

PFAS in West Plains private wells

Focus on real estate transactions

Photo by Erika Fletcher on Unsplash.

Selling or buying land or a home in the West Plains?

Per- and polyfluoroalkyl substances (PFAS) contamination has been found in groundwater in the northeast West Plains near Spokane.

Potential buyers have the legal right to know about possible hazards, and sellers are required to disclose information about their property.

How does this affect me if I am selling?

Sellers and brokers must comply with real estate disclosure law. Chapter 64.06 Revised Code of Washington. (RCW) creates seller disclosure forms that describe the property being sold. Transactions include a seller disclosure statement, known as Form 17. You can get this form from your real estate broker or copy the questions from RCW 64.06.020. The disclosure requirements apply to improved and unimproved properties, with some exceptions. If you have questions about Form 17, please seek legal advice.

Form 17 asks about groundwater contamination (Section 7.G). If your well was tested and PFAS was found, by you or others, you must provide those results to prospective buyers. Sellers also are required to disclose "material defects" (Section 9.A), which could include groundwater contamination.

Form 17 asks if there are any water treatment systems (Section 2.A.5) and whether they are owned or leased. If you or a party responsible for contamination has installed a treatment system for

PFAS, sellers are required to disclose and describe the treatment system.

We recommend testing your well if it hasn't been sampled already. Use an <u>accredited laboratory</u>.² and include PFAS in the analysis. There are two test methods. EPA method 533 or 531.7 will detect the six PFAS that have a drinking water standard.³

If you have questions about your assessed property value, please contact the Spokane County appraiser listed on your annual notice.

How does this affect me if I am buying?

Require the seller disclosure form. Ask the seller and real estate broker if they are aware of PFAS testing on or near the property. Unless you expressly waive the right to receive the disclosure statement, the seller must provide Form 17 (RCW 64.06.020). You cannot waive the right to Form 17 if the answer to any of the questions in the Environment section are "yes."

Require the seller to test the well and include PFAS as part of the conditions. Verify the seller is using an accredited laboratory and EPA method 533 or 531.7. Both will detect the six PFAS that have a drinking water standard. For help understanding the results, contact Bri Brinkman at WestPlainsPFAS@ecy.wa.gov or 509-202-7869.

If you're buying land, a well drilling advisory is in place. It doesn't prohibit drilling new wells. Spokane Regional Health District (SRHD) notifies licensed well drillers about the potential for PFAS contamination when they notify SRHD of the intent to drill in this

¹ http://app.leg.wa.gov/rcw/default.aspx?cite=64.06

² https://ecology.wa.gov/issues-and-local-projects/investing-in-communities/scientific-services/lab-accreditation

³ https://www.epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas



area. Well drillers must comply with <u>Chapter 173-160 WAC</u>, ⁴ including <u>WAC 173-160-181</u>, ⁵ which specifies the requirements for preserving natural barriers to groundwater movement between aquifers.

Investigating PFAS contamination

The Washington Department of Ecology is working with the Environmental Protection Agency (EPA), Washington Department of Health (DOH), SRHD, Fairchild Air Force Base (FAFB), and the Spokane International Airport (SIA) on West Plains PFAS contamination in groundwater.

Two potential PFAS sources related to the use of fire-fighting foam have been identified:

- FAFB.⁶ is investigating PFAS in groundwater and monitoring offsite drinking water wells in the cross-hatched area in Figure 2.
 FAFB provides in-home treatment or alternative water to homes with PFAS above safe drinking water standards.
- <u>SIA</u>⁷ has PFAS contamination, and Ecology is requiring the airport to investigate whether PFAS is leaving its property.

In March and June 2024, Ecology and the EPA partnered to sample 411 private wells in this area (Figure 2) to ensure people are drinking safe water. 236 samples, or 57% (Figure 3), had PFAS above drinking water standards. Ecology is providing bottled water to these homes upon request. We are working with DOH to provide point-of-use (POU) filters at no cost, which would replace water delivery. Bottled water and POU filters can help until investigation and cleanup of PFAS sources provide more permanent solutions.



Figure 1. An EPA Emergency Response On-Scene Coordinator sampling a well in the West Plains in June 2024. (Photo by the EPA.)

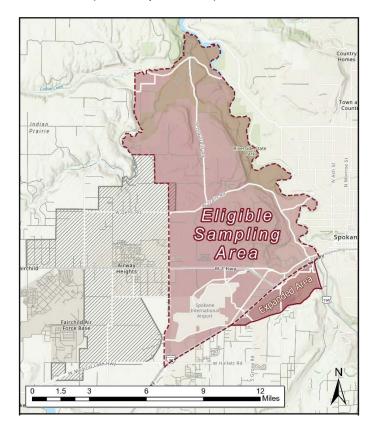


Figure 2. EPA sampled wells in the Eligible Sampling Area in March 2024. After reviewing those results, we expanded the sampling area to the southeast to include the area between Interstate 90, Highway 195, and Thorpe Road (Expanded Area).

⁴ https://app.leg.wa.gov/wac/default.aspx?cite=173-160

⁵ https://app.leg.wa.gov/WAC/default.aspx?cite=173-160-181

⁶ https://www.fairchild.af.mil/Information/Restoration/

⁷ https://bit.ly/EcologySIA-PFAS



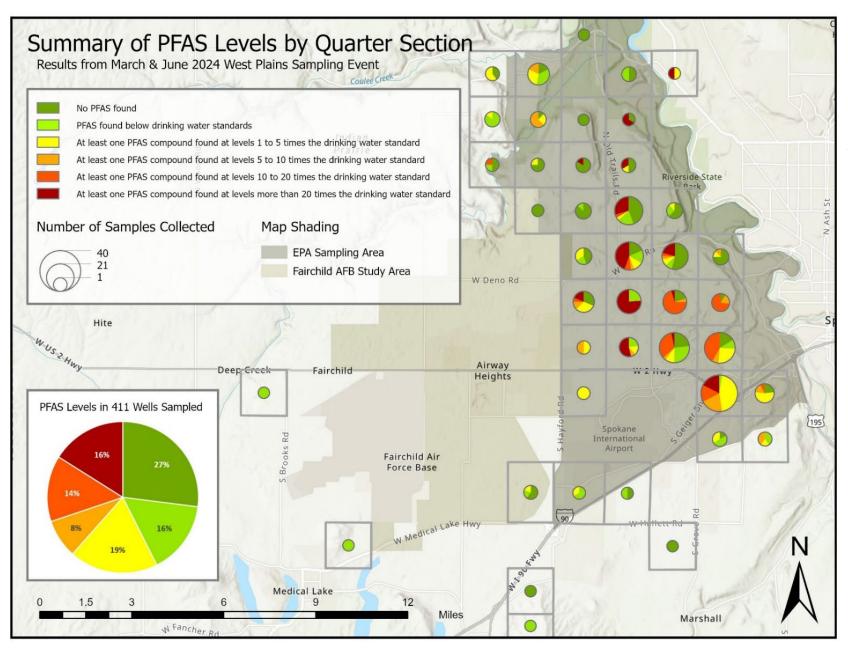


Figure 3.
Summary of private well sampling results for PFAS from March and June 2024.



These sampling events were snapshots in time. Because contamination and groundwater are constantly moving, we cannot know future levels at any location based on one sample. Ecology is working toward identifying sources so that any parties responsible for contamination can monitor groundwater regularly and provide whole-house water treatment systems.

Ecology also provides grant funding to the City of Medical Lake to develop a model of PFAS in groundwater in the West Plains. To develop the model, groundwater samples are collected from 30 locations four times a year. To calibrate the model, another 50 locations were sampled once. Calibration helps ensure the accuracy of the model.

Health concerns

Scientists are still studying how PFAS affect people's health. Much of what we know comes from toxicity testing in laboratory animals. In people, higher exposure to certain PFAS may lead to:

- Increased cholesterol levels.
- Decreased birth weights.
- Decreased immune response to vaccines.
- Changes in liver enzymes that indicate liver damage.
- Increased risk of blood pressure problems during pregnancy.
- Increased risk of thyroid disease.
- Increased risk of testicular and kidney cancer.

Learn more

- DOH's PFAS webpage.⁸
- SRHD's PFAS webpage
- Health Effects of PFAS, ATSDR.¹⁰

How to reduce your exposure

You can reduce your exposure to PFAS by:

- Minimizing consumption of water and food that contain PFAS.¹¹
- Installing filters to remove PFAS from your tap or well water.¹²
- Reducing use of products that contain PFAS by using PFAS-free consumer products.¹³
- Reducing your exposure to PFAS in consumer products.¹⁴

Related Information

- Seller Disclosure Form 17
- Join the West Plains PFAS updates email list. 15
- <u>Ecology's PFAS in West Plains private wells</u> webpage.¹⁶
- DOH's PFAS webpage.¹⁷
- Basic Information on PFAS, EPA.¹⁸

Contact information

Erika Beresovoy WestPlainsPFAS@ecy.wa.gov 509-385-2290

ADA accessibility

To request an ADA accommodation, contact Ecology by phone at 360-407-6831 or email at ecyadacoordinator@ecy.wa.gov, or visit https://ecology.wa.gov/accessibility. For Relay Service or TTY, call 711 or 877-833-6341

⁸ https://doh.wa.gov/pfas

⁹ https://srhd.org/programs-and-services/pfas-per-and-polyfluoroalkyl-substances

¹⁰ https://www.atsdr.cdc.gov/pfas/health-effects/index.html

¹¹ Learn more at https://doh.wa.gov/PFAS

¹² https://www.youtube.com/watch?v=wyUEA5ap9kE

¹³ https://pfascentral.org/pfas-free-products/

¹⁴ https://youtu.be/P6WfpWnlpLc?si=z6qhbhn7QncC1YqJ

¹⁵ https://bit.ly/EcologyWestPlainsPFASupdates

¹⁶ https://ecology.wa.gov/west-plains

¹⁷ https://doh.wa.gov/pfas

¹⁸ https://www.epa.gov/pfas/basic-information-pfas