



STATE OF MICHIGAN
EXECUTIVE OFFICE
LANSING

RICK SNYDER
GOVERNOR

BRIAN CALLEY
LT. GOVERNOR

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The Honorable James N. Mattis
Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301-1000

Dear Secretary Mattis:

As Governor of the State of Michigan I have committed to a proactive approach to identifying and defining the extent of per and poly-fluoroalkyl substances (PFAS) contamination in our state. When that contamination is discovered, the State, along with our partners in local government, have acted immediately to protect public health. That partnership, along with work with the federal government, academia, and other stakeholders, has made the State of Michigan a national leader in addressing PFAS contamination.

The PFAS contamination on our nation's military bases and their surrounding communities, along with the associated health risks, is an unfortunate legacy for us all. I appreciate the comprehensive approach the Department of Defense (DOD) has utilized to identify military installations where firefighting foam was stored and extensively used in Michigan. I also recognize that the DOD has hundreds of active and Base Realignment and Closure (BRAC) installations throughout the country with suspected contamination of perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS), contaminants within the PFAS family. The State of Michigan has every intention to work cooperatively with the DOD to remediate the contamination at these installations to protect the surrounding communities. Unfortunately, this has proved difficult at certain DOD locations because of an apparent unwillingness by DOD to commit to a full remediation of the contamination.

The difficulty in working with DOD stems from an apparent policy to rely on the Comprehensive Environmental Response, Compensation and Liability Act of 1990 (CERCLA) to address PFAS contamination. The CERCLA process entails multiple steps to identify the nature and extent of contamination, and to reduce immediate public exposure. In practical terms, this results in the DOD providing water to affected homeowners, and in rare circumstances providing municipal water hook-ups. While helpful in the short term, the resulting effect is a failure to remediate the contaminant in the environment, leaving the situation to perpetuate.

Based on our experience in Michigan, along with the situation in other states that I am aware of, we have identified the following shortcomings of DOD policy:

1. The CERCLA approach has resulted in years of study and delay in remediation.

A reasonable limit on investigation is essential, as evidenced by the history at Wurtsmith BRAC Air Force Base (Wurtsmith) in Oscoda, Michigan, which closed in 1993 as part of the military's response to "changing force structure needs." (GOA 17-151). The investigation of PFAS contamination at the base and surrounding community has been ongoing for many

years under the CERCLA investigation process. During that time the contamination has spread through the groundwater and surface water and now poses a threat to Lake Huron. The base contamination has affected the drinking water of citizens and prevented them from consuming the fish in nearby Clark Marsh. Further, the contamination has precluded the stated DOD goal of transferring unneeded federal base property to other federal and nonfederal parties to effectuate redevelopment in communities impacted by the BRAC process. The time has come for the DOD to commit to a full and effective remediation effort at Wurtsmith to protect the public health of our citizens.

2. The DOD has failed to acknowledge that it is the source of contamination by pointing to relatively insignificant use of AFFF foam by other entities.

Again, Wurtsmith is an example of how this approach stymies an effective response to PFAS contamination. Despite the evidence of prolonged and significant use of AFFF at the base, the DOD refuses to acknowledge its responsibility for the significant off-site contamination. This, in turn, results in needless cost for the State of Michigan to address the source of contamination, and an unwarranted delay in remediation efforts.

3. The DOD states that individual bases are placed on a national list and only priority properties are addressed because of the unavailability of full funding to undertake effective remediation at all bases.

The DOD has not sought to obtain the full funding necessary to undertake remediation at its properties in Michigan and throughout the country. Concomitantly, the DOD has used its funding for investigating, and not remediating, contamination. As noted in the January 2017 Government Accountability Office Report to Congressional Committees: "DOD has not reported to Congress that the cleanup of emerging contaminants could significantly increase the total cost of environmental cleanup at installations closed by the BRAC process." (GAO 17-151). This same report lists the remaining cost of the complete cleanup of Wurtsmith at \$72M. While that amount is too low for full remediation of PFAS contamination at Wurtsmith, the DOD has not sought an appropriation for that process, which, in turn, disadvantages the affected communities in Michigan.

Our nation has always, and will always, respect the military as it carries out its duty to protect us. That reliance extends to the military's obligation to assure the safety of our drinking water and environment, in particular in the communities that are so proudly home for those military installments. I urge you, on behalf of the residents of Michigan, to establish a sense of urgency in the DOD to expediate the investigation and remediation process for PFAS contamination, thereby ensuring the safety of our communities. The State of Michigan stands ready to fully cooperate with the DOD in that effort, and I urge you to begin that process by seeking the funding necessary to effectively address PFAS contamination.

Sincerely,



Rick Snyder
Governor