

AGENDA
SPECIAL BOARD OF DIRECTORS WORKSHOP MEETING
ORANGE COUNTY WATER DISTRICT
18700 Ward Street, Fountain Valley, CA (714) 378-3200
(RSVP instructions attached)
Tuesday, September 28, 2021, 11:50 a.m. - 1 p.m.

Computer Audio: Join the Zoom Meeting by clicking on the following link:
<https://ocwd.zoom.us/j/89694578467>

Meeting ID: Meeting ID: 896 9457 8467

Telephone Audio: (213) 338-8477

Directors may attend the meeting through teleconferencing pursuant to and as permitted by Executive Order N-29-20, as extended to September 30, 2021 per Governor issued Executive Order N-08-21 as a response to mitigating the spread of Coronavirus known as COVID-19. This Special Meeting of the Orange County Water District will allow members of the Board to attend the Board meeting telephonically from remote locations without requiring public access to those locations. Public participation will be afforded through the Zoom Meeting and Telephone Audio access listed above.

ROLL CALL

VISITOR PARTICIPATION

Time has been reserved at this point in the agenda for persons wishing to comment for up to three minutes to the Board of Directors on any item on the agenda,

WORKSHOP

1. BRIEFING AND DISCUSSION REGARDING POTENTIAL PFAS FEDERAL LEGISLATION

ADJOURNMENT

In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted in the main lobby and on the posting board next to the guard shack of the Orange County Water District, 18700 Ward Street, Fountain Valley, CA and on the OCWD website not less than 24 hours prior to the meeting date and time above. All written materials relating to each agenda item are available for public inspection in the office of the District Secretary. Backup material for the Agenda is available at the District offices for public review and can be viewed online at the District's website: www.ocwd.com

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the District Secretary at (714) 378-3233, by email at jdurant@ocwd.com by fax at (714) 378-3373. Notification 24 hours prior to the meeting will enable District staff to make reasonable arrangements to assure accessibility to the meeting.

As a general rule, agenda reports or other written documentation have been prepared or organized with respect to each item of business listed on the agenda and can be reviewed at www.ocwd.com. Copies of these materials and other disclosable public records distributed to all or a majority of the members of the Board of Directors in connection with an open session agenda item are also on file with and available for inspection at the Office of the District Secretary, 18700 Ward Street, Fountain Valley, California, during regular business hours, 8:00 am to 5:00 pm, Monday through Friday. If such writings are distributed to members of the Board of Directors on the day of a Board meeting, the writings will be available at the entrance to the Board of Directors meeting room at the Orange County Water District office.

Federal Legislative Briefing

Ratepayers at Risk from Pending PFAS Legislation



SINCE 1933



Where: (In person and virtual)
- 18700 Ward St. Fountain Valley, CA 92708
- Zoom virtual option available

When: September 28, 2021 from 12 – 1 p.m.
*Lunch served

RSVP: Register [here](#)

Event program:

- PFAS overview: Mike Markus, General Manager, OCWD
- Federal Legislative Update:
 - Steve Sheldon, President, OCWD
 - John Withers, Chairman, OC San
 - Eric Saperstein, President, ENS Resources, Inc.
- Q & A session
- Next steps

Questions: Contact Gina Ayala at (714) 378-3323 or gayala@ocwd.com

Learn more about [how OCWD is addressing PFAS in OC.](#)

Federal Legislative Briefing

Ratepayers at Risk from Pending PFAS Legislation



The Orange County Water District (OCWD) manages the Orange County Groundwater Basin that supplies 77% of the water supply to 2.5 million people in north and central Orange County. PFAS have been detected in the Basin, entering primarily via the Santa Ana River whose flows infiltrate into and recharge the Basin. Although chemical manufacturers are the original source of PFAS chemicals, ratepayers are now at risk from pending PFAS legislation. OCWD closely monitors PFAS legislation and encourages water agencies and stakeholders to take action by contacting your legislators to advocate for the following priorities:

1 All PFAS related legislation must exempt water and wastewater agencies from any liability for PFAS clean-up costs. Oppose designation of PFAS family of chemicals and other constituents of emerging concern as hazardous substances under the nation's hazardous waste site cleanup law CERCLA (Superfund) unless public water agencies are exempted from liability for cleanups of such contamination. The PFAS Action Act of 2021 (H.R. 2467) would expose water agencies with across-the-board liability for PFAS-related cleanup that simply receive and treat water supplies and have no responsibility for the presence of PFAS. OCWD requests an explicit exemption, under any federal PFAS legislation, from Superfund clean-up liability; like the exemption the nation's airports enjoy. 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 clean-up.

Per- and polyfluoroalkyl substances (PFAS) are a group of thousands of chemicals that are used to make carpets, clothing, fabrics for furniture, food packaging, cookware, and other materials to make them non-stick and/or resistant to water, oil, and stains. They are also used in a number of industrial processes and firefighting activities.

2 All legislative efforts to amend the Safe Drinking Water Act must include the current use of cost-benefit analysis in the development of drinking water standards, including: 1) Assistance, Quality, and Affordability Act of 2021 (H.R. 3291) and 2) PFAS Action Act of 2021 (H.R. 2467). Under existing law, 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 the current cost-benefit analysis in the development of drinking water standards will burden ratepayers of all income levels with astronomical costs to comply with drinking water standards that far exceed public health benefits.

3 Provide funding for PFAS remediation to water and wastewater agencies. Provide direct grant funding to water and wastewater agencies as provided in the Senate-passed Infrastructure Investment and Jobs Act (H.R. 3684). Grants would support the treatment of emerging contaminants and provide assistance to develop and implement local source control programs to reduce PFAS discharges into treatment works. As passed by the Senate, H.R. 3684 would provide a total of \$10 billion for these activities over FYs 2022–2026.