

**Questions Submitted by the Public for the PFAS Public Information Session**  
**08/04/2021**

**Q1: Will the Passenger Facility Charge (PFC) for airport users be increased to pay for investigation and remediation of the PFAS contamination?**

A: No. The PFC is regulated by the FAA and is capped at \$4.50, which is what DCRA is currently charging. The FAA has attempted to increase the maximum PFC charge, but doing so requires Congressional approval which, thus far, has been unsuccessful. Additionally, the FAA has not made PFAS testing or remediation eligible for Airport Improvement Program (AIP) funding. This presents a challenge because, according to FAA requirements, in order for a project or expenditure to be eligible for PFC funding, that project or expenditure must also be eligible for AIP funding as well. DCRA has been active at the national level to champion both an increase in the maximum PFC, as well as allowing PFAS testing and remediation to be included in AIP funding.

**Q2: Since county residents do not share the profits generated by the airport, will the airport fully fund the investigation and cleanup of the PFAS contamination?**

A: No. The DNR designated three responsible parties in its analysis of PFAS found on airport property. The cost will be shared among the three responsible parties in appropriate amounts. DCRA will also seek funds for assistance in the investigation and remediation process as those funds become available in the form of grants and additional allocations. The Air National Guard (ANG) has already made a significant financial contribution during the early stages of their Remedial Investigation (RI) of PFAS in and around the airport.

**Q3: There is similar PFAS contamination in Marinette and Peshtigo caused by Tyco Fire Protection. To date, there have been 15 meetings for Marinette and Peshtigo residents to explain the investigation and cleanup progress. Why is the airport only now conducting its first public meeting to explain its progress on investigating and remediating the PFAS contamination?**

A: The public information session on August 8<sup>th</sup> was the first public comment session on the remediation progress for the Airport Commission, but not the first public county meeting on this subject. It also took time to do planning and get work plans submitted to the DNR for review before remediation plans and progress could be presented at the Airport Commission.

PFAS and our investigative and remediation measures have been recurring items on the agendas of the County Board and various committees throughout the County. These meetings have often included opportunities for public comment. When the pandemic cancelled the initially scheduled public meeting the airport took submitted questions from the public in August of 2020 and posted them on the airport webpage. Public Health Madison Dane County also hosted two meetings at the East Madison Community Center in 2020 and sent letters to those residing in the Starkweather Creek area.

It's also important to note that the nature of the contamination found in Marinette and Peshtigo is very different from what is here at the airport. Tyco Fire Protection, a private manufacturer, and the airport, a large component of municipal infrastructure, have completely different risk profiles.

**Q4: In 2013, the airport in Des Moines, Iowa hired a private firm, Pro-Tec Fire Services, to provide firefighting services in place of the Air National Guard (ANG). Their cost is now \$1.1 million per year. Assuming a similar cost for the Dane County Regional Airport with 2.2 million passengers per year, it would cost 50 cents per passenger to replace the ANG firefighting services at Truax Field. Similar to the Des Moines Airport, wouldn't it be cheaper and more beneficial to hire a private firm to provide these firefighting services?**

A: Our airport does not currently pay for firefighting services in an actual cash outlay. The Airport Joint-Use Agreement (AJUA) defines the operational relationship of a joint use military-civil airfield. Our AJUA specifically states that the Air National Guard will meet DCRA's Aircraft Rescue and Fire Fighting (ARFF) requirements. Any private ARFF service brought in to supplement the ANG ARFF would come at direct and substantial cost to DCRA, a cost that does not currently exist. Additionally, given the ANG's flight mission and their own requirement for ARFF services, hiring a private ARFF company would essentially double the firefighting resources at DCRA. This means there would be twice the amount of vehicles, equipment, and most notably, AFFF firefighting foam containing PFAS, whose use is mandated by the FAA here on the airfield.

**Q5: Can the construction around the PFAS plumes on airport and Truax property disturb contaminated soil and hasten the spread of PFAS in groundwater, surface water, and into public sewer systems? How can you safeguard against the spread of these hazards?**

A: According to ANG officials speaking at the public information session held on 8/4/21, for current and forecasted Truax construction projects, the sites have been extensively sampled and closely evaluated during the design phase. At this time, construction activities are not projected to reach the current groundwater level. The 115<sup>th</sup> Fighter Wing (FW) has developed an extensive material management plan in coordination with the DNR. Both the DNR and the 115<sup>th</sup> FW have concluded that due to the moderate digging on the construction sites, the implementation of stormwater control measures, shallow excavation, and limited soil exposure, there is no anticipated impacts to the spread and transportation of PFAS at the construction sites.

**Q6: What contracts have been awarded for major construction at the airport and Truax? What contracts for construction are pending at this time?**

A: The County has two active contracts for construction right now: one is for the West Ramp renovation for concrete replacement, the other is for our South Terminal Expansion. Both projects are occurring over existing pavement that is at least 48" and will have minimal impact on the soil underneath. According to ANG officials speaking at the public information session held on 8/4/21, the 115<sup>th</sup> FW has five active construction projects right now. The majority of these projects are either being performed by – or

having significant contributions from – local companies. Four more construction projects are expected to be awarded by September 2021.

**Q7: Which consulting firm was awarded the contract for the site investigation? Does this firm have experience with PFAS investigation and Remediation?**

A: According to ANG officials speaking at the public information session held on 8/4/21, the Army Corps of Engineers performed a federally-driven, best-value source selection process with special attention to the firm's technical capabilities and requirements for the project. EA Engineering, Science, and Technology, Inc, of Lincoln, Nebraska was awarded this project. They have 25 offices nation-wide and have been found to be the best contractor to perform this work based on their experience.

**Q8: When are you expecting the firm's work plan to be filed?**

A: According to ANG officials speaking at the public information session held on 8/4/21, once the plans receive final approval from the contractor and the National Guard Bureau, the work plans will be filed with the DNR this fall. This deadline has been coordinate with, and approved by, the DNR.

**Q9: How far from the airport has the groundwater been tested to determine the extent of PFAS contamination?**

A: At this point, the airport's consultant has sampled groundwater in the former firefighting training areas as well as what they've detected in the stormwater system that may be coming from groundwater. According to ANG officials speaking at the public information session held on 8/4/21, investigation of the groundwater impacts will now continue through the RI process. By the nature of the RI process, the RI will determine the extent of groundwater impacted from ANG sources, and will provide the basis to proceed through the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) process.

**Q10: What testing has the airport conducted on private wells in Dane County to determine the extent of PFAS contamination? Has the airport contacted people who have private wells near the airport?**

A: The ANG is taking the lead on testing area wells as part of their investigative process. We will continue to work with them as their RI evolves.

**Q11: Has there been testing conducted on sediments or fish of Starkweather Creek and the Madison chain of lakes to determine the extent of PFAS contamination?**

A: The airport's priority is to reduce discharges to the creek from the stormwater system and we're actively working towards that goal through the interim actions previously mentioned. That process is currently well underway. The DNR has led the fish sampling process. The results of that sampling is publically available through the DNR website, which is linked from the DCRA PFAS web page.

**Q12: Have the people fishing in Starkweather Creek and the Madison chain of lakes been contacted to inform them of potential PFAS exposure due fish consumption?**

A: The three responsible parties, Dane County, the city of Madison, and the ANG worked together to address the need to inform the public about risks originating from Starkweather Creek. We developed signs that were approved by the DNR, which were then posted in locations recommended by the DNR that creates a warning system to the public. Additionally, Public Health Madison Dane County sent letters to those residing in the area and held two public meetings on this subject. The letter can be found [here](#) and a recording of the meeting can be found [here](#).

**Q13: When does the airport expect to determine the full extent of contamination in groundwater and the Madison chain of lakes due to PFAS released from the airport?**

A: The airport and its partners are in the process of investigating the nature and extent of contamination originating from the airport. It is the DNR's role to identify all sources of contamination that are impacting Madison's chain of lakes, and we trust that that process is moving forward.

**Q14: In Marinette and Peshtigo, Tyco Fire Protection have proposed a groundwater extraction and treatment system to remove contamination from affected wells and soil. At a recent Airport Commission meeting, it was reported that it could take up to 13 years before we would see any remediation in place at the airport. Why is it taking so long for the airport to investigate and remediate its PFAS contamination?**

A: The 13-year timeframe is based on an estimate for completing the CERCLA process for implementing a remedial action. As the ANG has previously stated, the process may take longer once a remedial solution is implemented. There are also remediation activities currently underway at the airport, most notably the interim action to reduce discharges coming from the stormwater system, as well as the ongoing use of the BAM mitigation technology to reduce PFAS concentrations in the stormwater.

**Q15: How effective will the proposed remedial strategies be unless these ongoing sources and plumes are delineated and remediated?**

A: It will only be effective if the process is based on sound science. The investigation process that is underway – and will continue – will define the nature, extent, and characteristics of the contamination at the airport, and will guide what has to be done for remediation. That information is essential for developing a scientifically sound, effective, and a long-term sustainable remediation solution. It is also worth noting that many operational changes have been made to reduce the spread of PFAS into the environment, such as reserving the use of AFFF foam for only true, real-world emergencies and prohibiting its use for testing equipment or training purposes. Further, when the foam is required for an emergency, the emergency scene and surrounding area is contained and treated similar to that of a hazardous material spill.

**Q16: During the current investigation and remediation of the PFAS contamination at the airport, is it spreading further in our groundwater and chain of lakes?**

A: Except for discharge through the stormwater system, we do not yet have sufficient information to determine if, or how, PFAS contamination is migrating. This is one reason why a thorough testing and investigation process is essential to creating an effective mitigation plan.

**Q17: There are numerous lawsuits around the country against entities that have caused PFAS contamination. Why has the airport not been the subject of a lawsuit?**

A: This question seeks speculation about the intentions of others and, therefore, cannot be directly answered by the Airport. The Airport and its partners have (and will continue) to respond to the PFAS contamination originating from the Airport property under, and in accordance with, the direction of the Wisconsin Department of Natural Resources.

**Q18: If the airport were subject to a lawsuit regarding investigation and remediation of PFAS contamination, would that speed up the process?**

A: The Airport and its partners are using legally-established, science-based processes to investigate and remediate the contamination, under and in accordance with the direction of the Wisconsin Department of Natural Resources. Those processes take time. In the meantime, we are also employing and further investigating mitigation technologies and taking interim actions to reduce PFAS concentrations at the Airport.

**Q19: In the summer of 2019, the airport submitted an Environmental Assessment (EA) to the FAA for the MG&E solar project at the Dane County Regional Airport. For all questions on the EA form related to environmental impacts (potential use of contaminated land, impacts to waters, etc.), "No" was checked. The solar project area overlaps with a parcel of land where waste soils from the airport, including soils from the Darwin burn pit area, were hauled in the past. The Darwin burn pit area has known contaminants, such as PFAS, chlorinated solvents, petroleum compounds, metals, and more. Given this, can you provide evidence that the solar project area is not contaminated with PFAS and/or other hazardous contaminants?**

A: All work done on the Airport, including the solar project, is done under the direction of controlling authorities and in accordance with the applicable legal standards.

**Q20: In April and May 2021, DCRA's lessee, FedEx, discharged 9-million gallons of PFAS-contaminated water into the airport stormwater drains, leading to levels in Starkweather Creek well above the standards DNR set in their dewatering permit. FedEx did not report these violations to the DNR within 24 hours of becoming aware of them. As the lead permittee and responsible party on the airport's WPDES stormwater permit, was DCRA aware of these violations by its tenant? If so, what did it do to address them?**

A: Neither the DNR nor any other governmental agency has notified DCRA of any violation of any permit issued with respect to construction of the FedEx air cargo facility at DCRA.

**Q21: At one of the Air National Guard's construction sites, PFOS of up to 48,000 ng/L (ppt) and 2,100 ppt PFOA were found in shallow groundwater. Despite the DNR's project approval, do county officials and DCRA agree that it is acceptable to allow these ongoing sources of PFAS to the stormwater system and the Starkweather Creek remain in place?**

A: The interim action plans approved by DNR and currently in progress are designed to reduce PFAS concentrations entering the stormwater system and Starkweather Creek.

**Q22: Related to the above, will the county use its illicit discharge ordinance to penalize the ANG, FedEx, other airport tenants for ongoing discharges of PFAS and other pollutants into the airport stormwater systems, per its responsibilities and authorities under its DNR Wisconsin Pollutant Discharge Elimination System (WPDES) Municipal Separate Storm Sewer System (MS4) permit?**

A: Consistent with the objectives of an illicit discharge elimination program, all named parties have, or are taking actions to, reduce or remove contamination from the airport stormwater system, including implementation of the DNR-approved interim action plan.

**Q23: The DNR regulates the discharge of pollutants to waters of the state through the WPDES program. Its Stormwater Program regulates stormwater discharges from construction sites, industrial facilities, and municipalities through MS4 permits. Dane County has such a permit but does not have an illicit discharge ordinance required by it. Such an ordinance would give it the authority to penalize entities that discharge PFAS and other pollutants into its stormwater system. Will the County use an illicit discharge ordinance in the current PFAS remediation process to expedite cleanup?**

A: Decisions about application of the illicit discharge ordinance, when adopted, will be made by appropriate officials.