

Regional Administrator Dennis Deziel
EPA New England Headquarters (Region 1)
5 Post Office Square - Suite 100
Boston, MA 02109-3912

10/7/2020

Dear Administrator Deziel,

We are community members that serve on the Pease Restoration Advisory Board (RAB) and have been advocating for action and answers related to the PFAS contamination at the Pease Tradeport (former Pease Air Force Base). We are grateful for the EPA's Administrative Order¹ issued to the US Air Force on July 8, 2015 under the Safe Drinking Water Act (SDWA) ordering the Air Force to address the PFAS contamination at the Pease Tradeport. Under this Administrative Order, the Air Force has spent millions of dollars in investigation and remediation of PFAS of the groundwater and drinking water at Pease and the work is ongoing^{2,3,4}.

The state of New Hampshire initially approved drinking water Maximum Contaminant Levels (MCLs) for 4 different PFAS last July 2019⁵. The MCLs were almost immediately challenged in court by a manufacturer in October 2019 which held up the enforcement of these MCLs until June 2020⁶. However, the litigation brought forth by 3M was officially dissolved as of September 4, 2020, and the MCLs became effective on July 23, 2020⁷.

Based on the discussions in our last Pease RAB meeting on August 5, 2020, the US Air Force identified (using their subject matter experts), and US EPA and NHDES confirmed through their review process, that located within the Pease Tradeport's watershed, there are private wells supplying drinking water to Newington residents where concentrations of PFAS chemicals exceed the state of New Hampshire's MCLs⁸. NHDES, as the delegated regulatory authority under the SDWA, determined that NH's legal PFAS MCLs were the appropriate PFAS level to use in identifying affected parties and thereby triggering mitigation steps that will protect these vulnerable populations.

All residents in Newington deserve clean drinking water that meets safety standards that are enforceable under federal and NH Law. On August 20, 2020, NHDES wrote a

letter to the US Air Force requesting immediate establishment of bottled water delivery to these private well owners and permanent mitigation for those with impacted private water supplies⁹. Unfortunately, the US Air Force responded to NHDES on September 2, 2020, that they will not provide bottled water to these residential homes and they will evaluate permanent mitigation if the PFAS levels exceed the US EPA's Lifetime Health Advisory (LHAs) for PFOS and PFOA¹⁰. We find this response from the US Air Force unacceptable. The owners of these private wells did not choose to have contaminated water and the US EPA and NHDES have identified the US Air Force as the responsible party in this contamination, as evidenced by the Administrative Order issued in July 2015 and the subsequent work that has occurred in the last 5 years with a significant amount of resources spent by the US Air Force to date. In response to the Air Force refusing to provide clean water to these homes, our Pease RAB wrote a letter on September 18, 2020, to the US Air Force, NHDES, and US EPA requesting clean water be provided to these homes immediately¹¹. Our Congressional Delegation also wrote a letter on September 22, 2020, to the US Air Force requesting they provide clean water to these homes¹².

We are writing to you to inquire if the US EPA has authority under the SDWA, the Administrative Order issued to the US Air Force at the Pease Tradeport, or any other authority to hold the US Air Force accountable to supplying clean, safe drinking water to these private wells in Newington that do not meet the PFAS MCLs put in place by NHDES. We would appreciate any assistance US EPA can provide in holding the Air Force accountable to provide clean water to these private homes to prioritize the health of these residents. We look forward to your response.

Sincerely,

Andrea Amico, Pease RAB member, Community Co-Chair

Jameson Paine, Pease RAB member, Former Pease RAB Community Co-Chair

Margaret Lamson, Pease RAB Community Member

Michael Donahue, Pease RAB Community Member

Mindi Messmer, PG, CG, Pease RAB Community Member

Mark Mattson, Pease RAB Community Member

References:

1. US EPA Administrative Order:
<https://static1.squarespace.com/static/565b6fe8e4b0f0c1a028adc4/t/5aafe7bd70a6ad59a6b98df9/1521477580081/PEASE+AIR+FORCE+BASE-+FINAL+SDWA+ORDER-+JULY+8+2015+%281%29.pdf>
2. Air Force continues to attack PFOS/PFOA issues at Pease
<https://www.afcec.af.mil/News/Article-Display/Article/1255851/air-force-continues-attack-on-pfospfoa-issues-at-pease/>
3. Air Force to spend \$30 Million This Year on Pease Cleanup
<https://www.nhpr.org/post/air-force-spend-30-million-year-pease-cleanup#stream/0>
4. Over \$35M in diverted funding sent to Pease in Portsmouth for PFAS mediation
https://www.unionleader.com/news/environment/over-35m-in-diverted-funding-sent-to-pease-in-portsmouth-for-pfas-mediation/article_b0e9392e-0f38-5ddb-b861-35ebcb5614f5.html
5. New Hampshire sets tough drinking water standards for PFAS, 7/18/2019
<https://apnews.com/5d88f6c89b814a068ad7cbea5832b5e4>
6. 3M suit aims to block tougher PFAS standards for water in NH, 10/1/2019
<https://www.fosters.com/news/20191001/3m-suit-aims-to-block-tougher-pfas-standards-for-water-in-nh>
7. Judge rules in NH's favor in 3M's attempt to block PFAS protections, 9/4/2020
<https://www.seacoastonline.com/news/20200904/judge-rules-for-nh-in-3mrsq>

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8. Five Newington wells show PFAS contamination, 9/24/2019

<https://www.seacoastonline.com/news/20190924/five-newington-wells-show-pfas-contamination>

9. NH DES letter to US Air Force requesting clean water for Newington residents (8/20/2020):

<https://static1.squarespace.com/static/565b6fe8e4b0f0c1a028adc4/t/5f6c14b09ca0975099d57f44/1600918705014/AGQS+Notification+and+Compliance+Request+8.20.20.pdf>

10. US Air Force Letter to NH DES declining request for clean water to Newington residents (9/2/2020):

<https://static1.squarespace.com/static/565b6fe8e4b0f0c1a028adc4/t/5f6c155012cae61307d5864e/1600918864709/AF+9.2.20+Response+to+Compliance+Request.pdf>

11. Pease RAB letter to US Air Force, US EPA, and NH DES requesting clean water be supplied to the Newington homes immediately (9/18/2020):

https://static1.squarespace.com/static/565b6fe8e4b0f0c1a028adc4/t/5f6c15bbdf219c1ca96d1664/1600918971533/Pease_RAB_letter_09182020.pdf

12. NH Congressional Delegation to US Air Force requesting clean water be provided to the Newington homes (9/22/2020):

<https://static1.squarespace.com/static/565b6fe8e4b0f0c1a028adc4/t/5f6c16ea7d664f2c1f647da6/1600919274627/9-27-20+Letter+to+Air+Force-Newington+Private+Wells+Final.pdf>