yorba Linda Water District

Serving the Community Since 1909

January 11, 2022

The Honorable Lou Correa
2301 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Young Kim
1306 Longworth House Office Building
Washington, D.C. 20515

The Honorable Allen Lowenthal
108 Cannon House Office Building
Washington, D.C. 20515

The Honorable Katie Porter
1117 Longworth House Office Building
Washington, D.C. 20515

The Honorable Michelle Steel
1113 Longworth House Office Building
Washington, D.C. 2051

Subject: PFAS Action Act of 2021

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

Orange County is a national leader in water recycling with the Groundwater Replenishment System, stormwater capture behind Prado Dam and PFAS extraction from our drinking water. These landmark projects are environmentally sound and have saved Orange County ratepayers billions of dollars from less purchases of expensive, imported water.

The House passed federal legislation, PFAS Action Act of 2021 (H.R. 2467), if enacted, would result in exposing the Orange County Water District (OCWD) and Water agencies like ours to CERCLA's liability standard as we work to remove PFAS from drinking water. Water agencies have no responsibility for the presence of PFAS and the concept of imposing CERCLA liability on water agencies runs contrary to the "polluter pays" public policy. We respectfully request that you work in support of efforts to garner 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,

J. Wayne Miller
President

CC: Steve Sheldon, Board President, Orange County Water District

RESOLUTION NO. 2021-44

RESOLUTION OF THE BOARD OF DIRECTORS OF THE YORBA LINDA WATER DISTRICT SUPPORTING FEDERAL PFAS LEGISLATION THAT PROTECTS RATEPAYERS AND WATER/WASTEWATER AGENCIES

WHEREAS, the Yorba Linda Water District ("District") is a county water district organized and operating pursuant to the provisions of the laws of the State of California (State or California).

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.

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.

WHEREAS, ratepayers are at risk from pending PFAS legislation and associated PFAS costs, and water agencies and stakeholders must take action to inform members of Congress of these devastating impacts.

WHEREAS, all PFAS-related legislation must exempt water and wastewater agencies from any liability for PFAS cleanup costs.

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.

WHEREAS, given the potential for federal legislation, such as the PFAS Action Act of 2021 (H.R. 2467), to expose water agencies that simply 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.

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.

WHEREAS, when setting drinking water standards for PFOA and PFOS, we advocate for the USEPA to use this longstanding methodology.

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the Yorba Linda Water District hereby supports these federal PFAS policy principles to protect water/wastewater agencies and their ratepayers; and

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

PASSED AND ADOPTED this 14th day of December, 2021 by the following called vote:

AYES: Directors DesRoches, Hawkins, Jones, Lindsey, and Miller
NOES: None
ABSTAIN: None
ABSENT: None

[redacted]
J. Wayne Miller, PhD., President
Yorba Linda Water District

ATTEST:

[redacted]
Annie Alexander, Board Secretary
Yorba Linda Water District

Reviewed as to form by General Counsel:

[redacted]
Andrew B. Gagen, Esq.
Kidman Gagen Law LLP