



**LAS VIRGENES - TRIUNFO JOINT POWERS AUTHORITY**  
4232 LAS VIRGENES ROAD, CALABASAS, CA 91302  
(818) 251-2200



August 7, 2023

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

**Re: Request to Support PFAS Liability Exemption**

Dear Senator Padilla,

On behalf of Las Virgenes–Triunfo Joint Powers Authority (JPA), I write to request your support for liability protections under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) for water and wastewater systems that follow all laws and regulations in the treatment and disposal of per- and polyfluoroalkyl substances (PFAS).

Las Virgenes–Triunfo Joint Powers Authority provides potable water, wastewater treatment, recycled water and biosolids composting to more than 75,000 residents in the cities of Agoura Hills, Calabasas, Hidden Hills, Westlake Village, and unincorporated areas of western Los Angeles County. The JPA is very concerned about the implications of potential CERCLA liability on our utility and ratepayers.

In August of 2022, the Environmental Protection Agency (EPA) proposed to designate two PFAS – PFOA and PFOS – as hazardous substances under CERCLA. EPA is also in the process of soliciting public feedback on potentially designating additional PFAS chemicals as hazardous substances under CERCLA. Though CERCLA is intended to target manufacturers and polluters who knowingly released these chemicals into the environment, the law does not explicitly protect passive receivers like water systems who come into contact with PFAS through no fault of our own and may soon have a responsibility under the Safe Drinking Water Act to treat and dispose of these chemicals to protect public health.

Without an explicit exemption from financial liability under CERCLA, water systems could be held financially liable for the cleanup of Superfund sites contaminated with PFAS, despite having never manufactured, used, or benefited from PFAS. Manufacturers and polluters should not be given an opportunity to shift their own financial burden onto the ratepayers that we serve.

LV 8/15/23

The JPA asks that legislation is added to put in place a per- and polyfluoroalkyl substances (PFAS) liability exemption for water and wastewater systems and municipalities. This will provide protections to the JPA and other publicly-owned-treatment-works from undue liabilities and allow us to continue providing our critical services to ratepayers without unnecessarily increasing the price. Lastly, a liability exemption will ensure Congressional intent of CERCLA remains in place and every citizen does not bear the cost of cleaning up the pollution caused by others.

As the Senate Committee on Environment and Public Works considers legislation to address PFAS, I urge you to uphold CERCLA's "polluter pays" principle and protect water systems and the ratepayers we serve by supporting a tailored legislative exemption from liability for PFAS-related cleanups. We would also like to request a meeting with you or a member of your District Staff to share appreciation for the work you do and discuss this issue in greater detail. We thank you in advance for your consideration and for working to provide safe and reliable water services for California.

Very truly yours,

A handwritten signature in black ink, reading "David W. Pedersen". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

David W. Pedersen  
Las Virgenes Municipal Water District  
General Manager