



**DEPARTMENT OF THE AIR FORCE**  
**105TH AIRLIFT WING (ANG)**  
**ONE MAGUIRE WAY**  
**NEWBURGH NY 12550-5075**

16 July 2020

Dan Shapley  
Water Quality Program Director  
Riverkeeper

Marcel Barrick  
On behalf of the  
Newburgh Clean Water Project

Suzanne Novak  
Staff Attorney  
Earthjustice

**Re: Re: Agreement for Stewart Air National Guard Base Remediation**

Dear Mr. Shapley, Mr. Barrick, and Ms. Novak,

Thank you for your letter of June 24, 2020 and continued interest in the ongoing Per- and Polyfluoroalkyl Substances (PFAS) investigation at Stewart Air National Guard Base (ANGB). The safety and health of our Airmen, their families, and our surrounding community are the Air National Guard's (ANG's) priority. We are members of the communities where we serve. We share concerns about potential Perfluorooctane Sulfonate (PFOS) and Perfluorooctanoic Acid (PFOA) contamination of drinking water and we are moving aggressively to protect drinking water supplies connected to and affected by our installations.

The ANG is committed to following the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) at ANG release sites to evaluate unacceptable risk to human health and the environment with the understanding that individual release sites may result in a range of response and clean-up actions. The process from the initial assessment to the beginning of actual clean-up is a multi-year effort. The various investigation phases are time-consuming and must be completed before moving on to the next CERCLA phase. Across the nation, when the ANG identifies drinking water with PFOS and/or PFOA above the Environmental Protection Agency (EPA) drinking water lifetime health advisory (LHA) as a result of our past mission activities, we work with the community to determine appropriate short-term response actions such as providing an alternate drinking water source, filtration system, and/or providing bottled water, if needed. At Stewart ANGB, the New York State Department of Environmental Conservation (NYSDEC) has already completed a response action for drinking water by installing a drinking water treatment system at Lake Washington to reduce PFOS/PFOA to below the EPA LHA. The ANG will continue to follow the CERCLA process to identify further response actions during this multi-year effort.

Since the NYSDEC study in 2014, the ANG has completed a Preliminary Assessment, Site Inspection (SI), Expanded SI (draft final under review by NYSDEC), and a stormwater study. Results from this work provided the ANG with the necessary information to identify both the presence or absence of contamination in specific areas (e.g., groundwater, surface water, stormwater, sediment, and soil) and existing data gaps to be addressed during the Remedial Investigation (RI). This also provided insights into the sources of PFAS entering Rec Pond, as well as the volumes of wet weather flow. A stormwater model was developed as a part of this study and will be further populated/refined during the RI to evaluate remedial options in the Feasibility Study (FS).

Outside of CERCLA under the Clean Water Act, the ANG is testing the use of an Interim Storm Water Treatment System (ISWTS) at Rec Pond. This system was designed to treat what the ANG knew to be baseflow at the time of the design. Initial system operations revealed that significantly more solids were being encountered in the raw water from Recreation Pond than anticipated, which required shutting down the system due to the accumulation of solids and biomass. The ISWTS was evaluated, a pilot study performed, and the system was optimized. The modified system is in place and currently undergoing startup testing.

The ANG's investigation work and response actions are guided by CERCLA, applicable state laws, and the EPA LHA for drinking water. The ANG is moving forward aggressively in accordance with the CERCLA process to fully investigate releases, prioritize responses, and determine appropriate cleanup actions based on risk. The Department of Defense (DoD) prioritizes sites for cleanup using a risk-based process – essentially worst first. One of the risk-based processes that the DoD uses is the Relative Risk Site Evaluation (RRSE) framework for evaluating relative risk and sequencing the start of RIs for all cleanup sites, including PFAS sites. The RRSE is a methodology used by all DoD Components to evaluate the relative risk posed by a site in relation to other sites. The ANG is currently conducting RRSE for all 75 installations where PFAS has been investigated by the ANG. RIs will be conducted based on the results of that analysis (i.e., worst first). ANG cannot estimate the RI start date for Stewart ANGB until the RRSE process is complete.

The two-year agreement between ANG and New York State is called a Defense State Memorandum of Agreement (DSMOA). This agreement is designed to compensate state regulatory agencies for expedited reviews of documents. It does not determine the course and time frame for remediation, but is a method for compensating state regulatory agencies to expedite the regulatory review process for DoD environmental cleanup. The ANG has participated in the DSMOA program for decades, but is currently not eligible because the majority of its environmental restoration sites are no longer in the Defense Environmental Restoration Program (DERP). The ANG is committed to continuing its strong partnership and support with states by working very hard to develop a program similar to DSMOA, called ANG State Memorandum of Agreement (ANGSMOA). Per your request, more information on this will be presented at the 29 July 2020 Restoration Advisory Committee (RAC) meeting.

The ANG and Stewart ANGB are committed to working closely with the RAC throughout the CERCLA process. We will continue to provide updates on environmental restoration activities at Stewart ANGB and engage with the community on discussions regarding the path forward.

Sincerely,

JOHN M. KELLY, Colonel, NYANG  
Stewart ANGB RAC Co-Chair

cc: Mr. Chuck Thomas, Community RAC Co-Chair