

John Hancock

You've done a fine job of opening this issue to public awareness.

Airport Public Comment to Ecology JH May 6, 2024 at the HUB

I'm John Hancock, a West Plains resident since 2006, in the Fairchild PFAS Zone on Deep Creek. I'm a leader of the West Plains Water Coalition, but I speak today only for myself.

THE AIRPORT'S DISDAIN FOR ITS NEIGHBORS IS AN OUTRAGE

A thousand pages of internal PFAS communications illustrated a single strategy—dodge responsibility for contamination from firefighting foam. After the Airport's own PFAS well testing, its only considerations were legal and political. There is no record of science or health inquiries. The factual uncertainties of regulation and toxicity were treated as an opportunity to evade, not a responsibility to discuss, or protect.

Moral or ethical principles of care for neighbors have been absent from Airport management. But that's the clear and inescapable duty of the elected officials, both City and County, who own the Airport, to ensure that it operates responsibly, in service to citizens, not just passengers.

The 2-part mission of Spokane County government is **economic opportunity** and **quality of life**. It says so on the first page of its website, side by side, not as hierarchy. Airport's expansions seem unchecked since its PFAS discoveries in 2017.

Mr. French's conflicts of interest were built into his economic development fever. **He was the only leader with both knowledge and power.**

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Concurrently, he led the Commission, the Airport Board, S3R3, and the Board of the Health Department. Twice, he prevented a half-million dollar PFAS assessment grant for Dr. Pritchard's comprehensive exploration of nearby groundwater. Al's loyalty to the Airport's real estate speculation is illustrated by the Airport's first response to Ecology's cleanup order: "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 customary legal standards of conflict of interest for any boards of directors require disclosure as a first step. This ensures that other persons and systems know about the issue, establish the facts, and confirm that legitimate conflicting goals or methods are decided by additional persons or agencies.

The FAA gives the Airport an operating license, naming both requirements and opportunities. We air travelers experience uniform expectations and obligations at every airport. But SIA operates here as an independent enterprise, on properties owned by City & County. SIA is not any sort of exempted federal facility, in spite of its assertions that “we were only following orders.”

But duties to FAA don’t excuse the airport from local or state law.

The just-released opinion letter from FAA to SIA says, “In general, there is no bar on an airport using its own revenue to discharge its legal liability or to settle cases even where liability has yet to be adjudged.”

This 3-page letter says that SIA must follow local environmental requirements, on its own dime. Beyond acknowledging PFAS as the topic, FAA’s requirement for the use of AFFF is not addressed.

So far, we don’t know whether SIA followed FAA’s safety requirements for firefighting foam. But we do know that Airport did not join a national study about AFFF, ¹ published in 2017 by the FAA and the National Academy of Sciences. 176 Airports participated, but not ours.

This report “is a comprehensive resource for understanding the potential environmental and health impacts of per- and polyfluoroalkyl substances (PFASs) typically found in aqueous film-forming foams (AFFFs).

The report will be of particular interest to airport industry practitioners who wish to learn about the issue, take steps to identify areas of potential

¹ <http://nap.edu/24800>

concern at their airport, and implement recommended management and remediation practices.

The report features a primer on PFASs that summarizes their composition, structure, and sources, as well as potential environmental and toxicological concerns about PFASs, regulatory issues, and how PFASs may affect airports.

The report also provides a discussion of AFFF management in an airport setting and recommended practices to investigate legacy environmental impacts, potential risks, and remediation options.”

Airport’s PFAS correspondence obtained through FOIA showed no evidence of either contributing to or learning from this industry-wide study. Two former Airport Board members have explained that such a research opportunity would not have received Board attention, nor would groundwater investigation costing less than \$50,000. Instead of assessing the current science and health dangers, or contacting WA Ecology, Airport called on its lobbyists and lawyers. Airport’s hope was regulatory relief. The CEO, Mr. Krauter, sought to escape his trouble, not admit it.

SIA has grown fast, an accomplishment for which Mr. Krauter, and Mr. French have shared so much mutual self-glorification. Mr. Krauter wins national awards from his peers, but none that I know of for environmental stewardship or ethical leadership. I doubt that his performance evaluation invites opinions by the Airport’s neighbors or the County voters.

A former safety chief at Fairchild told me about a long-time Airport Fire Chief, who was prideful about evading regulations he didn’t care for. That man’s duty, as the FAA report summarizes, probably included the safety obligations and record-keeping of AFFF training, storage, spills, and containment.

SIA wasn’t interested in Fairchild’s PFAS, revealed in 2017 by the WA Department of Health, in the municipal wells of the City of Airway Heights. Just 2 miles separate these two airports, where AFFF was used the same way since the 1970’s. AFFF training drills often involved firefighters from both Airports.

Airport's own drinking water was safe, because surrounding properties, then and now, receive DoH-regulated municipal water from the City of Spokane. Airport's personnel and visitors drink PFAS-free water. Not so the neighbors, and we had no way to know.

Airport's behind-the-scenes efforts towards regulatory relief were threatened by Washington's new PFAS disclosure requirements, effective in 2022. Airport chose not to comply, as its own records reveal.

Airport's real estate speculation, across 14,000 formerly-agricultural acres, is largely hidden from public awareness. It includes the two main paleochannels, in which PFAS flows most easily and quickly. Its public/private real estate development venture, with the meaningless name S3R3, operates in secret, behind the twin screens of confidentiality of real estate and legal affairs. Its governors, Mr. French and Mr. Krauter, both involved in Airport groundwater PFAS, may not have ever officially revealed it to either S3R3 or its customer-developers. We still don't know, because the S3R3 Executive Director has not been allowed to discuss the matter. He refused to attend a public neighborhood meeting even as a listener. S3R3 is not a party to the Ecology cleanup, because it has no firefighting operations, so answers to this question require an additional investigation. Isn't it interesting that S3R3 was founded in 2017, the same year as the Fairchild PFAS revelations and the start of the Airport's own sampling? I think that the "buy low, sell high" opportunities of quasi-government economic development have been too juicy to risk truth-telling about groundwater.

I encourage Ecology, with the Spokane County zoning and development authorities, to assess groundwater disclosures required in real estate development. We know that homeowner properties are required in the RCW to disclose water contamination. Have the Airport and its subsidiaries complied with that law, which in SuperFund neighborhoods establishes a national standard of environmental safety review?

County's recent approval of new gravel pits on Hayford Road may have violated this aquifer protection aspect of Washington's Growth Management Act. PFAS is proven in this paleochannel, and I fear that both deep-pit mining and dust-control

water wells have the potential to spread PFAS-contaminated gravel products throughout the County. I ask that the boundary of PFAS Airport sampling extends as far as the recent EPA test zone, and that the facts of the Hayford Rd boundary be established by new Ecology evidence shared with the public.

I'm glad that the Airport-area stormwater utility plan was abandoned. We note that that plan to artificially recharge the aquifer was silent on PFAS, even though key leaders knew about it. The City of Spokane paid the million-dollar design cost, but there's no evidence that Airport shared what it knew about the aquifer contamination.

Unidentified Spokane County leaders chose not to notify potential rural property buyers of potential groundwater trouble. A toothless notice was given to well-drilling companies, asking that they give cautionary notifications to their customers. We doubt that notification meant much to the drillers, because we've heard from outraged new residents on properties developed since 2017, with brand new wells costing \$30-40,000 drawing contaminated water from the Airport paleochannel. Well permitting didn't miss a beat, because SIA didn't report the conditions.

At my own home near these 2 airports since 2006, our awareness was noisy planes over my house, growing traffic congestion, and industrial development on the airport margins. Only in 2022 did I learn about the PFAS flowing 5 miles towards me in the groundwater, from sources known to government but hidden from me.

Because I'm not a scientist or an engineer, the cleanup details are far beyond my understanding. But for us on the West Plains, the protections owed us by the people we vote for, and the agencies spending our tax dollars, are not hard to understand. We want leaders who'll do their best for us, not for themselves.

The current systems find too many excuses why nothing can be done, with pre-rehearsed responses, even when the facts are new.

I've tried hard over the last year and a half to speak up for our neighborhood. Dozens of times in conversation or correspondence with actual agency

representatives, I've met kind and skillful people who nonetheless give replies like this:

- “good idea. But we can't do it
- Regulations prohibit us from . . .
- “you should ask agency X, not us
- “confidentiality prevents . . .

These are agencies who say that to me:

- Spokane County Environmental Services
- Spokane Regional Health District
- WA Department of Health
- WA Dept of Ecology
- EPA
- Fairchild Air Force Base
- Air Force Civil Engineering Corps
- Dept of Defense

These agencies use lawful by arbitrary distinctions between surface water, groundwater, irrigation water, livestock water, and drinking water. Since Washington was settled, tremendous legal energy has addressed water rights. That system is all about ownership and quantity, not safety. We need a new and comprehensive method of public water stewardship. The WA Constitution says, “all the water belongs to all the people”. But whose duty is it to keep it all clean?

Here in the country, there's just one kind of water, the original kind. It doesn't follow government rules and regs. We need water to stay alive, every day, in the original clean version. That's what we each invested in when we moved here, and we understood our duty to pump it out for ourselves. But PFAS flowing 10 miles underground is not our fault.

Water is the original forever chemical. The water has not been harmed by the PFAS. It's just the carrier of the contamination. The toxicity harms us, not the water itself.

Government is the only force big enough to fix such a huge, widespread, and dangerous trouble. I can't do much myself, and I'm not the cause of PFAS pollution. The logjam of government rescue from government misbehavior must be resolved.

We need impatient new leaders, both professionals and electeds, with bold new ideas for how to solve this. The old ways can't do it.

I'm grateful to Ecology and all the persons who want to help solve our PFAS trouble. Thanks to this Public Comment invitation, I now understand the legal mechanisms in place to ensure safe water in MTCA projects. Full speed ahead, Ecology, and thanks for listening.

For any person with their own views on any of this, I urge your written comments to Ecology, because they'll be published in the public record, and easily available online to others anywhere.

This cleanup will take a long time. Let's keep up scrutiny, patience, and intensity.

Thank you for listening. Count me in on the work.