

**January 26, 2022 PFAS Public Outreach
Submitted Questions & Answers**

- 1. Can DoD provide historic purchase orders or other evidence of how much AFFF was purchased and/or used at the Former Fort Devens? If not specific to Fort Devens, can DoD provide historic information about when AFFF became the standard for fire-fighting at bases in the United States? Estimates are also helpful. (From Laurie Nehring, President, People of Ayer Concerned About the Environment)**

Response: DoD's use of AFFF began in the 1970s; however, historical purchase records regarding AFFF purchase or use were not retained when the facility was officially closed as part of the Defense Base Realignment and Closure Act in March 1996.

Most of the information regarding amounts of AFFF purchased or used at Ft. Devens was obtained through interviews with the Former Devens Fire Chief, who has since retired, and the Devens Fire Department. This information is publically available and summarized in the 2017 Final Preliminary Assessment (PA) for PFAS; the 2018 Final Site Inspection Report and Addenda for PFAS, and the 2018 Remedial Investigation (RI) Work Plans for PFAS for Areas 1 and 2.

The final reports and work plans can be downloaded from the Devens Environmental Cleanup Website <https://www.nae.usace.army.mil/Missions/Projects-Topics/Former-Fort-Devens-Environmental-Cleanup/Document-Repository>.

- 2. Can DoD prioritize the PFAS/AFFF remediation (or isolation) of areas that have been identified as highly contaminated soils or groundwater? The goal would be to address these areas ASAP to minimize the spread in the environment, saving huge costs and environmental degradation. (From Laurie Nehring, President, People of Ayer Concerned About the Environment)**

Response: DoD uses a risk-based process to prioritize the start of PFAS Remedial Investigations – addressing the highest risk sites first. In addition, as part of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) process, DoD takes action to address migration.

- 3. Is DOD sampling wells on or adjacent to closed military bases, such as Myrtle Beach AFB, and will DOD assist property owners with cleanup/remediation costs? (From Cheryl Cail, SCIAC, Idle No More SC, Chairperson)**

Response: Yes DoD samples wells if DoD is the source of PFAS at a former defense site. DoD conducts its PFAS investigations under the federal cleanup law (CERCLA). If a PFAS release from DoD activities is confirmed during the initial investigation, the Department will conduct the required cleanup activities. Under certain circumstances, DoD can enter into an

agreement with property owners in advance of them conducting cleanup on behalf of DoD, and fund these activities.

At former Myrtle Beach AFB, only one drinking water well in the vicinity of the base was identified and sampling results were found to be below the U.S. Environmental Protection Agency (EPA) lifetime health advisories (HAs) for perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA). No PFOS/PFOA drinking water impacts have been found at the former Myrtle Beach AFB. Following the CERCLA process, a Remedial Investigation was initiated in September 2021 to define nature and extent of the PFOS/PFOA. The Air Force will conduct required cleanup on impacted property.

- 4. As one of the largest federal landowners in the country, please describe in detail how the Department of Defense is monitoring, studying, and tracking scientific findings related to PFAS found in fish, wildlife, and natural ecosystems as part of their clean-up work at PFAS contaminated military sites. If this coordinated effort is not yet happening, what is the plan and timeline to coordinate PFAS science in fish and wildlife coming out of DoD sites to better protect our shared water and outdoor resources?**

(From Jennifer Hill, Associate Director, Great Lakes Regional Center, NWF)

Response: DoD is working with EPA on the development of ecological risk assessment information for identified PFAS. Once developed and approved by EPA, DoD will incorporate this information into the CERCLA risk assessment process nationwide.

- 5. When DoD is remediating PFAS contaminated sites that include fish and wildlife habitat and/or federal public lands, what are the steps DoD is taking (or plans to take) to return these lands back to their natural state (where they are able to provide the ecosystem services they previously provided prior to remediation) after remediation efforts have been completed?**

(From Jennifer Hill, Associate Director, Great Lakes Regional Center, NWF)

Response: DoD follows the CERCLA cleanup process when addressing its PFAS releases, which includes addressing known ecological risks.

- 6. What is the timeline, policy, & procedure for the DoD to investigate how far PFAS contamination has spread off military bases?**

(From Mark A. Favors, Fountain Valley Clean Water Coalition)

Response: DoD follows the CERCLA process to address its PFAS releases. This process includes determining the extent of PFAS migration, including beyond the installation boundary. DoD generally completes characterization of the PFAS plume during the remedial investigation phase in order to inform the evaluation of remedy alternatives considered during the following phase, the Feasibility Study (FS). We are working as quickly as possible to perform the remedial investigations and feasibility studies. Installations that pose a greater risk will receive a remedial investigation first. DoD must follow the multi-step CERCLA process and ensure that each installation receives proper evaluation. The actual

timeline for completion of each process is determined by the findings at the end of each step in the CERCLA process.

7. Does the DoD currently have enough funding to conduct all required investigations and clean up? *(From Mark A. Favors, Fountain Valley Clean Water Coalition)*

Response: DoD is provided funding on an annual basis and must obligate the funding within one year. The DoD annual budget request is based on a number of factors, including cleanup schedules and how much work would be ready to award in a fiscal year (FY). DoD has fully funded the initial assessments at 700 installations as well as numerous remedial investigations, the next investigative phase. As DoD moves through the cleanup process, the Department will incorporate the required funding into future annual budget requests.

8. Has the DoD contacted all affected military members, veterans, and families and notified them of their PFAS exposure? *(From Mark A. Favors, Fountain Valley Clean Water Coalition)*

Response: In June 2016, DoD directed that all drinking water systems operated by DoD worldwide be sampled and analyzed for PFOS and PFOA. If drinking water was identified above the EPA HA levels, DoD immediately notified the affected individuals and took action to bring levels below the HA. In addition, DoD began performing systematic investigations of historical PFAS environmental releases at DoD installations and National Guard facilities under federal cleanup law, the CERCLA. As part of these investigations, DoD communicates information to surrounding communities including military service members, veterans, and their families using various methods such as individual notifications and public meetings.

9. What are the locations where DOD is remediating off-site PFAS contaminated groundwater and what remediation methods are being used? *(From Richard Abraham, Whidbey Environmental Action Network)*

Response: DoD is evaluating over 700 installations for PFAS use or potential release. Nearly all of these installations are still in the investigative phase; however, we take interim (removal) actions to address drinking water and as we move into the remedial cleanup phase, the selected remediation technology will be dependent on many site-specific factors including groundwater concentrations, local geology, and hydrology. Each site will evaluate available options during the FS phase and select an appropriate technology for that specific site. In addition, DoD has funded and is researching various technologies to treat PFAS in groundwater through the SERDP/ESTCP.

10. What methods/technologies are currently being used to prevent the migration of PFAS contaminated groundwater from DOD properties to off-site properties? *(From Richard Abraham, Whidbey Environmental Action Network)*

Response: The selected remediation technology can also contain the migration of PFAS, and will be dependent on many site-specific factors including groundwater concentrations, local geology, and hydrology. Current technologies include treatment through granular activated carbon (GAC). Each site will evaluate available options during the Feasibility Study phase and select an appropriate technology for that specific site. In addition, DoD has funded and is researching various technologies to treat PFAS in groundwater through the SERDP/ESTCP.

11. When did the Navy last offer to have wells tested for PFAS in the Coupeville Outlying Field and Oak Harbor areas and when will the next opportunity be provided? (PFASs migrating from Whidbey Naval Air Station WA have contaminated public and private wells. Subsurface contamination can spread and increase over time, which is why drinking water wells that are contaminated or at risk to need be monitored periodically.) *(From Richard Abraham, Whidbey Environmental Action Network)*

Response: The Navy monitors drinking water wells near affected areas twice a year to validate that drinking water remains protective. Monitoring is done with land owner permission in the spring and fall. The last sampling was in October 2021 and spring sampling will be complete by the end of April 2022.

In addition, the Navy continues outreach to the public for the Defense Environmental Restoration Program (DERP) through the Naval Air Station Whidbey Island Restoration Advisory Board (RAB). The last RAB meeting occurred on November 30, 2021, and the next meeting is planned for fall 2022.

12. Will the Navy agree to test private wells and surface waters beyond its previously identified ‘areas of investigation’ if information is provided to suggest that PFAS contamination may have spread to those areas? *(From Richard Abraham, Whidbey Environmental Action Network)*

Response: Yes, consistent with the process the Navy used during the initial drinking water investigations, the Navy will expand drinking water well investigation areas based on known or potential Navy release areas and groundwater data demonstrating a concern. The Navy is following the CERCLA process and investigating the nature and extent of PFAS releases in remedial investigations.

13. In a memo to MA Dept. of Environmental Protection dated 5 January 2021, Veronica Brieno Rankin from the National Guard Bureau stated that "a Remedial Investigation (RI) is planned at Barnes ANGB, which will define the nature and extent of PFAS6 contamination." Over one year later, I ask: Has this RI begun? If yes, has the RI been completed? If not, what factors are preventing the RI from happening? *(From Kristen Mello, Director, Westfield Residents Advocating For Themselves)*

Response: The RI is still planned for Barnes. The timing of the initiation of the RI is dependent on the completion of the Relative Risk Site Evaluation (RRSE). The Air National Guard (ANG) recently completed the public comment period on the draft Barnes ANGB RRSE, is preparing a response to comments and will finalize the RRSE results to post on the Administrative Record <https://ar.afcec-cloud.af.mil/Default.aspx>. Once this process is completed the Air Force will use the final RRSE to inform decision-making regarding sequencing of clean up actions, including the Barnes ANGB RI.

14. How are properly promulgated state standards factored into the Relative Risk Site Evaluations, if at all? Where can one see the list comparing the sites? (From Kristen Mello, Director, Westfield Residents Advocating For Themselves)

Response: The RRSE is the framework used to evaluate the relative risk and to prioritize and sequence the start of the RIs of all cleanup sites. The DoD developed this framework in consultation with regulators and community stakeholders to provide a consistent approach to prioritize known or suspected releases of hazardous substances and pollutants or contaminants. The Military Departments evaluate each cleanup site, to include PFAS sites, and generate a result of “high”, “medium”, and “low”. DoD is evaluating how the Military Departments could separate out this information for PFAS at installations that have completed the PA/SI.

15. Does the DoD consider the Massachusetts Maximum Contaminant Level of 20 parts per trillion (ppt) for the sum of PFOA, PFOS, PFHxS, PFHpA, PFNA, and PFDA to be Applicable or Relevant and Appropriate Requirements under CERCLA? (From Kristen Mello, Director, Westfield Residents Advocating For Themselves)

Response: Each military installation identifies applicable or relevant and appropriate requirements (ARARs) depending on the site-specifics of the cleanup. Section 121(d)(2) of CERCLA requires that the ARARs process for evaluating federal and state requirements as final cleanup standards is on a site-specific basis. Because ARARs are evaluated on a site-specific basis, DoD cannot identify in advance any State regulation as an ARAR at a specific military installation, as that decision is made during the FS phase at each cleanup site. DoD follows CERCLA and its regulations to implement the ARAR process, and works with state and/or federal environmental regulators in this ARAR identification process.

16. What other sources of PFAS discharge exist on our military bases, aside from AFFF emergency and practice use? What types of fire suppression systems are used in hangars and other buildings? Are munitions treatment/storage/handling/disposal activities potential sources of PFAS release? (From Kristen Mello, Director, Westfield Residents Advocating For Themselves)

Response: The DoD is in the process of completing PAs and SIs at 700 installations. As part of this process, all potential sources of PFAS discharges are identified and will be made available to the public.

17. Has the Secretary of the Air Force approved the Barnes ANGB RAB for DERP funding such that we may apply for a TAPP grant? If not, what are the factors preventing this approval? *(From Kristen Mello, Director, Westfield Residents Advocating For Themselves)*

Response: Barnes ANGB received DERP approval on 17 February 2022, for four PFOS/PFOA sites. On 23 February 2022, ANG hosted the first official RAB for Barnes ANGB. One of the RAB topics briefed was the Technical Public Participation (TAPP) Grant program and the procedures for applying for TAPP grant. The RAB plans to discuss the request for TAPP at the next scheduled RAB which the date has not yet been scheduled. What reasons can you give for the DoD making the Westfield Community wait from 2018 to 2021 to create a RAB, only to keep it unfunded while asking the public to comment on the RRSE and over 30,000 pages of Expanded Site Investigation documentation without any technical assistance? Is this happening at other bases too?

Only DERP eligible sites qualify for a RAB and TAPP grant funding. To facilitate transparency and public involvement while the DERP eligibility determination was pending, the ANG awarded a FY 2019 contract to update the Barnes Community Involvement Plan (CIP) and establish a RAB-like community board. A public meeting was held on 13 March 2020 to discuss the community board recruitment process and the CIP update was finalized in June 2020.

Barnes ANGB established a “RAB” in June 2021 and selected RAB members. The ANG hosted RAB training for members in August and September 2021. On 17 February 2022, SAF/ IEE approved Barnes ANGB PFOS/PFOA sites for DERP which allowed the RAB to access the TAPP Grant program. On 23 February 2022, ANG hosted the first official RAB for Barnes ANGB.

18. Does the DoD recognize that article 97 of the Massachusetts Constitution describes the people's right to clean air and water, and therefore any man-made, persistent, bioaccumulating, toxic carcinogens discharged into our aquifer during your operations is a violation of our rights? *(From Kristen Mello, Director, Westfield Residents Advocating For Themselves)*

Response: The Department recognizes the rights to clean air and water for all Americans as reflected in the passage of the federal Clean Air Act in 1970, and 1974 with the passage of the Safe Drinking Water Act.

19. Will the DoD commit to upgrading floor drains, dry wells, and storm water management to prevent continued pollutant discharges into our aquifer? *(From Kristen Mello, Director, Westfield Residents Advocating For Themselves)*

Response: Consistent with federal Clean Water Act regulations, Barnes ANGB in Westfield, MA updated its Spill Prevention Control and Countermeasures (SPCC) plan in September 2021. This document details the training, equipment, workforce, processes and procedures to prevent, control, and provide adequate countermeasures for a potential discharge to the environment. Barnes ANGB is committed to following through on any recommended actions within the SPCC.

20. Since GAC filtration is a band-aid solution to the permanent contamination of our North side water resources, will the DoD commit to assisting Westfield with developing a permanent alternative water supply? *(From Kristen Mello, Director, Westfield Residents Advocating For Themselves)*

Response: Under Section 8142 of FY 2019 DoD Appropriations Act (Public Law 115-245), the Department of the Air Force and City of Westfield entered into a September 2019 Intergovernmental Agreement to reimburse the City of Westfield \$1,350,917.26 for costs incurred during January 2017 to September 2018 to install treatment systems on two municipal drinking water wells that exceeded the EPA lifetime HA of 70 ppt for PFOS/PFOA attributable to ANG activities. The objective of the treatment systems was to reduce concentration levels to below the EPA lifetime HA. No additional commitments have been made by the DoD or Department of the Air Force beyond what was authorized under this Act or required by CERCLA.

21. By Order of the Air Force Secretary dated 12 March 2020, the Air Force issued Air Force Instruction 32-7020 ("DAFI 32-7070") governing the Air Force Environmental Restoration Program within the United States. By its express terms, compliance by the Air Force with DAFI 32-7070 "IS MANDATORY." Section 1.5.5 of DAFI 32-7070 (highlighted copy attached), entitled "Environmental Restoration Under State Response Laws," states: "At all installations, Air Force commanders and responsible officials must comply with state substantive laws. (T-0). At Non-National Priority List (NPL) installations, 42 USC § 9620, Federal facilities, also mandates that Federal agencies' CERCLA response actions comply with applicable state response laws, so long as such state laws apply requirements to the Air Force that are no more stringent than those applied to other entities/persons." At the former Wurtsmith Air Force Base in Oscoda, Michigan, the Air Force committed in 2017 to comply with Michigan's duly-promulgated and non-discriminatory PFOS and PFOA standards governing groundwater entering surface water bodies, but subsequently reneged on that commitment, citing the doctrine of sovereign immunity. The Air Force has taken similar positions in refusing to comply with state laws in other PFAS-impacted communities. Please explain why and on what basis the Air Force has chosen to

disregard its own mandate (in Section 1.5.5 of DAFI 32-7070) requiring compliance with “state substantive laws”. *(From Anthony Spaniola, Leadership Team Member, Need Our Water (NOW) / Co-Chair, Great Lakes PFAS Action Network / Leadership Team Member, National PFAS Contamination Coalition)*

Response: Under CERCLA section 120, state laws concerning cleanup actions may apply to federal facilities that are not listed on the National Priority List. The identification of which state laws or regulations are to be used as final cleanup standards is part of the “applicable or relevant and appropriate requirements” (ARARs) evaluation process under CERCLA section 121(d) and is dependent on the site-specifics of the cleanup. Because ARARs are evaluated on a site-specific basis, DoD cannot identify in advance any state regulation as an ARAR at a specific military installation, as that decision is made during the FS phase at each cleanup site. DoD follows CERCLA and its regulations to implement the ARAR process, and works with state and/or federal environmental regulators in this ARAR identification process.

22. At BRAC facilities across the country, the Air Force prohibits impacted community representatives from attending Base Closure Team (BCT) meetings, where critical discussions and decisions occur regarding PFAS investigation and remediation activities in the communities. This exclusionary conduct is a reversal of prior Air Force practice, and it leaves communities in the dark, sometimes completely and other times until it is too late for meaningful community input. To be clear, Restoration Advisory Board meetings come too late in the process and do not offer meaningful opportunities for community input, particularly on important decisions that have already been made - in secret - or are already being implemented. There is no legal provision that prohibits community representatives from attending BCT meetings. When will the Air Force move to fulfill its promise to "partner" with local communities by permitting community involvement in BCT meetings? *(From Anthony Spaniola, Leadership Team Member, Need Our Water (NOW) / Co-Chair, Great Lakes PFAS Action Network / Leadership Team Member, National PFAS Contamination Coalition)*

Response: At this time, the Department does not support inclusion of local officials in BCT meetings. The current configuration of the BCT allows the Air Force and regulatory representatives to candidly discuss and collaborate on environmental cleanup strategies and pre-decisional draft documents, as well as correct any misunderstandings between the agencies regarding the cleanup. The discussions between the Air Force and the regulatory officials are pre-decisional in nature and not open to other parties. We encourage community involvement and collaboration in the environmental restoration process at Wurtsmith through participation in the Wurtsmith RAB, where the results of the BCT meetings are discussed. In addition, I understand that Air Force representatives meet separately with the Township supervisor to discuss the status of the cleanup and any concerns the Township may have.

23. Mr. Kidd stated in his testimony on the 12/9/21 hearing that they are planning to invest in training of RABs to improve the process for communities. Would DoD be willing to collaborate with PFAS community leaders to offer our perspective on what is not

working well with RABs so DoD can design the training to improve the community experience and engagement with RABs? *(From Andrea Amico, Portsmouth, NH / Pease)*

Response: DoD is planning to develop additional guidance or a “best practices” guide to augment the current DoD RAB Handbook, which lays out the regulatory requirements for RABs. As part of this overall effort the Department welcomes community members input for consideration to ensure RABs fulfill their intent as laid out in the regulation.

Following the issuance of the updated RAB guidance, the Department intends to provide training to facilitate a better understanding from all stakeholders on the purpose and benefits of RABs. Separately, individual RABs may request and receive training whenever necessary. This training is provided by the installation and is specific to the on-going environmental restoration activities at the installation. Additionally, RAB members can also provide recommendations to improve a RAB’s objective, participation, training, etc. to the local RAB co-chair for discussion and consideration.

24. DoD has thousands of DoD firefighter PFAS blood samples they have collected annually as part of a mandate from Congress. What steps can DoD take to be proactive in using that PFAS blood testing data to inform FF about their exposure? And how can DoD partner with other federal health agencies in the federal family to analyze that data or consider possible health studies with it? *(From Andrea Amico, Portsmouth, NH / Pease)*

Response: DoD continues providing robust annual firefighter medical surveillance exams for assessing health from firefighter hazards. Firefighter blood test results are provided to each firefighter with a medical fact sheet and PFAS blood testing results are recorded in each firefighter’s medical record. The Navy and Marine Corps Public Health Center (NMCPHC) is compiling test results from electronic health records for statistical analyses. DoD continues to track the outcomes from PFAS health effects research/studies being conducted by the Agency for Toxic Substances and Disease Registry and the Centers for Disease Control and Prevention National Institute for Occupational Safety and Health. DoD workplace exposure assessments, exposure management, and occupational medicine policies will be informed by the outcomes/results of Health and Human Services research.

25. On December 9, 2021, during Sen. Peter’s subcommittee hearing, Mr. Kidd made a statement regarding the need for DoD add additional funding and training for Restoration Advisory Boards (RAB’s). Can you expand on this hearing statement/response to questions and provide asap specific details of RAB’s currently in operation or dissolved since AFFF was used on those facilities? *(From Arnie Leriche, Clean Water Project Director / Clean Water Advocated by Rotary)*

Response: DoD is planning to develop additional guidance or a “best practices” guide to augment the current DoD RAB Handbook, which lays out the regulatory requirements for RABs. Following the issuance of that guidance, the Department intends to provide training to facilitate a better understanding from all stakeholders on the purpose and benefits of RABs.

DoD currently has 240 Restoration Advisory Boards involving 257 installations, and we will try to correlate this list with the current PFAS investigations.

26. How many currently established RAB's does DoD operate? And, can you provide a complete list of all DoD sponsored RAB's along with the following identifying/contact information?

- Currently supporting RAB or previously operated since 1968
- Facility name, Location, State
- CERCLA and State designation/Number
- Year first tested/identified for AFFF/PFAS
- Year commenced RAB (i.e., 2017-present, 1995-2005, etc.)
- Lead Military Branch(s)
- Provide links to:
 - * DoD/NG sponsored document repositories
 - * Links to RAB documents, meeting minutes, recordings, etc (both DoD and/or local Information Repository maintained)
 - * Links to RAB's specific Operating Procedures
- Are RAB public meetings video or audio recorded? "Virtual"?

(From Arnie Leriche, Clean Water Project Director / Clean Water Advocated by Rotary)

Response: DoD currently has 240 RABs involving 257 installations. I am happy to follow-up with a complete list of these Installations and believe that we can provide most of the information you requested.

27. At least in the northern and eastern parts of the US, many DoD facilities are surrounded by a buffer of federal or state land, and these buffer properties frequently support wetlands and other wild areas to which PFAS has migrated for decades. Does the DoD have a uniform procedure for evaluating the environmental impacts of PFAS releases to these areas to assess the ecological impacts of these bioaccumulative chemicals, and what is DoD's commitment to cleaning up these impacted areas to prevent the further spread of PFAS into state waterways? (From Mark Henry, former Wurtsmith AFB community RAB co-chair)

Response: CERCLA has an established procedure for evaluating ecological risks. DoD is working with EPA on the development of ecological risk assessment information for identified PFAS. Once developed and approved by EPA, DoD will incorporate this information into the CERCLA risk assessment process nationwide.

28. Michigan and other states have promulgated state PFAS drinking water and cleanup criteria following established USEPA procedures. The USEPA will likely be developing national PFAS criteria that may be as restrictive as the state criteria for several of the PFAS compounds, not just PFOA and PFOS. I have been told by toxicologists that

even more PFAS may be regulated in the future as they are studied in more detail to determine their effects on human and ecological receptors. Some of these PFAS chemicals are not captured very well by GAC like PFOS and PFOA, pass through GAC treatment systems and are released to surface waters. In my experience the DoD seems to evaluate sites and remedial technologies based mainly upon on PFOA/PFOS, and not much attention is devoted to the myriad of other PFAS that were released at AFFF sites. Is DoD developing remedial technologies that target non-PFOA/PFOS perfluorinated chemicals that were released at DoD sites that can be implemented in series with GAC systems to achieve a better overall treatment for all PFAS from DoD pump-and-treat systems? (From Mark Henry, former Wurtsmith AFB community RAB co-chair)

Response: Yes, the Department has one of the largest PFAS research and development (R&D) programs in the federal government addressing these issues. DoD's SERDP is funding the development of technologies to detect, quantify, and remediate a wide variety of PFAS. As analytical methods mature and more individual PFAS can be identified, they are incorporated into ongoing PFAS cleanup technology research. As these technologies mature they are being demonstrated at DoD sites by the ESTCP.

2022 National Defense Authorization Act (NDAA) and Clean Up Program

29. Now that the FY 2022 NDAA has been signed into law, the DOD is required to provide a report to Congress containing a schedule of PFAS clean ups. Can DOD provide a clear explanation of the process for scheduling priorities within the schedule? Will DOD allow for review of the schedule by regulatory agencies, including EPA, as well as allow for public comment? (From Jared Hayes & John Reeder, Environmental Working Group)

Response: DoD follows the CERCLA process and prioritizes sites nationwide based on risk. As part of this process, DoD considers other factors such as regulatory input.

30. How and when will DOD publish the results of drinking and groundwater testing for PFAS as required by the FY 2022 NDAA, and will testing plans for all sites be approved in advance by regulatory agencies and made available to communities? (From Jared Hayes & John Reeder, Environmental Working Group)

Response: The Department is developing a process to meet the requirements of Section 345 of the FY 2022 NDAA. This process will include posting PFAS drinking water results and planned sampling events within covered areas on DoD's PFAS website and providing advanced notification of any sampling events to managers of public water system; heads of the municipal government; and RAB members, as applicable. As part of the CERCLA process, DoD coordinates sampling plans with environmental regulators.

31. Given FY 2022 NDAA's increase in funding for PFAS, will each DOD component revise the existing schedules for clean up activities at PFAS sites controlled by the Air Force, Navy, Army, and FUDS? (From Jared Hayes & John Reeder, Environmental Working Group)

Response: As appropriate, the DoD Components will evaluate current schedules and make adjustments where possible to expedite the cleanup process.

32. Given the FY 2022 NDAA increase of \$517 million for clean ups, will DOD's funding request in request for FY 2023 maintain or increase above this new baseline? (From Jared Hayes & John Reeder, Environmental Working Group)

Response: The DoD annual budget request is based on a number of factors, including cleanup schedules and how much work would be ready to award in a FY. As DoD moves through the cleanup process, the Department incorporates required funding into its budget requests. For FY 2023, the Department will request the funding necessary to continue DoD's investigation and cleanup of its PFAS releases.

33. With the increase in funds, can DOD conduct RIs at installations where PFAS has been detected in groundwater but is below the EPA's lifetime HA of 70 ppt? (From Jared Hayes & John Reeder, Environmental Working Group)

Response: DoD follows the federal cleanup law, CERCLA, and EPA regulations, when determining screening levels in the cleanup process. The Department's funding levels do not affect the risk-based screening level used to determine whether a site moves to the next phase of the CERCLA process. The EPA screening level for PFOS and PFOA individually in groundwater currently used for drinking water is 40 ppt and is used to move to a RI.

34. The FY 2022 NDAA places a moratorium on the incineration of PFAS containing firefighting foam. Can DOD confirm compliance with moratorium at all installations? (From Jared Hayes & John Reeder, Environmental Working Group)

Response: Under Section 343 of the FY 2022 NDAA, DoD has until April 26, 2022, to issue implementing guidance or the moratorium goes into effect.

35. The FY 2019 NDAA required DOD to "conduct an assessment of the human health implications of PFAS exposure." DOD planned to issue the required report by 4th Quarter 2021. What is the status of the report? (From Jared Hayes & John Reeder, Environmental Working Group)

Response: The report is going through final coordination within the Department.

36. A new Presidential Directive requires all agencies to prioritize purchasing of products that do not contain intentionally added PFAS. How quickly can DOD implement the order? *(From Jared Hayes & John Reeder, Environmental Working Group)*

Response: We are working on the requirements in section 333 of the FY 2021 NDAA, as referenced in the 12/8/21 Memorandum for the Heads of Executive Departments and Agencies on implementing Executive Order 14057. Section 333 restricts DoD from acquiring cookware, furniture, and carpets with PFOS and PFOA after April 2023. While DoD is already working on the implementation of these provisions through Defense Financial Acquisition Regulations, the challenge is knowing whether a product does in fact contain any one of the over 600 PFAS in commerce.

37. The last two NDAs required the phase out of PFAS in Meals Ready-to-Eat (MREs), packaging, carpets, and cookware. When will DOD publish a report on progress implementing this requirement? *(From Jared Hayes & John Reeder, Environmental Working Group)*

Response: We are working on the requirements in both NDAs, although the challenge is knowing whether a product does in fact contain any one of the over 600 PFAS in commerce. Section 329 of the FY 2020 NDAA required the Defense Logistics Agency to ensure that MREs do not contain PFAS. Section 333 of the FY 2021 NDAA restricts DoD from acquiring cookware, furniture, and carpets with PFOS and PFOA after April 2023. DoD is working on implementation of these provisions through Defense Financial Acquisition Regulations.

38. Will DOD commit to publishing a progress report in 2022 on the new, broader requirements of the Executive Order on PFAS and procurement? *(From Jared Hayes & John Reeder, Environmental Working Group)*

Response: Section 347 in the FY 2022 NDAA requires the Government Accountability Office (GAO) to conduct a study on DoD procurement of certain items containing PFAS. GAO will review (1) The extent to which information is available to DoD regarding the presence of covered PFAS in the items DoD procures; (2) The challenges in identifying the presence of covered PFAS in these items; and (3) The extent to which the Department has examined the feasibility of prohibiting the procurement of items containing covered PFAS. Once completed, this report will be publicly available. Please note that Executive Order 14057 is entitled *Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability*, and while one of its sections covers “Sustainable Acquisition and Procurement”, PFAS is not specifically mentioned in this EO.