



SECRETARY OF THE AIR FORCE  
WASHINGTON

MAR 3 2019

The Honorable Gary Peters  
United States Senate  
Washington, DC 20515

Dear Senator Peters:

Thank you for your January 31, 2019 letter concerning work at the former Wurtsmith Air Force Base, MI, and surrounding area to address releases of Perfluorooctane Sulfonate/Perfluorooctanoic Acid (PFOS/PFOA) during past Air Force use of firefighting foam. The Air Force is committed to working cooperatively with Michigan to address PFOS/PFOA concerns at Wurtsmith AFB.

The Air Force is using its authorities under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) to address contamination in drinking water. The United States Environmental Protection Agency has issued a lifetime drinking water health advisory for PFOS/PFOA, so the Air Force is mitigating public and private human drinking water supplies exceeding the health advisory. One private well close to Wurtsmith AFB had PFOS/PFOA levels above the health advisory. The Air Force took immediate action to provide alternate water, and funded connection of that home to a public water supply. We also ensure other wells remain below the health advisory levels through a program of recurring sampling.

In December 2017, the State of Michigan invoked dispute resolution to address this and other matters under the Defense State Memorandum of Agreement (DSMOA) it signed with the Department of Defense in 1992. Under this agreement, Michigan reserves its rights to enforce once the parties have completed the dispute resolution steps and have reached an impasse. Although Michigan has not completed the dispute resolution steps nor declared these discussions at impasse, it nonetheless issued a Notice of Violation (NOV) requiring an Air Force response, which was to claim sovereign immunity. The Air Force has requested and remains ready to continue the dispute resolution process initiated by Michigan.

While Congress has waived sovereign immunity under CERCLA, the Clean Water Act and the Safe Drinking Water Act for certain state laws, it is not a blanket waiver. The Air Force is bound by CERCLA to evaluate the state statute referenced in the NOV as a potential remedial action level later in the CERCLA process; however, it is immune from enforcement of Michigan's groundwater-surface water interface statutes and regulations.

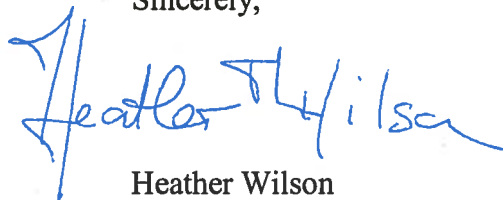
While our respective teams continue to work through these important and complex matters, the Air Force has taken significant action to address PFOS and PFOA at Wurtsmith AFB. In May 2012 Michigan issued a "Do Not Eat Fish" advisory on the basis of PFOS/PFOA in fish tissue samples from Clark's Marsh. A significant source of the contamination was linked to a former Air Force fire training area near Clark's Marsh. The Air Force installed a system of wells and a treatment system to intercept the groundwater contamination before it reaches Clark's Marsh from this fire training area. Since beginning operation of the system in 2015 through the fall of 2018, the average PFOS/PFOA levels in wells identified in the Michigan violation notice have been reduced by 90%. The Air Force treatment system at the former fire training area has been effective in controlling PFOS/PFOA contaminant migration towards Clark's Marsh, and we anticipate continued operation of the treatment system will drive PFOS/PFOA levels down further.

In addition to the treatment system described above, the Air Force has taken other substantive actions to address PFOA/PFOS contamination at Wurtsmith AFB. In August 2018, the Air Force completed construction of a filter system to provide treatment for PFOS and PFOA on two existing systems currently treating other contaminants and will complete a third system by the end of calendar year 2019. These systems remove PFOA and PFOS from the water before it is discharged to surface water.

The situation at Wurtsmith AFB is complex. While solutions do not come quickly under the CERCLA process, the Air Force is committed to working with Michigan to find effective solutions within our authorities. At your suggestion, John Henderson, Assistant Secretary of the Air Force for Installations, Environment and Energy, will schedule a trip to Oscoda and meet with community members for a first-hand understanding of community concerns.

We trust this letter will be helpful in responding to your concerns. We appreciate your continued support for the men and women of the United States Air Force.

Sincerely,

A handwritten signature in blue ink that reads "Heather Wilson". The signature is written in a cursive, flowing style with a large initial "H".

Heather Wilson