
Michael W. Reaves
Emmet County Administrator
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200 Division Street, Suite G92
Petoskey, Michigan 49770
(231) 348-1701

August 20, 2021

Mr. Randall L. Rothe
District Supervisor
Gaylord District Office
Remediation and Redevelopment Division
Michigan Department of Environment, Great Lakes and Energy
2100 West M-32
Gaylord, MI 49735-9282

RE: Compliance Communication Regarding the Alleged Releases at Pellston Regional Airport

Dear Mr. Rothe:

Emmet County respectfully submits the following response to the Michigan Department of Environment, Great Lakes and Energy (EGLE) Compliance Communication letter dated June 3, 2021 regarding alleged releases at Pellston Regional Airport. We appreciate you granting an extension to respond until August 20, 2021. The County is conducting the investigation work cited in the Compliance Communication in accordance with Michigan Department of Transportation (MDOT) Aeronautics grant funding and associated Work Plan developed with EGLE's oversight. EGLE sent the Compliance Communication after the County completed one round of sampling that identified PFAS compounds on Airport property.

The County takes its legal obligations seriously and is continuing its investigation work to determine the nature and extent of impacts, which is foundational to determining what further actions are necessary and appropriate to mitigate, contain or remove PFAS contamination as may be required under Part 201. The County has completed a second round of sampling with the MDOT grant funding, again pursuant to a Work Plan that EGLE reviewed and pre-approved. We have preliminarily discussed these results with you and will soon be sending you a report on this Phase 2 work. Additionally, the County is continuing its investigation into the nature and extent of PFAS impacts. The County is working with technical consultants to scope additional phases of investigation and to research remedial alternatives that may be appropriate and cost-effective.

The County is also exercising due care regarding the identified impacts. For example, it is working on how to appropriately manage on-site soils during routine Airport activities and working with new Federal Aviation Administration (FAA)-approved means of conducting required testing of emergency equipment that does not include a release of the aqueous film-forming foam (AFFF) from the response equipment. The County is investigating potential off-site migration of PFAS-impacted groundwater and is working with EGLE to provide any notices to potentially affected neighboring properties that EGLE has identified. The County understands that these properties have been offered alternative water, and the County has contributed to these efforts

by making an additional shipment of bottle water available for distribution through the Village of Pellston.

The County reminds EGLE that the state's licensing requirements for commercial airports include compliance with federal regulations, including the FAA regulations for Part 139 commercial service airports that have and continue to require use of AFFF containing PFAS. Therefore, the County is taking these Part 201 compliance actions preserving all legal rights and defenses.

The County will continue to work with EGLE as we further investigate this issue. By this cooperation, the County does not admit any liability or wrongdoing, and we do not agree with EGLE's allegations that the County is liable for the costs summarized in the Compliance Communication or that those costs are reasonable or necessary.

As demonstrated through our course of dealing with EGLE, the County is diligently acting in compliance with Part 201 and in cooperation with EGLE, MDOT and the local health department. Further compliance and enforcement communications from EGLE are unnecessary as we continue to work together on these issues. If you wish to discuss, I can be reached at (231) 348-1701.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael W. Reaves". The signature is fluid and cursive, written over a white background.

Michael W. Reaves
Emmet County Administrator

cc: Christiaan Bon, EGLE
Cathryn Rudolph, Emmet County