



August 24, 2023

The Honorable U.S. Senator Marco Rubio
284 Russell Senate Office Building
Washington DC, 20510

RE: Support for S.1430 - Water Systems PFAS Liability Protection Act

Dear Senator Rubio,

The Florida Water Environment Association Utility Council (UC), Florida Section of the American Water Works Association Water Utility Council (WUC), and the undersigned utilities from across our great state respectfully request your:

- **Support for [S.1430 - Water Systems PFAS Liability Protection Act](#) recently filed by Senator Cynthia Lumis from Wyoming with 7 co-sponsors.**
- **Consideration to co-sponsor the bill.**

This important legislation provides drinking water and wastewater utilities (water sector) a critical exemption from liability under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) for perfluoroalkyl and polyfluoroalkyl substances (PFAS) releases. Without this exemption, the water sector may be liable to pay for future PFAS cleanups under the United States Environmental Protection Agency's (EPA) proposed rule to designate [two PFAS compounds](#) - Perfluorooctanoic Acid (PFOA) and Perfluorooctanesulfonic Acid (PFOS) - as CERCLA Hazardous Substances. The EPA is also seeking public comment on classifying [seven other PFAS compounds](#) as hazardous under CERCLA. A water sector exemption is especially needed during this 118th Congress due to EPA's current rulemaking.

We ask you to support our principle the "Polluter Pays" and not the "Public Pays" for PFAS pollution cleanup. Florida's communities should not bear the financial burden for the actions of PFAS manufacturers and suppliers. The Florida water sector takes great pride in serving these communities, 24/7, 365 days a year. The WUC represents water utilities who collectively supply the world's most precious and number one resource – water – to over 80 percent of the state's population and the millions of visitors to our great state. The UC wastewater utility members provide necessary water cleansing to protect public health and the environment for nearly half of the state's population. CERCLA PFAS cleanup costs may potentially cause significant financial impacts on water and wastewater utilities which will be passed on to our customers. The

Floridians and visitors we serve face enough financial challenges and do not deserve to have the cost of PFAS cleanup actions added to their household budgets.

In closing, we thank you for your time and consideration on this important water sector issue. We wish you much progress as Congress moves into the second half of the year. Should you have any questions on PFAS or any other water sector items, please feel free to reach out to either of us (Jeff Greenwell, GreenwellJ@HCFLgov.net and Monica Wallis, mwallis@dwuinc.com).

Respectfully,



Jeff Greenwell, President
Florida Water Environment
Association Utility Council



Monica Wallis, Chair Florida
Section American Water Works
Association Water Utility Council

Cosigned by:

Bonita Springs Utilities, Inc.
Broward County Water and Wastewater Services
City of Altamonte Springs
City of Boynton Beach Utilities
City of Casselberry Public Works and Utilities Department
City of Hollywood, Department of Public Utilities
City of Margate
City of Pompano Beach Utilities Department
City of St. Petersburg Water Resources Department
City of Tallahassee
City of Vero Beach Water and Sewer
City of Winter Haven
Clay County Utility Authority
Destin Water Users, Inc.
Emerald Coast Utilities Authority
Florida Governmental Utility Authority
Gainesville Regional Utilities
Hillsborough County Water Resources
Indian River County Utility Services
JEA
Martin County Board of County Commissioners
Miami-Dade County Water and Sewer Department
Okaloosa County Water & Sewer
Orange County Utilities
Palm Beach County Water Utilities Department
Parkland Utilities, Inc.
Peace River Manasota Regional Water Supply Authority
Pinellas County Utilities
South Walton Utility Co., Inc.
Tampa Bay Water
Toho Water Authority
Village of Tequesta Utilities Department