Water Utility Letterhead

Date

**Dear “Member of Congress”:**

As a small, rural water system working hard to provide safe, affordable water to our community, we are deeply concerned about the recent designation of PFOA and PFOS as hazardous substances under CERCLA. This designation could unfairly shift the financial burden of PFAS cleanup onto water systems like ours and, ultimately, our ratepayers—your constituents. We are asking for your support of legislation that protects water systems…like ours… from liability under CERCLA for PFAS, ensuring that those responsible for the contamination bear the cleanup costs, not the public.

CERCLA was founded on the “polluter pays” principle, which holds companies that produced and profited from hazardous substances responsible for their cleanup. Unfortunately, the designation of PFOA and PFOS—nondegradable, ubiquitous “forever chemicals”—now puts water systems like ours in a vulnerable position, facing potential liability simply for passively receiving these chemicals into our water supply through no fault of our own.

Since EPA’s PFAS designation under CERCLA took effect on July 8, 2024, small utilities like ours are now at risk of being pulled into costly litigation with PFAS manufacturers. These companies may try to shift their cleanup costs onto us through legal action, which would ultimately result in higher rates for our customers. Even if we successfully defend against these claims, the legal costs alone will place catastrophic strain on our already tight resources.

CERCLA liability would come on top of the significant expenses we are already shouldering to meet federal PFAS regulations under the Safe Drinking Water Act and Clean Water Act. It is unjust to expect our rural community to pay twice for a problem we didn’t create—first through treatment costs and now through potential cleanup liability.

With these new rules now in effect, it is crucial that Congress acts quickly to protect water systems and their ratepayers from unfair PFAS liability. **We strongly urge you to co-sponsor H.R. 7944, the Water Systems PFAS Liability Protection Act**, introduced by Reps. John Curtis (R-UT) and Marie Gluesenkamp-Perez (D-WA). This bipartisan bill will help preserve the “polluter pays” principle and allow us to focus on what matters most—delivering safe, affordable water to our community.

Thank you for your consideration and your support.

Sincerely,

Your Name  
Position  
Water Utility Name