

ENS Resources: 2023 End of Year Review

Issue	Project	Status	Value to OC San
Funding	Per- and polyfluoroalkyl substances (PFAS) Treatment	\$3.45 million in funding secured in Federal assistance to demonstrate Supercritical Oxidation Technology.	OC San maintains its reputation as advancing solutions to address emerging treatment needs that can lead to reduced ratepayer costs.
Build America Buy America (BABA)	Seek Clarification on BABA Compliance	Working with United States Environmental Protection Agency (USEPA) Office of Water, we provided key contacts with Region IX staff and provided USEPA HQ staff with information on OC San project and needs.	Strong relationship established with USEPA contracting staff to ensure compliance with BABA and other mandates required forms for obligation of funding.
BABA/American Iron and Steel (AIS)	Community Project Grant Assistance	Working with, and monitoring, USEPA received advanced notice that BABA SRF waiver to incorporate OC San projects funded with federal assistance.	OC San has formal commitment that its project is not subject to BABA or AIS. This clarification should expedite project implementation and reduce project costs.

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PFAS	Secure Liability Protections under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) for wastewater and biosolids management	Working Senate Committee on Environment and Public Works, we advanced the priority for liability protections from CERCLA litigation that might be levied against public agencies. OC San took a lead position in developing letters to USEPA and Congress on the importance of preserving the polluter pays principle and to ensure that Clean Water Act is preserved as the mechanism to regulate biosolids.	The effort to deliver CERCLA liability provisions for wastewater agencies will, if enacted into law preserve the foundational principle of polluter pays and avoid frivolous litigation filed against agencies like OC San by industry to dilute clean-up responsibilities.
PFAS	Communications	Developed and worked with OC San staff on communications to congressional delegation and Senate Committee on Environment and Public Works on proposed PFAS legislation.	Positioned OC San as a leading voice on commonsense legislative approaches to ensure industrial dischargers held responsible for cleanups and that funding be provided to support treatment and monitoring needs of wastewater stakeholders.

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<u>WIPES</u>	Prevent disposal of wipes into treatment systems	Working with OC congressioinal delegation and House and Senate committees OC San provided advocacy in support of legislation to label disposable wipes to avoid flushing. Legislation pending action in House. Companion Senate legislation introduced.	Maintained OC San as leader in developing policies that will help to restrain O&M costs attributable to impacts from improper flushing on wipes.
Monitoring	Monitored funding opportunities to support OC San mission	Provided timely updates on federal procurement opportunities from Infrastructure Investment and Jobs Act and Inflation Reduction Act (IRA).	Provides OC San staff with opportunities to support investment priorities.
Build America Bonds	Monitored subsidies	Monitored budget sequestration efforts to protect subsidy payments for Build America Bonds.	Provided OC San with analysis of threats to continued availability of subsidy payments avoiding need to restructure debt.
Delegation Visit	Worked with OC San to ensure visits	Secure visit by Representative Correa to tour OC San.	Maintained strong working relationship with Rep. Correa and allowed for formal thanks for leading effort to secure Community Project Assistance.

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State of the District	Worked with OC San staff to participate in State of OC San	Secured attendance Congressional attendance at the State of OC San including Congressman Correa and staffers from various Congressional Offices.	Allowed OC San to demonstrate to congressional delegation strong local support for OC San mission
<u>Legislative Planning</u>	Worked with OC San staff and subject matter experts in updateing the Legislative and Regulatory Plan	The 2024 Legislative and Regulatory Plan was passed by the Board of Directors at the November 2023 meeting.	Provided expert legislative guidance regarding potential legislation and regulations that could have an affect on OC San.
<u>Position Letters</u>	Position letters on behalf of OC San	Provide copy and guidance regarding OC San's position. Topics included financing, PFAS and various environmental issues.	Through the service of ENS Resources and their experts, OC San is well represented in D.C. and to the various agencies that work with OC San.