



OFFICE OF THE UNDER SECRETARY OF DEFENSE  
3000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-3000

ACQUISITION  
AND SUSTAINMENT

The Honorable Gretchen Whitmer  
Governor of Michigan  
Lansing, MI 48906

Dear Governor Whitmer:

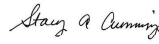
Thank you for your March 31, 2021 letter to the Secretary of Defense requesting the Department of Defense (DoD) amend its cooperative agreement with the State of Michigan to address per- and polyfluoroalkyl substances (PFAS) from DoD activities in accordance with section 332 of the National Defense Authorization Act (NDAA) for FY 2020. I am responding on behalf of the Secretary.

As mentioned in your letter, section 332 of the NDAA for FY 2020 authorizes DoD to enter into or amend existing cooperative agreements between States and DoD to address funding for the expedited review of DoD PFAS cleanup documents. The State of Michigan and DoD have in place a Defense and State Memorandum of Agreement and an associated cooperative agreement that gives DoD the ability to provide support to the State for its expedited review of environmental cleanup documents, including the former Wurtsmith Air Force Base (AFB), and other Defense Environmental Restoration Program sites at DoD installations in your State. This cooperative agreement allows the Department to pay for DoD-requested services provided by the State. The DoD is providing funding to the Michigan Department of Environment, Great Lakes, and Energy (EGLE) through this existing cooperative agreement for their support in addressing PFAS-related cleanup activities at Wurtsmith AFB. The Department is committed to working collaboratively with EGLE to review the existing cooperative agreement to determine whether an amendment is necessary to add additional installations with PFAS sites to that agreement.

DoD follows the existing Federal cleanup law, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, and long-standing Environmental Protection Agency regulations for all chemicals in our cleanup program, including PFAS. CERCLA provides a consistent, science-based approach across the nation for cleanup and includes State environmental regulators and public participation. Once a need for remedial action has been determined based on CERCLA's risk assessment process, Federal and more stringent State cleanup standards are evaluated under the CERCLA process to see if they are Applicable or Relevant and Appropriate Requirements (ARARs) at the specific site. If so, they are incorporated into the cleanup levels that must be attained at the site. Because CERCLA section 121 requires that ARARs are evaluated on a site-specific basis, DoD can only commit to following the CERCLA ARARs process for promulgated Michigan standards, and to continue collaboration with EGLE on ARARs and other cleanup issues.

The Department appreciates your continued support of our men and women in uniform, their families, and the communities in which we serve.

Sincerely,



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Stacy A. Cummings  
Principal Deputy Assistant Secretary of Defense  
(Acquisition)  
Performing the Duties of Under Secretary of  
Defense for Acquisition and Sustainment