

From: [Jeffrey Longsworth](#)
To: [Acklam, Nicholas \(ECY\)](#)
Cc: [Schmidt, Jeremy \(ECY\)](#); [Anderson, Ivy \(ATG\)](#); [Larry Krauter](#); bwerst@spokaneairports.net; lsmithson@spokanecity.org; canderson@spokanecounty.org
Subject: Confidential settlement discussion correspondence from Spokane International Airport
Date: Monday, August 7, 2023 5:04:21 PM
Attachments: [image001.png](#)
[2023-08-07 Respose to N. Acklam from to 7-6-23 Correspondence.pdf](#)
[A - DOE Investigation Report 05-12-2023.pdf](#)
[B - Spokesman Review 06-05-2023.pdf](#)
[C - BP BSP 06-29-2023.pdf](#)
[D - McF BSP 07-06-2023.pdf](#)
[E - DOE Website for Airport.pdf](#)
[F - SIA 2023 Land Treat Site Mgmt Plan.pdf](#)

Mr. Acklam,

On behalf of the Spokane International Airport, I have attached an initial response to the “Early Notice of Release of Hazardous Substances and Preliminary Determination of Liability for Release” issued to the Airport by the Department of Ecology. Please let me know if you have any questions and would like to set up a meeting to discuss these matters further to find collaborative solutions. Best, Jeffrey Longsworth, Special Environmental Counsel to SIA.

Jeffrey S. Longsworth, Partner | Earth & Water Law

1455 Pennsylvania Ave., NW, Suite 400, Washington, DC 20004
(202) 280-6362 (o) | (301) 807-9685 (c) | www.earthandwatergroup.com



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Confidential Settlement Discussion Correspondence

August 7, 2023

Mr. Nicholas Acklam
Section Manager
Toxics Cleanup Program, Eastern Regional Office
Washington Department of Ecology
Email: Nicholas.acklam@ecy.wa.gov

RE: Spokane International Airport Initial Response to the “Early Notice of Release of Hazardous Substances and Preliminary Determination of Liability for Release”

Dear Mr. Acklam:

I am the special environmental counsel to the Spokane International Airport (SIA or Airport). SIA disputes that the Washington Department of Ecology (Ecology) can confirm that any release of hazardous substances, as set forth in your July 6, 2023 correspondence, can be proved based on the information that you set forth in that correspondence. As a result, SIA requests that you retract your July 6 correspondence and remove the March 30, 2023 “toxics” listing of the Airport on the State’s website and the Spokane International Airport PFAS site listing.¹ In the alternative, the Airport welcomes a meeting with you related to the U.S. Military’s and the Airport’s mandated use of aqueous film forming foam (AFFF).

As explained further below, the Airport asserts the following problems or limitations associated with your findings in your July 6 correspondence, including: the source of the information is not known or its reliability cannot be proven; a week prior to your finding SIA had submitted a request for public records pursuant to chapter 42.56 RCW for related information that will not be answered by Ecology until late August at the earliest; nobody from Ecology has ever contacted the Airport about any past information collection efforts or to confirm any information in Ecology’s possession; the data you relied upon are incomplete; and Ecology is not in a position to “confirm” anything without more effort than what has occurred to date.

¹ <https://apps.ecology.wa.gov/cleanupsearch/site/16774> ;
<https://apps.ecology.wa.gov/facilitysite/FacilitySite/FacilitySiteReport/6332493>

SIA holds an operating certificate issued by the Federal Aviation Administration as a Class I commercial service airport under 14 CFR Part 139. Under these regulations the federal government mandated that Part 139 airports across the country spray AFFF containing PFAS on the ground during training exercises, to calibrate their firefighting equipment, during FAA inspections, and obviously during emergencies. Neither the federal government nor the manufacturers ever warned the airport industry, let alone SIA, that performing those functions for the past 40+ years could possibly (but not in all cases) cause significant contamination risk to the environment, airport employees, and others. The same has been true for the U.S. Military, as has been demonstrated and proven at Fairchild Air Force Base, upgradient from SIA. The wide-spread usage and disposal of PFAS-containing apart from but nearby airports also complicates source identification.

Your July 6 correspondence does not mention the source of the information other than it was received through the Environmental Report Tracking System “complaint.” The website merely references a “third party” that obtained information through a public records request. You have not provided any foundation or information that would support the reliability of this third-party complaint or its completeness. In your correspondence, you identify three older (2017-2019) reports that contain some monitoring results for PFAS. The website indicates that Ecology conducted an initial investigation to confirm that SIA had released hazardous substances to the environment.

During that “investigation,” nobody from Ecology ever contacted the Airport to confirm any data, whether additional data existed, the purpose for the monitoring activities, or any relevant and important information that the Airport ought to be able to provide before Ecology arbitrarily lists the Airport on its website. Furthermore, the investigation report identifies no inspection was conducted (Attachment A). The “investigation” merely restates that monitoring was conducted that found PFAS. Whose PFAS? Ecology jumps to the conclusion that it was the Airport’s PFAS, despite the nearby location of Fairchild AFB, the military use of PFAS at or near the Airport, other known or suspected sources of PFAS immediately adjacent to the Airport, etc. That is not an “investigation” but rather an arbitrary and capricious conclusion without appropriate foundation or evidence.

As you know, Ecology operates under a “Quality Management Plan” related to data quality. The most recent plan is from 2020.² That plan states that:

The ultimate purpose of the Quality Management Plan is to ensure, to the extent possible, that data generated by Ecology *or submitted to Ecology* are of known quality and usable for intended purposes. To this end, the Ecology quality system touches many aspects of agency operations including:

- Project planning (QAPPs).
- Document development (SOPs and reports), document control, and document standardization.
- Internal laboratory operations.
- Laboratory accreditation.

² <https://apps.ecology.wa.gov/publications/documents/2003014.pdf>

- *Data management and independent data validation.*
- Field sampling and analytical procedures, field auditing, and field proficiency.
- Other activities as appropriate.

Ecology's "investigation" does not seem to have followed its Quality Management Plan principles. Further, in addition to the public records request that SIA submitted to Ecology before your letter was received, it has identified additional data that help to provide insight that should have been reviewed by Ecology during its "investigation" and before it "confirmed" that the Airport released hazardous substances. Once it receives responsive information from Ecology – currently estimated to be available perhaps by the end of this month – SIA would welcome a meeting with Ecology to discuss its PFAS data and how to move forward with Ecology in a collaborative approach, not unnecessary threats of enforcement and litigation. The Airport can explain the available data, the purpose for their collection, and what we believe the results tell us. The Airport is conducting additional activities to better understand the impacts that could have resulted from the federal government's (and State's) mandates related to AFFF activities. SIA believes that Ecology owes the Airport such an opportunity to meet before it is listed on Ecology's website or formally regulated in ways that are inconsistent with or counter to how commercial airports operate and provide critical public services.

In addition to Ecology deviating from its own prescribed process, it is important to point out further inconsistencies in which and how Ecology determined its findings:

The investigation report dated May 12, 2023, identifies that an "Early Notice Letter need(s) to be sent" (Attachment A). The first time the Airport heard that an investigation for PFAS was being conducted was reading it in the Spokesman Review on June 5, 2023 (Attachment B).

The second correspondence indicating "known PFAS contamination" on Airport property was through a land segregation (Business Park Binding Site Plan) review. A letter dated June 29, 2023 (Attachment C) was addressed to an Assistance Planner at the City of Spokane and highlighted a Toxics Cleanup Program. The letter contains multiple instances in which Ecology engages in pure speculation without any facts to support such actions. We believe that these reckless statements by Ecology have removed all economically beneficial use of this property and may constitute a taking of the subject property that the Airport was seeking to sell.

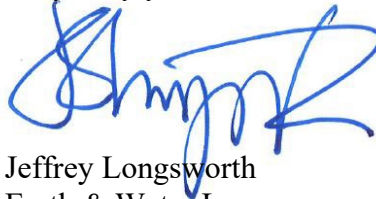
The third correspondence indicating "significant PFAS contamination" was through another land segregation (McFarlane Binding Site Plan) review. A letter dated July 6, 2023 (Attachment D) was address to the Director of Planning and Engineering at the Airport and states "If contamination is found on the subject parcel, current and future owners may be liable for remedial actions to address the associated contamination. Should field screening or sampling data indicate a release has occurred or is present at the subject parcel it must be reported to Ecology in accordance with WAC 173-340-300." There is absolutely no evidence that Ecology has from the Airport that its land is contaminated by PFAS at this location or even by what source such contamination could originate even if it is found to be present and this also constitutes a potential taking of another parcel of land that the Airport is actively trying to sell.

The Ecology's website identifies an individual page for the "Spokane International Airport PFAS" regarding "Groundwater Contamination Confirmed...". Under that web link, and as of August 7, 2023, Ecology has posted "relevant" technical reports associated with the Ecology's findings. One of the documents Ecology references is a report titled "Spokane International Airport PFAS – 2023 Land Treatment Site Management Plan (Attachment E)". Please note that this is NOT the correct title to the report and is NOT associated to PFAS. Hopefully this was made in error and not a manipulation of a document by Ecology to fit its current predetermined and aggressively punitive narrative and approach regarding the Airport. The correct title of the report is "Spokane International Airport - 2023 Land Treatment Site Management" (Attachment F) and is associated to reporting required under the Ecology's Permit By Rule (Permit No. ST0045499) for spent aircraft deicing fluids collected from airlines and cargo operators when applied during freezing or near freezing conditions which is required by the Federal Aviation Administration.

In closing, the Airport takes its role in providing public services and its responsibilities to the local community very seriously. Unnecessary and unfounded negative actions against it can damage its reputation and community role as well as harm the Airport economically. Ecology's "investigation" and arbitrary conclusions and public statements and other public actions taken to date in this case also have negative impacts that could have been avoided and should be avoided from this point forward. The Airport would like to reverse that course and enter into a more collaborative relationship with Ecology that can serve both parties' interests and obligations. SIA respectfully requests that Ecology remove the SIA-related PFAS information from its website until the parties have had a chance to meet face-to-face as well as to refrain from making any further damaging public statements either to the media or as well as to other public and private parties engaged in the subdivision and sale of Airport property.

If you have any questions, please contact the undersigned.

Very truly yours,



Jeffrey Longworth
Earth & Water Law

Jeffrey.longworth@earthandwatergroup.com
(301) 807-9685

Attachments:

- A – Ecology Investigation Report, dated May 12, 2023
- B – Spokesman Review Newspaper Article, dated June 5, 2023
- C – Letter from Ecology to the City of Spokane, dated June 29, 2023
- D – Letter from Ecology to the Airport, dated July 6, 2023
- E – Ecology Website, as of August 7, 2023
- F – Spokane International Airport – 2023 Land Treatment Site Management Plan

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August 7, 2023
Confidential & Privileged

Cc: Jeremy Schmidt, Ecology, JESC461@ECY.WA.GOV
Ivy Anderson, Office of Attorney General, General-ivy.anderson@atg.wa.gov
Larry Krauter, SIA, lkrauter@spokaneairports.net
Brian Werst, SIA, bwerst@spokaneairports.net
Lyndon Smithson, City of Spokane, lsmithson@spokanecity.org
Chris Anderson, Spokane County, canderson@spokanecounty.org



INITIAL INVESTIGATION FIELD REPORT

Check this box if you have attached any documents to this form (using the paperclip icon on the left).

ERTS #(s): 721785
 Parcel #(s):
 County: Spokane
 FSID #: 6332493
 CSID #: 16774
 UST #:

SITE INFORMATION

<u>Site Name (Name over door):</u> Spokane International Airport	<u>Site Address (including City, State and Zip):</u> 9000 West Airport Drive Suite #204 Spokane, WA 99219	<u>Phone</u> <u>Email</u>
<u>Site Contact, Title, Business:</u>	<u>Site Contact Address (including City, State and Zip):</u>	<u>Phone</u> <u>Email</u>
<u>Site Owner, Title, Business:</u>	<u>Site Owner Address (including City, State and Zip):</u>	<u>Phone</u> <u>Email</u>
<u>Site Owner Contact, Title, Business:</u>	<u>Site Owner Contact Address (including City, State and Zip):</u>	<u>Phone</u> <u>Email</u>
<u>Previous Site Owner(s):</u>	<u>Additional Info (for any Site Information Item):</u>	
<u>Alternate Site Name(s):</u>		

Latitude (Decimal Degrees): 47.62557
 Longitude (Decimal Degrees): -117.53612

INSPECTION INFORMATION

Please check this box if there is relevant inspection information, such as data or photos, in an existing site report for this site.

Inspection Conducted? Yes No Date/Time: Entry Notice: Announced Unannounced

Photographs taken? Yes No Note: Attach photographs or upload to PIMS

Samples collected? Yes No Note: Attach record with media, location, depth, etc.

RECOMMENDATION

No Further Action (Check appropriate box below):	LIST on Confirmed and Suspected Contaminated Sites List: <input checked="" type="checkbox"/>
Release or threatened release does not pose a threat <input type="checkbox"/>	
No release or threatened release <input type="checkbox"/>	
Refer to program/agency (Name: _____) <input type="checkbox"/>	
Independent Cleanup Action Completed (contamination removed) <input type="checkbox"/>	

COMPLAINT (Brief Summary of ERTS Complaint):

As per the ERTS, "Firefighting foam has contributed to the rise in PFAS/PFOA in the water table."

CURRENT SITE STATUS (Brief Summary of why Site is recommended for Listing or NFA):

Groundwater is contaminated with PFAS/PFOA at the site. Recommend the site be placed on the Confirmed and Suspected Contaminated Sites List.

Investigator: Sara Fulton Date Submitted: 5/12/2023

OBSERVATIONS Please check this box if you included information on the Supplemental Page at end of report.

Description (If site visit made, please be sure to include the following: site observations, site features and cover, chronology of events, sources/past practices likely responsible for contamination, presence of water supply wells and other potential exposure pathways, etc.):

According to the December 12, 2017 report, two groundwater monitoring wells (MW-13 and MW-14) were installed on November 2, 2017. An existing monitoring well (MW-5) was also used to collect groundwater samples. Groundwater depths inside the wells range from 6.9 to 10.00 feet below ground surface (bgs) and flows in a northeasterly direction.

A total of three groundwater samples were taken. All three of the sample results exceed the screening level of 70 ng/L for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS).

Documents reviewed:

AECOM. Monitoring Well Installation and Groundwater Monitoring for Perfluorinated Chemicals. December 12, 2017.

CONTAMINANT GROUP	CONTAMINANT	SOIL	GROUNDWATER	SURFACE WATER	AIR	SEDIMENT	DESCRIPTION
Non-Halogenated Organics	Phenolic Compounds						Compounds containing phenols (Examples: phenol; 4-methylphenol; 2-methylphenol)
	Non-Halogenated Solvents						Organic solvents, typically volatile or semi-volatile, not containing any halogens. To determine if a product has halogens, search HSDB (http://toxnet.nlm.nih.gov/cgi-bin/sis/htmlgen?HSDB) and look at the Chemical/Physical Properties, and Molecular Formula. If there is not a Cl, I, Br, F in the formula, it's not halogenated. (Examples: acetone, benzene, toluene, xylenes, methyl ethyl ketone, ethyl acetate, methanol, ethanol, isopropanol, formic acid, acetic acid, stoddard solvent, Naptha). Use this when <i>TEX</i> contaminants are present independently of gasoline.
	Polynuclear Aromatic Hydrocarbons (PAH)						Hydrocarbons composed of two or more benzene rings.
	Tributyltin						The main active ingredients in biocides used to control a broad spectrum of organisms. Found in antifouling marine paint, antifungal action in textiles and industrial water systems. (Examples: Tributyltin; monobutyltin; dibutyltin)
	Methyl tertiary-butyl ether						MTBE is a volatile oxygen-containing organic compound that was formerly used as a gasoline additive to promote complete combustion and help reduce air pollution.
	Benzene						Benzene
	Other Non-Halogenated Organics						TEX
	Petroleum Diesel						Petroleum Diesel
	Petroleum Gasoline						Petroleum Gasoline
	Petroleum Other						Oil-range organics
Halogenated Organics (see notes at bottom)	PBDE						Polybrominated di-phenyl ether
	Other Halogenated Organics						Other organic compounds with halogens (chlorine, fluorine, bromine, iodine). search HSDB (http://toxnet.nlm.nih.gov/cgi-bin/sis/htmlgen?HSDB) and look at the Chemical/Physical Properties, and Molecular Formula. If there is a Cl, I, Br, F in the formula, it is halogenated. (Examples: Hexachlorobutadiene; hexachlorobenzene; pentachlorophenol)
	Halogenated solvents						PCE, chloroform, EDB, EDC, MTBE
	Polychlorinated Biphenyls (PCB)						Any of a family of industrial compounds produced by chlorination of biphenyl, noted primarily as an environmental pollutant that accumulates in animal tissue with resultant pathogenic and teratogenic effects
	Dioxin/dibenzofuran compounds (see notes at bottom)						A family of more than 70 compounds of chlorinated dioxins or furans. (Examples: Dioxin; Furan; Dioxin TEQ; PCDD; PCDF; TCDD; TCDF; OCDD; OCDF). Do not use for 'dibenzofuran', which is a non-chlorinated compound that is detected using the semivolatiles organics analysis 8270
Metals	Metals - Other						Cr, Se, Ag, Ba, Cd
	Lead						Lead
	Mercury						Mercury
	Arsenic						Arsenic
Pesticides	Non-halogenated pesticides						Pesticides without halogens (Examples: parathion, malathion, diazinon, phosmet, carbaryl (sevin), fenoxycarb, aldicarb)
	Halogenated pesticides						Pesticides with halogens (Examples: DDT; DDE; Chlordane; Heptachlor; alpha-beta and delta BHC; Aldrin; Endosulfan, dieldrin, endrin)

CONTAMINANT GROUP	CONTAMINANT	SOIL	GROUNDWATER	SURFACE WATER	AIR	SEDIMENT	DESCRIPTION
Other Contaminants	Radioactive Wastes						Wastes that emit more than background levels of radiation.
	Conventional Contaminants, Organic						Unspecified organic matter that imposes an oxygen demand during its decomposition (Example: Total Organic Carbon)
	Conventional Contaminants, Inorganic						Non-metallic inorganic substances or indicator parameters that may indicate the existence of contamination if present at unusual levels (Examples: Sulfides, ammonia)
	Asbestos						All forms of Asbestos. Asbestos fibers have been used in products such as building materials, friction products and heat-resistant materials.
	Other Deleterious Substances						Other contaminants or substances that cause subtle or unexpected harm to sediments (Examples: Wood debris; garbage (e.g., dumped in sediments))
	Benthic Failures						Failures of the benthic analysis standards from the Sediment Management Standards.
	Bioassay Failures						For sediments, a failure to meet bioassay criteria from the Sediment Management Standards. For soils, a failure to meet TEE bioassay criteria for plant, animal or soil biota toxicity.
Reactive Wastes	Unexploded Ordnance						Weapons that failed to detonate or discarded shells containing volatile material.
	Other Reactive Wastes						Other Reactive Wastes (Examples: phosphorous, lithium metal, sodium metal)
	Corrosive Wastes						Corrosive wastes are acidic or alkaline (basic) wastes that can readily corrode or dissolve materials they come into contact with. Wastes that are highly corrosive as defined by the Dangerous Waste Regulation (WAC 173-303-090(6)). (Examples: Hydrochloric acid; sulfuric acid; caustic soda)

(fill in contaminant matrix above with appropriate status choice from the key below the table)

Status choices for contaminants	
Contaminant Status	Definition
B— Below Cleanup Levels (Confirmed)	The contaminant was tested and found to be below cleanup levels. (Generally, we would not enter each and every contaminant that was tested; for example if an SVOC analysis was done we would not enter each SVOC with a status of "below". We would use this for contaminants that were believed likely to be present but were found to be below standards when tested)
S— Suspected	The contaminant is suspected to be present; based on some knowledge about the history of the site, knowledge of regional contaminants, or based on other contaminants known to be present
C— Confirmed Above Cleanup Levels	The contaminant is confirmed to be present above any cleanup level. For example—above MTCA method A, B, or C; above Sediment Quality Standards; or above a presumed site-specific cleanup level (such as human health criteria for a sediment contaminant).
RA— Remediated - Above	The contaminant was remediated, but remains on site above the cleanup standards (for example—capped area).
RB— Remediated - Below	The contaminant was remediated, and no area of the site contains this contaminant above cleanup standards (for example— complete removal of contaminated soils).

Halogenated chemicals and solvents: Any chemical compound with chloro, bromo, iodo or fluoro is halogenated; those with eight or fewer carbons are generally solvents (e.g. halogenated methane, ethane, propane, butane, pentane, hexane, heptane or octane) and may also be used for or registered as pesticides or fumigants. Most are dangerous wastes, either listed or categorical. Organic compounds with more carbons are almost always halogenated pesticides or a contaminant or derivative. Referral to the HSDB is recommended if you are unfamiliar with a chemical name or compound, as it contains useful information about synonyms, uses, trade names, waste codes, and other regulatory information about most toxic or potentially toxic chemicals.

Dibenzodioxins and dibenzofurans are normalized to a combined equivalent toxicity based on 2,3,7,8-tetrachloro-p-dibenzodioxin as set out in WAC 173-340-708(8)(d) and in the Evaluating the Toxicity and Assessing the Carcinogenic Risk of Environmental Mixtures using Toxicity Equivalency Factors Focus Sheet (<https://fortress.wa.gov/ecy/clarc/FocusSheets/tef.pdf>). Results may be reported as individual compounds and isomers (usually lab results), or as a toxic equivalency value (reports).

FOR ECOLOGY II REVIEWER USE ONLY (For Listing Sites):

How did the Site come to be known: Site Discovery (received a report): 3/30/2023 (Date Report Received)
 ERTS Complaint
 Other (please explain): _____

Does an Early Notice Letter need to be sent: Yes No

If No, please explain why: _____

NAICS Code (if known): _____

Otherwise, briefly explain how property is/was used (i.e., gas station, dry cleaner, paint shop, vacant land, etc.):

Site Unit(s) to be created (Unit Type): Upland (includes VCP & LUST) Sediment

If multiple Units needed, please explain why: _____

Cleanup Process Type (for the Unit): No Process Independent Action
 Voluntary Cleanup Program Ecology-supervised or conducted
 Federal-supervised or conducted

Site Status: Awaiting Cleanup Construction Complete – Performance Monitoring **Model Remedy Used?**
 Cleanup Started Cleanup Complete – Active O&M/Monitoring **If yes, was this a**
 No Further Action Required **transformer spill?**

Site Manager (Default: _____): _____

Specific confirmed contaminants include:

PFAS/PFOA Suspected in Soil

PFAS/PFOA in Groundwater

_____ in Other (specify matrix: _____)

Facility/Site ID No. (if known):

6332493

Cleanup Site ID No. (if known):

16774

COUNTY ASSESSOR INFO: Please attach to this report a copy of the tax parcel/ownership information for each parcel associated with the site, as well as a parcel map illustrating the parcel boundary and location.

Additional or Supplemental Information from Observations Page

THE SPOKESMAN-REVIEW

Washington Idaho

NEWS > WASHINGTON

West Plains development authority drops plan for massive stormwater project, citing high costs and complexity

Mon., June 5, 2023



Ducks float in a field next to new homes on the West Plains in this March 2022 photo. Stormwater treatment and runoff will be in the hands of new developers in the area. (Jesse Tinsley/The Spokesman-Review) [Buy this photo](#)

		
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By Kip Hill 
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(509) 459-5429

Decision-makers behind the push for public development on the West Plains are backing away from a plan to construct a massive stormwater infrastructure project that includes underground pipes, citing high costs and an inability to manage such a complex system.

“It’s a business decision, pretty much,” said Rick Romero, the former Spokane utilities director who is serving as interim executive director of S3R3 Solutions, the public development authority on the West Plains. “What was going to be a stretch for a 5-year-old entity, isn’t something that we’re going to be able to bite off and do.”

The idea, developed over several years by consultants working with the development authority, would be to treat runoff using roadside swales, underground pipes and several treatment facilities within the authority’s roughly 15-square-mile boundary. But members of the authority’s board, which include representatives from the city of Spokane, Spokane County and the Spokane International Airport, say costs to build have skyrocketed since planning began and that the same goals could be met by requiring developers to incorporate stormwater treatment methods in their building plans.

“We would have had to create a whole extra government,” said Spokane City Council President Breean Beggs, who serves on the development authority’s board. “Once it became clear, engineering-wise, what you would have to do, it was way beyond the means of our little public development authority.”

The organization was formed in 2017 as a means of promoting industrial and commercial development near the airport and to avoid land squabbles between the city and the county over tax revenue. A portion of the taxes raised within the boundaries are used to build infrastructure and promote development within the boundaries.

The authority can also receive money from other governments, including the infusion of \$2 million in COVID-19 relief spending from Spokane County. That money will be better spent on water, sewer and road projects on the West Plains, said County Commissioner Al French, who also sits on the authority’s board.

“The pricing of that system was exorbitant, and it wasn’t something that could happen in a short time,” French said. “We are looking at if there are other priorities, or other activities, that can generate a more immediate benefit.”

Instead, developers will be asked to come up with site-specific plans for how they will treat stormwater that seeps back into the underground channels that exist on the West Plains and

eventually flow into the Spokane River.

“Rather than trying to attack this with, kind of what I call big pipes and big tanks, we can say, let’s look at the opportunities that each site presents,” Romero said.

Residents of the area also asked board members to study whether pooling stormwater in an area known to possess contaminants, including the family of chemicals known as per- and polyfluoralkyl substances, or PFAS, would cause pollutants to seep into private wells on the plains. PFAS, under investigation by [the Environmental Protection Agency for its possible harmful health effects](#), has been [discovered in private wells and the municipal water system for Airway Heights after testing on Fairchild Air Force Base revealed the chemical in 2017](#). [It is believed to be tied to firefighting foam that was used in operations on the base for years. The Washington Ecology Department is now investigating contamination found in monitoring wells at the airport.](#)

French said the concerns raised by the neighbors played into the decision.

“I think there’s some legitimacy to that concern,” he said. “That’s just one factor. It wasn’t the driving factor, but it was a contributing factor.”

Beggs also spoke with residents in the area after they raised concerns at public meetings of the development authority board.

“This direction that we’re going should give them some relief,” he said. “The (public development authority) is not going to do anything to solve their water problems, but we’re not going to add to it.”

Others testifying at recent public meetings included residents of the West Terrace area south of the airport, who have been plagued by flooding and other runoff problems. Spokane County is continuing with its \$5.5 million stormwater project in that area, which is intended to bury pipes that will carry runoff away from the neighborhood. Those plans are unaffected by the development authority’s course change, French said.

Both French and Romero defended the findings of consultant studies on groundwater on the West Plains, even if they didn’t result in building a unified stormwater system.

“Now we have more information, and more wisdom, on how to address the issues,” French said. “We will still be able to benefit from the research done in the study.”

The development authority next meets on Thursday, when they are expected to discuss projects that could use the \$2 million in COVID-19 funding originally intended for the stormwater project, Romero said.

THE SPOKESMAN-REVIEW

Local journalism is essential.

Give directly to The Spokesman-Review's Northwest Passages community forums series -- which helps to offset the costs of several reporter and editor positions at the newspaper -- by using the easy options below. Gifts processed in this system are not tax deductible, but are predominately used to help meet the local financial requirements needed to receive national matching-grant funds.



Shawn Vestal

Shawn Vestal, our resident news columnist, has held officials accountable for their misdeeds and celebrated citizens who have risen to the occasion. His work has inspired some to take action, and others to fire off letters to the editor.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Eastern Region Office

4601 North Monroe St., Spokane, WA 99205-1295 • 509-329-3400

June 29, 2023

Tavis Schmidt
Assistant Planner II
City of Spokane Planning & Development
808 W. Spokane Falls Blvd
Spokane, WA 99201

Re: SIA Business Park Preliminary Binding Site Plan
File: Z23-254PBSP

Dear Tavis Schmidt:

Thank you for the opportunity to comment on the SIA Business Park Preliminary Binding Site Plan project (Proponent: Airport Board/City of Spokane/Spokane County). After reviewing the documents, the Department of Ecology (Ecology) submits the following comments:

Toxics Cleanup Program

Subject parcel 25335.0503, addressed as 8125 W. Pilot Dr., is located within approximately 2,000 feet of known PFAS contamination in groundwater; however, the current extent of contamination is unknown. The contamination in groundwater is known to be located on adjacent parcel 25286.1201 and has not been delineated, nor have source areas been identified. Subject parcel 25335.0503 may also be located downgradient of potential PFAS source areas. If contamination is found on the subject parcel, current and future owners and/or operators may be liable for remedial actions to address the associated contamination.

For more information or technical assistance, please contact Jeremy Schmidt, Site Manager, at (509) 724-1164 or via email at jeremy.schmidt@ecy.wa.gov.

State Environmental Policy Act (SEPA)

Ecology bases comments upon information submitted for review. As such, comments made do not constitute an exhaustive list of the various authorizations you may need to obtain, nor legal requirements you may need to fulfill in order to carry out the proposed action. Applicants should remain in touch with their Local Responsible Officials or Planners for additional guidance.

For information on the SEPA Process, please contact Cindy Anderson at (509) 655-1541 or via email at Cindy.Anderson@ecy.wa.gov.

ATTACHMENT C

Tavis Schmidt
March 15, 2023
Page 2

To receive more guidance on or to respond to the comments made by Ecology, please contact the appropriate staff listed above at the phone number or email provided.

Department of Ecology
Eastern Regional Office
(Ecology File: 202302983)

Ec: Lisa Corcoran, Spokane Airport Board
Jeremy Schmidt, Site Manager, Ecology



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Eastern Region Office

4601 North Monroe St., Spokane, WA 99205-1295 • 509-329-3400

July 6, 2023

Lisa Corcoran
Director
Planning & Engineering Department
Spokane International Airport
9000 W. Airport Dr., Suite 204
Spokane, WA 99224

Re: McFarlane Binding Site Plan
File: 19-43-9999-019

Dear Lisa Corcoran:

Thank you for the opportunity to comment on the Determination of Nonsignificance regarding the McFarlane Binding Site Plan project (Proponent: Spokane Airport Board). After reviewing the documents, the Department of Ecology (Ecology) submits the following comments:

Toxics Cleanup Program

Subject parcel 15365.1101, addressed as 10921 W. McFarlane Rd, is located in between two known contaminated cleanup projects (Fairchild Air Force Base – FSID 112 and the Spokane International Airport – FSID 6332493) with significant PFAS contamination in groundwater. The current extent of contamination is unknown. The PFAS contamination in groundwater is known to be located on multiple parcels in the vicinity of the subject parcel and has not been delineated, nor have source areas been identified. If contamination is found on the subject parcel, current and future owners may be liable for remedial actions to address the associated contamination. Should field screening or sampling data indicate a release has occurred or is present at the subject parcel it must be reported to Ecology in accordance with WAC 173-340-300.

For more information or technical assistance, please contact Nick Acklam at (360) 628-1977 or via email at nicholas.acklam@ecy.wa.gov.

State Environmental Policy Act (SEPA)

Ecology bases comments upon information submitted for review. As such, comments made do not constitute an exhaustive list of the various authorizations you may need to obtain, nor legal requirements you may need to fulfill in order to carry out the proposed action. Applicants should remain in touch with their Local Responsible Officials or Planners for additional guidance.

ATTACHMENT D

Lisa Corcoran

July 6, 2023

Page 2

For information on the SEPA Process, please contact Cindy Anderson at (509) 655-1541 or via email at Cindy.Anderson@ecy.wa.gov.

To receive more guidance on or to respond to the comments made by Ecology, please contact the appropriate staff listed above at the phone number or email provided.

Department of Ecology
Eastern Regional Office
(Ecology File: 202303073)

Spokane International Airport PFAS

 **9000 W AIRPORT DR**
SPOKANE, Spokane County

Facility Site ID:

6332493

Cleanup Site ID:

16774

Site Status

Awaiting Cleanup

Site Details

[Download Site Report](#)

[View documents](#) 6

[View contaminants](#) 1

Contacts

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Eastern Regional Office
[509-385-2290](tel:509-385-2290)

Related Information

- [Ecology PFAS website](#)
- [Keeping your home and family healthy: Reduce exposure to PFAS \(Ecology Publication 20-04-043\)](#)
- [Washington Department of Health PFAS webpage](#)
- [EPA PFAS website](#)

More about cleanup

- [Cleanup comment periods and events](#)
- [Terms and acronyms](#)
- [The cleanup process](#)
- [Contaminated sites in Washington](#)

Groundwater Contamination Confirmed In Three Wells In 2017

In October 2017, the Spokane International Airport hired an environmental consultant to drill two new groundwater wells in the northeast part of the airport property. In November, these wells and an existing well were sampled to determine if per- and polyfluoroalkyl substances (PFAS) were present in groundwater. [Sample results](#) for all three wells at the airport had levels of PFAS above the Environmental Protection Agency's (EPA) lifetime drinking water health advisory of 70 parts per trillion.

PFAS contamination has been identified in wells in and around the nearby [Fairchild Air Force Base](#) earlier in 2017. PFAS, a known human health hazard, are in firefighting foam used to control petroleum fires at airports and military installations.

Next Steps

Ecology received the 2017 sampling results in early 2023 from a third party who had obtained them through a public records request. Ecology completed an [initial investigation](#), and then added the airport to the Confirmed and Suspected Contaminated Sites List. We are working on identifying the parties responsible for cleanup and moving forward with a full site investigation.

We are also working with the City of Medical Lake to develop an agreement for an Area-wide Groundwater Investigation grant to evaluate PFAS contamination in the West Plains. The scope of the agreement is not final yet.

Learn more about PFAS

PFAS are known as "emerging" contaminants. State and federal health and environmental agencies are learning more about this class of chemicals and setting health limits for them. EPA is accepting comments on their [proposed PFAS rulemaking](#) through August 11, 2023.

PFAS are a group of industrial chemicals used in fire suppression foam, furniture, carpet, clothing, electronics, and building insulation.

PFAS can easily contaminate groundwater and can be hard to filter out. While people don't eat these products, we breathe in tiny bits of them that have entered the air. PFAS are found in the blood or urine of over 90 percent of Americans.

In November 2021, Ecology and the Washington Department of Health published our [PFAS Chemical Action Plan](#). The plan identifies the potential health and environmental effects of PFAS chemicals and recommends strategies to reduce or eliminate those impacts in Washington.

More information is available online:

- [Ecology PFAS website](#)
- [Keeping your home and family healthy: Reduce exposure to PFAS](#) (Ecology Publication 20-04-043)
- [Washington Department of Health PFAS webpage](#)
- [EPA PFAS website](#)

Documents 6

[Places to see print document](#)



Legal 2

Document Title	Document Date	Document Type
Early Notice of Release of Hazardous Substances and Preliminary Determination of Liability	7/6/2023	Early Notice Letter
Spokane International Airport PFAS - Early Notice of Release of Hazardous Substances and Preliminary Determination of Liability for Release	7/6/2023	Early Notice Letter

Technical Reports 4

Document Title	Document Date	Document Type
Spokane International Airport PFAS - Initial Investigation Report	5/12/2023	Initial Investigation Report
Spokane International Airport PFAS - 2023 Land Treatment Site Management Plan	1/31/2023	Site Specific Technical Document - other
Spokane International Airport PFAS - Limited Assessment of Electric Avenue Waste Deposal/ Fire Pit Training Area	4/23/2019	Groundwater Monitoring Report
Spokane International Airport PFAS - Monitoring Well Installation and Groundwater Monitoring for Perfluorinated Chemicals	12/12/2017	Site Specific Technical Document - other

i There may be more documents related to this site. To obtain documents not available electronically, you will need to make a [public records request](#).

Places to see print documents

Eastern Regional Office
 N 4601 Monroe St
 Spokane, 99205-1265
[509-329-3415](tel:509-329-3415)

Please schedule an appointment to view print documents at this location.

Contaminants 1

Contaminant Type	Soil?	Ground?	Surface Water?	Air?	Sediment?	Bedrock?
Halogenated Organics - Per- and polyfluoroalkyl substances (PFAS)?	S?	C?				

- S** Suspected
- C** Confirmed Above Cleanup Levels
- B** Below Cleanup Levels
- RA** Remediated-Above
- RB** Remediated-Below
- R** Remediated

i This contaminant list was based on our best information at the time it was entered. It may not reflect current conditions at the site.



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2023 Land Treatment Site Management Plan

**Spokane International Airport
Spokane, Washington
January 2023**

Valley Science and Engineering
12720 E Nora Avenue, Suite A
Spokane Valley, Washington 99216
Ph. (509) 921-0290
valleyirrigation.com/se



A valmont  COMPANY

2023 Land Treatment Site Management Plan Spokane International Airport – Spokane, Washington

Prepared For: Spokane International Airport
9000 W Airport Drive, Suite 204
Spokane, Washington 99224

Prepared By: Valley Science and Engineering
12720 E Nora Avenue, Suite A
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Author: Sara Rodriguez, Project Manager

Reviewed By: Daniel J. Burgard, CPSS, Principal Soil Scientist

Report Date: January 20, 2023

Project Number: 2018230022

Submitted By: 
Sara Rodriguez, Project Manager

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- Appendix B. Stormwater-Containing Glycol Land Application Log – 2022
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- Appendix D. Groundwater Field Notes and Laboratory Reports – 2022
- Appendix E. Stormwater-Containing Glycol Land Application Reporting Form – Daily Log
- Appendix F. Stormwater-Containing Glycol Sampling Field Sheet
- Appendix G. Land Treatment Site Groundwater Sampling Field Sheet

1.0 INTRODUCTION

During the months when air temperatures are at freezing or near freezing conditions, the passenger airlines and air cargo operators at the Spokane International Airport (SIA) conduct deicing of aircraft as required by Federal Aviation Regulations and each Carrier's operations specifications. Aircraft deicing is accomplished by spraying propylene glycol (glycol)-based aircraft deicing fluids onto critical aircraft surfaces. Some of the aircraft deicing fluid is retained on the aircraft and the remainder drips off onto the ground. The aircraft deicing fluid that falls to the ground can mix with stormwater, which flows to the stormwater infiltration area. As a result, SIA has implemented best management practices (BMP) to recover as much glycol as feasible to minimize the potential for groundwater contamination. In addition, SIA utilizes pavement deicers containing sodium formate, sodium acetate, and potassium acetate to melt and limit ice accumulation on paved surfaces including aprons, taxiways, and runways. These pavement deicers are also contained in the recovered stormwater-containing glycol that is stored then treated by application to a designated land treatment area on the airport property. For details on the application, collection, and storage of the stormwater-containing glycol, refer to the *2022 Glycol Recovery Best Management Practices Plan* (Valley Science and Engineering, 2022).

The collected stormwater-containing glycol, regulated under State Waste Discharge Permit by Rule Permit No. ST0045499 (Permit) (State of Washington Department of Ecology, 2020), is stored in tanks at SIA throughout the duration of the deicing season and is managed in an environmentally sound manner by controlled application to land for treatment by soil micro-organisms. The land treatment operations and application site are closely monitored in compliance with the Permit to document the continued effectiveness of this management approach.

The specific objective of this plan is to provide the actual and planned stormwater-containing glycol land treatment loads and BMP for the land treatment of the stormwater-containing glycol.

2.0 SITE DESCRIPTION

The land treatment site (Site) is an approximately 151-acre parcel containing approximately 131 farmable acres, excluding a gravel borrow area and rock outcrops (Figure 1). Historically, approximately 110 acres has been farmed with dryland crops. Based on the soils mapped at the Site and the rock outcrops, about 90 acres is available to land apply the stormwater-containing glycol. It is located in the south half of Section 30, Township 25 North, Range 42 East of the Willamette Meridian. The Site is generally bounded by Hayford Road on the west, McFarland Road on the south, and what would be West 21st Avenue on the north if it were developed. The east boundary is adjacent to the SIA Perimeter Ditch.

3.0 LAND TREATMENT

A thorough options analysis determined that the best option for treatment of the stormwater-containing glycol is land treatment (Cascade Earth Sciences, 2013). Land treatment is an efficient, sustainable, and cost effective alternative to standard mechanical-biological treatment technologies.

The benefits associated with land treatment include:

- system resiliency (e.g., land treatment systems can handle treatment upsets and short-term overloads compared to traditional mechanical-biological treatment systems), and
- zero discharge to surface water resources.

Land treatment is where the stormwater-containing glycol is treated in the soil profile by native microbes just as it would be treated in a biological treatment process. However, in this case, the stormwater-containing glycol is applied to an agricultural field at a rate that allows the soil profile to retain and treat it with little or no discharge to groundwater. Because the stormwater-containing glycol contains almost no appreciable concentrations of nutrients, such as nitrogen, the size of the land treatment system depends on the oxygen demand treatment capability of the soil.

3.1 Quality and Quantity

Operations and monitoring were conducted in compliance with the Permit. Sample analytical results and field notes for stormwater-containing glycol samples collected in 2022 are included in Appendix A and summarized in Table 1.

When stormwater-containing glycol is applied to the Site, the operator records the required information for each trip to the Site (e.g., volume, concentration, application rate, and soil type where the stormwater-containing glycol was applied). In 2022, stormwater-containing glycol was applied to soils 1, 2, and 3 as illustrated in Figure 2.

The same areas used in 2022 are planned to receive stormwater-containing glycol in 2023. The required information will be recorded and reported in the annual Land Treatment Site Management Plan, as required by the Permit. Appendix B contains the information logged by the operator during the 2022 land application activities. In 2022, 168,600 gallons of stormwater-containing glycol was applied to the Site (Table 2) from May 17 through August 9 (Appendix B).

3.2 Load

The stormwater-containing glycol must be applied at controlled rates within the capacity of the Site. In order to properly manage and document application rates, field analyses of the stormwater-containing glycol are used to calculate the load to the Site. The applications are documented by the operator (Appendix B). The laboratory analyses of the stormwater-containing glycol are used to compute the application rates for the required reporting.

Theoretical oxygen demand, chemical oxygen demand (COD), and total nitrogen loads are tabulated in Appendix B and summarized in Table 2. In 2022, 3,576,660 pounds of theoretical oxygen demand; 459,110 pounds of COD; and 31.5 pounds of total nitrogen, were applied.

No additional fertilizers were applied in 2022.

3.3 Soils

Soil sampling was conducted on April 28, 2022, prior to stormwater-containing glycol applications. Samples are collected for each of the soil types where application occurs (Soils 1, 2, and 3). The soil