



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Eastern Region Office

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

February 14, 2024

Brian Werst  
Witherspoon Brajcich McPhee, PLLC  
601 West Main Ave, Suite 1400  
Spokane, WA 99201-0677

**Re: Ecology's Partial Approval to Extend Agreed Order Negotiations at the Following Hazardous Waste Site:**

- **Site Name: Spokane International Airport PFAS**
- **Site Address: 9000 W Airport Dr, Spokane, WA 99204**
- **Cleanup Site ID: 16774**
- **Facility/Site ID: 6332493**

Dear Brian Werst:

On October 9, 2023, the Washington Department of Ecology (Ecology) officially invited the Spokane International Airport (SIA) Airport Board/City of Spokane/Spokane County to begin negotiations for an Agreed Order (AO) to complete a Remedial Investigation and Feasibility Study at the Spokane International Airport PFAS Site. The 60-day negotiation period began on October 11, 2023, and was subsequently extended by 60 days with a requirement to conclude by February 8, 2024.

On February 7, 2024, Ecology received your letter requesting an additional 60-day extension to the AO negotiation period despite SIA not providing substantive comments on the draft AO in two months. In accordance with WAC 173-340-530, negotiations for an Agreed Order and related documents must be completed within 60 days, unless further negotiation is deemed by Ecology to be in the public interest.

Since no substantive comments have been received regarding the AO, Ecology understands the remaining significant issue is the compatibility of SIA's Federal Aviation Administration certification with the AO under negotiation. As this topic was raised by SIA more than two months ago, Ecology believes ample time has passed and concludes this evaluation must be completed within 30 days. To date, Ecology has not encountered this issue of certification at our other airport cleanup projects.

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Therefore, Ecology approves a 30-day extension to the negotiation period for the AO, which will now conclude no later than March 11. If Ecology does not receive a SIA-signed AO by March 11, Ecology will pursue an Enforcement Order, which we intend to have in place no later than March 29, 2024.

If you have any questions regarding this letter, please contact me at 509-724-1164 or at [jeremy.schmidt@ecy.wa.gov](mailto:jeremy.schmidt@ecy.wa.gov).

Sincerely,



Jeremy Schmidt, P.E.  
Site Manager  
Toxics Cleanup Program

cc via email: Ivy Anderson, Assistant Attorney General  
Brianna Brinkman, Ecology  
Nicholas Acklam, Ecology   
Barry Rogowski, Ecology  
Larry Krauter, SIA  
Lyndon Smithson, City of Spokane  
Chris Anderson, Spokane County  
Jeffrey Longworth, Earth and Water Law, PLLC  
John Sheehan, Earth and Water Law, PLLC  
Ecology Site File