

## United States Senate

January 31, 2019

The Honorable Heather Wilson  
Secretary of the Air Force  
1160 Air Force Pentagon  
Washington, DC 20330-1160

Secretary Wilson:

I am writing to express my significant concern that the United States Air Force is not working in good faith with the State of Michigan regarding environmental contamination surrounding the former Wurtsmith Air Force Base in Iosco County, Michigan.

You and I have discussed the issue of PFAS contamination on multiple occasions. Earlier this month I met with Assistant Secretary for Installations, Environment, and Energy John Henderson and was assured that the Air Force would be proactive in its approach, consistent with federal law rather than waiting for an interagency approach or judicial process to mandate remedial action.


I have since reviewed a December 7, 2018, letter sent from the Air Force Civil Engineer Center to the Michigan Department of Environmental Quality's Water Resources Division in response to an October notice of violation Michigan issued to the Air Force. I wish to underscore the seriousness of the violation – the PFAS levels for surface water in Clark's Marsh measured 42,000 parts per trillion. This is shockingly higher than not just state standards but also the lifetime health advisory limits established by the Environmental Protection Agency.

Yet the Air Force has opted to claim sovereign immunity from state environmental quality regulations and water resources protection laws. This aggressive and defensive posture amidst the ongoing dispute resolution process with the state is unproductive at best, and it concerns me that so little has been accomplished since PFAS was confirmed at Wurtsmith in 2010.

As you know, Congress has waived sovereign immunity for purposes of the Comprehensive Environmental Response, Compensation, and Liability Act, The Clean Water Act and the Safe Drinking Water Act. The Air Force's refusal to meet the State of Michigan's water quality standards only serves to reinforce my sense that Congress must move swiftly to direct the Environmental Protection Agency to establish enforceable and protective federal standards.

I invite you and Assistant Secretary Henderson to travel to Michigan and meet with the community in Iosco County impacted by the contamination at the former Wurtsmith Air Force Base as well as with officials from the Michigan Department of Environmental Quality to ensure unity of effort on addressing PFAS contamination.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gary C. Peters".

Gary C. Peters  
United States Senator