

RESOLUTION NO. 2021-XX

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:

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 \_\_\_\_\_.

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Bruce Whitaker  
Mayor

ATTEST:

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Lucinda Williams, MMC  
City Clerk

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Date