



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Eastern Region Office

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

August 17, 2023

Larry Krauter, CEO
Spokane International Airport
9000 West Airport Drive, Suite 204
Spokane, WA 99224-9438

Re: Final Determination of Liability for Release of Hazardous Substances at the following Contaminated Site:

- **Site Name: Spokane International Airport PFAS**
- **Site Address: 9000 W Airport Dr, Spokane, WA 99204**
- **Cleanup Site ID: 16774**
- **Facility/Site ID: 6332493**
- **County Assessor's Parcel Number(s): 25310.9021**

Dear Larry Krauter:

On July 6, 2023, the Department of Ecology (Ecology) sent you written notice of our preliminary determination that Airport Board City of Spokane/ Spokane County (SIA) is a potentially liable person (PLP) for a release of hazardous substances at the Spokane International Airport PFAS facility (Site). On August 7, 2023, Ecology received your written comments.

In accordance with WAC 173-340-500, Ecology needs *credible evidence* that a release or threatened release of a hazardous substance has occurred at a facility and that the release or threatened release poses a threat to human health or the environment to determine PLP status at a facility. The response letter provided on behalf of SIA acknowledged past releases of hazardous substances at the Site which includes property that is owned and operated by SIA. Groundwater monitoring conducted by SIA confirms the presence of contaminants that are associated with the previously released hazardous substances and these contaminants pose a threat to human health and/or the environment. Your letter indicated a concern with the "investigation" work conducted to date regarding the Site; however, this Site is at the beginning of the cleanup process. As noted below, Ecology will engage with you regarding the future steps to investigate the nature and extent of the contamination and determine necessary cleanup actions.

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Based on available information, Ecology finds that credible evidence exists that SIA is liable as an owner/operator of the facility for a release of hazardous substances at the Site. On the basis of this finding, Ecology has determined that SIA is a PLP with regard to the Site.

The response letter provided on behalf of SIA references other entities that may be liable for the release of a hazardous substance at the Site; however, no supporting evidence or documentation was provided. If SIA is aware of any other persons who may be liable for the release of hazardous substances at the Site, Ecology encourages you to provide us with their identities and the reason you believe they are liable. Ecology also suggests you contact these other persons to discuss how you can jointly work together to most efficiently clean up the Site.

The purpose of the Model Toxics Control Act (MTCA) is to identify, investigate, and cleanup facilities where hazardous substances have been released. Liability for environmental contamination under MTCA is strict, joint and several (RCW 70A.305.040(2)). Ecology ensures that contaminated sites are investigated and cleaned up to the standards set forth in the MTCA statute and regulations. Ecology has determined that it is in the public interest for remedial actions to take place at this Site. Ecology will contact you regarding the actions necessary for the SIA to bring about the prompt and thorough cleanup of hazardous substances at this Site. Failure to cooperate with Ecology or comply with MTCA in this matter will result in Ecology employing enforcement tools as it deems necessary and appropriate. This includes, but is not limited to, the issuance of an administrative order. Failure to comply with such an order may result in a fine of up to \$25,000 per day and liability for up to three times the costs incurred by the state (RCW 70A.305.050(1)).

Your rights and responsibilities as a PLP are outlined in Chapter 70A.305 RCW, and Chapters 173-340 and 173-204 WAC. Ecology's cleanup project manager for the Site, Jeremy Schmidt, will contact you with information about how Ecology intends to proceed with the cleanup.

If you have any questions regarding this notice, please contact Jeremy Schmidt at 509-724-1164 or Jeremy.Schmidt@ecy.wa.gov.

Sincerely,



Nicholas M. Acklam
Section Manager
Toxics Cleanup Program, Eastern Regional Office

By certified mail: 9214 8901 9403 8326 9480 57

cc: Ivy Anderson, Office of the Attorney General
Barry Rogowski, Ecology
Brook Beeler, Ecology

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Jeffrey S. Longworth, Earth & Water Law,
Brian Werst, SIA
Lyndon Smithson, City of Spokane
Chris Anderson, Spokane County
Ecology Site File