



**DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC**

OFFICE OF THE ASSISTANT SECRETARY

Mr. Tim Cummings
Trustee, Oscoda Township Board of Trustees
Township Representative, Wurtsmith AFB Restoration Advisory Board

Dear Mr. Cummings:

Thank you for your recent email expressing concern with Air Force actions to respond to the presence of PFOS/PFOA at and around the former Wurtsmith Air Force Base in Oscoda, Michigan ("Wurtsmith"). We have addressed each of your points below.

The Air Force information repository for the former Wurtsmith Air Force Base was created in the early-to-mid 1990s. The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) requires the lead federal agency for a cleanup to establish and maintain an administrative record and an information repository. The administrative record contains the documents that form the basis for the selection of environmental response actions at a facility. The information repository contains all portions of the administrative record that are not privileged or confidential, as well as documents associated with the restoration advisory board.

The Air Force removed the hard copy documents in the information repository from the Robert J. Parks Library in the 2008-2009 timeframe at the request of the librarian, who advised that no one was accessing the files and the files took up too much space. Before disposing of these documents, the Air Force confirmed that the documents were duplicates of documents maintained at Wurtsmith, and had been copied, scanned and made publicly available as part of the online administrative record (<http://afcec.publicadmin-record.us.af.mil/>). If you wish to review the hard copy documents located at Wurtsmith, the Air Force team will work with you to schedule a convenient time. Please contact Bay West at 989-965-0359 to set up an appointment. In 2017, the Air Force renewed its practice of providing the library hard copy environmental response documents concerning Wurtsmith.

With respect to ownership of the documents included in the information repository, Air Force information repositories—hard copies, electronic, web, etc.— are property of the Air Force. With regard to tape recordings that Mr. Eppert witnessed during BCTs in the 1990s, the recordings were made in order to create the written minutes and were not kept after they were transcribed.

Second, your email also expresses a desire for the community to participate in BRAC cleanup team (BCT) meetings. The Wurtsmith BCT is composed of environmental managers and subject matter experts from the Air Force and Michigan, working together as a team to address environmental restoration issues. The Air Force follows BCT guidance in the Defense

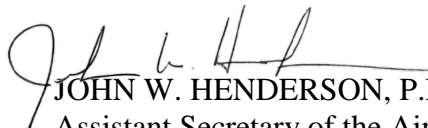
Environmental Restoration Program Manual, which calls for participation of the DOD base environmental coordinator, a representative from the state environmental agency, and a representative from the U.S. Environmental Protection Agency (<https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodm/471520m.pdf>, at page 65). This arrangement, which is not unique to Wurtsmith, is important because it allows Air Force and regulator representatives to openly and frankly discuss environmental cleanup strategies, and pre-decisional draft documents, as well as correct any misunderstandings between the agencies regarding the cleanup. The discussions between the Air Force and the regulatory officials are pre-decisional in nature and not open to other parties. Community involvement in the environmental restoration process at Wurtsmith is achieved through participation in the Wurtsmith Restoration Advisory Board (RAB), and as the Township of Oscoda's representative to the RAB, the Air Force encourages your continued participation in the environmental restoration process.

Your third point addresses the scope and timing of the Air Force's cleanup efforts at Wurtsmith. The environmental restoration program at Wurtsmith is complex, and the Air Force is actively committed to working cooperatively with the Michigan Department of Environment Great Lakes and Energy to identify effective response actions within our authorities, and will evaluate all possible risk pathways and exposures as part of the CERCLA risk assessment process.

Finally, you asked about the status of Air Force responses to questions that you presented to me before my visit to Wurtsmith. Please see those responses attached.

The Air Force takes our cleanup responsibility seriously and conducts our cleanups in an open and transparent manner. We appreciate your concerns, and trust this letter will be helpful in responding to them. Should you have additional questions or concerns please do not hesitate to contact Dr. Stephen TerMaath at (210) 395-9428. Thank you for your continued support for the men and women of the United States Air Force.

Sincerely,


JOHN W. HENDERSON, P.E.
Assistant Secretary of the Air Force
(Installations, Environment and Energy)

Attachment

1. Response to Oscoda Listening Session Questions

Oscoda/Au Sable Township Listening Session – Q&A

1a: Michigan is considering lowering the maximum PFAS levels for drinking water. Is the Air Force going to recognize these standards (if implemented) and abide by them?

CERCLA – specifically, 42 USC section 9621 -- sets out the requirements for evaluating which state statutes and regulations qualify as an applicable or relevant and appropriate requirement (ARAR). The Air Force and Michigan's Department of Environment, Great Lakes and Energy will identify potential ARARs during the remedial investigation (RI) phase of the CERCLA process. If the RI determines that a remedial action is required in order to protect human health and the environment, then remedial action alternatives are evaluated during the feasibility study (FS) phase of the CERCLA process. Compliance with ARARs is one of the criteria used to evaluate alternatives during the FS. ARARs are included in the document that describes the selected remedy, which is called a record of decision.

If the state of Michigan does promulgate new criteria for PFAS, the Air Force will evaluate these criteria during the RI phase to determine if they qualify as a potential ARAR, and determine whether the ARAR is applicable to a remedial action for that site.

1b: If the Air Force is not going to recognize the new standards, what specific laws prevent the Air Force from doing so?

See response to 1a.

1c: What laws allow the Air Force to abide by the new standards?

See response to 1a.

1d: Will the Air Force provide quality alternate water sources to those properties who exceed the allowable State PFAS standards? If not, what specific laws prevent the Air Force from doing so?

In locations where Air Force activities are the likely source of PFOA or PFOS contamination of a drinking water supply, the Air Force provides an alternate drinking water source to anyone whose drinking water supply has PFOA or PFOS levels that exceed EPA's lifetime health advisory (LHA) of 70 ppt. See response to 1a for information on how the Air Force chooses cleanup levels for its remedies.

2. The Air Force assisted with forest and structure fires in the Oscoda area such as the McDonald Store along F-41, the Colbath/ Alexander neighborhood; and the school. These areas have tested with high amounts of PFAS with an AFFF signature and documentation proves the Air Force used foam in these areas. What are the Air Force plans, budgets, and schedules to remediate these areas?

As a policy, the Air Force only responds to off-base fires upon request of the local community in conformance with local mutual aid agreements.

The Township's question states that the Air Force assisted with forest and structure fires in the Oscoda area such as the McDonald Store along F-41, the Colbath/ Alexander neighborhood, and the school, and states documentation proves the Air Force used foam in these areas. The Air Force has searched for a mutual aid agreement between the Air Force and either Iosco County or Oscoda but has not found a copy of such a mutual aid agreement. If the township has a signed copy of a mutual aid agreement between the Air Force and either Iosco County or Oscoda, please provide a copy to the Air Force.

With the exception of a letter signed by the Oscoda Township Fire Chief, which provided some details regarding the school bus barn fire in 1995, and a bare-facts fire incident report, the Air Force has not found nor received documentation related to the school bus barn fire. The Air Force notes that the letter from the Oscoda Township fire chief specifically states that the Wurtsmith Caretaker Force, not the Air Force, responded to the school bus barn fire. Wurtsmith closed on 30 June 1993, and the fire at the school bus barn occurred on 18 October 1995. Based on our information, any remaining Air Force personnel located at the former Wurtsmith AFB during this time period were associated with BRAC property disposal and technical work associated with base closure activities. If the Township has additional documentation related to these fires as the question suggests, please provide this documentation for Air Force review.

Investigations by the Department of Environment, Great Lakes, and Energy (EGLE) and Health and Human Services (MDHHS) have found that the PFOS/PFOA levels in the Oscoda High School drinking water supply have been below EPA's LHA. Additionally, groundwater migration pathways from mission activities on Wurtsmith Air Force Base to the Oscoda High School area have not been identified.

The Air Force has no plans for remediation at areas where it responded to a request from a local fire department for activities unrelated to the Air Force mission.

3. Why won't the Air Force acknowledge the State's ground/surface water interface laws of 12 and 11 ppt for certain PFAS molecules? What specific laws prevent the Air Force from acknowledge this, and what laws allow the Air Force to acknowledge it?

CERCLA – specifically, 42 USC section 9621 -- sets out the requirements for evaluating which state statutes and regulations can be used as cleanup standards.

The Air Force already has acknowledged that the state's GSI cleanup criteria for PFOA and PFOS will be potential ARARs when the Air Force reaches the cleanup phase of CERCLA.

4. When will the Air Force schedule an investigation of wildlife in the area which has been contaminated by the Air Force PFAS pollution (as proven by the State)? What specific laws prevents the Air Force from doing so, and what specific laws allows the Air Force to do so?

There are currently limited criteria for evaluating risk to wildlife or for human exposure through consumption of wildlife. The Air Force will use available information during the RI performed under CERCLA which includes risk assessment pathways to human exposures. Development of the scope of work and resultant work plan, including the risk assessment process, will be in cooperation with EGLE and others.

5. When is the Air Force going to install additional treatment facilities for the remainder of the PFAS plumes?

The Air Force remains focused on protecting human health by implementing steps to ensure safe drinking water. Interim remedial actions or removal actions are options at any point during the CERCLA process if there is a determination of an imminent or substantial endangerment to human health or the environment. The Air Force will evaluate the need for interim or removal actions as it works through the CERCLA process.

6. When will the Air Force stop the flow of PFAS contamination from reaching the surface waters?

The treatment systems that the Air Force already has installed at FT-02 at Clark's Marsh and on the Benzene and Arrow Street plants have stopped the flow of PFOS/PFOA from the Air Force's discharges at those facilities. Later this year the Air Force will retrofit the Mission Street treatment facility to treat recovered groundwater to eliminate PFOS/PFOA from the effluent prior to discharge. The AF will evaluate whether further actions are needed as the CERCLA process proceeds.

7a. Why won't the Air Force acknowledge the foam on Van Etten Lake is from the plumes emanating from Wurtsmith AFB, which has been proven to have the same chemical signature as the AFFF used by the Air Force?

The Air Force does acknowledge that PFOS/PFOA is in the foam, and the Air Force is a likely contributor. Following CERCLA, the Air Force will perform an RI as the next phase. During the RI the Air Force will evaluate all possible risk pathways and exposures as part of the risk assessment process under CERCLA.

7b. If the Air Force does not think the foam is a result of Wurtsmith AFB operations, then what scientific proof does the Air Force have to show otherwise?

See response to 7a above.

8. The Air Force keeps saying that CERCLA does not allow them to remediate several areas of PFAS. What specific CERCLA laws prevent the Air Force from remediating all remaining PFAS plumes? What laws allow the Air Force to do so?

The Air Force has authority under CERCLA to remediate releases of PFOA, PFOS, and PFBS that create an unreasonable risk to human health and the environment. Currently, there are only three PFAS compounds with EPA toxicity values and reference doses: PFOA, PFOS, and PFBS. Therefore, the Air Force cannot address other PFAS compounds at this time. During the remedial investigation the state will have the opportunity to identify other requirements as potential ARARs.

9. The Air Force holds monthly remediation meetings with MDEQ and MDHHS. Oscoda Township was allowed representation at these meetings. Two years ago, the Township was kicked out of those meetings. The justification given was referenced a DOD regulation that did not specify any such justification. Will the Air Force allow the Township to attend

those meetings again? We were recently told those meetings were to be relocated to Lansing. Will the Air Force continue to try to remotely manage Wurtsmith remediation meetings or will you continue to manage it on site?

The Wurtsmith BRAC Cleanup Team (BCT) is composed of environmental managers and subject matter experts from the Air Force and the state of Michigan working together as a team to address environmental restoration issues. BCTs are designed to allow frank collaboration of technical issues between the Air Force and state and federal regulators. The Department of Defense manual that governs remediation defines the BCT to only include the Air Force and its state and federal regulators. The BCT is moving its meetings to Lansing to maximize participation of state technical personnel and lower the cost of state participation.

10. The newest GAC plant is not treating the ground water on the east side of the closed base by F-41. The new test wells at Ratliff Park and at private residences have shown high levels of contamination. What are the plans and time line for remediation?

While the new Central Treatment Plant and its associated extraction wells remove PFOS and PFOA from groundwater before it is discharged to surface water, that plant also prevents some of the PFOS and PFOA contamination from moving toward F-41. Under CERCLA, the Air Force will investigate the extent and boundaries of contamination to base a decision on whether remediation is needed.

11. I would like to know about the containment field for groundwater capture on the first GAC plant out by the fire test station? I believe recent studies show that it doesn't seem to be as effective as first stated.

The former firefighting training area granular activated carbon (GAC) Pump and Treat System was designed to capture PFOS and PFOA before it reaches Clark's Marsh. The area influenced by the treatment system has removed 90 percent of the PFOS/PFOA from the plume. The Air Force is currently evaluating the effectiveness and efficiency of the system and whether modifications to the system are required.

12. I would like to know if the pump and dump stations are continuing to pump untreated water into the storm drains, and what are the plans to get that water treated.

The Arrow Street and Benzene Plant purge wells have been connected to the Central GAC Treatment System. Extracted groundwater from these wells is treated at the Central GAC Treatment System to remove PFOS/PFOA to the state of Michigan surface water quality standards prior to discharging the recovered groundwater to the storm drains. A new treatment system is scheduled for construction in 2019 for the Mission Street purge wells to treat PFOS/PFOA in recovered groundwater. Construction is scheduled to be completed by the end of calendar year 2019, and once operational, the Mission Street treatment system will remove PFOS/PFOA from recovered groundwater to the state of Michigan surface water quality standards prior to discharge into the storm drain.

13. How can the AF make a promise they will restore our community and then make statements like in the December 7th response letter to MDEQ that it won't make any new

efforts to clean up chemical contamination at the base, and criticized the state for issuing a notice of violation for Clark’s Marsh?

The Air Force has committed to following the CERCLA process to investigate and address, if appropriate, PFOA/PFOS contamination at Wurtsmith. At Clark's Marsh specifically, the Air Force is evaluating the current system to determine whether it needs to be expanded.

While it is true that 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 notice of violation as a potential ARAR later in the CERCLA process; however, it is immune from enforcement of Michigan's groundwater-surface water interface statutes and regulations.

The Air Force continues to collaborate with EGLE on the environmental work at Wurtsmith. The 7 December 2018 response letter was a legal response to a legal notice of violation; as such, the language was highly technical and crafted to preserve the Air Force's legal rights. The formal response does not detract from the good working relationship that the Air Force has been building with the Oscoda community.

14a. Is Clark’s Marsh included in the Air Force study area or not? If so, why do we not yet understand the nature of contamination?

Although Clark’s Marsh is outside of the former Wurtsmith AFB boundary, it is part of the study area because it’s downgradient from the former firefighting training area FT-02. FT-02 is one of the sources of contamination at Clark’s Marsh. The geology is more complex in this area. The current stage of the CERCLA investigation is focused on characterizing contamination in the source areas, like FT-02. The Air Force installed the FT-02 GAC Pump and Treat System to reduce offsite migration to Clark’s Marsh. Impacts to Clark’s Marsh and any potential remediation actions will be assessed in later phases of the investigation.

14b. What’s being done to prevent contamination from Clark’s Marsh from reaching the Au Sable River?

Our work is to capture PFOS/PFOA before it enters Clark’s Marsh.

The groundwater recovery system and the associated GAC treatment plant installed at FT-02 intercepts and treats PFOS/PFOA-contaminated groundwater before it reaches Clark’s Marsh, which empties into the Au Sable River.