

RESOLUTION

RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS

WHEREAS, any official position of the City of Los Angeles (City) with respect to legislation, rules, regulations or policies proposed to or pending before a local, state, or federal government body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the Los Angeles Department of Water and Power (LADWP) is the largest municipal utility in the United States. Established in 1902, LADWP exists to support the growth and vitality of the City of Los Angeles, its residents, businesses, and the communities it serves, by providing safe, reliable, and cost-effective water and power in a customer focused and environmentally responsible manner; and

WHEREAS, introduced by Representatives Marie Gluesenkamp Perez (D-WA) and Celeste Maloy (R-UT), H.R.1267 – the Water Systems PFAS Liability Protection Act ensures that water utilities can continue to focus their efforts on maintaining water quality rather than defending themselves when PFAS polluters seek to dilute their liability; and

WHEREAS, this bill exempts specified water management entities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) for releases of certain perfluoroalkyl or polyfluoroalkyl substances, commonly referred to as PFAS; and

WHEREAS, the entities covered under the bill are public water systems, publicly or privately owned or operated treatment works, municipalities with a stormwater discharge permit, political subdivisions or special districts of a state that act as a wholesale water agency, and contractors performing the management or disposal activities for such entities; and

WHEREAS, in 2022, the Environmental Protection Agency (EPA) formally announced plans to designate perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) as hazardous substances under CERCLA. This designation means these PFAS substances are now subject to stricter regulations and cleanup requirements, which could put drinking water utilities at risk of incurring cleanup liability when they take necessary steps to remove and dispose of PFAS deposited into water supplies by upstream polluting industries. In addition, wastewater and stormwater utilities could also be put at risk as they receive PFAS chemicals through the raw influent that arrives at the treatment plant or through municipal stormwater runoff; and

WHEREAS, while EPA has announced an “enforcement discretion” policy that intends to focus on polluters that are responsible for the contamination and have profited from PFAS, such a policy is insufficient to ensure that drinking water and clean water ratepayers are permanently protected from CERCLA legal defense costs and cleanup liability for PFAS;

NOW, THEREFORE, BE IT RESOLVED, that by adoption of this Resolution, with the concurrence of the Mayor, the City of Los Angeles hereby includes in its 2025-2026 Federal Legislative Program SUPPORT for the Water Systems PFAS Liability Protection Act, which would ensure polluters, not the public, pay for PFAS cleanup.

MAY 30 2025

MP

PRESENTED BY:


ADRIAN NAZARIAN

Councilmember, 2nd District

SECONDED BY:



ORIGINAL