



CITY OF GARDEN GROVE PUBLIC WORKS

November 23, 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

Steven R. Jones
Mayor

Kim Bernice Nguyen
Mayor Pro Tem - District 6

George S. Brietigam
Council Member - District 1

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Council Member - District 2

Diedre Thu-Ha Nguyen
Council Member - District 3

Patrick Phat Bui
Council Member - District 4

Stephanie Klopfenstein
Council Member - District 5

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 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.

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 Samuel Kim at (714) 741-5534.

Sincerely,

Steven R. Jones
Mayor

cc: Board President Steve Sheldon
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