

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

IN RE: AQUEOUS FILM-FORMING
FOAMS PRODUCTS LIABILITY
LITIGATION

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MDL No. 2:18-mn-2873-RMG

This Document Relates to:
The Cases Listed in the Attached
Exhibit A

**CERCLA PLAINTIFFS' MEMORANDUM OF LAW IN OPPOSITION TO
DEFENDANT UNITED STATES' MOTION TO HOLD IN ABEYANCE
CERCLA COST RECOVERY AND CONTRIBUTION CLAIMS**

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INTRODUCTION

Plaintiffs with claims against the Government¹ for cost recovery and/or contribution under Section 107 and/or 113 of the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”), 42 U.S.C. §§ 9607, 9613, (collectively, the “CERCLA Plaintiffs”)² oppose the Government’s Motion to Hold in Abeyance CERCLA Cost Recovery and Contribution Claims, Dkt. No. 7987 (the “Motion”).

The very point of CERCLA’s statutory design is to quickly establish the immediate liability of responsible parties for the costs of cleaning up pollutants—“hazardous substances” under the statute—so that affected parties can undertake the necessary clean up without delay and in the confidence that they will be reimbursed. Holding the CERCLA actions against the Government in this MDL in abeyance while other cases progress is thus entirely backwards and prevents CERCLA from performing its most essential role in our nation’s pollution abatement scheme.

The Government perhaps had an argument for abeyance when it appeared that the pollutants at issue might be removed from the CERCLA regime entirely, but it has now unambiguously represented, in separate litigation, that it will leave the designation in place.³ The Government’s alternative excuse for abeyance (that there is a risk of double-recovery) applies only

¹ For purposes of this Opposition, Defendants United States of America, United States Department of Defense (now the Department of War), the Department of the Air Force, the Department of the Army, the Department of the Navy, the Department of Homeland Security, the Federal Aviation Administration are collectively referred to as the “Government.”

² For purposes of this Opposition, the term “CERCLA Plaintiffs” collectively refers to all plaintiffs in this MDL with pending cost recovery and contribution claims against the United States under sections 107 and 113 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (“CERCLA”), 42 U.S.C. §§ 9607, 9613. Attached as Exhibit A to this Opposition is a complete list of all those plaintiffs and the cases they brought against the United States that assert cost recovery or contribution claims under CERCLA.

³ Declaration of John Evans, *Chamber of Com. v. EPA*, Case No. 24-1193 (D.C. Cir. Sep. 17, 2025), Doc. No. 2135418 (“Evans Declaration”). Attached as Exhibit B to this Opposition.

when it comes to making *final* determinations about victims' *total* recovery—a matter which is not before this Court, and can and should be left for later. Indeed, the hope is that establishing the Government's liability under CERCLA will obviate the need for at least some of the complex tort and other claims that plaintiffs are pursuing, thereby eliminating not only any risk of double-recovery, but the prospect of pointlessly duplicative litigation as well.

Meanwhile, as this Court has recognized, the participation of the Government is critical for resolving this litigation.⁴ CERCLA is the ideal vehicle through which to promote that reconciliation. That is because, unsurprisingly, the “Comprehensive Environmental Response, Compensation, and Liability Act” provides a comprehensive framework that, in no uncertain terms, recognizes the Government's liability for releases at its facilities, while also providing a mechanism for the Government to seek contribution from any other parties that are potentially responsible. Accordingly, following the designation of perfluorooctanoic acid (“PFOA”) and perfluorooctane sulfonic acid (“PFOS”) as hazardous substances under CERCLA, this Court noted that “a study about how we can maximize CERCLA reimbursements is probably the highest and best use of our time.”⁵ That was correct then, and it remains correct now.

The Government's effort to indefinitely hold up a determination of its CERCLA liability is therefore likely to delay even further a proper resolution of this complex litigation and is consistent with its generally lackadaisical approach towards seeking such a resolution. For well over a year, plaintiffs have attempted to resolve their CERCLA claims against the Government

⁴ Indeed, at the earliest stages of this litigation, the Court noted there is “no question” that the Government and its military facilities were an “active participant” in, and have responsibility for, nationwide releases of PFAS into the environment and the CERCLA Plaintiffs' properties. *See* July 26, 2019, Status Conference Tr., attached as Exhibit C, at 71:12–16; *id.* at 71:23–72:1 (“[T]here needs to be some careful consideration of whether in [a] potential resolution of this case the United States should not participate.”).

⁵ April 25, 2024, Status Conference Tr., attached as Exhibit D, at 54:2–4.

without litigation. This Court has made clear that, in the absence of progress in settlement, the only appropriate option is for plaintiffs to litigate and the Court to adjudicate their claims. As this Court put it at a previous status conference:

[I]t's not unusual, Mr. London, for me to hear one party complain the other party is not settling the case And, you know, the solution to that always is, well, let's just litigate the thing. . . . [I]n an ideal world, if there's a sort of recognition that because of the designation there's going to be coverage and compensation, we would all rather not spend time doing that. But I can't make the Department of Justice move any faster than it is. You have some influence on that by just litigating the claims.⁶

Having already shown little interest and even less urgency in negotiating a resolution, the Government should not be able to indefinitely suspend the only other option, which is to “litigate the thing.”

At this point, two dozen plaintiffs have asserted CERCLA claims against the Government without any meaningful progress, and seeing that situation, two of those plaintiffs have now filed motions for partial summary judgment on the Government's CERCLA liability. As the Court is aware, one of those motions (filed by the State of New Mexico) led to an agreement in principle to mediate the CERCLA claims at issue, while in response to the other (filed by the owners of Highland Dairy) the Government has, consistent with its delay tactics here, moved to deny or defer a ruling by invoking Fed. R. Civ. P. 56(d). The Government has offered no valid justification for delaying the resolution of those motions nor the advancement of the CERCLA portion of this litigation more broadly, notwithstanding that the abeyance it has requested would unquestionably prejudice not only the CERCLA Plaintiffs but the public good. For these and the other reasons

⁶ February 7, 2025, Status Conference Tr., attached as Exhibit E, at 9:19–10:15. This followed a similar statement from the Court at the prior status conference: “You’ve got to get the litigation pending. And, you know, file the complaint. Do the discovery. Deal with these issues like [the Government’s counsel] was mentioning about liability. And let’s get to the end of this.” November 1, 2024, Status Conference Tr., attached as Exhibit F, at 42:9–18.

discussed below, the Government's Motion should be denied.

LEGAL STANDARD

Although the Fourth Circuit Court of Appeals has not adopted a standard applicable to motions for an abeyance (*i.e.*, to stay), this Court typically considers three factors: (1) the interests of judicial economy; (2) the hardship and inequity to the moving party absent a stay; and (3) potential prejudice to the non-moving party. *E.g.*, *Stratton v. Merck*, No. 2:21-cv-2211-RMG, 2022 U.S. Dist. LEXIS 237429, at *2 (D.S.C. May 25, 2022) (citation omitted). Courts call these the “*Landis* factors,” referring to the Supreme Court’s decision in *Landis v. N. Am. Co.*, 299 U.S. 248 (1936).

The discretionary authority to stay a case is incident to the Court’s inherent power to control its docket. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). “This discretion is not unlimited, however.” *Doe v. South Carolina*, No. 2:24-6420-RMG, 2025 U.S. Dist. LEXIS 161125, at *7 (D.S.C. July 8, 2025) (Gergel, J.). It “calls for the exercise of judgment,” with the factors to consider being “counsels of moderation.” *Landis*, 299 U.S. at 254–55. In ruling on a stay, the Court “must weigh competing interests and maintain an even balance.” *Id.* (internal quotation omitted); *see also Clinton*, 520 U.S. at 683 (reversing the trial court’s grant of a stay in part because it took no account of the plaintiff’s interest in bringing the case to trial).

“The proponent of a stay bears the burden of establishing its need.” *Clinton*, 520 U.S. at 708 (citing *Landis*, 299 U.S. at 255). Specifically, “the suppliant for a stay must make out a clear case of hardship or inequity in being required to go forward, if there is even a fair possibility that the stay for which he prays will work damage to some one else.” *Landis*, U.S. 299 at 255; *Williford v. Armstrong World Indus., Inc.*, 715 F.2d 124, 127 (4th Cir. 1983) (“The party seeking a stay must justify it by clear and convincing circumstances outweighing potential harm to the party against whom it is operative.”).

Courts disfavor a stay of indeterminate length. “[A]ny stay should be fixed within reasonable time limits to avoid a stay of indefinite duration.” *South Carolina*, 2025 U.S. Dist. LEXIS 161125, at *7 (Gergel, J.) (citing *McKnight v. Blanchard*, 667 F.2d 477, 479 (5th Cir. 1982)); *Ashworth v. Albers Med., Inc.*, 229 F.R.D. 527, 533 n.4 (S.D. W. Va. 2005) (“An indefinite stay is an extreme measure which *Landis* strongly discourages.”); *see also Clinton*, 520 U.S. at 707 (noting that a stay should not be “immoderate in extent”); *Landis*, 299 U.S. at 256 (holding that a court abuses its discretion if the stay is “not kept within the bounds of moderation”).

ARGUMENT

The Government has made two arguments for an abeyance: (1) the potential repeal of the rule designating PFOA and PFOS as “hazardous substances” under CERCLA; and (2) the possibility that plaintiffs may obtain potentially duplicative relief through other claims. As explained below, the first argument is moot and the second is meritless. Moreover, even if these arguments held any weight, the Government has failed to fully address—let alone satisfy—the *Landis* factors. The Motion identifies no hardship to the Government from advancing these CERCLA actions (there is none) and says nothing at all about the prejudice to the CERCLA Plaintiffs (which is great). And while the motion references judicial economy, even that concern cuts against the Government’s request for an abeyance here. The Court should thus deny the Government’s Motion and allow the CERCLA Plaintiffs to continue advancing their claims toward a resolution.

I. EPA’s Decision to Retain the CERCLA Designation Rule Has Mooted the Government’s Primary Argument for Abeyance.

The Government’s Motion and Memorandum in Support are devoid of any reason why this Court should grant the relief it seeks—a stay *sine die* of all CERCLA proceedings in which the

Government is a named defendant.⁷ This is particularly true (obvious, even) now that, in parallel litigation, the Government has filed a sworn statement indicating that it is not seeking to reconsider the rule that brought PFOS and PFOA into CERCLA’s liability scheme. While the interests of judicial economy never supported the Government’s Motion, now that its first and best argument is moot this Court should summarily deny the Government’s request.

For context, the root of the Government’s once-best argument for an abeyance is a rulemaking that occurred in May 2024, when EPA designated PFOA and PFOS as “hazardous substances” under CERCLA and brought them into the statute’s liability scheme.⁸ *See also* 42 U.S.C. § 9607(a). Almost immediately, interested parties challenged the CERCLA Designation Rule in an appeal before the D.C. Circuit. *See Chamber of Com. v. EPA*, Case No. 24-1193 (D.C. Cir.). After the federal administration changed on January 20, 2025, EPA requested and received a stay from the D.C. Circuit while it evaluated whether to reconsider the CERCLA Designation Rule. *See* Mot. to Hold Cases in Abeyance, *Chamber of Com. v. EPA*, No. 24-1193 (D.C. Cir. Feb. 11, 2025). EPA later filed for multiple additional stays, lasting through September 2025. *See, e.g.*, Unopposed Motion to Continue Abeyance, *Chamber of Com. v. EPA*, No. 24-1193 (D.C. Cir. Aug. 18, 2025), ECF No. 2130679.

The Government cited these filings in support of its Motion here, noting that EPA had “announced its intent to evaluate whether to reconsider” the CERCLA Designation Rule. Memo. in Support of Def. United States’ Mot. to Hold in Abeyance CERCLA Cost Recovery and

⁷ The CERCLA Plaintiffs recognize that the federal government is currently in a shutdown. Plaintiffs will address any motion for a stay of deadlines based on the ongoing shutdown if the Government makes such a motion.

⁸ *See* EPA, “Designation of Perfluorooctanoic Acid (PFOA) and Perfluorooctanesulfonic Acid (PFOS) as CERCLA Hazardous Substances,” 89 Fed. Reg. 39124 (May 8, 2024) (codified at 40 C.F.R. pt. 302), *available at* <https://www.govinfo.gov/app/details/FR-2024-05-08/2024-08547> (the “CERCLA Designation Rule”).

Contribution Actions, Dkt. No. 7987-1 (“Gov’t Br.”), at 4. Pointing to this development, the Government argued that “[u]ntil there is more clarity on the hazardous substance designation, it would be inefficient to continue moving forward on Plaintiffs’ cost recovery and contribution claims.” Gov’t Br. at 6. That clarity has now been supplied.

On September 17, 2025, EPA filed two documents in the D.C. Circuit appeal which unambiguously represent that the agency will uphold and support the designations of PFOS and PFOA as hazardous substances under CERCLA. Specifically, in a declaration from John Evans, a Senior Advisor for Implementation at EPA, Mr. Evans averred that “[c]onsistent with EPA’s commitment to combat PFAS contamination, EPA has decided to keep the CERCLA Designation Rule in place.” Evans Declaration, attached as Exhibit B, at ¶ 11. The other document, an Unopposed Motion to Govern signed by an attorney at the U.S. Department of Justice, likewise represented that the Government “has decided to keep the [CERCLA Designation] Rule in place.” Unopp. Mtn. to Govern, *Chamber of Com. v. EPA*, Case No. 24-1193 (D.C. Cir. Sep. 17, 2025), Doc. No. 2135418, attached as Exhibit B, at ¶ 5.

Thus, the Government’s primary argument for its requested abeyance—which was speculative to begin with—is now moot. The Government has clearly stated that it remains committed to combatting PFAS contamination and that it is retaining the CERCLA Designation Rule. To remain consistent with that position and mandate, the Government should now withdraw its Motion. If it fails to do so, this Court should deny it, without hesitation, as having been overtaken by events.

II. The Government’s Concerns About “Double Recovery” Under CERCLA Are Illusory and Fail to Justify Its Request for an Abeyance in These CERCLA Actions.

The second basis the Government identifies for its request for an abeyance of all CERCLA actions against it in this MDL is that it would allow time to advance the CERCLA Plaintiffs’ *other*

claims and thus ensure compliance with CERCLA's mandate against double recovery. *See* Gov't Br. at 6–7 (citing 42 U.S.C. § 9614(b) (“Any person who receives compensation for removal costs or damages or claims pursuant to any other Federal or State law shall be precluded from receiving compensation for the same removal costs or damages or claims as provided in this chapter.”)). According to the Government, because “Plaintiffs are in ongoing litigation against the manufacturers of PFAS, insurance companies, and other parties (including the United States) to recover compensation under statutes other than CERCLA,” this Court “should hold [their] cost recovery and contribution claims in abeyance to ensure United States taxpayers do not compensate Plaintiffs for costs that are or will be obtained through other claims.” Gov't Br. at 6–7. This request is both premature and backwards.

First, the mere *possibility* of a double recovery at some undetermined point in the future is insufficient to justify an abeyance. While the Government cites numerous cases where courts have enforced CERCLA's double recovery bar, it fails to cite *any* authority that supports holding CERCLA claims in abeyance before the risk of double recovery has materialized. Here, the CERCLA Plaintiffs' other claims are pending in *the exact same court*, which will have ample opportunity at the appropriate time to ensure that it does not grant a judgment awarding compensation for the same clean-up costs twice. Indeed, that is precisely what the courts did in the cases the Government cites: They policed against double recovery at the point when a second tranche of compensation was to be awarded, not when plaintiffs were merely trying to advance their various, not-yet-satisfied claims. *See, e.g.*, Gov't Br. at 7 n.4 (citing *K.C. 1986 Ltd. P'Ship v. Reade Mfg.*, 472 F.3d 1009, 1017 (8th Cir. 2007) for its “holding that the district court abused its discretion in refusing to credit settlement amounts in calculating the amount of the judgment for CERCLA claim”).

The Government also fails to discuss or even cite the case that is most instructive on these issues, which is the Ninth Circuit’s decision in *Santa Clarita Valley Water Agency v. Whittaker Corp.*, 99 F.4th 458 (9th Cir. 2024) (“*SCVWA*”). In *SCVWA*, a regional water supply agency brought an action against a manufacturer of munitions and explosives asserting both state-law tort claims and a CERCLA cost recovery claim arising from the contamination of its water system and sources with perchlorate, perchloroethylene (PCE), and trichloroethylene (TCE), all designated as hazardous substances under CERCLA and released by the manufacturer before entering groundwater sources. The state law tort claims were tried before a jury, which found the manufacturer liable on all counts and awarded damages to the plaintiff totaling approximately \$65 million. Thereafter, the district court issued findings of fact and conclusions of law concerning the plaintiff’s CERCLA cost recovery claim, which had been tried to the bench. The court determined that it could not establish CERCLA liability against the manufacturer for certain costs because “it would be duplicative of the jury award, and thus precluded by CERCLA’s bar on double recovery.” *Id.* at 469.

The Ninth Circuit reversed after determining that the district court “misconstrued” the plaintiff’s claim as seeking “an award of damages under CERCLA” when it actually sought “a finding that [the manufacturer] is *liable* for those damages.” *Id.* at 477 (emphasis in original). Finding this distinction critical, the Court observed that a “finding of liability under CERCLA for past response costs ensures that a party can recover those costs if the damage award otherwise remains unsatisfied, and it provides the party access to other remedies under CERCLA that it may be entitled to in the future.” *Id.*⁹ After explaining that it had not “had an opportunity to clarify

⁹ CERCLA requires courts to “enter a declaratory judgment on liability for response costs or damages that will be binding on any subsequent action or actions to recover further response costs or damages.” 42 U.S.C. § 9613(g)(2)(B).

whether a finding of liability for incurred response costs under CERCLA is precluded by § 9614(b)'s bar on double recovery," the court held that "a finding of liability is not barred by § 9614(b) so long as the district court frames the relief such that the recovering party does not receive compensation for costs or damages that they have already received pursuant to state or federal law." *Id.* at 477–78.

Although most of the plaintiffs in the CERCLA actions in this MDL have not even had the opportunity to establish the Government's liability under CERCLA in their respective cases, there are two aspects of the Ninth Circuit's decision in *SCVWA* that are instructive in evaluating the Government's request for an abeyance. First, the Ninth Circuit's ruling in *SCVWA* recognizes that CERCLA's prohibition against double recovery does not prevent a court from determining a party's liability under CERCLA for response costs. *Id.* at 478 (holding that a "finding of liability" under CERCLA "is not barred" by the statute's provision prohibiting double recovery). For that reason, CERCLA's double recovery bar cannot be used to justify the Government's requested abeyance, at least so far as it would apply to the determination of whether the Government is liable to Plaintiffs for response costs under CERCLA.

Second, the Ninth Circuit's decision in *SCVWA* acknowledges that CERCLA's double recovery bar only becomes a concern where a court is unable to *frame relief* under CERCLA in such a way "that the recovering party does not receive compensation for costs or damages that they have already received pursuant to state or federal law." *Id.* Far from granting any kind of abeyance, the district court in *SCVWA* took both CERCLA and non-CERCLA claims all the way to trial and was faulted only because it failed to ensure that plaintiffs obtained the CERCLA liability determination to which they were entitled. Here, the Court remains far from trying the multiple different claims at issue, let alone granting duplicative relief thereon. Most importantly,

the Government offers no explanation whatsoever for why this Court would be unable to craft non-duplicative relief when the time comes.

III. The *Landis* Factors Do Not Support a Stay.

All three of the *Landis* factors counsel that a stay of these cases would be inappropriate. Now that EPA has decided to retain the CERCLA Designation Rule, it would be in the interests of judicial economy not only to allow the claims to continue, but to expeditiously advance them. Moreover, any delay in the resolution of CERCLA claims would be extremely prejudicial to the CERCLA Plaintiffs, who need remediation funding as federal funds and settlements with third parties fall short. That prejudice far outweighs any hardship or inequity to the Government, both because the Government has failed to identify any and because there is none. Rapid determinations of liability are built into CERCLA's fabric and a key aspect of its ability to serve the public by promoting timely remediation efforts.

A. Judicial Economy is Not Served by a Stay.

Staying the CERCLA Plaintiffs' cost recovery claims would not advance judicial economy. Rather, there is reason to believe that this Court's prompt adjudication of CERCLA claims will affirmatively *serve* judicial economy by potentially mooted or partially mooted pending claims against the Government under the Federal Tort Claims Act ("FTCA").¹⁰

This Court has noted that recovering from the Government under the FTCA is "always a challenge."¹¹ Plaintiffs have proven that the challenge can be overcome, having survived the

¹⁰ Shortly after the designation of PFOA and PFOS under CERCLA the Court asked how many of the pending tort claims against the Government would be covered by CERCLA, disposing of some of the challenges of FTCA litigation. Counsel to the Government answered that a great majority could now be potentially viable CERCLA claims. April 25, 2024, Status Conference Tr., attached as Exhibit D, at 41:23–42:5.

¹¹ April 25, 2024, Status Conference Tr., attached as Exhibit D, at 47:10.

Government's jurisdictional motions to dismiss the FTCA claims arising from releases at Cannon Air Force Base. Dkt. No. 6728. But as the Court is aware, doing so was a painstaking effort that required extensive written discovery, multiple depositions, hundreds of pages of briefing, and lengthy oral argument. Because the Court has found that FTCA cases in the MDL present site-specific issues, all twenty-three of the FTCA cases involving sites other than Cannon Air Force Base must now complete site-specific jurisdictional discovery and briefing, a burdensome proposition for both the parties and the Court. *See* Dkt. No. 6730.¹²

CERCLA, however, is a different matter. CERCLA contains a broad waiver of the Government's sovereign immunity, and liability is strict. 42 U.S.C. § 9620(a)(1) (waiver of sovereign immunity); *United States v. Monsanto Co.*, 858 F.2d 160, 167 (4th Cir. 1988) (holding that CERCLA establishes a strict liability scheme). As this Court has put it, "all the assumptions that go one way [in FTCA claims] seem to go the opposite way in a CERCLA claim."¹³ Accordingly, this Court has correctly observed that the parties' and the Court's resources are likely best economized by focusing on CERCLA liability, because "a lot of time [spent] talking about the [FTCA]" will become "academic if you've got CERCLA coverage."¹⁴ The Court has even "encourage[d] the Government to get on with it about CERCLA," and notified the parties that "if it doesn't, we're going to have it here. I'll deal with it here."¹⁵ There is accordingly little merit to the argument that this Court's resources would be best served by now derailing the CERCLA process altogether and indefinitely in favor of making progress exclusively on the more complex

¹² The parties have previously acknowledged that the cases will likely need to be handled in tranches just to make that burden manageable. Dkt. Nos. 7441, 7442.

¹³ April 25, 2024, Status Conference Tr., attached as Exhibit D, at 47:12–13.

¹⁴ February 7, 2025, Status Conference Tr., attached as Exhibit E, at 12:23–13:3.

¹⁵ February 7, 2025, Oral Argument Tr., attached as Exhibit G, at 54:1–6.

FTCA aspects of the litigation.

Recognizing the relatively straightforward nature of CERCLA litigation and its capacity to advance this MDL, two plaintiffs have already brought motions for partial summary judgment. *See* Dkt. Nos. 7420, 7421. If successful, those motions will show that CERCLA claims can proceed efficiently with no jurisdictional defenses and few if any liability defenses. *Id.* The CERCLA Plaintiffs expect that, like most CERCLA litigation, the most challenging aspect of these cases will be proving (or negotiating) the recoverability of specific response costs. But even assuming the Government chooses to litigate that issue, it will represent a relatively narrow inquiry amenable to this Court's speedy resolution.¹⁶

B. There Would Be No Hardship or Inequity to the Government if the Court Denies the Stay.

Landis requires the Government to “make out a clear case of hardship or inequity in being required to go forward, if there is even a fair possibility that the stay for which [it] prays will work damage to some one else.” U.S. 299 at 255. In the words of the Fourth Circuit, the Government must justify a stay by demonstrating “clear and convincing circumstances outweighing potential harm to the party against whom it is operative.” *Williford*, 715 F.2d at 127.

Here, not only is there far more than a “fair possibility” of prejudice to the CERCLA Plaintiffs, as discussed below, but there is also nothing against which to weigh that prejudice because the Government has failed to identify *any* hardship or inequity it will face. Instead, the Government has chosen to rest its Motion solely on judicial economy. *E.g.* Mot. at 1 (“An abeyance is warranted in the interest of judicial economy.”). The closest the Government comes to identifying a hardship or inequity is in arguing that the requested abeyance is needed to avoid

¹⁶ As noted above, should CERCLA cases reach the damages phase of litigation the Court and parties would then be well-positioned to address any double-recovery issues.

double recovery, which it claims could unjustly enrich plaintiffs at the expense of the American taxpayer. Gov't Br. at 7. As discussed above, however, this Court is perfectly positioned to avoid any such result at the appropriate time in the damages phase of litigation, and abeyance is not remotely necessary or appropriate to avoid that concern.

Finally, it should be noted that even were this Court to grant the requested abeyance the Government would still be required to defend claims under state law analogs to CERCLA, such as the Washington Model Toxics Control Act, which can serve as an additional basis for liability for the CERCLA Plaintiffs' response costs.¹⁷ Because these state statutes are closely modelled after CERCLA, resolution of claims under CERCLA and these CERCLA analogues requires parallel showings and defenses by the parties. Resolving claims under CERCLA and its state law analogs in unison is the most efficient way for the Court to resolve the outstanding claims. Numerous CERCLA Plaintiffs are prepared to file for partial summary judgment to establish the Government's liability under such laws, and holding the CERCLA litigation in particular in abeyance would thus needlessly multiply the proceedings in this already complex MDL.

C. There Would Be Severe Prejudice to the CERCLA Plaintiffs if the Court Were to Order a Stay.

The Government's requested abeyance would severely prejudice the CERCLA Plaintiffs' ability to address PFAS contamination in a timely manner, and to ensure that a responsible party bears the cost—the very purpose of CERCLA. *Burlington N. & Santa Fe Ry. Co. v. United States*, 556 U.S. 599, 602 (2009) (noting that CERCLA was “designed to promote the timely cleanup of hazardous waste sites and to ensure that the costs of such cleanup efforts were borne by those responsible for the contamination.”) (internal quotations and citations omitted). Such actions are

¹⁷ CERCLA itself waives sovereign immunity for claims under state analogs based on contamination at federally owned or operated sites. 42 U.S.C. § 9620(a)(4); *see also, e.g., Crowley Marine Servs., Inc. v. Fednav Ltd.*, 915 F. Supp. 218, 221–22 (E.D. Wash. 1995).

desperately needed—the Government has now systematically delayed its own PFAS cleanups at over 140 military facilities, by five years on average and by nearly a decade in some cases.¹⁸ That includes delays of *at least six years* at *seven* current or former military facilities—Peterson Space Force Base (f/k/a Peterson Air Force Base), Barnes Air National Guard Base, Cannon Air Force Base, Francis S. Gabreski Air National Guard Base, former Plattsburgh Air Force Base, Stewart Air National Guard Base, and Fairchild Air Force Base—that are the subject of CERCLA claims which the Government now seeks to hold in abeyance through its motion.¹⁹

CERCLA reimbursements are likely the only federal funding that will be available and adequate to fully address PFAS contamination at and around federal facilities. For example, the current administration has proposed decimating the Clean Water and Drinking Water State Revolving Fund—used to fund water quality improvement projects—by reducing it from almost \$3 billion to a mere \$305 million.²⁰ Water providers among the CERCLA Plaintiffs urgently need to finance PFAS treatment systems, both as a matter of public health and in order to comply with

¹⁸ See, e.g., Hiroko Tabuchi, *Defense Department Delays Cleanup of ‘Forever Chemicals’ Nationwide*, NEW YORK TIMES (Sept. 23, 2025), <https://www.nytimes.com/2025/09/23/climate/military-defense-pfas-forever-chemicals-cleanup-delay.html> (last visited Oct. 23, 2025), attached as Exhibit H.

¹⁹ Compare U.S. Dept. of Defense, *Progress at the 723 Installations Being Assessed for PFAS Use or Potential Release* (Mar. 31, 2025) (reporting on the status of the Government’s cleanup efforts at military facilities with existing PFAS contamination as of March 31, 2025), available at <https://www.acq.osd.mil/eie/eer/ecc/pfas/docs/data/DoD-PFAS-Progress-31MAR25.pdf> (last visited Oct. 23, 2025), attached as Exhibit J, with Appendix A to U.S. Dept. of Defense, *FY 2024 Report on Status of Per- and Polyfluoroalkyl Substances Preliminary Assessment/Site Inspection Testing* (Apr. 2025) (reporting on the status of the Government’s cleanup efforts at military facilities with existing PFAS contamination as of September 30, 2024), available at https://www.acq.osd.mil/eie/eer/ecc/pfas/docs/reports/FY24-PFAS-PA_SI-Testing-Report.pdf (last visited Oct. 23, 2025), attached as Exhibit I.

²⁰ See Office of Management and Budget, Letter to Senator Susan Collins (May 2, 2025), available at <https://www.whitehouse.gov/wp-content/uploads/2025/05/Fiscal-Year-2026-Discretionary-Budget-Request.pdf> (last visited Oct. 23, 2025), attached as Exhibit K.

state and federal drinking water standards. Absent the ability to recover costs from responsible parties, those costs will either be borne by ratepayers or will imperil the financial stability of the water providers themselves. To give just one example, Lakewood Water District has incurred \$14 million in unreimbursed costs to filter water contaminated by the Air Force and Army. Multiple other wellhead treatment response actions are currently in the planning and design phases. If unable to pursue claims to recover the costs of such response actions, water providing CERCLA Plaintiffs like Lakewood may face delays in being able to provide the public with safe drinking water.

Importantly, the funding provided through settlements with AFFF and PFAS manufacturers is insufficient to cover plaintiffs' costs. From the earliest days of this MDL, the Court has recognized that plaintiffs' damages could present an "existential threat" to AFFF and PFAS manufacturers.²¹ The Court has often repeated those concerns, including at the fairness hearing for the 3M settlement: "[E]ven if the plaintiffs maxed out and won every issue, there [is] not enough money among [industry] defendants to pay for the damages alleged by the plaintiffs."²² The Court has also indicated that because of these concerns it has "long thought [the Government] needs to be at the table" as a "potential contributing solution" for the shortfall in damages that the manufacturers are able to pay.²³ As discussed above, the CERCLA Plaintiffs have been trying to bring the Government to the table since September 2024 but those efforts have been almost completely unsuccessful. It is only through litigation that the CERCLA Plaintiffs have been able to make any meaningful progress. A stay of these cases would deprive the CERCLA Plaintiffs of their ability to timely litigate these claims and/or obtain any discovery that is needed from the

²¹ July 26, 2019, Status Conference Tr., attached as Exhibit C, at 71:8.

²² Feb. 2, 2024, Fairness Hearing Tr., attached as Exhibit L, at 14:11–14.

²³ Apr. 25, 2024, Status Conference Tr., attached as Exhibit M, at 47:22–48:16.

Government.²⁴

Finally, the prejudice to the CERCLA Plaintiffs posed by the Government's Motion is particularly severe because the Government has failed to identify any circumstances which would justify lifting the stay, instead proposing merely to "provide updates at the joint status conferences to the Court." Gov't Br. at 8. Thus, the Government has in essence proposed an indefinite stay, which is strongly disfavored by this Court. *E.g. South Carolina*, 2025 U.S. Dist. LEXIS 161125, at *7 ("[A]ny stay should be fixed within reasonable time limits to avoid a stay of indefinite duration.").

CONCLUSION

At present, the Government's only apparent tactic in this litigation is to delay its resolution for as long as possible. With respect to CERCLA liability, however, it has nothing to hide behind. EPA has reaffirmed its commitment to addressing PFAS contamination and declared that it will retain the CERCLA designation of PFOA and PFOS. The Government's double recovery arguments are meritless. The balance of the *Landis* factors also counsel against the requested abeyance, particularly because the rapid settlement of liability is the whole point of the CERCLA regime. The Court should not endorse the Government's latest attempt at delay, which would not serve the interests of judicial economy and would severely prejudice plaintiffs. The Government's motion should be denied.

²⁴ Access to evidence is a persistent obstacle to bringing CERCLA claims since—as in the cases before the Court—the relevant contamination often dates back decades and the ensuing passage of time causes witnesses to forget key facts and documents to be lost or destroyed.

Dated: October 23, 2025

Respectfully submitted,

/s/ Andrew W. Croner

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 23, 2025, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify the foregoing document is being served this day on all counsel of record in this case via transmission of Notice of Electronic Filing generated by CM/ECF.

/s/ Andrew W. Croner
Andrew W. Croner

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

IN RE: AQUEOUS FILM-FORMING
FOAMS PRODUCTS LIABILITY
LITIGATION

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MDL No. 2:18-mn-2873-RMG
This Document Relates to:
The Cases Listed in the Attached
Exhibit A

**CERCLA PLAINTIFFS' OPPOSITION TO DEFENDANT UNITED STATES'
MOTION TO HOLD IN ABEYANCE CERCLA COST RECOVERY AND
CONTRIBUTION CLAIMS**

EXHIBIT LIST

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	List of Cases and Plaintiffs Asserting CERCLA Claims Against the Government
B	Unopposed Motion to Govern and Supporting Declaration of John Evans, <i>Chamber of Com. v. EPA</i> , Case No. 24-1193 (D.C. Cir. Sep. 17, 2025), Doc. No. 2135418.
C	Excerpt from Transcript of Status Conference held on July 26, 2019
D	Excerpt from Transcript of Status Conference held on April 25, 2024
E	Excerpt from Transcript of Status Conference held on February 7, 2025
F	Excerpt from Transcript of Status Conference held on November 1, 2024
G	Excerpt from Transcript of Oral Arguments held on February 7, 2025
H	Hiroko Tabuchi, <i>Defense Department Delays Cleanup of 'Forever Chemicals' Nationwide</i> , NEW YORK TIMES (Sept. 23, 2025).
I	U.S. Dept. of Defense, <i>FY 2024 Report on Status of Per- and Polyfluoroalkyl Substances Preliminary Assessment/Site Inspection Testing</i> (Apr. 2025).
J	U.S. Dept. of Defense, <i>Progress at the 723 Installations Being Assessed for PFAS Use or Potential Release</i> (Mar. 31, 2025).

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
K	Letter from Russel T. Vought, Director, Office of Management & Budget, to the Honorable Susan Collins, Chair of Committee on Appropriations, United States Senate, dated May 2, 2025.
L	Excerpt from Transcript of Fairness Hearing held on February 2, 2024
M	Excerpt from Transcript of Status Conference held on Apr. 25, 2024

EXHIBIT A

CERCLA Plaintiffs

Case Caption	Case Number	Plaintiff Name(s)
<i>City of Newburgh v. United States et al</i>	2:18-cv-03358-RMG	City of Newburgh
<i>City of Westfield, Massachusetts v. 3M Company et al</i>	2:18-cv-03435-RMG	City of Westfield, Massachusetts
<i>Fiattarone et al v. United States of America et al</i>	2:19-cv-01119-RMG	Vincent A Fiattarone; Bradley T Shrum; Jan Shardell Shrum
<i>County of Suffolk v. United States of America</i>	2:19-cv-01181-RMG	County of Suffolk
<i>Atlantic City Municipal Utilities Authority v. 3M Company et al</i>	2:19-cv-01223-RMG	Atlantic City Municipal Utilities Authority
<i>Security Water District et al v. USA</i>	2:19-cv-02187-RMG	Security Water District; Pikes Peak Community Foundation
<i>City of Airway Heights v. United States of America et al</i>	2:20-cv-01763-RMG	City of Airway Heights
<i>State of New Mexico et al v. United States et al</i>	2:20-cv-02115-RMG	State of New Mexico; New Mexico Environment Department; New Mexico Office of Natural Resources
<i>Lakewood Water District v. United States of America et al</i>	2:20-cv-02899-RMG	Lakewood Water District
<i>City of Birmingham, Alabama v. 3M Company et al</i>	2:21-cv-00606-RMG	City of Birmingham, Alabama
<i>Town of New Windsor v. United States of America et al</i>	2:21-cv-01496-RMG	Town of New Windsor
<i>City of DuPont v. United States of America et al</i>	2:21-cv-03284-RMG	City of DuPont
<i>City of Montgomery Alabama v. 3M Company et al</i>	2:22-cv-04296-RMG	City of Montgomery Alabama
<i>Liberty Utilities Litchfield Park Water & Sewer Corp v. 3M Company et al</i>	2:23-cv-02627-RMG	Liberty Utilities Litchfield Park Water & Sewer Corp.
<i>City of Mobile Alabama v. 3M Company et al</i>	2:23-cv-04044-RMG	City of Mobile Alabama
<i>Manchester Township New Jersey Department of Public Works & Utilities v. 3M Company et al</i>	2:23-cv-06349-RMG	Manchester Township New Jersey Department of Public Works & Utilities
<i>Village of Johnson City v. United States of America</i>	2:24-cv-01216-RMG	Village of Johnson City
<i>City of Ceiba Puerto Rico v. 3M Company et al</i>	2:24-cv-04110-RMG	City of Ceiba Puerto Rico
<i>Town of Marana v. United States of America</i>	2:24-cv-05962-RMG	Town of Marana
<i>Schaap et al v. United States of America et al</i>	2:24-cv-07040-RMG	Art Schaap and Renee Schaap d/b/a Highland Dairy
<i>Barnstable Fire District v. United States of America</i>	2:25-cv-00159-RMG	Barnstable Fire District
<i>City of Fort Worth v. United States et al</i>	2:25-cv-02636-RMG	City of Fort Worth
<i>Town of Plattsburgh v. United States of America</i>	2:25-cv-02750-RMG	Town of Plattsburgh

EXHIBIT B

Motion to Govern Evans Declaration

Chamber of Com. v. EPA, Case No. 24-1193 (D.C. Cir. Sep. 17, 2025),
Doc. No. 2135418

USCA Case #24-1193

Document #2135418

Filed: 09/17/2025

Page 1 of 4

ORAL ARGUMENT NOT YET SCHEDULED
IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA, et al.,

Petitioners,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY, et al.,

Respondents.

Case No. 24-1193 and
consolidated cases

MOTION TO GOVERN

Respondents the United States Environmental Protection Agency and Administrator Lee Zeldin (“EPA”) respectfully move the Court to lift the abeyance and order the parties to propose an amended briefing schedule by September 30, 2025. EPA has reviewed the underlying rule and has decided to keep the Rule in place. *See* Att. A, Evans Decl. ¶ 11.

Petitioners and Respondent-Intervenors in these consolidated cases do not oppose this motion. In support of this motion, EPA states as follows:

1. Petitioners seek review of an EPA final rule titled “Designation of Perfluorooctanoic Acid (PFOA) and Perfluorooctanesulfonic Acid (PFOS) as CERCLA Hazardous Substances,” 89 Fed. Reg. 39124 (May 8, 2024) (“Rule”).

2. On October 1, 2024, the Court entered a briefing schedule and format for these consolidated cases. Doc. No. 2077702.

3. Consistent with the Court's order, Petitioners filed their opening brief on November 4, 2024, EPA filed its response brief on January 17, 2025, and Respondent-Intervenors filed their brief on February 13, 2025. *See id.*; Doc. Nos. 2083600, 2094951, 2100646.

4. Before briefing completed, on February 24, 2025, the Court granted EPA's motion to hold the case in abeyance pending new EPA leadership's review of the Rule. Doc. No. 2102403. Since then, the Court has granted EPA's motions to continue the abeyance to allow additional time for EPA to review the Rule, the issues presented in this case, and to develop EPA's position on how to proceed in this litigation. *See, e.g.*, Doc. No. 2130679.

5. EPA has completed its review and has decided to keep the Rule in place. Evans Decl. ¶ 11.

6. The parties now need to complete briefing. Petitioners' joint reply brief (not to exceed 8,500 words), a deferred appendix, and the parties' final briefs remain to be filed. *See* Doc. No. 2077702. And the briefing deadlines established in the Court's October 1, 2024, order have now passed. *Id.* Thus, EPA requests that the Court order the parties to propose an amended briefing schedule by September 30, 2025, to complete briefing these consolidated cases.

USCA Case #24-1193

Document #2135418

Filed: 09/17/2025

Page 3 of 4

Respectfully submitted,

DATED: September 17, 2025

ADAM R.F. GUSTAFSON
Acting Assistant Attorney General

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USCA Case #24-1193

Document #2135418

Filed: 09/17/2025

Page 4 of 4

CERTIFICATES OF COMPLIANCE AND SERVICE

This document complies with the word limit of Federal Rule of Appellate Procedure 27(d)(2)(A) because, excluding the parts of the document exempted by Federal Rule of Appellate Procedure 32(f), this document contains 336 words.

This document complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type-style requirements of Federal Rule of Appellate Procedure 32(a)(6) because this document has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point Times New Roman font.

On September 17, 2025, I filed the foregoing with the Court's CM/ECF system, which will notify each party.

/s/ Jin Hyung Lee
JIN HYUNG LEE

USCA Case #24-1193

Document #2135418

Filed: 09/17/2025

Page 1 of 3

ORAL ARGUMENT NOT YET SCHEDULED**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA, et al.,

Petitioners,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY and Lee M. Zeldin, Administrator
of the U.S. Environmental Protection Agency,

Respondents.

No. 24-1193 (and consolidated
cases)

DECLARATION OF JOHN EVANS

1. I, John Evans, under penalty of perjury, affirm and declare that the following statements are true and correct to the best of my knowledge and belief, and are based on my own personal knowledge or on information contained in the records of the United States Environmental Protection Agency (EPA) or supplied to me by EPA employees.

2. I am the Senior Advisor for Implementation in the Office of Land and Emergency Management (OLEM) at EPA. OLEM is responsible for overseeing the responses to abandoned and active hazardous waste sites, as well as accidental chemical releases under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). OLEM also works with programs within the Agency and representatives of various public and private organizations to enhance the cleanup of contaminated sites by encouraging innovative technologies to address contaminated soil and groundwater.

3. In my current capacity, I advise senior leadership in OLEM including on the implementation of EPA's national remedial action cleanup program under

CERCLA and the development and implementation of regulations designating hazardous substances pursuant to section 102(a) of CERCLA.

4. This declaration is filed in support of EPA’s motion to govern in *Chamber of Commerce, et al. v. U.S. Env’tl Protection Agency, et al.*, No. 24-1193 (D.C. Cir.) and consolidated cases.

Regulatory Background

5. On May 8, 2024, EPA issued a rulemaking designating perfluorooctanoic acid and perfluorooctanesulfonic acid, as well as their salts and structural isomers, as hazardous substances under section 102(a) of CERCLA. *See* “Designation of Perfluorooctanoic Acid (PFOA) and Perfluorooctanesulfonic Acid (PFOS) as CERCLA Hazardous Substances,” 89 Fed. Reg. 39124 (May 8, 2024) (Designation Rule). Section 102(a) authorizes EPA to “promulgate and revise as may be appropriate, regulations designating as hazardous substances . . . such elements, compounds, mixtures, solutions, and substances which, when released into the environment may present substantial danger to the public health or welfare or the environment” 42 U.S.C. § 9602(a).

Review of the Designation Rule

6. Petitioners in the above-captioned cases challenged the Designation Rule in the summer of 2024, and the parties began briefing these cases.

7. A new administration took office on January 20, 2025.

8. Shortly thereafter, EPA asked that the Court hold the litigation in abeyance to allow new Agency leadership time to determine how to proceed with the litigation and the underlying rule.

9. The Court granted the initial abeyance on February 24, 2025, which was further extended on April 30, June 2, July 3, and August 20.

10. During that time, EPA reviewed the issues presented in these cases, evaluated the Designation Rule within the broader context of EPA’s comprehensive strategy to address PFOA and PFOS, and considered EPA’s position on how to proceed in this litigation.

USCA Case #24-1193

Document #2135418

Filed: 09/17/2025

Page 3 of 3

11. Consistent with EPA's commitment to combat PFAS contamination, EPA has decided to keep the CERCLA Designation Rule in place.

12. This decision is in line with Administrator Zeldin's Powering the Great American Comeback Initiative and will advance Pillar 1: Clean Air, Land, and Water for Every American, and Pillar 3: Permitting Reform, Cooperative Federalism, and Cross-Agency Partnership.

13. EPA will continue to engage with Congress and industry to establish a clear liability framework that ensures the polluter pays and passive receivers are protected.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 17th day of September, 2025.

SO DECLARED:

JOHN
EVANS

Digitally signed by JOHN
EVANS
Date: 2025.09.17
12:02:38 -04'00'

John Evans, Senior Advisor for Implementation
Office of Land and Emergency Management

EXHIBIT C

July 26, 2019, Status Conference Tr.

Pages 1-2, 70-73

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

IN RE: AQUEOUS FILM-FORMING) MDL NO: 2:18-MN-2873
FOAMS PRODUCTS LIABILITY)
LITIGATION) July 26, 2019

TRANSCRIPT OF STATUS CONFERENCE

BEFORE THE HONORABLE RICHARD M. GERGEL
UNITED STATES DISTRICT JUDGE, presiding

A P P E A R A N C E S:

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SCOTT SUMMY, ESQ.
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MATTHEW EDLING, ESQ.
KEVIN HANNON, ESQ.
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GALE PEARSON, ESQ.
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FREDERICK KENDALL, III, ESQ.
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For the Defendants: DAVID DUKES, ESQ.
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Proceedings reported by stenographic court reporter.
Transcript produced with computer-aided transcription
software.

1 Honor. So I don't know what that was all about, but all I
2 can say is I'm happy to say that that case is on its way.

3 **THE COURT:** Let -- let me just say, I understand
4 how some of the parties may feel like their issues aren't
5 being addressed like step one, theirs's may be step two or
6 three. I get that. I really do. And I'm going to -- I'm
7 going to try to stay very conscious of the interests of
8 all the parties not to unduly address -- not to address
9 one set of claims and completely ignore the interests of
10 others. But there are limitations when you have 110
11 really complicated cases.

12 And folks, tell me, do we have a lot more
13 coming? What are we hearing?

14 **MR. LONDON:** Yes.

15 **MR. PETROSINELLI:** I should say that the State
16 of New York just filed, I think yesterday, a third case in
17 that same court. I'm hoping, given what's happened, that
18 they won't oppose transfer and try to end run -- end run a
19 motion to remand, but I guess we'll see.

20 **THE COURT:** Folks, let me ask you what may just
21 be a completely ridiculous idea, but one in which I think
22 the parties would have a common interest in this. I have
23 attempted on my own to gather as much information as I
24 can. I've been reading the various Department of Defense
25 reports to congress on publicly-released reports. And I

1 have read the interests of numerous congressmen of all
2 parties, all parts of the country who have understandable
3 concern about the effects of this product may have in
4 their individual congressional districts and in and around
5 military installations.

6 I made a reference before that to the extent
7 that the plaintiff's claim have merit -- claims have
8 merit, that this could be an existential threat to the --
9 to the defendants. The -- I don't think the -- the
10 liability could be extraordinary.

11 The Government has filed motions to a certain
12 governmental immunity. I don't think anybody would argue
13 that to the extent there is culpability or responsibility
14 here, which is yet to be determined, the Government was an
15 active participant in that. There is no question about
16 that.

17 And I'm not saying anything intentional. I just
18 think in terms of who allege -- you know, who was involved
19 in the exposure of the product to servicemen and to people
20 living in and around military installations and so forth
21 or near these products where the -- where the product was
22 exposed.

23 That seems to strike me that there needs to be
24 some careful consideration of whether in -- in a reso --
25 potential resolution of this case the United States should

1 not participate. It may be -- have to be a voluntary
2 congressional act, a version of -- sort of the 9/11
3 situation, where the United States may participate in a
4 settlement fund. I -- and I would suggest as -- and
5 you've got many, many things on your plate -- that y'all
6 might in common seek to start a dialogue with congress on
7 that issue.

8 I know there are a lot of congress members of
9 the House and Senate vitally interested in this subject.
10 I see it on the internet. They're very concerned. And
11 it -- it would have to be a decision by congress to do
12 that.

13 To the extent there's governmental immunity,
14 that would -- that would be the responsibility. But it
15 has been known, of course, there are instances where the
16 Government by -- you know, we traditionally call those
17 private bills where the Government steps in and
18 contributes.

19 So I simply say to you -- to all of you that
20 that might be a source of something of common interest
21 that y'all ought to be exploring. It would not be a fast
22 process. But, you know, all across the country, news
23 reports -- I suspect the plaintiffs lawyers may have some
24 role in this -- are starting to pop up about the dangers
25 of this contamination. And that is, obviously, generating

1 a great deal of public concern and perhaps response by
2 people who are in elected positions who may be in a
3 position to play some role in what may be necessary to
4 remediate.

5 I -- you know, the Government has spent, I don't
6 know, Ms. Williams, hundreds of millions of dollars now on
7 remediation? Is that fair?

8 **MS. WILLIAMS:** Yes, Your Honor.

9 **THE COURT:** So, obviously, this is a -- this is
10 a big task. It may be bigger than anybody sitting in this
11 courtroom can han -- do themselves.

12 Anything further to come before the Court?

13 Yes, sir?

14 **MR. DESAI:** Yes, could I just respond very
15 briefly as to --

16 **THE COURT:** Come on forward.

17 **MR. DESAI:** Thank you, Your Honor.

18 **THE COURT:** Yes.

19 **MR. DESAI:** Mihir Desai from the State of New
20 York.

21 **THE COURT:** Yes. You're the one filing all the
22 lawsuits. You're starting to act -- you need to come sit
23 with the plaintiffs here. You're going to be like -- you
24 know, you're starting to act like a good plaintiff's
25 lawyer.

EXHIBIT D

April 25, 2024, Status Conference Tr.

Pages 1-2, 39-57

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

IN RE: AQUEOUS FILM-FORMING * MDL No. 2:18-mn-2873
FOAMS PRODUCTS LIABILITY *
LITIGATION * April 25, 2024

TRANSCRIPT OF STATUS CONFERENCE

BEFORE THE HONORABLE RICHARD M. GERGEL
UNITED STATES DISTRICT JUDGE, presiding

A P P E A R A N C E S:

For the Plaintiffs:

Motley Rice LLC
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software.

1 the exigencies or the circumstances that demanded. And I
2 didn't do it casually. I did it because I was persuaded
3 by the folks from Tyco that it was a significant barrier
4 to resolution.

5 **MR. HOLIAN:** Thank you, Your Honor.

6 **MR. LONDON:** Your Honor, with respect to
7 defendant-by-defendant update, there's nothing beyond the
8 Joint Status Report. I'm happy to report that there was a
9 discovery dispute with the Turnout Gear defendants, but
10 Joint Status Reports or case management conferences
11 resolved those issues last night. So that was resolved.

12 **THE COURT:** Good.

13 **MR. LONDON:** Moving to the US discovery or US
14 update, I think Mr. Napoli and Ms. Falk's colleagues are
15 going to address a few issues that are --

16 **THE COURT:** Let me hear from Ms. Falk first, if
17 I could. Come on forward, Ms. Falk.

18 **MS. FALK:** Good morning, Your Honor.

19 **THE COURT:** Let me just say this, folks. You
20 know, the Justice Department could have taken a very
21 different view of this case of saying I'm not doing any
22 discovery, I'm not helping anybody. And Ms. Falk has not
23 done that. And y'all all ought to give her a thanks for
24 her reasonableness. (Applause)

25 **MS. FALK:** My esteemed colleague and I,

1 Mr. Napoli, have finally been butting heads, so I think he
2 clapped begrudgingly.

3 MR. LONDON: He didn't clap.

4 MS. FALK: Just a few things, Your Honor,
5 really. This has been a very productive month since our
6 previous meeting.

7 Number one, we now have an MCL of 4 parts per
8 trillion. We sent a note to that to the Court and the
9 parties. And number two, very significantly is PFOS and
10 PFOA have been designated as hazardous substances under
11 CERCLA. I have consulted with my colleagues in the
12 Environment and Natural Resources Division. There have
13 been a lot of questions from the plaintiffs about what
14 that designation means in terms of any additional causes
15 of action. And the environment --

16 THE COURT: I have that same question myself.

17 MS. FALK: I sort of thought that when I came
18 up. And in fact, the Environment and Natural Resources
19 Division will entertain now, if someone wants to bring a
20 demand letter. And to be clear, that demand letter should
21 include evidence that your costs are necessary and
22 consistent with the NCP. And Mr. Knudsen, who is the
23 author of the 113(h) motion, the jurisdictional motion
24 under CERCLA that's now pending, they could send that
25 information to him.

1 **THE COURT:** So is the United States recognizing
2 that there may be valid claims under CERCLA now?

3 **MS. FALK:** Absolutely, Your Honor, yeah. I
4 think that, you know, when this case started years ago,
5 there was no CERCLA cause of action. And looking at the
6 cases against the United States, there's right now 34. My
7 sense of things, as a tort lawyer, my sense of things is
8 at least 20 of them really are CERCLA claims pleaded as
9 FTCA claims.

10 **THE COURT:** I had that impression myself.

11 **MS. FALK:** Yeah. So I would urge the parties to
12 take advantage of that informal process. But in addition,
13 we will entertain amended pleadings. Dee had suggested
14 that it would be better to wait until the designation goes
15 final, which should be about another 60 days. But if the
16 parties want to amend their pleadings now, there won't be
17 an objection to that.

18 **THE COURT:** Well, let me ask you this. We're
19 actively finishing the briefing on our federal tort
20 claims. And I know we're focusing site specific at the
21 air base, Cannon Air Base. It seems to me that if there
22 is a path through CERCLA, that -- will that cover most,
23 some, most? How many of those claims are actually
24 potentially covered by CERCLA that we wouldn't need to
25 address immunity questions?

1 **MS. FALK:** By my count, Your Honor, there would
2 be, of the cases pending, as I said, about 18 to 20 in my
3 opinion would fall under -- would have fallen under the
4 rubric of CERCLA, would have been filed as CERCLA claims
5 to begin with had it existed.

6 I believe that the rest of the claims, there are
7 four claims that are the environmental statutory claims.
8 There are within the 113(h) motion. In other words,
9 people argued, well, we have authority under RCRA. We
10 could bring this under RCRA. Well, now there's a CERCLA
11 potential. So there's four cases that are those. Those
12 are not FTCA claims.

13 With regard to the FTCA, I think that most of
14 them are mixed. There are three cases that I couldn't see
15 how it could possibly be considered a mixed cause of
16 action. And those would be --

17 **THE COURT:** So a great majority would have a
18 potentially viable CERCLA claim?

19 **MS. FALK:** Yes.

20 **THE COURT:** The question to me is whether racing
21 ahead on the immunity question makes a lot of sense if in
22 fact we have potentially valuable CERCLA claims?

23 What is the plaintiff's response to that,
24 Mr. Napoli?

25 **MR. NAPOLI:** So, Your Honor, we agree with you.

1 I think the world has changed since CERCLA has now been
2 put in place, particularly with these claims against the
3 US Government. So our thoughts are to take advantage of
4 Ms. Falk's suggestion to write letters to Andrew Knudsen
5 about our claims and put them in light of cost recovery
6 claims under the NCP and begin a dialogue with them. I
7 have been dialoguing with the NRD on some of the claims
8 for a couple of years and it has not really gone anywhere.
9 But we're going to begin the process.

10 THE COURT: But the universe has changed now.

11 MR. NAPOLI: Correct. So we're going to take
12 advantage of -- but from experience in the past having
13 these CERCLA claims with the US Government, sometimes it
14 comes down to how much of that and are these final
15 settlements? Because the way CERCLA works is you bring a
16 claim for costs that were expended. And there's a
17 six-year look back. But now tomorrow -- I settled today,
18 tomorrow I have more expenses, I could bring another
19 claim.

20 So I think it's important that we resolve the
21 whole claim so we're not doing this forever. As Your
22 Honor suggested, this is not the forever case. So we're
23 going to send letters and we're going to encourage those
24 plaintiffs that have cases to send letters.

25 But we also think it's important to amend our

1 complaint. And we've agreed to, quote, unquote, stipulate
2 of a process to amend complaints before the 60 days of the
3 final rule.

4 But I'm just throwing this out there. And I
5 have not discussed this with Ms. Falk as of yet. But it
6 might make sense to engage Judge Phillips to also assist
7 us and Judge Seymour to also assist us if there are
8 differences in costs. And that is something we can talk
9 about. But it's another suggestion.

10 **MS. FALK:** Your Honor, with regard to engaging
11 Judge Phillips, the people who will be settling these
12 claims would be the Environment and Natural Resources
13 Division, not my division. And I think that they
14 typically, in order to reduce costs, like to have people
15 that review costs to make those determinations themselves.
16 And these will not be cases where you'll be able to settle
17 en masse. This will not be similar to any of your water
18 provider cases that you've settled before where there's
19 this big global number. It just doesn't work like that.

20 **MR. NAPOLI:** And I'm not suggesting that,
21 Christina.

22 **MS. FALK:** Okay.

23 **MR. NAPOLI:** I think it's of the 34 cases that
24 are filed.

25 **THE COURT:** But we only have 34, or now with

1 this hazardous designation, are we going to have more?

2 **MR. NAPOLI:** There, most likely, will be more.
3 Because there was 704 sites identified as using AFFF. And
4 I think there are about 324 that are designated for
5 cleanup. So those communities around the bases may or may
6 not have been impacted. And we're trying to figure out
7 where those potential claims might be but there may be
8 more.

9 **MS. FALK:** Yeah. I just don't want to
10 understate the role that the United States has already
11 done in terms of the cleanup near these communities.

12 **THE COURT:** Six billion dollars, I recall

13 **MS. FALK:** Nine, nine billion, Your Honor.

14 **THE COURT:** Thank you for correcting me.

15 **MS. FALK:** And that was at a standard of 70
16 parts per trillion. We're now at 4. We had submitted a
17 declaration from a person at DOD that's overseeing all of
18 these cleanups. And she acknowledged that that number at
19 \$9 billion, for what's already been spent and has been
20 spent, is going to do nothing but go up. And they had
21 already anticipated the 4 part per trillion and have
22 already been going back and reviewing and looking at the
23 data they've already collected to see how many additional
24 people come into it. So I don't think it's fair to
25 suggest that because there are many, many Air Force bases

1 or Navy bases where they've moved from Phase One to Phase
2 Two, that that's all that's going to be done and nothing's
3 been done. That's just not the case here.

4 **MR. NAPOLI:** Yeah. And as with any defendant,
5 they disagree on the costs. But we have 34 cases from
6 communities around the base. For example, Colorado
7 Springs, Peterson Air Force Base, three water districts
8 have brought claims because they don't think the US
9 Government is doing enough. A lot of the money they spent
10 was on their own sites, not necessarily in the community.

11 **MS. FALK:** Your Honor --

12 **MR. NAPOLI:** So that's why it might help us with
13 Judge Phillips.

14 **THE COURT:** Let me hear from Ms. Falk.

15 **MS. FALK:** Your Honor, if I may? I'm happy that
16 Mr. Napoli raised Peterson Air Force Base. Security Water
17 District, which is one of the main water districts at
18 issue, that's a prime example. Security Water District
19 sued the United States back in 2018. And the value of
20 that claim was about \$16 million. We're now at 2025. The
21 Air Force investigated and gave that water system,
22 Security Water System, a brand new system for cleanup for
23 the entire water system, not just for one or two wells,
24 for all the wells.

25 **THE COURT:** What kind of cost was that?

1 **MS. FALK:** And the cost of that was \$46 million.

2 **THE COURT:** Well, this raises the question. I'm
3 not offering an opinion, just an observation. It seems to
4 me we've had a major development occur. And we started a
5 process that was based on a very different set of
6 circumstances.

7 I mean, I don't think anyone doubts that
8 overcoming the discretionary and national defense
9 exceptions under the Federal Tort Claims Act is a
10 challenge. In the best of cases, it's always a challenge.
11 But a CERCLA claim seems very different in that regard.
12 It may be maybe just all the assumptions that go one way
13 seem to go the opposite way in a CERCLA claim.

14 And I'm just wondering that we're going through
15 all this brain damage to ask me to deal with these issues.
16 And I'm kind of dealing with yesterday's fact situation,
17 not today's. And maybe the energy here would be best
18 spent focusing on the CERCLA claims and not the tort
19 claims.

20 Mr. Petrosinelli or Mr. Napoli, what are your
21 thoughts about that?

22 **MR. PETROSINELLI:** Well, I was going to ask to
23 comment, Your Honor, just from -- it is a game-changing
24 moment. Because remember, you've heard Mr. Summy talk a
25 little bit in the states about, you know, claims of fire

1 training centers and airports. And we have private
2 landowners who have asserted personal property damage
3 claims. To the extent that the PFAS contamination that
4 they allege -- they are around a military base or
5 something, they now have claims under CERCLA.

6 And so I've always felt, and I think Your Honor
7 perhaps, even from day one of the MDL, has felt that the
8 federal government is a solution here. And there have
9 been, to be fair --

10 **THE COURT:** A solution, not the solution. But a
11 potential contributing solution. I've long thought they
12 needed to be at the table. I told y'all early on, you
13 ought to go to congress and get them in the game early
14 because this was -- you know, this is a shared
15 responsibility that's too big for everybody in this room
16 to manage themselves.

17 **MR. PETROSINELLI:** Well, I mean, there have been
18 appropriations, of course. The federal government has
19 appropriated billions of dollars. But CERCLA is a totally
20 different animal. And I think it provides a path here for
21 all these other cases, or a lot of these other cases to
22 some kind of resolution. Obviously --

23 **THE COURT:** Shouldn't we have like a CERCLA task
24 force of the PEC, the federal government, and the defense
25 to work collaboratively on reasoning out a path here to

1 dealing with these? Ms. Falk's telling us this is not
2 going to be -- you're not going to sit around a table and
3 get \$13 billion in one -- that's not the way it's going to
4 work. The Government has procedures it's got to go
5 through. It's got to provide individual proof as to each
6 site. But it seems to me that is a very reasonable and
7 worthwhile endeavor that everyone here has skin in the
8 game on it.

9 You know, what do y'all think about, Mr. Napoli,
10 what do y'all think about the issue of like a task force.

11 **MR. NAPOLI:** I think that's a great idea, Your
12 Honor. We'll take that back and put it together and try
13 to work with Christina, or Ms. Falk, excuse me, in
14 identifying those locations where we could have the most
15 impact and work with the DCC on that as well.

16 **THE COURT:** And you know, what might be
17 worthwhile is just in the same way we use a model with a
18 bellwether, pick out a couple of sites as your targets,
19 just to get the system up and going. And get the
20 understanding from the Natural Resource Division, what are
21 you going to need to prove your claim? And get a system
22 going there. And that's just -- I mean, that's just an
23 invitation of another financial stream here we haven't had
24 until today that I've been aware of.

25 And so that begs the question, you know, how

1 much should we be spending our efforts on dealing with
2 yesterday's circumstances on the Federal Tort Claims Act
3 and the CERCLA claims that existed pre the hazardous
4 designation?

5 **MR. NAPOLI:** So it might be helpful to discuss
6 the second topic where we were butting heads on. So we're
7 trying to work up the Tier One plaintiff bellwether cases.
8 And there are two sites, Horsham, Pennsylvania, and
9 Warminster, that area; and then Colorado Springs, where
10 the 25 plaintiffs were selected from. And those both have
11 major military bases, which have produced a number of
12 documents. But a lot of the documents are on remediation.

13 But a major player in understanding the science
14 to go from Tier One to Tier Two, to pick a representative
15 plaintiff, involves understanding what happened on the
16 bases. So we have sent Touhy letters for both sites
17 asking for some additional documents, which we're willing
18 to minimize and work with Ms. Falk on; and for two or
19 three witness depositions so we can authenticate documents
20 and understand things that are going on these sites that
21 we don't understand just from looking at the documents
22 that were produced. And Ms. Falk has said no to anymore
23 documents, even though we said we'd limit them, and no to
24 any witnesses because they're too busy working on their
25 briefing to -- that's due in August to provide it --

1 **THE COURT:** This is kind of my point is what's
2 the best use of the time? There are no resources that are
3 unlimited in terms of legal talent in the case, time to
4 work on cases.

5 So, Ms. Falk, let me ask you this. Would it be
6 of some benefit that we just put a hold for just a little
7 while on the briefing on these issues and turn our
8 attention to address the implications of the new CERCLA
9 developments and to figure out if that's not a more
10 productive path to be pursuing than all this litigation on
11 sort of yesterday's facts and yesterday's law?

12 **MS. FALK:** Well, Your Honor, I appreciate that.
13 But right now we're up to the point now where the United
14 States simply has to write its reply brief.

15 **THE COURT:** I'm sorry?

16 **MS. FALK:** We're at the point now on briefing
17 where the United States just has to write its reply brief.

18 **THE COURT:** Yes, I knew that.

19 **MS. FALK:** We would very much prefer the
20 briefing be closed in that.

21 **THE COURT:** I'm fine with the briefing being
22 closed. But one of the things I try to do is how, in
23 managing this MDL, do I have the most impact to resolving
24 things and to moving things forward? And I'm being told
25 for the first time in five years I've got a path with the

1 United States, you know, really. And y'all have turned
2 from being a document source to a money source. Believe
3 me, that's got all these other guys' attention, Ms. Falk.

4 And what I'm trying to do is how do we maximize
5 our effort? It's efficiency of effort. I'm not trying to
6 stop you from briefing. I know I think, what, by August
7 we'll have everything briefed in that on both sides? But
8 what's the best path here? That's my question. And y'all
9 are kind of beyond my pay grade right now. But y'all need
10 to get together and talk about that and how that may
11 change the landscape of the most efficient use of all of
12 our time. I mean, it seems to me when Mr. Napoli says we
13 want to take some depositions to understand some basic
14 things, that seems kind of reasonable to me.

15 MS. FALK: I'd like to come back to that, Your
16 Honor.

17 THE COURT: Yes.

18 MS. FALK: I'm glad we're circling back on that.
19 Because that request doesn't come to me as litigation
20 counsel. One request came to the Air Force and it came on
21 Tuesday, late Tuesday, the 23rd.

22 THE COURT: You mean right before this hearing?

23 MS. FALK: Yeah. Yeah. And it was 18 topics
24 for documents that they want and requests for three
25 witnesses at one base, Peterson Air Force Base. It's up

1 to the agency to decide that. We just want to point out
2 that within this litigation -- and the Air Force will
3 respond to that Touhy request how it responds, and we'll
4 assist. But I think the Air Force's inclination is we've
5 already produced over 25,000 documents related to Peterson
6 Air Force Base, separate and apart from the environmental
7 record under CERCLA. Seriously, you know, it's their --
8 they have the right to say no. It's duplicative. It's
9 too much. All you have to do is look at the documents.
10 It's 18 separate document requests and three additional
11 witness requests. There are no Touhy requests unless
12 one's been done while we've been in this courtroom to the
13 United States Navy, which are the Pennsylvania cases.

14 **THE COURT:** Ms. Falk, let me suggest this. What
15 you say has a ring of credibility; that is, that they do
16 things -- they are working on it and suddenly say, oh, no,
17 we need all this stuff and we want it right now. I want
18 y'all to sit down and try to work it out. And I'm trying
19 not to flood y'all, not to -- I mean, I wasn't casual when
20 I praised you for your work because y'all have been
21 remarkable. You corralled all these different agencies to
22 cooperate with you. You're probably the least popular
23 person in the DOJ with these agencies right now for
24 getting them to do it.

25 But we need to recalibrate how we're approaching

1 this issue. What is our best use of our time and effort?
2 And it strikes me that a study about how we can maximize
3 CERCLA reimbursements is probably the highest and best use
4 of our time right now.

5 MS. FALK: I understand the Court's opinion but,
6 honestly, I don't handle that. That's --

7 THE COURT: I hear you.

8 MS. FALK: I'm the tort section.

9 THE COURT: But I don't have the -- those folks
10 here. Okay?

11 MS. FALK: I understand.

12 THE COURT: So I've got you here. So you're my
13 messenger to them.

14 MS. FALK: Okay.

15 THE COURT: From PEC, what's y'all's thoughts
16 about all this? Mr. Napoli?

17 MR. NAPOLI: On the CERCLA issue, absolutely,
18 like we said, we'll work with them.

19 On the discovery that we need, you know,
20 Ms. Falk, and I don't think she means to suggest, we've
21 been talking about this for months. We served an actual
22 demand months ago requesting this information. They asked
23 us, because they're not parties to the case, to serve a
24 Touhy letter. So the Touhy letter was just a formality in
25 the last few days as opposed to our first time we brought

1 this topic up.

2 You know, we -- our experts, we need this. This
3 testimony is going to be preserved for trial. But we need
4 this to pick the Tier Two plaintiffs. And that's -- we
5 have always had a soft touch with -- (phone ringing) I had
6 it on Do Not Disturb, so I'm sorry. We've always had a
7 soft touch with the US Government. That's why we haven't
8 really come with many, if any, disputes before.

9 **THE COURT:** Let me say this. I want y'all just
10 to pull back. One of the things you try to do when you've
11 got any party, you're not trying to flood them. Okay?
12 And they feel -- and they feel like a little put upon.
13 It's not that what you're asking for is unreasonable or
14 that you haven't asked for it before.

15 But let's just take a deep breath, kind of work
16 collaboratively with each other. And I can tell you,
17 you're sitting here talking about bellwethers and I'm
18 thinking about CERCLA claims, how do I get them processed?
19 Because what is a bellwether but a process to get to the
20 end. And maybe, just maybe we've got another alternative
21 approach as to the CERCLA claims that would be more
22 efficient, more effective.

23 And what I would be -- if I were in your shoes,
24 I would be trying to get an agreement about let's focus on
25 a couple of sites. And let's make sure we get our system

1 down for filing CERCLA claims. Figure out what the
2 Government's going to need to be satisfied.

3 **MR. NAPOLI:** Yes.

4 **THE COURT:** And then you can have the spigot
5 going as you're getting other claims.

6 **MR. NAPOLI:** And not -- to just, I guess,
7 elucidate what we're talking about. So we are going to do
8 that. We've already begun that discussion on what type of
9 information. I will be reaching out to Andrew Knudsen on
10 behalf of all the plaintiffs.

11 But this Colorado Springs personal injury, the
12 US Government is not a party to those personal injury
13 cases. And we need a couple of depositions in order to
14 advance those personal injury cases against the
15 manufacturers. And I believe the manufacturers want
16 depositions and some additional discovery, too, for the
17 exact same reasons that we want it, to understand the
18 nature of the science of how things happen and to either
19 prove or disprove the personal injury exposure.

20 **THE COURT:** Here's what I want y'all to do. I
21 want you to go back and work together to see if you can
22 resolve it. If you can't, file motions, brief it, and
23 I'll rule. Okay?

24 I mean, I'd rather y'all work it out. Y'all
25 have done such a great job over the years, after butting

1 heads sometimes, just sit back, think it through and work
2 it out. And everybody kind of gets a middle ground.
3 Maybe we don't need 18. Maybe we could do 12. Maybe we
4 don't need all three right now. I mean, I'm just saying
5 there are ways to find a middle ground.

6 And I want y'all -- and I think what y'all
7 really ought to do is start getting this task force in
8 which Ms. Falk is not the only one from DOJ sitting there,
9 and she brings in these people who will be making some of
10 these decisions. Because they -- she doesn't have any
11 control over them. The natural resource people are a
12 different department. And she can get them to the table,
13 but y'all have got to talk to them. And they've got to
14 talk to you about what you need.

15 **MR. PETROSINELLI:** Your Honor, Joe Petrosinelli,
16 I totally -- I mean, we would like to be involved in that.

17 **THE COURT:** Oh, no, you're part of the task
18 force. I expect a task force with all of y'all at the
19 table.

20 **MR. PETROSINELLI:** We have some ideas about how
21 this sort of moment can be used to sort of go down a
22 different path in the litigation. And I think Mr. Napoli
23 is right, the personal injury cases, they are centered
24 around military bases, that's why we did it.

25 **THE COURT:** I've noticed that. Y'all have been

EXHIBIT E

February 7, 2025, Status Conference Tr.

Pages 1-2, 8-13

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

IN RE: AQUEOUS FILM-FORMING * MDL No. 2:18-mn-2873
FOAMS PRODUCTS LIABILITY *
LITIGATION * February 7, 2025

TRANSCRIPT OF STATUS CONFERENCE

BEFORE THE HONORABLE RICHARD M. GERGEL
UNITED STATES DISTRICT JUDGE, presiding

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software.

1 **MR. LONDON:** You are, others perhaps.

2 **THE COURT:** Some seem to have their eyes closed,
3 but other than that it's a stunning presentation.

4 **MR. LONDON:** Wake up now. We're going to get to
5 36. And, Your Honor, I can defer to Ms. Falk, if she
6 wants to talk about her issues.

7 **THE COURT:** Let me hear from you first and then
8 I want to hear from Ms. Falk in response.

9 **MR. LONDON:** Okay. Your Honor, my colleagues
10 may chime in as well here. And I'm going focus right now
11 on the CERCLA issues. I think the update for discovery is
12 what it is. It's moving, work is being done, and
13 obviously the motions are being addressed later.

14 But I think the frustration that the plaintiffs
15 have, and there's certainly frustration by the DOJ, and
16 you read the report and there's arrows being shot at each
17 other is we need to move. And I think the informal
18 process just hasn't really gotten us to where we are.
19 These substances were identified as hazardous substances
20 under CERCLA last May. We're almost coming up on a year.
21 The plaintiff's group designated four cases to work as
22 exemplar cases.

23 DOJ, in November, indicated they wanted -- did
24 their pick. They picked three, four. One is in. They
25 replaced three with two new ones. I hope those will both

1 be in to issue demands. The demand process and
2 negotiation process is slow. I won't even say it's in
3 negotiation process yet but it's providing records.

4 But the plaintiffs group, essentially, Your
5 Honor, wants a process whereby complaints can be amended
6 to add CERCLA claims. We are getting inundated with those
7 requests, can we amend? When can we amend? And a
8 process, we believe, should be implemented to do that.

9 **THE COURT:** Well, why isn't there a process? I
10 mean, that's -- I don't think that's necessarily in the
11 discretion of the Department of Justice. If you want to
12 amend -- you know, in reading this, and I want to hear
13 from Ms. Falk. She has been an incredibly reliable
14 partner in all of this for the discovery they got done so
15 efficiently. She played such a critical role in that.
16 And at a time when many of these issues she didn't have a
17 dog in those fights, right? She was just trying to
18 facilitate the litigation.

19 But, you know, it's not unusual, Mr. London, for
20 me to hear one party complain the other party is not
21 settling the case, or we're not doing it at the pace the
22 plaintiff wants. And, you know, the solution to that
23 always is, well, let's just litigate the thing. As you
24 advance litigation, everyone tends to get more motivated.

25 And, I mean, I think it's a delightful idea to

1 do it informally. And that would be perfect. In some
2 ways, you know, the DOJ's processes are going to probably
3 speed up once they get the first round through. It's
4 slower than you want. I assure you it's slower than the
5 DOJ wants as well. It's just they're trying to figure out
6 a process.

7 But there's nothing wrong with you amending your
8 complaint. You can make a motion. I'm going to grant
9 them. And you can add your CERCLA claims. And, you know,
10 in an ideal world, if there's a sort of recognition that
11 because of the designation there's going to be coverage
12 and compensation, we would all rather not spend time doing
13 that. But I can't make the Department of Justice move any
14 faster than it is. You have some influence on that by
15 just litigating the claims. And at some point, we'll have
16 a bellwether about it if there's not a solution, right?
17 And we'll start trying cases. So I appreciate your
18 frustration. But I assure you, from the DOJ end, it looks
19 a lot more complicated than it looks like for you.

20 So with that, let me get Ms. Falk up here and
21 give her a chance to be heard.

22 **MS. FALK:** Your Honor, I handle the FTCA end. I
23 think Mr. Knudsen would be the one to handle this.

24 **THE COURT:** Be happy to hear from Mr. Knudsen.
25 Come on up, Mr. Knudsen.

1 **MR. KNUDSEN:** Thank you. Good morning, Your
2 Honor. Yes, I think we set out our position I think fully
3 in the JSR, which I'm sure Your Honor's familiar with.
4 And as you noted, we did say that we expect the process
5 will, you know, gradually become more efficient as we've
6 worked through this. And we've made very clear that we
7 don't intend to oppose motions to amend complaints as
8 well.

9 **THE COURT:** I've been told that before.

10 **MR. KNUDSEN:** That's right. So we're happy to
11 work with the plaintiffs on that, if that's what they
12 would like to do. We also pointed out in the JSR that,
13 you know, the plaintiffs are complaining about the pace at
14 which these talks are progressing. But they themselves,
15 of the four demands that they presented us, two of them
16 didn't present some of the most essential information
17 necessary to a CERCLA claim until -- well, one just
18 provided it last week in response to a letter.

19 **THE COURT:** They're going to get better, just
20 like y'all are going to get more efficient.

21 **MR. KNUDSEN:** I'm sure they will. I think
22 that's the hope through pursuing this process. And we
23 still haven't received a response to our request for more
24 information from one of these claimants. So, again, I
25 think both parties can -- have some work to do to work

1 through this process and make it move more efficiently.

2 And we're eager to do that.

3 **THE COURT:** So my sense is that, Mr. London, if
4 you want to amend the complaint, that's something that you
5 have control over, not the DOJ. And if -- obviously, it's
6 more efficient to get settlements than litigation if you
7 think the case is going to resolve.

8 But I would just say this. The Government has
9 certain information needs that the plaintiffs may perceive
10 not to be that important. Okay? That's your perception.
11 But they've got the checkbook, not y'all. Okay? So when
12 they tell you to get the document, give them the document.
13 Right?

14 I mean, and I know y'all are very busy, got lots
15 going on. But maybe y'all need to put -- I mean, I know
16 you're telling me Mr. Douglas is locked up doing the PI
17 cases and all that. You might need to throw more
18 resources at the process of gathering up the records. And
19 once everybody understands, though you might not agree
20 with the Department of Justice that they need these
21 records, they need them so you need to provide them. And
22 if it's an unreasonable request and unduly burdensome and
23 all that, we can always talk about that. But I would
24 suggest y'all put as much energy into this process because
25 I think it could be very productive for y'all.

1 And we're going to spend a lot of time today
2 talking about the Federal Tort Claims Act. A lot of
3 that's academic if you've got CERCLA coverage.

4 So I would just say, it's well worth the effort
5 to put maybe more resources into gathering that
6 information with people basically saying, Mr. Knudsen,
7 what else do you need? Tell us what you need and we'll
8 get it ASAP, just to eliminate that problem. Because I do
9 believe that once y'all kind of figure out the system,
10 there's a better chance it's going to start flowing more
11 smoothly.

12 **MR. LONDON:** Your Honor, absolutely. I think
13 part of it was a learning curve. They added some new
14 cases. We're trying to get these cases moving as well.
15 They are big systems and sites. So, absolutely, we
16 appreciate that directive and guidance.

17 **THE COURT:** Very good.

18 **MR. RICE:** Your Honor, Joe Rice for the
19 plaintiffs. The process set up now is a plaintiff that
20 wants to amend contacts lead counsel to get permission to
21 file the motion, et cetera. If we could get like a
22 standing order for like 45 or 60 days that people could
23 just amend if they want to so they don't have to come
24 through that process?

25 **THE COURT:** Let me say this. I think that's not

EXHIBIT F

November 1, 2024, Status Conference Tr.

Pages 1-2, 41-44

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

IN RE: AQUEOUS FILM-FORMING * MDL No. 2:18-mn-2873
FOAMS PRODUCTS LIABILITY *
LITIGATION * November 1, 2024

TRANSCRIPT OF STATUS CONFERENCE

BEFORE THE HONORABLE RICHARD M. GERGEL
UNITED STATES DISTRICT JUDGE, presiding

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Proceedings reported by stenographic court reporter.
Transcript produced with computer-aided transcription
software.

1 benefit under Rule 26 and the demands of discovery under
2 26, it weighs heavily towards production. And redacting
3 information that the plaintiffs needs is going to be
4 frowned upon my me. And we're not going to piecemeal this
5 thing. If they need a protective order so you don't
6 distribute it to third-parties, that's fine. But we need
7 to get the information produced. So those who are
8 involved in that discussion, if you can't work it out,
9 file a motion to compel. But, you know, my thought is as
10 long as it appears to be probative of issues in the case,
11 my tendency is to allow more, not less.

12 **MR. LONDON:** Thank you, Your Honor. The lawyers
13 for Ricochet and Fire-Dex on the plaintiff's side,
14 negotiating with them will be guided by that.

15 **THE COURT:** But be reasonable. Don't get stuff
16 that unnecessarily burdens these folks that you don't
17 need. So balance, you know, be reasonable. But if you
18 need the information, having y'all constantly fussing
19 about redactions and stuff is just a waste of time, and a
20 waste of my time to have to deal with it.

21 **MR. LONDON:** Your Honor, I think that is the
22 conclusion of --

23 **THE COURT:** Let me talk about the processing of
24 CERCLA claims. Y'all discussed on Pages 41 to 44 of the
25 Joint Status Report the processing of CERCLA claims. And

1 the complaint I'm kind of hearing from the plaintiffs is
2 it's too slow, too deliberate. It will take hundreds of
3 years at this pace to resolve it. And the statement was,
4 well, if we can't -- if this informal process doesn't
5 work, we'll just have to amend the complaints. And, you
6 know, my notion is, folks, if that's what you've got to
7 do, do it. Let's get moving.

8 I mean, the Department of Justice has its own
9 reasons for handling its procedures. If you're not happy
10 with that, you have some initiative you can take that will
11 at least get the litigation moving. And, you know, it
12 might inspire the Department of Justice to exercise more
13 flexibility and approach -- a more collective approach.
14 But you can't make them do it by just begging them to do
15 it. You've got to get the litigation pending. And, you
16 know, file the complaint. Do the discovery. Deal with
17 these issues like Mr. Knudsen was mentioning about
18 liability. And let's get to the end of this.

19 So I always encourage negotiation and resolution
20 if that can be done. But at some point, frankly, I don't
21 mean to be -- and whining about it doesn't do you any
22 good. Just move on. Y'all are lawyers. You've got law
23 degrees. File a lawsuit if that's what you need to do.

24 Mr. Napoli, you've got something to say?

25 **MR. NAPOLI:** I would just say, Your Honor, thank

1 you. We're trying to use the CERCLA task force process to
2 advance all the cases and develop the process. It's
3 become clear to us over the last several weeks that
4 roadblocks on liability and allocation and apportionment
5 are just going to take forever. And we're going to be
6 stuck behind four cases we're hoping to have a resolution.

7 And our suggestions today were going to be, one,
8 ask them to put some case management order in place that
9 requires them to respond. We hear you. I don't think we
10 need that now.

11 But the second thing that I just want to clear
12 up, also what Mr. Knudsen said about summary judgment, you
13 know, summary judgment on liability on CERCLA is a given.
14 The US does it all the time. There are hundreds of
15 examples where an owner and an operator that has
16 contamination, no causation necessary, summary judgment on
17 liability, interest starts running on the damages. There
18 are issues potentially on other damage issues, but they
19 can be dealt with in the second phase of trial or
20 eventually by another court.

21 Our position, at least with the DOD, is if there
22 are other allocation issues, other defendants, they should
23 deal with them separately. They are joint and severally
24 liable. They should pay a hundred percent and go and deal
25 with the other --

1 **THE COURT:** Well, you know, my notion of this is
2 the Department of Justice raises certain issues. I'm fine
3 with that. Let's litigate them. I mean, if that's the
4 obstacle to getting things done, because y'all have
5 differing views about what the law provides, surprise,
6 right, I mean, that's just the way things are, then let's
7 address it. And then the parties kind of know where they
8 stand and that might expedite the process.

9 But I'm all for informal task force discussion.
10 I think that's the way to go. But at some point, you
11 know, you exhaust that process. And it doesn't mean you
12 can't -- you have to quit talking once you start
13 litigating. But if the barrier is what's the law on
14 certain issues, let's tee those up and get them resolved.
15 Then everybody will know, you know, what the law is, at
16 least as to this case.

17 **MR. NAPOLI:** Thank you, Your Honor.

18 **THE COURT:** Yes, Mr. Rice?

19 **MR. RICE:** Your Honor, this might be a
20 coincidence but it might help here. In the Camp LeJeune
21 litigation, we went for about a year and a half and we had
22 two meetings with the DOJ about trying to come to some
23 type of resolution process. The court actually appointed
24 two special masters to focus on the Government. And we've
25 had four meetings -- or got four meetings scheduled in two

EXHIBIT G

February 7, 2025

Motion to Dismiss Oral Argument Tr.

Pages 1-2, 41-44

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

IN RE: AQUEOUS FILM-FORMING * MDL No. 2:18-mn-2873
FOAMS PRODUCTS LIABILITY *
LITIGATION * February 7, 2025

TRANSCRIPT OF ORAL ARGUMENTS

BEFORE THE HONORABLE RICHARD M. GERGEL
UNITED STATES DISTRICT JUDGE, presiding

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Also Present:

ERIC CITRON, ESQ.
ALLAN KANNER, ESQ.
WILLIAM JACKSON, ESQ.
JEFFREY KRAY, ESQ.
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Court Reporter:

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software.

1 **MR. CITRON:** Yeah, exactly.

2 **THE COURT:** You know, it reminded me when I read
3 it the old statement we kind of say around here in the
4 south, there is no education in the second kick of a mule.

5 **MR. CITRON:** And the third, fourth, and fifth.

6 **THE COURT:** So it's not applicable to the mule.
7 There's no education in triggering that thing four times,
8 and the fourth time after the commander told them to quit.

9 **MR. CITRON:** Right. Those are mess ups and they
10 aren't even arguably --

11 **THE COURT:** But you're going to down the road
12 have to deal with this argument that it doesn't matter,
13 that it's all going to the same pot so to say.

14 **MR. CITRON:** Right. And that is premature. As
15 I said, it involves a legal argument that like because the
16 torts for which we're immune would have harmed you anyway.
17 Torts for which we aren't immune can't possibly harm you.
18 I don't know if that's the law. I haven't researched it
19 yet because it's not presented on this motion.

20 But I think another important point is that our
21 dairies are directly adjacent to, for the most part,
22 directly adjacent to the lake. The pollution that's most
23 plausibly connected to the situation on the dairies is the
24 pollution that gets directed into the lake.

25 **THE COURT:** Let me say this. I would love --

1 there's a lot of issues to deal with under the Federal
2 Tort Claims Act. They are generally not under CERCLA.
3 Okay? Generally, it's an easier case. And I do encourage
4 the Government to get on with it about CERCLA. And if it
5 doesn't, we're going to have it here. I'll deal with it
6 here.

7 **MR. CITRON:** Yeah.

8 **THE COURT:** And I appreciate everybody trying to
9 work with, you know, DOJ. And it might be that we get
10 down the road a little bit and they'll get more
11 reasonable. But having read Mr. Schaap's affidavit, and
12 seeing the pictures of his slaughtering of his cows, you
13 know, somebody ought to be saying we're dealing with this
14 first. We're getting this done.

15 **MR. CITRON:** I forget to introduce them, but Art
16 and his wife actually came today.

17 **THE COURT:** I met him last night just walking
18 out the door. I didn't know who he was, but my law clerk
19 did and told me afterwards that's who it was.

20 **MR. CITRON:** Yeah. Look, I joined the case
21 actually recently. And I was hopeful that what was
22 happening is that we were heading towards the resolution
23 process under CERCLA. I hope the message today helps move
24 that forward. I think one of the issues is that the set
25 of damages associated with the FTCA and CERCLA, at least

1 from the Government's perspective, might be very
2 different. And it depends whether they are willing to
3 acknowledge the responsibility for putting things right,
4 back how they would have been, rather than, okay, well,
5 we'll send you some new water or something like that.

6 **THE COURT:** You're saying under the Federal Tort
7 Claims Act there might be a more robust remedy.

8 **MR. CITRON:** Well, there certainly would be a
9 difference in damages necessarily available. As I
10 understand it actually, under CERCLA we could spend the
11 money to put the dairy right at a cost of \$5 billion, way
12 more than the dairy is worth and the Government would have
13 to pay it.

14 **THE COURT:** I don't think that's a particularly
15 prudent action.

16 **MR. CITRON:** Exactly. Right. But it's a
17 representation I think of the fact that CERCLA liability
18 should be at least like as large. But the Government's
19 view may not be that way. It may -- as you said, we may
20 be required to litigate some piece of that. I hope not.

21 **THE COURT:** It's okay. We are litigating the
22 whole world up here. But adding one more rock onto my
23 pile just doesn't seem that big a deal.

24 **MR. CITRON:** Yes. Look, I agree, I think a lot
25 of the issues are much cleaner under CERCLA. It would be

1 superior if the Government was willing to acknowledge the
2 scope of its liability under CERCLA. I don't know where
3 that stands. I can't tell you where that stands now.

4 **THE COURT:** You're new to the game. But let me
5 just say, these guys have been willing on the plaintiff's
6 side to litigate. So you're not asking them to do
7 something they're strangers to. They've been pretty
8 strong soldiers.

9 **MR. CITRON:** And we actually prepared a motion
10 for summary judgment on some of the CERCLA stuff that we
11 thought might move things forward. I think that was
12 deemed like procedurally early but maybe we're there now,
13 soon.

14 **THE COURT:** We might want to do a little
15 discovery, have a little record rather than just sort of
16 jump to the end. Makes me uncomfortable. But, you know,
17 I do want to encourage -- I mean, you make, I think, an
18 interesting point. I do think 32-11 is mandatory. I've
19 got to say, you know, it causes Ms. Falk's point it didn't
20 matter is something I might not deal with now, but you're
21 going to have to deal with later. Okay?

22 **MR. CITRON:** Yep.

23 **THE COURT:** Really. I mean, it's -- and I do
24 wonder if the experience at Cannon isn't one off; that is,
25 you've got this very active noodge and you've got -- who

EXHIBIT H

*Defense Department Delays Cleanup of
'Forever Chemicals' Nationwide*

The New York Times

10/21/25, 10:50 AM

Defense Department Delays Cleanup of 'Forever Chemicals' Nationwide - The New York Times

The New York Times<https://www.nytimes.com/2025/09/23/climate/military-defense-pfas-forever-chemicals-cleanup-delay.html>

Defense Department Delays Cleanup of 'Forever Chemicals' Nationwide

The new timeline could slow cleanup in some communities by nearly a decade. The chemicals, widely used in the military, are linked to cancers and other health risks.

Listen to this article · 9:02 min [Learn more](#)**By Hiroko Tabuchi**

Sept. 23, 2025

The Department of Defense has quietly delayed its cleanup of harmful “forever chemicals” at nearly 140 military installations across the country, according to a list of sites analyzed by The New York Times.

The Pentagon has been one of the most intensive users of these chemicals, which are also known as PFAS and are a key ingredient in firefighting foam. For decades, crews at U.S. military bases would train to battle flames by lighting jet-fuel fires, then putting them out with large amounts of foam, which would leach into the soil and groundwater.

In 2017, military communities nationwide began to report alarming levels of the chemicals in their drinking water. A growing body of research has linked PFAS exposure to serious health concerns including certain types of cancer as well as child developmental and fertility issues.

10/21/25, 10:50 AM

Defense Department Delays Cleanup of 'Forever Chemicals' Nationwide - The New York Times

The Pentagon's new timeline would delay cleanup around military sites by nearly a decade in some cases, according to the latest list, which is dated in March and was posted publicly in recent weeks without an announcement. The delays vary by site. They add up to a significant revision from the Pentagon's earlier cleanup timetable, which had been released three months earlier, in December 2024, in the final days of the Biden administration.

The Department of Defense, which the Trump administration now refers to as the Department of War, did not respond to requests for comment.

The new timetable comes amid possible cuts to funding for toxic-site cleanups even as the military struggles to address the contamination crisis. The Defense Department has spent \$2.6 billion since 2017 to begin investigating the extent of contamination. In some of the worst cases, it has distributed clean drinking water to affected communities.

PFAS, which is short for per- and polyfluoroalkyl substances, are known as forever chemicals because they are so long-lasting in the environment. The Defense Department has said in the past that its wider cleanup effort, which has yet to begin, will take years and billions of dollars to complete.

Now, some communities may need to wait longer.

The Defense Department's new delays affect some of the preparatory work that must be completed before actual cleanup can begin — for example, the work to identify the most effective cleanup strategies. This preparatory work itself can take several years. As a result, at some of the sites, cleanup might not begin until at least 2039, according to the new timetable.

According to the Defense Department's list, the preparatory work has been pushed back for about a quarter of the nearly 600 military sites with known PFAS releases. At those locations, the work was delayed by an average of about five years compared to the December 2024 timetable.

Officials in communities near the affected military sites said they have been caught unawares.

10/21/25, 10:50 AM

Defense Department Delays Cleanup of 'Forever Chemicals' Nationwide - The New York Times

“There’s been no discussion of a delay,” said Kristen Mello, a city councilor in Westfield, Mass., home to the Barnes Air National Guard Base. Ms. Mello, a chemist by training, grew up near the Barnes base, where her father was a lieutenant colonel. “It’s very upsetting and depressing that we haven’t had clearer communications.”



The military’s new timeline would delay PFAS cleanup by nearly a decade in some cases. Tierney L. Cross/The New York Times

The delays come as the National Defense Authorization Act for 2026 seeks to significantly cut funding for the cleanup of toxic sites. The measure would also undo a ban on the purchase and use of PFAS firefighting foam, raising concerns that more PFAS could be released into the environment.

Defense Secretary Pete Hegseth has come under fire for his proposed budget cuts for the Pentagon. Senator Jack Reed, a Democrat from Rhode Island and the ranking member of the Senate Armed Services Committee, has questioned whether Mr. Hegseth’s “rushed, arbitrary strategy” would jeopardize national security.

10/21/25, 10:50 AM

Defense Department Delays Cleanup of 'Forever Chemicals' Nationwide - The New York Times

Communities “are sick and tired of roadblocks, inaction, red tape and further delays,” said Senator Elissa Slotkin, a Democrat from Michigan who serves on the Senate Armed Services Committee. “This is not a partisan issue, and President Trump and Secretary Hegseth have no excuse here.”

The sheer scale of the cleanup effort is a major obstacle. In a report issued by the Government Accountability Office this year, Defense officials described the number of installations nationwide that must be assessed for PFAS contamination as “overwhelming.”

They had little information on where PFAS might have been used at each site, they said, which meant they needed to carry out testing across the entire installation, in some cases covering hundreds of thousands of acres.

There is also no widely available technology that quickly removes 100 percent of PFAS contamination in soil and water, Defense Department officials pointed out in that report, and existing technologies are imperfect and arduous. Removing PFAS from groundwater, they say, requires pumping the water out of the ground, running it through a filter, and then inserting it back.

Under the Biden administration, the Environmental Protection Agency also set new limits on PFAS levels in drinking water, in an effort to protect people’s health. Those regulations also raised the bar on the Defense Department’s cleanups, potentially contributing to delays.

The federal government estimates that cleaning up all of the PFAS around contaminated military sites will take decades and cost nearly \$7 billion a year. That figure has surged 1,500 percent from just three years ago as the extent of contamination has become clearer, according to the G.A.O. report.

“It’s a very long-term process, and there’s just so much uncertainty,” Alissa H. Czyz, director of defense capabilities and management at the Government Accountability Office, said in an interview. “This is going to be a massive effort,” she said.

10/21/25, 10:50 AM

Defense Department Delays Cleanup of 'Forever Chemicals' Nationwide - The New York Times

Even current cost estimates could soon prove to be too low, she said. Ultimately, the cleanup process will take years and potentially as much as a century to complete, the report concludes. It also urged the Defense Department to provide more information to Congress about the process.

“We understand that the D.O.D. is still trying to get a handle on what would be involved,” she said. “But they haven’t really been transparent with Congress about just how much this could potentially cost.”

A House bill has been seeking to require the Secretary of Defense to update Congress annually on PFAS funding and cleanup details.

“Communities impacted by PFAS chemicals have been waiting decades for cleanup, and they’ve been kept in the dark,” said Representative Kristen McDonald Rivet, a Democrat from Michigan. “When cleanup timelines change, residents deserve to know.”

For many communities, cleanup can’t come quickly enough.

Last month, the New Mexico environmental regulator released a study showing elevated levels of PFAS in the blood of people living or working near the Cannon Air Force Base, south of Clovis, N.M. There, crews for decades used PFAS-laden firefighting foam in training exercises and in response to aircraft fires, polluting the local drinking water.

The chemicals are also used in consumer products like nonstick pans, rainproof jackets, stain resistant carpets and dental floss.

New Mexico sued the U.S. Air Force in 2019 over PFAS contamination from military bases within its borders, saying the federal government should clean up the pollution and pay for damages to the state’s natural resources and private property.

According to the latest Pentagon list, the cleanup around Cannon Air Force Base has been postponed by almost six years.

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Defense Department Delays Cleanup of 'Forever Chemicals' Nationwide - The New York Times

“The longer they delay in cleanup, the greater the impacts to New Mexico’s water, and to New Mexicans,” said James Kenney, secretary of New Mexico’s environment department, in an interview.

The Defense Department’s delays are also affecting companies that had been gearing up to take part in the cleanup. Randol Aikin is chief executive of Remedy, a California-based start-up that is developing a new way to eliminate PFAS in the soil.

His company is taking part in a DOD certification program for new technologies. “As a technology start-up, we’re really sensitive to timing,” he said.

At the Barnes Air National Guard Base, which contaminated the water supply of the city of Westfield, the Department of Defense in 2020 installed water treatment systems to start removing PFAS from the groundwater.

Ms. Mello, the city councilor, said the new timeline hadn’t been mentioned by Defense Department in their July meeting to a local cleanup advisory board. Still, she understood what an immense cleanup the military had ahead of it.

“We understand that an enormous environmental disaster happened here,” Ms. Mello said. “I’m not even sure that with six more years, they’re going to figure out how to do this.”

Hiroko Tabuchi covers pollution and the environment for The Times. She has been a journalist for more than 20 years in Tokyo and New York.

A version of this article appears in print on , Section A, Page 10 of the New York edition with the headline: Defense Dept. Quietly Delays 'Forever Chemicals' Cleanup Nationwide

EXHIBIT I

*DoD FY 2024 Report on Status of Per-
and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection
Testing*

April 2025

FY 2024 Report on Status of Per- and Polyfluoroalkyl Substances Preliminary Assessment/Site Inspection Testing

Pursuant to Section 341(c), of the National Defense Authorization Act for Fiscal Year 2022
(Public Law 117-81)



April 2025

Office of the Deputy Secretary of Defense

CLEARED
For Open Publication

May 19, 2025

The estimated cost of this report or study for the Department of Defense is approximately \$800 for the 2025 Fiscal Year. This includes \$180 in expenses and \$610 in DoD labor.
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Polyfluoroalkyl Substances Preliminary Assessment/Site Inspection Testing Was Complete

Appendix B: Military Installations and National Guard Facilities Where the Per- and
Polyfluoroalkyl Substances Preliminary Assessment/Site Inspection Testing Was Underway or
Planned

I. INTRODUCTION

Section 341, of the National Defense Authorization Act (NDAA) for Fiscal Year 2022 (Public Law 117-81), amends Chapter 160 of title 10, U.S.C., by adding section 2715, “Testing for perfluoroalkyl substances and polyfluoroalkyl substances at military installations and facilities of the National Guard.” Section 2715(a) of title 10, U.S.C., requires the Secretary of Defense to complete preliminary assessment/site inspection (PA/SI) testing for per- and polyfluoroalkyl substances (PFAS) at all military installations and National Guard facilities located in the United States that have been identified, as of March 31, 2021, as having a release of PFAS. The PA/SI testing must be completed no later than two years after the enactment of the NDAA for FY 2022, which was on December 27, 2021.

Additionally, section 341(c), of the NDAA for FY 2022, requires the Secretary of Defense to submit reports to the Committees on Armed Services of the House of Representatives and the Senate on the status of the testing conducted under section 2715(a) of title 10, U.S.C., each year from FY 2022 through FY 2024. Pursuant to section 341(c) of the NDAA for FY 2022, this report identifies (1) each military installation or facility where testing has been completed; (2) each military installation or facility where testing has not yet been completed; (3) the projected completion date for testing at military installations or facilities where testing has not yet been completed; (4) the results of testing at military installations or facilities where testing has been completed; and (5) the actions planned, and the projected timelines for such actions, for each military installation or facility to address PFAS.

PFAS are a national issue that requires national solutions. The Department of Defense is taking cleanup actions nationwide to address PFAS from DoD activities. DoD’s cleanup program follows the federal cleanup law (i.e., the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 [CERCLA], also known as “Superfund”) to address DoD releases of PFAS and determine the appropriate cleanup actions based on risk.

II. BACKGROUND

DoD is committed to protecting human health and the environment by conducting cleanup under CERCLA. DoD follows the CERCLA process to fully investigate releases, prioritize responses, and determine the appropriate cleanup actions based on risk to human health and the environment. The steps in the CERCLA process include the following:¹

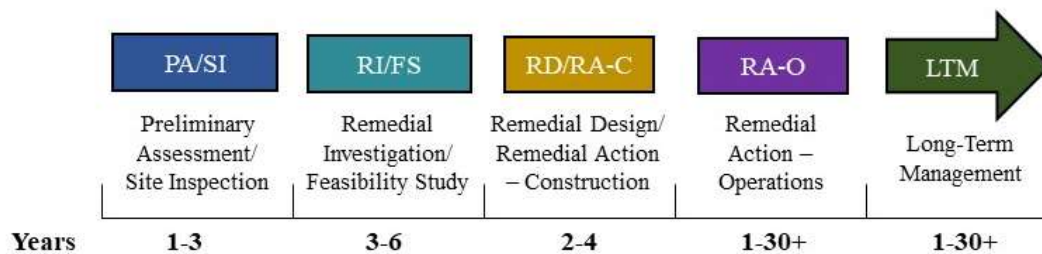
- PA/SI
- Remedial Investigation (RI)/Feasibility Study (FS)
- Remedial Design (RD)/Remedial Action-Construction (RA-C)

¹ Sites do not have to progress through all CERCLA phases. For example, no further action may be required at the end of the RI/FS phase. In addition, some sites may not require an RA-O or LTM phase if response actions completed during the RD/RA-C phase are sufficient to clean up the sites.

- Remedial Action-Operation (RA-O)
- Long-Term Management (LTM)

Figure 1 shows the typical amount of time it takes to complete the CERCLA phases listed above.

Figure 1: Typical CERCLA Timeline



In addition to these phases, CERCLA can include short-term actions called “removal” or “interim” actions, which DoD conducts to address contaminants quickly to prevent, minimize, or mitigate damage to public health or welfare or to the environment. Removal actions can occur at any time during the CERCLA process. Typically, a removal action does not provide a final response action, and the site will continue through the CERCLA remedial process after completion of the removal action.

For example, on September 3, 2024, DoD published “Prioritization of Department of Defense Cleanup Actions to Implement the Federal Drinking Water Standards for Per- and Polyfluoroalkyl Substances Under the Defense Environmental Restoration Program.” This memorandum describes DoD’s plans to incorporate the U.S. Environmental Protection Agency’s (EPA) PFAS drinking water levels,² referred to as Maximum Contaminant Levels, into DoD’s ongoing PFAS cleanups and prioritize actions to address private drinking water wells with the highest levels of PFAS from DoD activities. DoD will initiate removal actions at private drinking water wells impacted by PFAS from DoD activities where concentrations are known to be at or above three times the levels established in EPA’s drinking water rule, to include perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) and the newly regulated PFAS (perfluorononanoic acid [PFNA], perfluorohexanesulfonic acid [PFHxS], hexafluoropropylene oxide dimer acid [HFPO-DA], and perfluorobutanesulfonic acid [PFBS]). This prioritized approach replaces the prior DoD interim action level of 70 parts per trillion, individually or combined, for only PFOS and PFOA. Prioritizing action where PFAS levels from DoD releases are the highest, ensures a consistent “worst first” approach nationwide. Because DoD anticipates that a significant number of private drinking water wells will require

² In 2024, EPA published a final National Primary Drinking Water Regulation establishing nationwide drinking water standards for certain PFAS under the Safe Drinking Water Act. The rule applies to public water systems, which have five years to meet these standards. DoD will incorporate the levels established in the drinking water rule into DoD’s ongoing PFAS cleanups in accordance with CERCLA and prioritize actions to address private drinking water wells with the highest levels of PFAS from DoD activities.

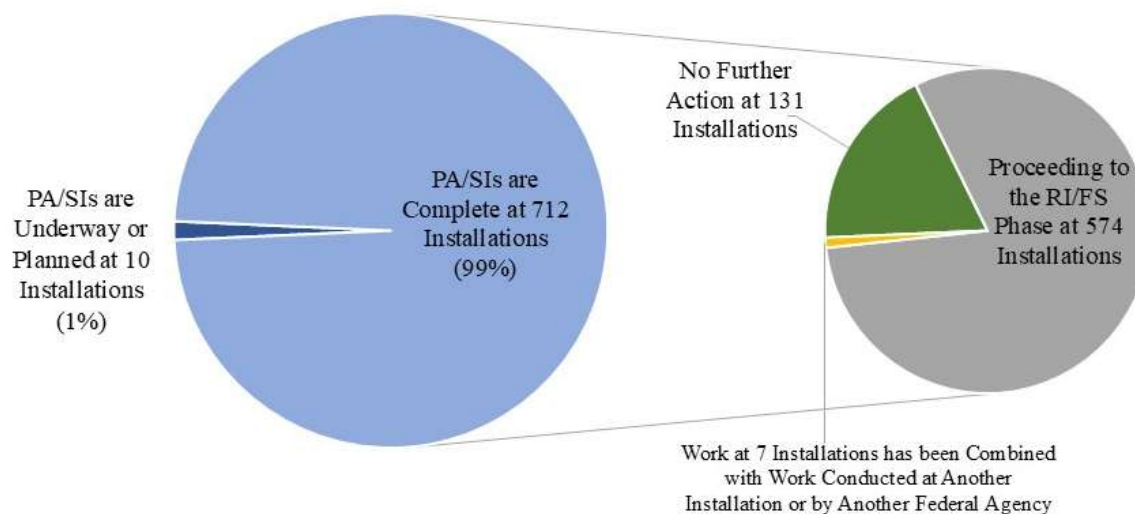
action, a prioritized approach is necessary and consistent with the federal cleanup law and its regulations.

DoD tailors the actual sequence, timing, and scope of cleanup actions to site-specific conditions. Additionally, the Department prioritizes resources and addresses sites where risk to human health is the highest. As DoD moves through the CERCLA process, it works in collaboration with regulatory agencies, communities, and other stakeholders to ensure open and transparent information sharing.

III. STATUS OF PFAS PRELIMINARY ASSESSMENT/SITE INSPECTION TESTING AS OF SEPTEMBER 30, 2024

As of September 30, 2024, DoD had determined that 722 active military installations, Base Realignment and Closure (BRAC) locations, National Guard facilities, and Formerly Used Defense Sites (FUDS) properties require an assessment of PFAS use or potential release.³ The Department had completed the PA/SI phase at 712 installations, or 99 percent. Of these, no further action (NFA) was required at 131 installations; 574 installations had proceeded or were scheduled to proceed to the RI/FS phase of the CERCLA process; and additional work at seven installations was combined with work being conducted at another installation or by another federal agency. The PA/SI phase was underway or planned at the remaining 10 installations; the RI phase was also underway at two of these installations. Figure 2 provides the status of the 722 installations as of September 30, 2024.

Figure 2: Status of Installations Requiring an Assessment of PFAS Use or Potential Release as of September 30, 2024



³ The reporting requirement in Section 341(c) of the NDAA for FY 2022 applies to the 698 installations identified as requiring an assessment of PFAS use or potential release as of March 31, 2021; however, DoD has included the 722 installations identified through September 30, 2024, in this report.

Appendix A lists the 712 installations where the PA/SI phase was **complete** as of September 30, 2024. The appendix includes the date the PA/SI was completed for each installation and the results of the PA/SI. There are two possible outcomes from the PA/SI that are based on screening levels determined by the U.S. EPA: “NFA” and “RI/FS Required.” Appendix A also lists the actions underway and planned as of September 30, 2024, and the projected timelines to address PFAS for each installation where an RI/FS was required. This includes identifying the installations where the RI phase was underway, with actual start dates and estimated completion dates; and the installations where the RI phase was planned, with estimated start dates. Appendix A also identifies the installations where additional work was combined with work being conducted at another installation or by another federal agency.

Appendix B lists the 10 installations where the PA/SI phase was **underway or planned** as of September 30, 2024, and provides the estimated PA/SI completion dates and phase status at that time. The appendix also lists the actions underway and the projected timelines to address PFAS for each installation where the DoD Components had determined that an RI/FS was required, based on the information available to them as of September 30, 2024. This includes identifying the installations where the RI phase was underway, with actual start dates and estimated completion dates.

The PA/SI completion dates identified in Appendix A and Appendix B were based on information known as of September 30, 2024, as required by section 341(c) of the NDAA for FY 2022. The Department provides quarterly updates on the status of its PA/SIs on the DoD PFAS website (<https://www.acq.osd.mil/eie/eer/ecc/pfas/data/cleanup-pfas.html>).

IV. CONCLUSION

DoD is taking action under CERCLA to address PFAS releases from DoD activities. As of September 30, 2024, the Department had identified 722 active military installations, BRAC locations, National Guard facilities, and FUDS properties that require an assessment of PFAS use or potential release. As of that same time, DoD had completed the PA/SI phase at 712 installations, or 99 percent, and NFA was required at 131 installations. As of September 30, 2024, the PA/SI phase was underway at the remaining 10 installations. As DoD completes investigations, it learns more about the extent of the cleanup required. The Department will plan and program for these requirements as they are defined. The Department provides quarterly updates on the status of its PA/SIs on the DoD PFAS website (<https://www.acq.osd.mil/eie/eer/ecc/pfas/data/cleanup-pfas.html>).

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Army	Alabama	National Guard	AASF #1 R W Shepherd Hope Hull	202309	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	Alabama	National Guard	AASF #2 Birmingham	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Alabama	National Guard	AASF #3 Bates Field Mobile	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Alabama	BRAC	ALAAP	202203	No Further Action					PA/SI Completed - No Further Action
Army	Alabama	Active	Anniston Army Depot	202212	RI/FS Required		202210	202705	Underway	PA/SI Completed - RI Underway
Army	Alabama	National Guard	Fort McClellan	202009	No Further Action					PA/SI Completed - No Further Action
Army	Alabama	BRAC	Fort McClellan BRAC	202312	RI/FS Required		202309	202809	Underway	PA/SI Completed - RI Underway
Army	Alabama	Active	Fort Novosel (formerly Fort Rucker)	202203	RI/FS Required		202210	202710	Underway	PA/SI Completed - RI Underway
Army	Alabama	National Guard	Pelham Range	202009	No Further Action					PA/SI Completed - No Further Action
Army	Alabama	Active	Redstone Arsenal	202212	RI/FS Required		202110	202812	Underway	PA/SI Completed - RI Underway
Army	Alaska	National Guard	Bethel AAOF	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Alaska	National Guard	Bryant Airfield- JBER	202309	RI/FS Required	202809			Planned	PA/SI Completed - RI Planned
Army	Alaska	Active	Fort Greely	202203	RI/FS Required		202210	202606	Underway	PA/SI Completed - RI Underway
Army	Alaska	Active	Fort Wainwright	202203	RI/FS Required		202203	202909	Underway	PA/SI Completed - RI Underway
Army	Alaska	Active	Fort Wainwright - Gerstle River Test Site	202303	No Further Action					PA/SI Completed - No Further Action
Army	Alaska	Active	Fort Wainwright - Haines Pipeline Facilities	202303	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Alaska	National Guard	Juneau AAOF	202309	No Further Action					PA/SI Completed - No Further Action
Army	Alaska	National Guard	Nome AAOF	202309	RI/FS Required	202909			Planned	PA/SI Completed - RI Planned
Army	Arizona	National Guard	Camp Navajo	202306	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	Arizona	National Guard	Florence Military Reservation	202009	No Further Action					PA/SI Completed - No Further Action
Army	Arizona	Active	Fort Huachuca	202209	RI/FS Required		202309	202709	Underway	PA/SI Completed - RI Underway

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Army	Arizona	National Guard	Papago Military Reservation	202112	RI/FS Required		202209	202909	Underway	PA/SI Completed - RI Underway
Army	Arizona	National Guard	Silver Bell Army Heliport	202207	RI/FS Required		202209	202909	Underway	PA/SI Completed - RI Underway
Army	Arizona	National Guard	Tempe Readiness Center	202009	No Further Action					PA/SI Completed - No Further Action
Army	Arizona	Active	Yuma Proving Ground	202203	RI/FS Required		202210	202509	Underway	PA/SI Completed - RI Underway
Army	Arkansas	National Guard	Camp Robinson	202305	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Arkansas	BRAC	Fort Chaffee	202403	RI/FS Required		202405	202909	Underway	PA/SI Completed - RI Underway
Army	Arkansas	Active	Pine Bluff Arsenal	202112	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	California	National Guard	Camp Roberts	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	California	National Guard	Camp San Luis Obispo	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	California	Active	Fort Hunter Liggett	202203	RI/FS Required		202103	202712	Underway	PA/SI Completed - RI Underway
Army	California	Active	Fort Hunter Liggett - Parks Reserve Forces Training Area	202207	RI/FS Required		202210	202812	Underway	PA/SI Completed - RI Underway
Army	California	Active	Fort Irwin	202209	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	California	BRAC	Fort Ord	202312	RI/FS Required		202406	202909	Underway	PA/SI Completed - RI Underway
Army	California	National Guard	Fresno TASMG	202309	No Further Action					PA/SI Completed - No Further Action
Army	California	BRAC	Hamilton Airfield	202310	No Further Action					PA/SI Completed - No Further Action
Army	California	National Guard	JFTB Los Alamitos	202108	RI/FS Required		201809	202603	Underway	PA/SI Completed - RI Underway
Army	California	BRAC	Lompoc	202310	No Further Action					PA/SI Completed - No Further Action
Army	California	Active	Military Ocean Terminal Concord	202203	RI/FS Required		202210	202812	Underway	PA/SI Completed - RI Underway
Army	California	National Guard	NG Sacramento Mather (AASF)	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	California	Active	Presidio of Monterey	202202	No Further Action					PA/SI Completed - No Further Action

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Army	California	Active	Presidio of Monterey - Sharpe Army Depot	202206	RI/FS Required		202208	202812	Underway	PA/SI Completed - RI Underway
Army	California	BRAC	Rio Vista	202309	No Further Action					PA/SI Completed - No Further Action
Army	California	BRAC	Riverbank Army Ammunition Plant	202311	RI/FS Required		202309	202809	Underway	PA/SI Completed - RI Underway
Army	California	National Guard	Roseville Armory	202309	RI/FS Required		202209	202909	Underway	PA/SI Completed - RI Underway
Army	California	BRAC	Sacramento Army Depot	202312	RI/FS Required		202402	202909	Underway	PA/SI Completed - RI Underway
Army	California	Active	Sierra Army Depot	202202	RI/FS Required		202203	202503	Underway	PA/SI Completed - RI Underway
Army	California	BRAC	Sierra Army Depot BRAC	202310	RI/FS Required		202312	202909	Underway	PA/SI Completed - RI Underway
Army	California	National Guard	Stockton AASF	202309	RI/FS Required		202209	202909	Underway	PA/SI Completed - RI Underway
Army	Colorado	National Guard	Buckley Air Force Base AASF	202309	RI/FS Required	202909			Planned	PA/SI Completed - RI Planned
Army	Colorado	Active	Fort Carson	202201	RI/FS Required		202210	202709	Underway	PA/SI Completed - RI Underway
Army	Colorado	National Guard	Gypsum (HAATS)	202308	RI/FS Required	202809			Planned	PA/SI Completed - RI Planned
Army	Colorado	Active	Pueblo Army Depot Active	202112	No Further Action					PA/SI Completed - No Further Action
Army	Colorado	BRAC	Pueblo Army Depot BRAC	202311	No Further Action					PA/SI Completed - No Further Action
Army	Colorado	Active	Rocky Mountain Arsenal	202002	No Further Action					PA/SI Completed - No Further Action
Army	Connecticut	National Guard	Groton AVCRAD and TASMG Hangar 2	202307	RI/FS Required	202909			Planned	PA/SI Completed - RI Planned
Army	Connecticut	National Guard	Windsor Locks AASF	202201	RI/FS Required		202209	202909	Underway	PA/SI Completed - RI Underway
Army	Delaware	National Guard	Duncan Armory AASF	202203	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Delaware	National Guard	River Road Training Site	202007	No Further Action					PA/SI Completed - No Further Action
Army	Delaware	National Guard	Stern Armory	202006	No Further Action					PA/SI Completed - No Further Action
Army	Delaware	National Guard	Wilmington Armory	202006	No Further Action					PA/SI Completed - No Further Action
Army	Florida	Active	ASF Clearwater	202312	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Army	Florida	National Guard	Brooksville RC, AASF #2	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Florida	National Guard	Camp Blanding	202305	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Florida	National Guard	Dade City Readiness Center	202008	No Further Action					PA/SI Completed - No Further Action
Army	Florida	National Guard	Fort Pierce Readiness Center	202008	No Further Action					PA/SI Completed - No Further Action
Army	Florida	National Guard	Jacksonville, Cecil Field, AASF #1	202008	No Further Action for National Guard					PA/SI Completed - Additional Work will be Combined with Work Being Conducted at Another Installation
Army	Florida	National Guard	Lakeland Readiness Center	202008	No Further Action					PA/SI Completed - No Further Action
Army	Florida	National Guard	Mariana Readiness Ctr	202309	No Further Action					PA/SI Completed - No Further Action
Army	Florida	National Guard	Pensacola (Ellyson Field)	202006	No Further Action					PA/SI Completed - No Further Action
Army	Florida	National Guard	Plant City Readiness Center	202008	No Further Action					PA/SI Completed - No Further Action
Army	Georgia	Active	Fort Eisenhower (formerly Fort Gordon)	202112	RI/FS Required		202207	202509	Underway	PA/SI Completed - RI Underway
Army	Georgia	Active	Fort Eisenhower (formerly Fort Gordon) - Gillem Annex	202112	RI/FS Required		202207	202509	Underway	PA/SI Completed - RI Underway
Army	Georgia	BRAC	Fort Gillem	202312	RI/FS Required		202309	202609	Underway	PA/SI Completed - RI Underway
Army	Georgia	BRAC	Fort McPherson	202106	No Further Action					PA/SI Completed - No Further Action
Army	Georgia	Active	Fort Benning	202203	RI/FS Required		202107	202806	Underway	PA/SI Completed - RI Underway
Army	Georgia	Active	Fort Benning - Camp Merrill	202206	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Georgia	Active	Fort Stewart	202206	RI/FS Required		202210	202509	Underway	PA/SI Completed - RI Underway
Army	Georgia	Active	Fort Stewart - Hunter AAF	202206	RI/FS Required		202210	202509	Underway	PA/SI Completed - RI Underway
Army	Georgia	National Guard	General Lucius D. Clay National Guard Center	202304	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Georgia	National Guard	Georgia Garrison Training Center	202002	No Further Action					PA/SI Completed - No Further Action

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Army	Georgia	National Guard	Hunter AAF - AASF Hangar 805	202008	No Further Action for National Guard					PA/SI Completed - Additional Work will be Combined with Work Being Conducted at Another Installation
Army	Georgia	National Guard	Winder Barrow County Airport (enclave)	202206	RI/FS Required		202209	202909	Underway	PA/SI Completed - RI Underway
Army	Guam	National Guard	AASF Guam	202311	No Further Action					PA/SI Completed - No Further Action
Army	Hawaii	National Guard	Fort Ruger	202009	No Further Action					PA/SI Completed - No Further Action
Army	Hawaii	National Guard	Hilo AASF #2	202009	No Further Action					PA/SI Completed - No Further Action
Army	Hawaii	National Guard	Kalaoloa Facility (Former Barbers Point-NAS)	202312	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	Hawaii	Active	USAG HI - Dillingham Military Reservation	202203	No Further Action					PA/SI Completed - No Further Action
Army	Hawaii	Active	USAG HI - Fort Shafter/Tripler Army Medical Center	202312	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Hawaii	Active	USAG HI - Hawaii - Wheeler Army Airfield	202312	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Hawaii	Active	USAG HI - Helemano RAD REC Station	202312	No Further Action					PA/SI Completed - No Further Action
Army	Hawaii	Active	USAG HI - Kahuku Training Area	202203	No Further Action					PA/SI Completed - No Further Action
Army	Hawaii	Active	USAG HI - Kilauea Military Reservation	202312	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Hawaii	Active	USAG HI - Kipapa Ammunition Storage Site	202203	No Further Action					PA/SI Completed - No Further Action
Army	Hawaii	Active	USAG HI - Kunia Field Station	202203	No Further Action					PA/SI Completed - No Further Action
Army	Hawaii	Active	USAG HI - Makua Military Reservation	202203	No Further Action					PA/SI Completed - No Further Action
Army	Hawaii	Active	USAG HI - Oahu - Schofield Barracks	202312	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Hawaii	Active	USAG HI - Pohakuloa Training Center	202312	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Hawaii	Active	USAG HI - Waikakalaua Ammunition Storage Tunnels	202203	No Further Action					PA/SI Completed - No Further Action

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Army	Hawaii	National Guard	Waiawa Unit Training Equipment Site (UTES)	202305	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	Idaho	National Guard	Edgemoade TS Mountain Home	202003	No Further Action					PA/SI Completed - No Further Action
Army	Idaho	National Guard	Gowen Field Boise/Airport Training Area	202305	RI/FS Required	203009			Planned	PA/SI Completed - RI Planned
Army	Idaho	National Guard	Orchard MATES Boise	202305	No Further Action					PA/SI Completed - No Further Action
Army	Illinois	Active	Charles Melvin Price Support Center	202209	No Further Action					PA/SI Completed - No Further Action
Army	Illinois	National Guard	Chicago (Midway Armory, AASF #2)	202307	RI/FS Required	203009			Planned	PA/SI Completed - RI Planned
Army	Illinois	National Guard	Decatur AASF #1	202307	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	Illinois	BRAC	Fort Sheridan	202311	RI/FS Required		202402	202909	Underway	PA/SI Completed - RI Underway
Army	Illinois	Active	Joliet Army Ammunition Plant	202309	No Further Action					PA/SI Completed - No Further Action
Army	Illinois	National Guard	Kankakee AASF / Readiness Center	202102	No Further Action					PA/SI Completed - No Further Action
Army	Illinois	National Guard	Peoria AASF #3 and AASF #4	202307	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Illinois	Active	Rock Island Arsenal	202209	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Illinois	BRAC	Savanna Army Depot	202102	RI/FS Required		202012	202509	Underway	PA/SI Completed - RI Underway
Army	Illinois	National Guard	Sparta Armory	202009	No Further Action					PA/SI Completed - No Further Action
Army	Indiana	National Guard	Camp Atterbury/Range 36 ATG	202206	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Indiana	BRAC	Fort Benjamin Harrison	202310	RI/FS Required		202309	202809	Underway	PA/SI Completed - RI Underway
Army	Indiana	National Guard	Gary AASF	202310	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Indiana	Active	Indiana Army Ammunition Plant	202308	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Indiana	Active	Jefferson Proving Ground	202308	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Indiana	National Guard	Muscatatuck Urban Training Center	202302	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Indiana	BRAC	Newport Chemical Depot	202309	RI/FS Required		202309	202809	Underway	PA/SI Completed - RI Underway

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Army	Indiana	National Guard	Shelbyville AASF	202203	RI/FS Required		202209	202909	Underway	PA/SI Completed - RI Underway
Army	Iowa	National Guard	Boone AASF	202109	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	Iowa	National Guard	Camp Dodge Johnston Training Site	202105	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Iowa	National Guard	Davenport AASF	202201	RI/FS Required		202109	202809	Underway	PA/SI Completed - RI Underway
Army	Iowa	Active	Iowa Army Ammunition Plant	202212	RI/FS Required		202209	202507	Underway	PA/SI Completed - RI Underway
Army	Iowa	National Guard	Waterloo Big Rock AASF #2	202109	RI/FS Required		202109	202809	Underway	PA/SI Completed - RI Underway
Army	Kansas	Active	ASF New Century	202111	No Further Action					PA/SI Completed - No Further Action
Army	Kansas	Active	Fort Leavenworth	201910	RI/FS Required		202008	202506	Underway	PA/SI Completed - RI Underway
Army	Kansas	Active	Fort Riley	202203	RI/FS Required		202104	202609	Underway	PA/SI Completed - RI Underway
Army	Kansas	BRAC	Kansas Army Ammunition Plant	202312	RI/FS Required		202403	202609	Underway	PA/SI Completed - RI Underway
Army	Kansas	National Guard	Salina AASF #2	202309	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	Kansas	Active	Sunflower Army Ammunition Plant	202303	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Kansas	National Guard	Topeka Forbes Field AASF #1	202112	RI/FS Required		202109	202809	Underway	PA/SI Completed - RI Underway
Army	Kentucky	Active	Blue Grass Army Depot	202203	RI/FS Required		202110	202812	Underway	PA/SI Completed - RI Underway
Army	Kentucky	BRAC	Bluegrass Army Depot BRAC	202310	RI/FS Required		202309	202809	Underway	PA/SI Completed - RI Underway
Army	Kentucky	National Guard	Boone National Guard Center - AASF	202304	RI/FS Required		202209	202909	Underway	PA/SI Completed - RI Underway
Army	Kentucky	Active	Fort Campbell	202206	RI/FS Required		202210	202709	Underway	PA/SI Completed - RI Underway
Army	Kentucky	Active	Fort Knox	202206	RI/FS Required		202302	202809	Underway	PA/SI Completed - RI Underway
Army	Kentucky	National Guard	W.H. Ford Regional Training Center	202307	RI/FS Required	203009			Planned	PA/SI Completed - RI Planned
Army	Louisiana	National Guard	Camp Beauregard	202302	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Louisiana	National Guard	Camp Minden	202009	No Further Action					PA/SI Completed - No Further Action

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Army	Louisiana	National Guard	Camp Villere	202008	No Further Action					PA/SI Completed - No Further Action
Army	Louisiana	National Guard	Esler Field AASF #2	202206	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Louisiana	Active	Fort Johnson (formerly Fort Polk)	202206	RI/FS Required		202210	202710	Underway	PA/SI Completed - RI Underway
Army	Louisiana	Active	Fort Johnson (formerly Fort Polk) - Peason Ridge	202206	No Further Action					PA/SI Completed - No Further Action
Army	Louisiana	National Guard	Hammond AASF #1	202306	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Louisiana	National Guard	Lake Charles Chenault Airfield	202206	No Further Action					PA/SI Completed - No Further Action
Army	Maine	National Guard	Bangor Training Site	202307	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Maine	National Guard	Brunswick West	201911	No Further Action					PA/SI Completed - No Further Action
Army	Maine	National Guard	Brunswick Armed Forces Reserve Center	201911	No Further Action					PA/SI Completed - No Further Action
Army	Maine	National Guard	Brunswick East	201911	No Further Action					PA/SI Completed - No Further Action
Army	Maine	National Guard	Caswell Training Site	201911	No Further Action					PA/SI Completed - No Further Action
Army	Maine	National Guard	Presque Isle SFRO	201911	No Further Action					PA/SI Completed - No Further Action
Army	Marshall Islands	Active	Kwajalein Atoll	202312	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Maryland	Active	Aberdeen Proving Ground	202306	RI/FS Required		202301	202806	Underway	PA/SI Completed - RI Underway
Army	Maryland	Active	Aberdeen Proving Ground - Adelphi Laboratory Center	202212	RI/FS Required		202309	203209	Underway	PA/SI Completed - RI Underway
Army	Maryland	Active	Fort Detrick	202206	RI/FS Required		202201	202702	Underway	PA/SI Completed - RI Underway
Army	Maryland	Active	Fort Detrick - Forest Glen Annex	202212	RI/FS Required		202208	202708	Underway	PA/SI Completed - RI Underway
Army	Maryland	BRAC	Fort Meade	202204	RI/FS Required		202109	202609	Underway	PA/SI Completed - RI Underway
Army	Maryland	Active	Fort Meade	202206	RI/FS Required		202201	202702	Underway	PA/SI Completed - RI Underway
Army	Maryland	Active	Fort Meade - Phoenix Military Reservation	202206	No Further Action					PA/SI Completed - No Further Action

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Army	Maryland	National Guard	Weide AASF (enclave on APG)	202009	No Further Action for National Guard					PA/SI Completed - Additional Work will be Combined with Work Being Conducted at Another Installation
Army	Massachusetts	National Guard	Camp Edwards	202011	No Further Action for National Guard					PA/SI Completed - Additional Work will be Combined with Work Being Conducted at Another Installation
Army	Massachusetts	BRAC	Devens	201709	RI/FS Required		201803	202809	Underway	PA/SI Completed - RI Underway
Army	Massachusetts	Active	Devens Reserve Forces Training Area	202209	No Further Action					PA/SI Completed - No Further Action
Army	Massachusetts	Active	Natick Soldier Systems Center	202011	No Further Action					PA/SI Completed - No Further Action
Army	Massachusetts	BRAC	Sudbury	202308	RI/FS Required		202209	202506	Underway	PA/SI Completed - RI Underway
Army	Massachusetts	National Guard	Westfield/Barnes AASF	202011	No Further Action					PA/SI Completed - No Further Action
Army	Michigan	National Guard	Belmont Armory	202004	No Further Action					PA/SI Completed - No Further Action
Army	Michigan	BRAC	Detroit Arsenal	202312	RI/FS Required		202409	202909	Underway	PA/SI Completed - RI Underway
Army	Michigan	Active	Detroit Arsenal	202206	RI/FS Required		202106	202709	Underway	PA/SI Completed - RI Underway
Army	Michigan	National Guard	Ft Custer	202307	No Further Action					PA/SI Completed - No Further Action
Army	Michigan	National Guard	Grand Ledge AASF	202102	RI/FS Required		202109	202809	Underway	PA/SI Completed - RI Underway
Army	Michigan	National Guard	Lansing Airport Hangar	202205	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Michigan	National Guard	MTC-H Camp Grayling Airfield (installation-wide PAI)	201912	RI/FS Required		201809	202603	Underway	PA/SI Completed - RI Underway
Army	Michigan	National Guard	MTC-H Camp Grayling-Cantonment	202112	RI/FS Required		201809	202603	Underway	PA/SI Completed - RI Underway
Army	Michigan	National Guard	MTC-H Camp Grayling-MATES	202010	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	Minnesota	National Guard	Camp Ripley (all AOIs)	202309	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Army	Minnesota	National Guard	Camp Ripley (Installation Wide PA) (Western AOI SI)	202309	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	Minnesota	National Guard	Holman Field AASF	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Minnesota	National Guard	St Cloud AASF	202203	No Further Action					PA/SI Completed - No Further Action
Army	Minnesota	Active	Twin Cities Army Ammunition Plant	202309	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Mississippi	National Guard	AASF Jackson	202309	No Further Action					PA/SI Completed - No Further Action
Army	Mississippi	National Guard	AASF Meridian	202308	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	Mississippi	National Guard	AASF Tupelo	202305	RI/FS Required		202209	202909	Underway	PA/SI Completed - RI Underway
Army	Mississippi	National Guard	Camp McCain	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Mississippi	National Guard	Camp Shelby	202309	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	Mississippi	National Guard	TASMG Gulfport	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Missouri	Active	Fort Leonard Wood	202209	RI/FS Required		202203	202709	Underway	PA/SI Completed - RI Underway
Army	Missouri	National Guard	Jefferson City AASF/Armory	202307	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Missouri	Active	Lake City Ammunition Plant	202203	RI/FS Required		202206	202709	Underway	PA/SI Completed - RI Underway
Army	Missouri	National Guard	Springfield AVCRAD	202308	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Missouri	Active	St Louis Army Ammunition Plant	202209	No Further Action					PA/SI Completed - No Further Action
Army	Missouri	National Guard	Whiteman Flight Facility	202003	No Further Action					PA/SI Completed - No Further Action
Army	Montana	National Guard	Fort William Henry Harrison /JFHQ MT	202108	RI/FS Required		201809	202603	Underway	PA/SI Completed - RI Underway
Army	Montana	National Guard	Helena Aviation Readiness Center - AASF	202108	RI/FS Required		202109	202809	Underway	PA/SI Completed - RI Underway
Army	Nebraska	Active	Cornhusker Army Ammunition Plant	202308	No Further Action					PA/SI Completed - No Further Action
Army	Nebraska	National Guard	Grand Island AASF/RC	202310	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Army	Nebraska	National Guard	Lincoln AASF/Readiness Center	202310	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Nebraska	National Guard	Norfolk FMS #7	202310	No Further Action					PA/SI Completed - No Further Action
Army	Nevada	Active	Hawthorne Army Depot	202203	RI/FS Required		202210	202812	Underway	PA/SI Completed - RI Underway
Army	Nevada	National Guard	Las Vegas Cheyenne AASF	202312	No Further Action					PA/SI Completed - No Further Action
Army	Nevada	National Guard	Reno AASF	202312	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	New Hampshire	National Guard	AASF Concord	202308	RI/FS Required	202909			Planned	PA/SI Completed - RI Planned
Army	New Hampshire	Active	Cold Regions Research and Engineering Laboratory	202106	No Further Action					PA/SI Completed - No Further Action
Army	New Hampshire	National Guard	Former Crash Fire Station, Building 241	201912	No Further Action					PA/SI Completed - No Further Action
Army	New Hampshire	National Guard	Stafford TS - New Hampshire TS	202308	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	New Hampshire	National Guard	State Military Reservation	202308	RI/FS Required	202909			Planned	PA/SI Completed - RI Planned
Army	New Jersey	National Guard	AASF Main Hangar-cold storage	202102	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	New Jersey	BRAC	Fort Monmouth	202402	RI/FS Required		202312	202909	Underway	PA/SI Completed - RI Underway
Army	New Jersey	Active	Picatinny Arsenal	202203	RI/FS Required		202201	202702	Underway	PA/SI Completed - RI Underway
Army	New Mexico	BRAC	Fort Wingate	202312	RI/FS Required		202403	202809	Underway	PA/SI Completed - RI Underway
Army	New Mexico	National Guard	Riorancho	202302	No Further Action					PA/SI Completed - No Further Action
Army	New Mexico	National Guard	Roswell	202310	No Further Action					PA/SI Completed - No Further Action
Army	New Mexico	National Guard	Santa Fe AASF	202310	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	New Mexico	Active	White Sands Missile Range	202312	RI/FS Required	202505			Planned	PA/SI Completed - RI Planned
Army	New York	National Guard	Albany AASF #3/DMNA HQ /FMS #16	202306	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	New York	National Guard	Camp Smith/CSMS A	202206	RI/FS Required		201809	202603	Underway	PA/SI Completed - RI Underway

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
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DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Army	New York	Active	Fort Drum	202206	RI/FS Required		202201	202702	Underway	PA/SI Completed - RI Underway
Army	New York	Active	Fort Hamilton	202009	No Further Action					PA/SI Completed - No Further Action
Army	New York	National Guard	Rochester Readiness Center/AASF #2	202309	RI/FS Required	203009			Planned	PA/SI Completed - RI Planned
Army	New York	National Guard	Ronkonkoma Readiness Center/AASF #1	202312	No Further Action					PA/SI Completed - No Further Action
Army	New York	BRAC	Seneca Army Ammunition Plant	201801	RI/FS Required		202205	202608	Underway	PA/SI Completed - RI Underway
Army	New York	Active	Watervliet Arsenal	202203	RI/FS Required		202201	202702	Underway	PA/SI Completed - RI Underway
Army	New York	Active	West Point	202212	RI/FS Required		202210	202809	Underway	PA/SI Completed - RI Underway
Army	North Carolina	Active	Fort Bragg	202206	RI/FS Required		202301	202710	Underway	PA/SI Completed - RI Underway
Army	North Carolina	Active	Fort Bragg - Camp Mackall	202206	No Further Action					PA/SI Completed - No Further Action
Army	North Carolina	Active	Military Ocean Terminal Sunny Point	202112	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	North Carolina	National Guard	Morrisville AASF #1	202308	RI/FS Required		202304	203004	Underway	PA/SI Completed - RI Underway
Army	North Carolina	National Guard	Salisbury AASF #2	202205	RI/FS Required		202209	202909	Underway	PA/SI Completed - RI Underway
Army	North Carolina	Active	Tarheel Army Missile Plant	202312	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	North Dakota	National Guard	Bismarck AASF Complex	202309	RI/FS Required		202209	202909	Underway	PA/SI Completed - RI Underway
Army	North Dakota	National Guard	Fargo AASF #2	202310	No Further Action					PA/SI Completed - No Further Action
Army	Ohio	National Guard	Green Armory AASF#1	202212	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Ohio	Active	Lima Army Tank Plant	202112	No Further Action					PA/SI Completed - No Further Action
Army	Ohio	National Guard	Mansfield LAHM Fire Station	201908	No Further Action					PA/SI Completed - No Further Action
Army	Ohio	National Guard	Rickenbacker (MTA) - AASF #2	202212	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Oklahoma	Active	Fort Sill	202203	RI/FS Required		202209	202609	Underway	PA/SI Completed - RI Underway
Army	Oklahoma	National Guard	Lexington AASF #1	202305	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Army	Oklahoma	Active	McAlester Army Ammunition Plant	202203	RI/FS Required		202112	202712	Underway	PA/SI Completed - RI Underway
Army	Oklahoma	National Guard	Tulsa AASF #2	202305	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Oregon	National Guard	Bend COTEF (Youth Challenge)	201912	No Further Action					PA/SI Completed - No Further Action
Army	Oregon	National Guard	Blak Training Areas Brett Hall	202309	No Further Action					PA/SI Completed - No Further Action
Army	Oregon	National Guard	Camp Adair Corvallis	202305	No Further Action					PA/SI Completed - No Further Action
Army	Oregon	National Guard	Central Oregon Unit Training Equipment Site	202305	No Further Action					PA/SI Completed - No Further Action
Army	Oregon	National Guard	Christmas Valley Radar Site	202006	No Further Action					PA/SI Completed - No Further Action
Army	Oregon	National Guard	McNary Field Salem AASF	202103	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	Oregon	National Guard	MTA Camp Rilea	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Oregon	National Guard	Pang Base Enclave	202006	No Further Action					PA/SI Completed - No Further Action
Army	Oregon	National Guard	Pendleton Complex Armory / AASF	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Oregon	BRAC	Umatilla Chemical Depot	202312	No Further Action					PA/SI Completed - No Further Action
Army	Oregon	National Guard	Umatilla Depot	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Pennsylvania	Active	Carlisle Barracks	202212	RI/FS Required		202210	202809	Underway	PA/SI Completed - RI Underway
Army	Pennsylvania	National Guard	Fort Indiantown Gap	202104	RI/FS Required		202109	202909	Underway	PA/SI Completed - RI Underway
Army	Pennsylvania	National Guard	Johnstown AASF #2/Readiness Center	202308	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Pennsylvania	BRAC	Letterkenny Army Depot	202209	No Further Action					PA/SI Completed - No Further Action
Army	Pennsylvania	Active	Letterkenny Army Depot	202208	RI/FS Required		202201	202702	Underway	PA/SI Completed - RI Underway
Army	Pennsylvania	BRAC	N Penn	202107	RI/FS Required		202109	202609	Underway	PA/SI Completed - RI Underway
Army	Pennsylvania	Active	Scranton Army Ammunition Plant	202212	RI/FS Required		202210	202809	Underway	PA/SI Completed - RI Underway
Army	Pennsylvania	Active	Tobyhanna Army Depot	202209	RI/FS Required		202201	202702	Underway	PA/SI Completed - RI Underway

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Army	Puerto Rico	National Guard	AASF PR	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Puerto Rico	National Guard	Camp Santiago Joint Maneuver Training Center	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Puerto Rico	National Guard	Fort Allen	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Puerto Rico	Active	Fort Buchanan	202203	RI/FS Required		202210	202809	Underway	PA/SI Completed - RI Underway
Army	Puerto Rico	National Guard	Gurabo Readiness Center	202003	No Further Action					PA/SI Completed - No Further Action
Army	Puerto Rico	National Guard	Mayaguez Readiness Center	202003	No Further Action					PA/SI Completed - No Further Action
Army	Puerto Rico	National Guard	Vega Baja Readiness Center	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Puerto Rico	National Guard	Watercraft Maintenance Support Center	202003	No Further Action					PA/SI Completed - No Further Action
Army	Rhode Island	National Guard	North Smithfield	202002	No Further Action					PA/SI Completed - No Further Action
Army	Rhode Island	National Guard	Quonset Point-AASF	202312	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	South Carolina	National Guard	AASF Upstate	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	South Carolina	National Guard	Allendale Armory	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	South Carolina	Active	Fort Jackson	202203	RI/FS Required		202204	202801	Underway	PA/SI Completed - RI Underway
Army	South Carolina	National Guard	McCrary Training Site	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	South Carolina	National Guard	McEntire ANG AASF	202309	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	South Dakota	National Guard	Rapid City Airport Complex	202310	RI/FS Required		202209	202909	Underway	PA/SI Completed - RI Underway
Army	Tennessee	National Guard	AASF #2 TN	202304	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Tennessee	BRAC	DDMT	202311	RI/FS Required		202402	202909	Underway	PA/SI Completed - RI Underway
Army	Tennessee	Active	Holston Army Ammunition Plant	202212	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Tennessee	National Guard	Jackson Airport Armory/AASF #3	202304	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Tennessee	National Guard	Joint Base Berry Field	201904	No Further Action					PA/SI Completed - No Further Action

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Army	Tennessee	Active	Milan Army Ammunition Plant	202212	RI/FS Required		202302	202511	Underway	PA/SI Completed - RI Underway
Army	Tennessee	Active	Volunteer Army Ammunition Plant	202206	No Further Action					PA/SI Completed - No Further Action
Army	Tennessee	National Guard	VTS Smyrna	202304	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Texas	Active	ASF Conroe	202312	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Texas	National Guard	Austin Bergstrom Hangar	202306	RI/FS Required		202209	202909	Underway	PA/SI Completed - RI Underway
Army	Texas	National Guard	El Campo	202201	RI/FS Required		202209	202909	Underway	PA/SI Completed - RI Underway
Army	Texas	National Guard	Ellington Field	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Texas	Active	Fort Bliss	202312	RI/FS Required		202210	202710	Underway	PA/SI Completed - RI Underway
Army	Texas	Active	Fort Cavazos (formerly Fort Hood)	202302	RI/FS Required		202207	202909	Underway	PA/SI Completed - RI Underway
Army	Texas	National Guard	Grand Prairie (DNAS)	202210	RI/FS Required		202209	202909	Underway	PA/SI Completed - RI Underway
Army	Texas	BRAC	Lone Star AAP	202312	RI/FS Required		202405	202909	Underway	PA/SI Completed - RI Underway
Army	Texas	Active	Longhorn Army Ammunition Plant	202312	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Texas	National Guard	Martindale - AASF	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Texas	BRAC	Red River Army Depot	202312	RI/FS Required		202405	202909	Underway	PA/SI Completed - RI Underway
Army	Texas	Active	Red River Army Depot	202303	RI/FS Required		202204	202809	Underway	PA/SI Completed - RI Underway
Army	Texas	National Guard	Saginaw Burn Pit Area	202312	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Utah	National Guard	AASF-E.J. Garn Aviation Complex	202309	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	Utah	National Guard	Camp Williams	202207	No Further Action					PA/SI Completed - No Further Action
Army	Utah	Active	Dugway Proving Ground	202212	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Utah	National Guard	Sustained Airborne TNG FAC	202309	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	Utah	BRAC	Tooele Army Depot	202312	No Further Action					PA/SI Completed - No Further Action

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Army	Utah	Active	Tooele Army Depot	202203	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Utah	Active	Tooele Army Depot South (Deseret Chemical Depot)	202203	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Utah	National Guard	Wendover Airport - AVFAC	202309	RI/FS Required	202709			Planned	PA/SI Completed - RI Planned
Army	Utah	Active	White Sands Missile Range - Green River Test Site	202312	No Further Action					PA/SI Completed - No Further Action
Army	Vermont	National Guard	JFHQ Camp Johnson	201904	No Further Action					PA/SI Completed - No Further Action
Army	Vermont	National Guard	South Burlington AASF / Readiness Center	201904	No Further Action					PA/SI Completed - No Further Action
Army	Vermont	National Guard	TS Ethan Allen Range	202108	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Virgin Islands	National Guard	AAOF Blair Hangar	202312	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Virginia	National Guard	AASF Byrd Field	202305	RI/FS Required		202309	203009	Underway	PA/SI Completed - RI Underway
Army	Virginia	National Guard	Camp Pendleton SMR	202304	RI/FS Required	203009			Planned	PA/SI Completed - RI Planned
Army	Virginia	National Guard	Chesterfield Limited AASF	202304	RI/FS Required	202709			Planned	PA/SI Completed - RI Planned
Army	Virginia	BRAC	Fort Barfoot (formerly Fort Pickett)	202312	RI/FS Required		202402	202909	Underway	PA/SI Completed - RI Underway
Army	Virginia	National Guard	Fort Barfoot (formerly Fort Pickett) - MTC	202206	RI/FS Required		202209	202909	Underway	PA/SI Completed - RI Underway
Army	Virginia	Active	Fort Belvoir	202206	RI/FS Required		202201	202702	Underway	PA/SI Completed - RI Underway
Army	Virginia	Active	Fort Gregg-Adams (formerly Fort Lee)	202206	RI/FS Required		202201	202702	Underway	PA/SI Completed - RI Underway
Army	Virginia	BRAC	Fort Monroe	202310	RI/FS Required		202309	202809	Underway	PA/SI Completed - RI Underway
Army	Virginia	Active	Fort Walker (formerly Fort AP Hill)	202206	RI/FS Required		202201	202702	Underway	PA/SI Completed - RI Underway
Army	Virginia	National Guard	Ft. Belvoir AASF	202011	No Further Action for National Guard					PA/SI Completed - Additional Work will be Combined with Work Being Conducted at Another Installation
Army	Virginia	Active	JB Myer Henderson Hall	202209	RI/FS Required		202210	202809	Underway	PA/SI Completed - RI Underway

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Army	Virginia	Active	Radford Army Ammunition Plant	202209	RI/FS Required		202201	202702	Underway	PA/SI Completed - RI Underway
Army	Virginia	BRAC	Vint Hill Farms	202110	RI/FS Required		202109	202609	Underway	PA/SI Completed - RI Underway
Army	Washington	National Guard	AASF #2 WA	202010	No Further Action					PA/SI Completed - No Further Action
Army	Washington	National Guard	Bremerton	202009	No Further Action					PA/SI Completed - No Further Action
Army	Washington	BRAC	Camp Bonneville	202312	No Further Action					PA/SI Completed - No Further Action
Army	Washington	National Guard	Camp Murray	202009	No Further Action					PA/SI Completed - No Further Action
Army	Washington	Active	JB Lewis McChord	202012	RI/FS Required		202006	202506	Underway	PA/SI Completed - RI Underway
Army	Washington	Active	JB Lewis McChord - Yakima Training Center	202111	RI/FS Required		202110	202812	Underway	PA/SI Completed - RI Underway
Army	West Virginia	National Guard	CTC Camp Dawson-Kingwood	202310	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	West Virginia	National Guard	Fixed wing AAS	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	West Virginia	National Guard	Parkersburg AASF #1	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	West Virginia	National Guard	Wheeling - AASF #2	202309	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Wisconsin	Active	Badger Army Ammunition Plant	202212	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Army	Wisconsin	Active	Fort McCoy	202104	RI/FS Required		202101	202812	Underway	PA/SI Completed - RI Underway
Army	Wisconsin	National Guard	Madison AASF #2	202308	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Army	Wisconsin	National Guard	West Bend AASF #1 / Armory	202203	RI/FS Required		202109	202809	Underway	PA/SI Completed - RI Underway
Army	Wyoming	National Guard	Casper	201912	No Further Action					PA/SI Completed - No Further Action
Army	Wyoming	National Guard	Cheyenne AASF	202102	No Further Action					PA/SI Completed - No Further Action
Army	Wyoming	National Guard	MTCH Camp Guernsey	202308	RI/FS Required	202909			Planned	PA/SI Completed - RI Planned
Navy	Alaska	BRAC	Adak AK NAF	202206	RI/FS Required		202306	202706	Underway	PA/SI Completed - RI Underway
Navy	Alaska	Active	AMCHITKA AK FLTSURSPTDET1	202304	RI/FS Required		202405	204010	Underway	PA/SI Completed - RI Underway

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Navy	Alaska	Active	BARROW AK NARL	202312	RI/FS Required		202105	203902	Underway	PA/SI Completed - RI Underway
Navy	Alaska	Active	WALES AK	202310	No Further Action					PA/SI Completed - No Further Action
Navy	Arizona	Active	YUMA AZ MCAS	202003	RI/FS Required		201909	203004	Underway	PA/SI Completed - RI Underway
Navy	California	BRAC	ALAMEDA_NAS	202206	RI/FS Required		202307	202609	Underway	PA/SI Completed - RI Underway
Navy	California	Active	AZUSA CA NCCOSC MORRIS DA	202302	RI/FS Required		202404	202804	Underway	PA/SI Completed - RI Underway
Navy	California	Active	BARSTOW CA MCLB	201909	RI/FS Required		202105	203902	Underway	PA/SI Completed - RI Underway
Navy	California	Active	CAMP PENDLETON CA MCB	202408	RI/FS Required	203110			Planned	PA/SI Completed - RI Planned
Navy	California	Active	CHINA LAKE CA NAWCWPNSDIV	202312	RI/FS Required		202107	203801	Underway	PA/SI Completed - RI Underway
Navy	California	BRAC	Concord NWS	202308	RI/FS Required		202309	202709	Underway	PA/SI Completed - RI Underway
Navy	California	BRAC	Crows NALF	202312	RI/FS Required		202407	202709	Underway	PA/SI Completed - RI Underway
Navy	California	Active	EL CENTRO CA NAF	202302	RI/FS Required		202209	203906	Underway	PA/SI Completed - RI Underway
Navy	California	BRAC	El Toro MCAS	202111	RI/FS Required		202011	202703	Underway	PA/SI Completed - RI Underway
Navy	California	BRAC	Hunters Point Annex	202309	RI/FS Required		202408	202708	Underway	PA/SI Completed - RI Underway
Navy	California	Active	IMPERIAL BEACH CA NAVALF	202312	RI/FS Required		202408	203408	Underway	PA/SI Completed - RI Underway
Navy	California	Active	LEMOORE CA NAS	202203	RI/FS Required		202109	204203	Underway	PA/SI Completed - RI Underway
Navy	California	BRAC	Long Beach NS	202312	RI/FS Required	202504			Planned	PA/SI Completed - RI Planned
Navy	California	BRAC	Long Beach NSY	202312	RI/FS Required	202504			Planned	PA/SI Completed - RI Planned
Navy	California	BRAC	Mare Island NSY	202309	RI/FS Required		202309	202806	Underway	PA/SI Completed - RI Underway
Navy	California	Active	MIRAMAR CA MCAS	202305	RI/FS Required	203102			Planned	PA/SI Completed - RI Planned

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Navy	California	BRAC	Moffett Field NAS	202208	RI/FS Required					PA/SI Completed - Additional Work will be Combined with Work Being Conducted by Another Federal Agency
Navy	California	Active	NAS PT MUGU CA NAVAIRWARC	202205	RI/FS Required		202009	203403	Underway	PA/SI Completed - RI Underway
Navy	California	Active	NAVBASE CORONADO	202312	RI/FS Required		202010	203506	Underway	PA/SI Completed - RI Underway
Navy	California	Active	NAVBASE SAN DIEGO	202207	RI/FS Required		202203	203109	Underway	PA/SI Completed - RI Underway
Navy	California	Active	NAVCOMTELSTA STOCKTON	202208	RI/FS Required		202109	204006	Underway	PA/SI Completed - RI Underway
Navy	California	BRAC	Point Molate NFD	202311	RI/FS Required	202504			Planned	PA/SI Completed - RI Planned
Navy	California	Active	PORT HUENEME CA NFELC	202205	RI/FS Required		202006	203503	Underway	PA/SI Completed - RI Underway
Navy	California	Active	SAN DIEGO CA AUXLNDFLD	202208	RI/FS Required		202208	202709	Underway	PA/SI Completed - RI Underway
Navy	California	Active	SAN DIEGO CA FASWTC PAC	202307	RI/FS Required		202309	202706	Underway	PA/SI Completed - RI Underway
Navy	California	Active	SAN DIEGO CA NISE- WEST	202307	RI/FS Required		202309	202706	Underway	PA/SI Completed - RI Underway
Navy	California	Active	SAN NICOLAS IS CA OLF	202309	RI/FS Required		202403	203203	Underway	PA/SI Completed - RI Underway
Navy	California	Active	SEAL BEACH CA WPNSUPFAC	202312	RI/FS Required	202504			Planned	PA/SI Completed - RI Planned
Navy	California	Active	SPAWARSSYSCEN PACIFIC SD	202307	RI/FS Required		202309	203306	Underway	PA/SI Completed - RI Underway
Navy	California	BRAC	Treasure Island NS	202212	RI/FS Required		202007	202609	Underway	PA/SI Completed - RI Underway
Navy	California	BRAC	Tustin MCAS	202112	RI/FS Required		202011	202703	Underway	PA/SI Completed - RI Underway
Navy	California	Active	TWENTYNINE PALMS CA MAGCC	202309	RI/FS Required		202303	203304	Underway	PA/SI Completed - RI Underway
Navy	Connecticut	Active	BLOOMFIELD CT NWIRP	202006	No Further Action					PA/SI Completed - No Further Action
Navy	Connecticut	Active	NEW LONDON CT NSB	202312	RI/FS Required		202108	203602	Underway	PA/SI Completed - RI Underway
Navy	District of Columbia	Active	WASHINGTON DC COMNAVDIST	202309	RI/FS Required		202404	203904	Underway	PA/SI Completed - RI Underway

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Navy	District of Columbia	Active	WASHINGTON DC NAVSECSTA	202106	No Further Action					PA/SI Completed - No Further Action
Navy	District of Columbia	Active	WASHINGTON DC NRL	202309	RI/FS Required		202307	203209	Underway	PA/SI Completed - RI Underway
Navy	Florida	BRAC	Cecil Field NAS	202309	RI/FS Required		202309	202701	Underway	PA/SI Completed - RI Underway
Navy	Florida	Active	CID CORRY STATION	202306	RI/FS Required		202101	202703	Underway	PA/SI Completed - RI Underway
Navy	Florida	Active	FISC JAX (NWCF)	202106	RI/FS Required		202407	202802	Underway	PA/SI Completed - RI Underway
Navy	Florida	Active	JACKSONVILLE FL NAS	202209	RI/FS Required		202109	203709	Underway	PA/SI Completed - RI Underway
Navy	Florida	BRAC	KEY WEST FL NAS	202203	RI/FS Required	202506			Planned	PA/SI Completed - RI Planned
Navy	Florida	Active	KEY WEST FL NAS	202307	RI/FS Required		202202	204104	Underway	PA/SI Completed - RI Underway
Navy	Florida	Active	MAYPORT FL NS	202106	RI/FS Required		202303	203203	Underway	PA/SI Completed - RI Underway
Navy	Florida	Active	NSWC DIV PANAMA CITY	202209	RI/FS Required		202307	202807	Underway	PA/SI Completed - RI Underway
Navy	Florida	BRAC	Orlando NTC	202305	RI/FS Required		202307	202612	Underway	PA/SI Completed - RI Underway
Navy	Florida	Active	PENSACOLA FL NAS	202209	RI/FS Required		202005	203106	Underway	PA/SI Completed - RI Underway
Navy	Florida	Active	SAUFLEY FLD FL NAS	202306	RI/FS Required		202301	202801	Underway	PA/SI Completed - RI Underway
Navy	Florida	Active	WHITING FLD FL NAS	202306	RI/FS Required		202203	203706	Underway	PA/SI Completed - RI Underway
Navy	Georgia	Active	ALBANY GA MCLB	202305	RI/FS Required		202408	202910	Underway	PA/SI Completed - RI Underway
Navy	Georgia	Active	KINGS BAY GA NSB	202206	RI/FS Required		202302	203105	Underway	PA/SI Completed - RI Underway
Navy	Guam	BRAC	Guam Agana NAS	202206	No Further Action					PA/SI Completed - No Further Action
Navy	Guam	Active	GUAM FLT & INDUS SUP CTR	202312	RI/FS Required	203206			Planned	PA/SI Completed - RI Planned
Navy	Guam	Active	GUAM NAVACTS	202312	RI/FS Required		202306	203603	Underway	PA/SI Completed - RI Underway
Navy	Guam	Active	GUAM NCTAMS WESTPAC	202312	RI/FS Required		202307	203608	Underway	PA/SI Completed - RI Underway
Navy	Guam	Active	GUAM NSRF	202312	RI/FS Required	203206			Planned	PA/SI Completed - RI Planned

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Navy	Guam	Active	GUAM PWC	202312	RI/FS Required	203206			Planned	PA/SI Completed - RI Planned
Navy	Hawaii	Active	BARBERS POINT HI NAS	202312	No Further Action					PA/SI Completed - No Further Action
Navy	Hawaii	BRAC	Barbers Point NAS	202204	RI/FS Required		202308	202709	Underway	PA/SI Completed - RI Underway
Navy	Hawaii	Active	BARKING SANDS HI PMRF	202312	RI/FS Required	202506			Planned	PA/SI Completed - RI Planned
Navy	Hawaii	Active	CAMP H. M. SMITH OAHU HI	202312	RI/FS Required		202308	203306	Underway	PA/SI Completed - RI Underway
Navy	Hawaii	Active	JBPHH PEARL HARBOR HI	202312	RI/FS Required		202403	203010	Underway	PA/SI Completed - RI Underway
Navy	Hawaii	Active	KANEOHE BAY HI MCB	202312	RI/FS Required	202606			Planned	PA/SI Completed - RI Planned
Navy	Hawaii	Active	NAVFAC HAWAII P HARBOR	202312	RI/FS Required		201610	202706	Underway	PA/SI Completed - RI Underway
Navy	Hawaii	Active	NMC EAD DET PEARL HARBOR	202312	RI/FS Required		202407	203601	Underway	PA/SI Completed - RI Underway
Navy	Hawaii	Active	PEARL HARBOR HI FISC	202312	RI/FS Required		202004	203503	Underway	PA/SI Completed - RI Underway
Navy	Hawaii	Active	PEARL HARBOR HI NSY	202312	RI/FS Required		202403	202807	Underway	PA/SI Completed - RI Underway
Navy	Illinois	BRAC	Glenview NAS	202311	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Navy	Illinois	Active	GREAT LAKES IL NSTC	202312	RI/FS Required		202209	202802	Underway	PA/SI Completed - RI Underway
Navy	Indiana	BRAC	Indianapolis	202309	No Further Action					PA/SI Completed - No Further Action
Navy	Indiana	Active	NAVSURFWARCEM DIV CRANE	202312	RI/FS Required		202209	203912	Underway	PA/SI Completed - RI Underway
Navy	Kentucky	BRAC	Louisville Crane Division Det NOS/NSWC	202309	RI/FS Required	202504			Planned	PA/SI Completed - RI Planned
Navy	Louisiana	Active	NEW ORLEANS LA NAS JRB	202304	RI/FS Required		202106	203009	Underway	PA/SI Completed - RI Underway
Navy	Maine	BRAC	Brunswick NAS	202003	RI/FS Required		202005	202412	Underway	PA/SI Completed - RI Underway
Navy	Maine	Active	NCTAMSLANT DET CUTLER	202209	RI/FS Required		202103	203402	Underway	PA/SI Completed - RI Underway
Navy	Maine	Active	PORTS NSYD PORTS NH	202209	No Further Action					PA/SI Completed - No Further Action
Navy	Maryland	Active	ANNAPOLIS MD NAVACAD	202309	RI/FS Required	203110			Planned	PA/SI Completed - RI Planned

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Navy	Maryland	Active	ANNAPOLIS MD NS	202309	RI/FS Required	203110			Planned	PA/SI Completed - RI Planned
Navy	Maryland	BRAC	Annapolis NSWC Carderock DIV Det	202105	RI/FS Required		201611	202609	Underway	PA/SI Completed - RI Underway
Navy	Maryland	Active	BAINBRIDGE MD NTC	202203	No Further Action					PA/SI Completed - No Further Action
Navy	Maryland	Active	CHESAPEAKE BEACH MD RESLB	202309	RI/FS Required		202108	203409	Underway	PA/SI Completed - RI Underway
Navy	Maryland	Active	INDIAN HEAD MD NSWCTRDIV	202312	RI/FS Required		202205	204206	Underway	PA/SI Completed - RI Underway
Navy	Maryland	Active	NAVSURFWARCEN WBETH DD	202307	No Further Action					PA/SI Completed - No Further Action
Navy	Maryland	Active	PATUXENT RIVER MD NAS	202202	RI/FS Required		201805	202911	Underway	PA/SI Completed - RI Underway
Navy	Maryland	Active	SOLOMONS MD NRECC	202309	RI/FS Required		202303	202903	Underway	PA/SI Completed - RI Underway
Navy	Maryland	Active	ST INIGOES MD NAVELEXSYS	202107	RI/FS Required		202107	202907	Underway	PA/SI Completed - RI Underway
Navy	Maryland	Active	W REED NAT MIL MED CTR	201809	No Further Action					PA/SI Completed - No Further Action
Navy	Maryland	BRAC	White Oak- NSWC Dahlgren DIV Det (Silver Spring)	202309	RI/FS Required	202504			Planned	PA/SI Completed - RI Planned
Navy	Massachusetts	Active	BEDFORD MA NWRIP	202312	No Further Action					PA/SI Completed - No Further Action
Navy	Massachusetts	BRAC	South Weymouth NAS	202010	RI/FS Required		201409	202609	Underway	PA/SI Completed - RI Underway
Navy	Midway Islands	BRAC	MIDWAY ISLAND NAF	202204	No Further Action					PA/SI Completed - No Further Action
Navy	Minnesota	Active	MINNEAPOLIS MN NIROP	202312	RI/FS Required	203204			Planned	PA/SI Completed - RI Planned
Navy	Mississippi	Active	GULFPORT MS NCBC	202306	RI/FS Required		202206	203404	Underway	PA/SI Completed - RI Underway
Navy	Mississippi	Active	MERIDIAN MS NAS	202112	RI/FS Required		202005	202806	Underway	PA/SI Completed - RI Underway
Navy	Missouri	BRAC	KANSAS CITY MO	202309	No Further Action					PA/SI Completed - No Further Action
Navy	Missouri	Active	KANSAS CITY MO	201901	No Further Action					PA/SI Completed - No Further Action
Navy	Nevada	Active	FALLON NV NAS	202203	RI/FS Required		202106	203403	Underway	PA/SI Completed - RI Underway

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Navy	New Jersey	Active	NMC DET EARLE	202306	RI/FS Required		201602	203502	Underway	PA/SI Completed - RI Underway
Navy	New Jersey	BRAC	Trenton NAWC-AD	202210	RI/FS Required		202006	202707	Underway	PA/SI Completed - RI Underway
Navy	New York	Active	BETHPAGE NY NWIRP	202306	RI/FS Required	202705			Planned	PA/SI Completed - RI Planned
Navy	New York	Active	CALVERTON NY NPRO	202309	RI/FS Required		202004	203904	Underway	PA/SI Completed - RI Underway
Navy	North Carolina	Active	CAMP LEJEUNE NC MCB	202207	RI/FS Required		202108	204410	Underway	PA/SI Completed - RI Underway
Navy	North Carolina	Active	CHERRY POINT NC MCAS	202312	RI/FS Required		202209	203003	Underway	PA/SI Completed - RI Underway
Navy	Pennsylvania	Active	MECHANICSBURG PA NAVICP	202212	RI/FS Required		202206	203603	Underway	PA/SI Completed - RI Underway
Navy	Pennsylvania	BRAC	Philadelphia NS	202009	RI/FS Required		202205	202705	Underway	PA/SI Completed - RI Underway
Navy	Pennsylvania	Active	PHILADELPHIA PA NSWCSES	202303	RI/FS Required		202306	203905	Underway	PA/SI Completed - RI Underway
Navy	Pennsylvania	BRAC	Warminster NAWC AD	201411	RI/FS Required		201510	202709	Underway	PA/SI Completed - RI Underway
Navy	Pennsylvania	BRAC	Willow Grove NASJRB	201603	RI/FS Required		201407	202609	Underway	PA/SI Completed - RI Underway
Navy	Puerto Rico	BRAC	Puerto Rico NA/NAVACT	202309	RI/FS Required		202308	202703	Underway	PA/SI Completed - RI Underway
Navy	Puerto Rico	Active	ROOSEVELT ROADS RQ CGARCA	202311	RI/FS Required		202311	203109	Underway	PA/SI Completed - RI Underway
Navy	Puerto Rico	Active	SAN JUAN PR MCRC	202210	RI/FS Required		202206	202803	Underway	PA/SI Completed - RI Underway
Navy	Rhode Island	BRAC	DAVISVILLE_NCBC	201612	No Further Action					PA/SI Completed - No Further Action
Navy	South Carolina	Active	BEAUFORT SC MCAS	202308	RI/FS Required		202104	203512	Underway	PA/SI Completed - RI Underway
Navy	South Carolina	BRAC	Charleston NS	202309	RI/FS Required	202506			Planned	PA/SI Completed - RI Planned
Navy	South Carolina	BRAC	Charleston NSY	202309	RI/FS Required	202501			Planned	PA/SI Completed - RI Planned
Navy	South Carolina	Active	PARRIS ISLAND SC MCRD	202309	RI/FS Required		201904	203602	Underway	PA/SI Completed - RI Underway
Navy	Tennessee	Active	BRISTOL TN NWIRP	202109	No Further Action					PA/SI Completed - No Further Action
Navy	Tennessee	BRAC	Memphis NAS (Millington)	202309	RI/FS Required	202504			Planned	PA/SI Completed - RI Planned

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Navy	Tennessee	Active	MILLINGTON TN SUPPACT	202012	No Further Action					PA/SI Completed - No Further Action
Navy	Texas	BRAC	Chase Field NAS	202203	RI/FS Required		202301	202701	Underway	PA/SI Completed - RI Underway
Navy	Texas	Active	CORPUS CHRISTI TX NAS	202308	RI/FS Required		202307	203707	Underway	PA/SI Completed - RI Underway
Navy	Texas	BRAC	Dallas NAS	201703	RI/FS Required		202002	202609	Underway	PA/SI Completed - RI Underway
Navy	Texas	Active	DALLAS TX NWIRP	202209	RI/FS Required		202408	202908	Underway	PA/SI Completed - RI Underway
Navy	Texas	Active	FT WORTH TX NAS JRB	202210	RI/FS Required		202302	203204	Underway	PA/SI Completed - RI Underway
Navy	Texas	Active	KINGSVILLE TX NAS	202308	RI/FS Required		202307	203707	Underway	PA/SI Completed - RI Underway
Navy	Texas	Active	MCLENNAN TX NIROP	202209	RI/FS Required	202507			Planned	PA/SI Completed - RI Planned
Navy	Virginia	Active	CHESAPEAKE VA NSGA NW	202209	RI/FS Required		202109	203609	Underway	PA/SI Completed - RI Underway
Navy	Virginia	Active	CHESAPEAKE VA STJULCREEK	202312	RI/FS Required		202401	203501	Underway	PA/SI Completed - RI Underway
Navy	Virginia	Active	CRANEY ISLAND VA NFD/NSC	202309	RI/FS Required		202307	203901	Underway	PA/SI Completed - RI Underway
Navy	Virginia	Active	DAHLGREN VA NSWCTR DIV	202309	RI/FS Required		202403	203212	Underway	PA/SI Completed - RI Underway
Navy	Virginia	Active	DAM NECK VA	202310	RI/FS Required		202403	203604	Underway	PA/SI Completed - RI Underway
Navy	Virginia	BRAC	Driver NRTF	202102	No Further Action					PA/SI Completed - No Further Action
Navy	Virginia	Active	LITTLE CREEK VA NAVPHIBSE	202312	RI/FS Required		202403	203803	Underway	PA/SI Completed - RI Underway
Navy	Virginia	Active	NMC DET YORKTOWN	202312	RI/FS Required		202208	203312	Underway	PA/SI Completed - RI Underway
Navy	Virginia	Active	NORFOLK VA FISC	202310	RI/FS Required		202406	202907	Underway	PA/SI Completed - RI Underway
Navy	Virginia	Active	NORFOLK VA NB	202312	RI/FS Required		202303	203405	Underway	PA/SI Completed - RI Underway
Navy	Virginia	Active	OCEANA VA NAS	202208	RI/FS Required		201909	203402	Underway	PA/SI Completed - RI Underway
Navy	Virginia	Active	PORTSMOUTH VA NH	202312	RI/FS Required		202404	202807	Underway	PA/SI Completed - RI Underway
Navy	Virginia	Active	PORTSMOUTH VA NORFOLK NSY	202312	RI/FS Required		202304	203703	Underway	PA/SI Completed - RI Underway

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Navy	Virginia	Active	QUANTICO VA MCCOMBDEV CMD	202309	RI/FS Required		202307	203209	Underway	PA/SI Completed - RI Underway
Navy	Virginia	Active	WILLIAMSBURG VA FISC CA	202310	RI/FS Required		202404	202909	Underway	PA/SI Completed - RI Underway
Navy	Washington	Active	BREMERTON WA NAVBASE	202312	RI/FS Required		202405	204010	Underway	PA/SI Completed - RI Underway
Navy	Washington	Active	EVERETT WA NAVSTA	202310	RI/FS Required		202408	203210	Underway	PA/SI Completed - RI Underway
Navy	Washington	Active	INDIAN ISLAND WA NAVMAG	202310	RI/FS Required	202910			Planned	PA/SI Completed - RI Planned
Navy	Washington	Active	KEYPORT WA NUWC DIV	202312	RI/FS Required		202104	203702	Underway	PA/SI Completed - RI Underway
Navy	Washington	Active	MANCHESTER WA FUELDPTSPND	202312	RI/FS Required	202410			Planned	PA/SI Completed - RI Planned
Navy	Washington	Active	OSO JIM CREEK WA NRS	202310	RI/FS Required	202612			Planned	PA/SI Completed - RI Planned
Navy	Washington	Active	PUGET SOUND WA NAVSHIPYD	202310	RI/FS Required	202510			Planned	PA/SI Completed - RI Planned
Navy	Washington	BRAC	Puget Sound NS Sand Point	202110	No Further Action					PA/SI Completed - No Further Action
Navy	Washington	Active	WHIDBEY IS WA NAS	202312	RI/FS Required		202008	203802	Underway	PA/SI Completed - RI Underway
Navy	West Virginia	Active	NAVIOCOM SUGAR GROVE	202312	RI/FS Required		202406	203509	Underway	PA/SI Completed - RI Underway
Navy	West Virginia	Active	ROCKET CTR WVA WV ABL MNR	202312	RI/FS Required	202803			Planned	PA/SI Completed - RI Planned
Air Force	Alabama	National Guard	Birmingham International Airport	202202	RI/FS Required	203209			Planned	PA/SI Completed - RI Planned
Air Force	Alabama	Active	Maxwell-Gunter AFB	202312	RI/FS Required		202209	202809	Underway	PA/SI Completed - RI Underway
Air Force	Alabama	National Guard	Montgomery Regional (Dannelly Field) MONTGOMERY ANGB (EESOH-MIS name)	202202	RI/FS Required		202309	202809	Underway	PA/SI Completed - RI Underway
Air Force	Alaska	Active	Clear Space Force Station	201909	RI/FS Required		202207	202807	Underway	PA/SI Completed - RI Underway
Air Force	Alaska	Active	Eareckson AFS	202106	RI/FS Required		202009	202609	Underway	PA/SI Completed - RI Underway
Air Force	Alaska	Active	Eielson AFB	201909	RI/FS Required		202008	202608	Underway	PA/SI Completed - RI Underway
Air Force	Alaska	BRAC	Galena Forward Operating Location	201804	RI/FS Required		202109	202609	Underway	PA/SI Completed - RI Underway

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Air Force	Alaska	Active	Joint Base Elmendorf-Richardson	202312	RI/FS Required		202009	202909	Underway	PA/SI Completed - RI Underway
Air Force	Alaska	Active	King Salmon	202106	RI/FS Required		201909	202509	Underway	PA/SI Completed - RI Underway
Air Force	Alaska	BRAC	Kulis Air National Guard Base	201812	RI/FS Required		202106	202606	Underway	PA/SI Completed - RI Underway
Air Force	Arizona	Active	Air Force Plant 44	202203	RI/FS Required		202209	202809	Underway	PA/SI Completed - RI Underway
Air Force	Arizona	BRAC	Air Force Research Laboratory Mesa	201508	No Further Action					PA/SI Completed - No Further Action
Air Force	Arizona	Active	Davis-Monthan AFB	202206	RI/FS Required		202006	202606	Underway	PA/SI Completed - RI Underway
Air Force	Arizona	National Guard	Goldwater ANGB	202112	RI/FS Required	203709			Planned	PA/SI Completed - RI Planned
Air Force	Arizona	Active	Luke AFB	202312	RI/FS Required		202006	202606	Underway	PA/SI Completed - RI Underway
Air Force	Arizona	National Guard	Morris (Tucson International Airport)	202209	RI/FS Required		202109	202609	Underway	PA/SI Completed - RI Underway
Air Force	Arizona	BRAC	Williams AFB	202012	RI/FS Required		202309	202809	Underway	PA/SI Completed - RI Underway
Air Force	Arkansas	BRAC	Eaker AFB	201808	RI/FS Required		202409	202709	Underway	PA/SI Completed - RI Underway
Air Force	Arkansas	National Guard	Ft. Smith	202112	RI/FS Required	203009			Planned	PA/SI Completed - RI Planned
Air Force	Arkansas	Active	Little Rock AFB	202211	RI/FS Required		202109	202709	Underway	PA/SI Completed - RI Underway
Air Force	California	Active	Air Force Plant 42	202312	RI/FS Required		202409	202909	Underway	PA/SI Completed - RI Underway
Air Force	California	Active	Beale AFB	202106	RI/FS Required		202109	202709	Underway	PA/SI Completed - RI Underway
Air Force	California	BRAC	Castle AFB	202012	RI/FS Required		202109	202609	Underway	PA/SI Completed - RI Underway
Air Force	California	National Guard	Channel Islands	202202	RI/FS Required	203609			Planned	PA/SI Completed - RI Planned
Air Force	California	Active	Edwards AFB	202211	RI/FS Required		202009	202609	Underway	PA/SI Completed - RI Underway
Air Force	California	National Guard	Fresno Air Guard	202202	RI/FS Required		202409	202909	Underway	PA/SI Completed - RI Underway
Air Force	California	BRAC	George AFB	202011	RI/FS Required		202309	202809	Underway	PA/SI Completed - RI Underway
Air Force	California	Active	Los Angeles Space Force Base	201711	No Further Action					PA/SI Completed - No Further Action

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Air Force	California	BRAC	March AFB	202003	RI/FS Required		202009	202509	Underway	PA/SI Completed - RI Underway
Air Force	California	Active	March Air Reserve Base	202312	RI/FS Required		202009	202509	Underway	PA/SI Completed - RI Underway
Air Force	California	BRAC	Mather AFB	202012	RI/FS Required		202109	202609	Underway	PA/SI Completed - RI Underway
Air Force	California	BRAC	McClellan AFB	202012	RI/FS Required		202409	202709	Underway	PA/SI Completed - RI Underway
Air Force	California	National Guard	Moffett Field	202202	RI/FS Required		202409	202909	Underway	PA/SI Completed - RI Underway
Air Force	California	BRAC	Norton AFB	201808	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Air Force	California	BRAC	Onizuka Air Force Station	201501	No Further Action					PA/SI Completed - No Further Action
Air Force	California	BRAC	Ontario Air Force Station	201508	No Further Action					PA/SI Completed - No Further Action
Air Force	California	Active	Travis AFB	202312	RI/FS Required		202007	202607	Underway	PA/SI Completed - RI Underway
Air Force	California	Active	Vandenberg Space Force Base	202211	RI/FS Required		202201	202801	Underway	PA/SI Completed - RI Underway
Air Force	Colorado	Active	Air Force Plant PJKS	202106	RI/FS Required		202309	202909	Underway	PA/SI Completed - RI Underway
Air Force	Colorado	BRAC	Buckley Annex	201507	No Further Action					PA/SI Completed - No Further Action
Air Force	Colorado	Active	Buckley Space Force Base	202312	RI/FS Required		202006	202606	Underway	PA/SI Completed - RI Underway
Air Force	Colorado	Active	Cheyenne Mountain Space Force Station	202106	RI/FS Required		202309	202909	Underway	PA/SI Completed - RI Underway
Air Force	Colorado	BRAC	Lowry AFB	201608	RI/FS Required		202309	202809	Underway	PA/SI Completed - RI Underway
Air Force	Colorado	Active	Peterson Space Force Base	201904	RI/FS Required		202006	202606	Underway	PA/SI Completed - RI Underway
Air Force	Colorado	Active	Schriever Space Force Base	202103	RI/FS Required		202309	202909	Underway	PA/SI Completed - RI Underway
Air Force	Colorado	Active	USAF Academy	201912	RI/FS Required		202109	202709	Underway	PA/SI Completed - RI Underway
Air Force	Connecticut	National Guard	Bradley International Airport	202112	RI/FS Required		202409	202909	Underway	PA/SI Completed - RI Underway
Air Force	Delaware	Active	Dover AFB	202203	RI/FS Required		202008	202608	Underway	PA/SI Completed - RI Underway
Air Force	Delaware	National Guard	New Castle	202202	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Air Force	District of Columbia	Active	JOINT BASE ANACOSTIA-BOLLING	202312	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Air Force	Florida	Active	Avon Park Air Force Reserve	202112	RI/FS Required		202206	202806	Underway	PA/SI Completed - RI Underway
Air Force	Florida	Active	Cape Canaveral Space Force Station	202106	RI/FS Required		202209	202809	Underway	PA/SI Completed - RI Underway
Air Force	Florida	Active	Eglin AFB	202201	RI/FS Required		202009	202609	Underway	PA/SI Completed - RI Underway
Air Force	Florida	BRAC	Homestead AFB	201602	RI/FS Required	202909			Planned	PA/SI Completed - RI Planned
Air Force	Florida	Active	Homestead Air Reserve Base	202312	RI/FS Required		202109	202709	Underway	PA/SI Completed - RI Underway
Air Force	Florida	Active	Hurlburt Field	202210	RI/FS Required		202209	202809	Underway	PA/SI Completed - RI Underway
Air Force	Florida	National Guard	Jacksonville	202211	RI/FS Required		202209	202709	Underway	PA/SI Completed - RI Underway
Air Force	Florida	Active	MacDill AFB	202110	RI/FS Required		202206	202806	Underway	PA/SI Completed - RI Underway
Air Force	Florida	Active	Patrick Space Force Base	202106	RI/FS Required		202206	202806	Underway	PA/SI Completed - RI Underway
Air Force	Florida	Active	Tyndall AFB	202312	RI/FS Required		202203	202803	Underway	PA/SI Completed - RI Underway
Air Force	Georgia	Active	Air Force Plant 6	202312	RI/FS Required		202207	202807	Underway	PA/SI Completed - RI Underway
Air Force	Georgia	Active	Dobbins Air Reserve Base	202112	RI/FS Required		202009	202609	Underway	PA/SI Completed - RI Underway
Air Force	Georgia	Active	Moody AFB	202207	RI/FS Required		202009	202609	Underway	PA/SI Completed - RI Underway
Air Force	Georgia	Active	Robins AFB	202106	RI/FS Required		202208	202808	Underway	PA/SI Completed - RI Underway
Air Force	Georgia	National Guard	Savannah International Airport	202112	RI/FS Required		202209	202709	Underway	PA/SI Completed - RI Underway
Air Force	Hawaii	Active	Bellows Air Force Station	201711	No Further Action					PA/SI Completed - No Further Action
Air Force	Idaho	National Guard	Boise	202202	RI/FS Required	203309			Planned	PA/SI Completed - RI Planned
Air Force	Idaho	Active	Mountain Home AFB	202312	RI/FS Required		202007	202607	Underway	PA/SI Completed - RI Underway
Air Force	Illinois	BRAC	Chanute AFB	201812	RI/FS Required		202306	202806	Underway	PA/SI Completed - RI Underway
Air Force	Illinois	National Guard	Greater Peoria	202202	RI/FS Required		202009	202509	Underway	PA/SI Completed - RI Underway

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Air Force	Illinois	BRAC	O'Hare Air Reserve Station	202006	RI/FS Required	202709			Planned	PA/SI Completed - RI Planned
Air Force	Illinois	Active	Scott AFB	202312	RI/FS Required		202109	202709	Underway	PA/SI Completed - RI Underway
Air Force	Illinois	National Guard	Springfield Municipal (Capital)	202109	RI/FS Required		202009	202509	Underway	PA/SI Completed - RI Underway
Air Force	Indiana	National Guard	Fort Wayne Municipal	202112	RI/FS Required	202909			Planned	PA/SI Completed - RI Planned
Air Force	Indiana	BRAC	Grissom AFB	201706	RI/FS Required		202212	202712	Underway	PA/SI Completed - RI Underway
Air Force	Indiana	Active	Grissom Air Reserve Base	202103	RI/FS Required		202109	202709	Underway	PA/SI Completed - RI Underway
Air Force	Indiana	National Guard	Hulman	202109	RI/FS Required		202009	202509	Underway	PA/SI Completed - RI Underway
Air Force	Iowa	National Guard	Des Moines	202109	RI/FS Required		202309	202809	Underway	PA/SI Completed - RI Underway
Air Force	Iowa	National Guard	Sioux Gateway (Sioux City) SIOUX CTY APT ANG (EESOH-MIS name)	202202	RI/FS Required		202309	202809	Underway	PA/SI Completed - RI Underway
Air Force	Kansas	National Guard	Forbes Field	202202	RI/FS Required	203609			Planned	PA/SI Completed - RI Planned
Air Force	Kansas	Active	McConnell AFB	202312	RI/FS Required		202009	202609	Underway	PA/SI Completed - RI Underway
Air Force	Kentucky	National Guard	Standiford Field Air National Guard	202202	RI/FS Required	203309			Planned	PA/SI Completed - RI Planned
Air Force	Louisiana	Active	Barksdale AFB	202310	RI/FS Required		202112	202712	Underway	PA/SI Completed - RI Underway
Air Force	Louisiana	BRAC	England AFB	201910	RI/FS Required		202409	202709	Underway	PA/SI Completed - RI Underway
Air Force	Maine	National Guard	Bangor International Airport	202303	RI/FS Required		202309	202809	Underway	PA/SI Completed - RI Underway
Air Force	Maine	BRAC	Loring AFB	201812	RI/FS Required		202106	202606	Underway	PA/SI Completed - RI Underway
Air Force	Maryland	Active	Joint Base Andrews	202312	RI/FS Required		202209	202809	Underway	PA/SI Completed - RI Underway
Air Force	Maryland	National Guard	Martin State	202105	RI/FS Required	203209			Planned	PA/SI Completed - RI Planned
Air Force	Massachusetts	National Guard	Barnes Municipal	202202	RI/FS Required		202309	202809	Underway	PA/SI Completed - RI Underway
Air Force	Massachusetts	Active	Hanscom AFB	202109	RI/FS Required		202208	202808	Underway	PA/SI Completed - RI Underway

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Air Force	Massachusetts	National Guard	Otis ANG (Joint Base Cape Cod -Massachusetts Military Reservation)	202108	RI/FS Required		201506	202609	Underway	PA/SI Completed - RI Underway
Air Force	Massachusetts	Active	Westover Air Reserve Base	202106	RI/FS Required		202209	202809	Underway	PA/SI Completed - RI Underway
Air Force	Michigan	National Guard	Alpena	202202	RI/FS Required		202009	202509	Underway	PA/SI Completed - RI Underway
Air Force	Michigan	Active	Calumet Air Force Station	201708	No Further Action					PA/SI Completed - No Further Action
Air Force	Michigan	BRAC	KI Sawyer AFB	202106	RI/FS Required		202108	202608	Underway	PA/SI Completed - RI Underway
Air Force	Michigan	National Guard	Selfridge	202112	RI/FS Required		202209	202709	Underway	PA/SI Completed - RI Underway
Air Force	Michigan	National Guard	WK Kellogg	202202	RI/FS Required		202009	202509	Underway	PA/SI Completed - RI Underway
Air Force	Michigan	BRAC	Wurtsmith AFB	202001	RI/FS Required		202007	202507	Underway	PA/SI Completed - RI Underway
Air Force	Minnesota	National Guard	Duluth International Airport	202202	RI/FS Required		202209	202709	Underway	PA/SI Completed - RI Underway
Air Force	Minnesota	Active	Minneapolis-St Paul Air Reserve Station	202106	RI/FS Required		202309	202909	Underway	PA/SI Completed - RI Underway
Air Force	Minnesota	National Guard	Minneapolis-St Paul IAP	202112	RI/FS Required	202809			Planned	PA/SI Completed - RI Planned
Air Force	Mississippi	Active	Columbus AFB	202312	RI/FS Required		202109	202709	Underway	PA/SI Completed - RI Underway
Air Force	Mississippi	National Guard	Gulfport Biloxi	202201	RI/FS Required	203109			Planned	PA/SI Completed - RI Planned
Air Force	Mississippi	National Guard	Jackson	202201	RI/FS Required	203109			Planned	PA/SI Completed - RI Planned
Air Force	Mississippi	Active	Keesler AFB	202106	RI/FS Required		202209	202809	Underway	PA/SI Completed - RI Underway
Air Force	Mississippi	National Guard	Key Field	202201	RI/FS Required		202309	202809	Underway	PA/SI Completed - RI Underway
Air Force	Missouri	National Guard	Lambert St. Louis	202112	RI/FS Required	202809			Planned	PA/SI Completed - RI Planned
Air Force	Missouri	BRAC	Richards-Gebaur AFB	201810	RI/FS Required	202809			Planned	PA/SI Completed - RI Planned
Air Force	Missouri	National Guard	Rosecrans Memorial	202112	RI/FS Required		202409	202909	Underway	PA/SI Completed - RI Underway
Air Force	Missouri	Active	Whiteman AFB	202310	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Air Force	Montana	National Guard	Great Falls International Airport	202211	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Air Force	Montana	Active	Malmstrom AFB	202106	RI/FS Required		202109	202709	Underway	PA/SI Completed - RI Underway
Air Force	Nebraska	National Guard	Lincoln Municipal	202202	RI/FS Required	203009			Planned	PA/SI Completed - RI Planned
Air Force	Nebraska	Active	Offutt AFB	202312	RI/FS Required		202009	202609	Underway	PA/SI Completed - RI Underway
Air Force	Nevada	Active	Creech AFB	202110	RI/FS Required		202109	202709	Underway	PA/SI Completed - RI Underway
Air Force	Nevada	Active	Nellis AFB	202106	RI/FS Required		202006	202606	Underway	PA/SI Completed - RI Underway
Air Force	Nevada	National Guard	Reno Tahoe	202109	RI/FS Required	202909			Planned	PA/SI Completed - RI Planned
Air Force	New Hampshire	Active	New Boston Space Force Station	202109	RI/FS Required		202208	202809	Underway	PA/SI Completed - RI Underway
Air Force	New Hampshire	National Guard	Pease	202003	RI/FS Required					PA/SI Completed - Additional Work will be Combined with Work Being Conducted at Another Installation
Air Force	New Hampshire	BRAC	Pease AFB	202003	RI/FS Required		202007	202507	Underway	PA/SI Completed - RI Underway
Air Force	New Jersey	National Guard	Atlantic City	202201	RI/FS Required	202709			Planned	PA/SI Completed - RI Planned
Air Force	New Jersey	Active	Joint Base McGuire-Dix-Lakehurst	202111	RI/FS Required		202009	202609	Underway	PA/SI Completed - RI Underway
Air Force	New Mexico	Active	Cannon AFB	201903	RI/FS Required		202008	202608	Underway	PA/SI Completed - RI Underway
Air Force	New Mexico	Active	Holloman AFB	202106	RI/FS Required		202111	202711	Underway	PA/SI Completed - RI Underway
Air Force	New Mexico	Active	Kirtland AFB	202312	RI/FS Required		202309	202909	Underway	PA/SI Completed - RI Underway
Air Force	New York	Active	Air Force Research Laboratory Rome	202106	RI/FS Required	202809			Planned	PA/SI Completed - RI Planned
Air Force	New York	National Guard	Francis S. Gabreski	202106	RI/FS Required		202209	202709	Underway	PA/SI Completed - RI Underway
Air Force	New York	BRAC	Griffiss AFB	201811	RI/FS Required	202809			Planned	PA/SI Completed - RI Planned
Air Force	New York	National Guard	Hancock Field	202109	RI/FS Required	203009			Planned	PA/SI Completed - RI Planned

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Air Force	New York	Active	Niagara Falls Air Reserve Station	202106	RI/FS Required		202209	202809	Underway	PA/SI Completed - RI Underway
Air Force	New York	BRAC	Plattsburgh AFB	202012	RI/FS Required		202009	202509	Underway	PA/SI Completed - RI Underway
Air Force	New York	BRAC	Roslyn Air National Guard Station	201502	No Further Action					PA/SI Completed - No Further Action
Air Force	New York	National Guard	Schenectady Airport	202112	RI/FS Required	202709			Planned	PA/SI Completed - RI Planned
Air Force	New York	National Guard	Stewart International Airport	202305	RI/FS Required		202109	202609	Underway	PA/SI Completed - RI Underway
Air Force	North Carolina	National Guard	Charlotte Douglas	202202	RI/FS Required	203209			Planned	PA/SI Completed - RI Planned
Air Force	North Carolina	National Guard	New London ANGB (Stanly County Airport)	202112	RI/FS Required	203409			Planned	PA/SI Completed - RI Planned
Air Force	North Carolina	Active	Seymour Johnson AFB	202203	RI/FS Required		202108	202708	Underway	PA/SI Completed - RI Underway
Air Force	North Dakota	Active	Cavalier Space Force Station	202312	RI/FS Required		202009	202609	Underway	PA/SI Completed - RI Underway
Air Force	North Dakota	Active	Grand Forks AFB	202105	RI/FS Required		202109	202709	Underway	PA/SI Completed - RI Underway
Air Force	North Dakota	National Guard	Hector Field	202202	RI/FS Required	203509			Planned	PA/SI Completed - RI Planned
Air Force	North Dakota	Active	Minot AFB	202310	RI/FS Required		202101	202701	Underway	PA/SI Completed - RI Underway
Air Force	Ohio	Active	Air Force Plant 36	201711	No Further Action					PA/SI Completed - No Further Action
Air Force	Ohio	Active	Air Force Plant 85	202106	RI/FS Required		202309	202909	Underway	PA/SI Completed - RI Underway
Air Force	Ohio	BRAC	Gentile Air Force Station	201807	RI/FS Required	202709			Planned	PA/SI Completed - RI Planned
Air Force	Ohio	National Guard	Mansfield	202312	RI/FS Required	202809			Planned	PA/SI Completed - RI Planned
Air Force	Ohio	BRAC	Newark AFB	201810	RI/FS Required	202709			Planned	PA/SI Completed - RI Planned
Air Force	Ohio	National Guard	Rickenbacker	202109	RI/FS Required	202909			Planned	PA/SI Completed - RI Planned
Air Force	Ohio	BRAC	Rickenbacker	201810	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Air Force	Ohio	National Guard	Springfield-Beckley Municipal	202211	RI/FS Required	202709			Planned	PA/SI Completed - RI Planned
Air Force	Ohio	National Guard	Toledo Express	202209	RI/FS Required		202009	202509	Underway	PA/SI Completed - RI Underway

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Air Force	Ohio	Active	Wright Patterson AFB	202312	RI/FS Required		202007	202607	Underway	PA/SI Completed - RI Underway
Air Force	Ohio	Active	Youngstown Air Reserve Station	202109	RI/FS Required		202109	202709	Underway	PA/SI Completed - RI Underway
Air Force	Oklahoma	Active	Air Force Plant 3	202105	RI/FS Required		202112	202712	Underway	PA/SI Completed - RI Underway
Air Force	Oklahoma	Active	Altus AFB	202103	RI/FS Required		202209	202809	Underway	PA/SI Completed - RI Underway
Air Force	Oklahoma	Active	Tinker AFB	202310	RI/FS Required		202209	202809	Underway	PA/SI Completed - RI Underway
Air Force	Oklahoma	National Guard	Tulsa International Airport	202201	RI/FS Required		202309	202809	Underway	PA/SI Completed - RI Underway
Air Force	Oklahoma	Active	Vance AFB/Kegelman	202312	RI/FS Required		202109	202709	Underway	PA/SI Completed - RI Underway
Air Force	Oklahoma	National Guard	Will Rogers International Airport	202202	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Air Force	Oregon	National Guard	Klamath Falls	202312	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Air Force	Oregon	National Guard	Portland International Airport PORTLAND (EESOH-MIS name)	202106	RI/FS Required		202009	202509	Underway	PA/SI Completed - RI Underway
Air Force	Pennsylvania	National Guard	Biddle ANGB (formerly Horsham/Willow Grove ANG)	202312	RI/FS Required		201909	202609	Underway	PA/SI Completed - RI Underway
Air Force	Pennsylvania	National Guard	Harrisburg International Airport	202202	RI/FS Required	203109			Planned	PA/SI Completed - RI Planned
Air Force	Pennsylvania	Active	Pittsburgh Air Reserve Station	202207	RI/FS Required		202209	202809	Underway	PA/SI Completed - RI Underway
Air Force	Pennsylvania	National Guard	Pittsburgh ANGB	202211	RI/FS Required		202209	202809	Underway	PA/SI Completed - RI Underway
Air Force	Puerto Rico	National Guard	Puerto Rico Muniz International Airport LUIS MUNIZ MARIN (EESOH-MIS name)	202202	RI/FS Required	203509			Planned	PA/SI Completed - RI Planned
Air Force	Rhode Island	National Guard	Quonset Point State Airport	202112	RI/FS Required	203709			Planned	PA/SI Completed - RI Planned
Air Force	South Carolina	Active	Joint Base Charleston	202106	RI/FS Required		202009	202609	Underway	PA/SI Completed - RI Underway
Air Force	South Carolina	National Guard	McEntire Air Guard	202312	RI/FS Required		202409	202909	Underway	PA/SI Completed - RI Underway

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Air Force	South Carolina	BRAC	Myrtle Beach AFB	202007	RI/FS Required		202109	202609	Underway	PA/SI Completed - RI Underway
Air Force	South Carolina	Active	Shaw AFB	202203	RI/FS Required		202009	202609	Underway	PA/SI Completed - RI Underway
Air Force	South Dakota	Active	Ellsworth AFB	201912	RI/FS Required		202006	202606	Underway	PA/SI Completed - RI Underway
Air Force	South Dakota	National Guard	Joe Foss Field (Sioux Falls)	202202	RI/FS Required		202009	202509	Underway	PA/SI Completed - RI Underway
Air Force	Tennessee	Active	Arnold AFB	202206	RI/FS Required		202009	202609	Underway	PA/SI Completed - RI Underway
Air Force	Tennessee	National Guard	McGhee-Tyson	202312	RI/FS Required	203509			Planned	PA/SI Completed - RI Planned
Air Force	Tennessee	National Guard	Memphis International Airport	202201	RI/FS Required	203609			Planned	PA/SI Completed - RI Planned
Air Force	Tennessee	National Guard	Nashville Metro	202202	RI/FS Required	203409			Planned	PA/SI Completed - RI Planned
Air Force	Texas	Active	Air Force Plant 4	202103	RI/FS Required		202112	202712	Underway	PA/SI Completed - RI Underway
Air Force	Texas	BRAC	Bergstrom AFB	202009	RI/FS Required		202409	202809	Underway	PA/SI Completed - RI Underway
Air Force	Texas	BRAC	Brooks-City Base	201603	No Further Action					PA/SI Completed - No Further Action
Air Force	Texas	BRAC	Carswell AFB	201602	No Further Action					PA/SI Completed - No Further Action
Air Force	Texas	Active	Dyess AFB	202206	RI/FS Required		202109	202709	Underway	PA/SI Completed - RI Underway
Air Force	Texas	National Guard	Ellington Field	202109	RI/FS Required		202409	202909	Underway	PA/SI Completed - RI Underway
Air Force	Texas	Active	Goodfellow AFB	202206	RI/FS Required		202109	202709	Underway	PA/SI Completed - RI Underway
Air Force	Texas	Active	Joint Base San Antonio - Lackland, Randolph, Ft Sam Houston, Camp Bullis	202312	RI/FS Required		202009	202809	Underway	PA/SI Completed - RI Underway
Air Force	Texas	BRAC	Kelly AFB	201911	RI/FS Required	202909			Planned	PA/SI Completed - RI Planned
Air Force	Texas	Active	Laughlin AFB	202106	RI/FS Required		202209	202809	Underway	PA/SI Completed - RI Underway
Air Force	Texas	BRAC	Reese AFB	202008	RI/FS Required		201909	202809	Underway	PA/SI Completed - RI Underway
Air Force	Texas	Active	Sheppard AFB	202310	RI/FS Required		202109	202709	Underway	PA/SI Completed - RI Underway

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Air Force	Utah	Active	Hill AFB	202108	RI/FS Required		202009	202609	Underway	PA/SI Completed - RI Underway
Air Force	Utah	National Guard	Salt Lake City	202202	RI/FS Required		202309	202809	Underway	PA/SI Completed - RI Underway
Air Force	Vermont	National Guard	Burlington	202202	RI/FS Required	203409			Planned	PA/SI Completed - RI Planned
Air Force	Virginia	Active	Joint Base Langley-Eustis	202106	RI/FS Required		202206	202806	Underway	PA/SI Completed - RI Underway
Air Force	Virginia	National Guard	Richmond International Airport Byrd Field	202202	RI/FS Required	203309			Planned	PA/SI Completed - RI Planned
Air Force	Wake Island	Active	Wake Island	202009	RI/FS Required		202207	202807	Underway	PA/SI Completed - RI Underway
Air Force	Washington	Active	Fairchild AFB	202012	RI/FS Required		202007	202607	Underway	PA/SI Completed - RI Underway
Air Force	Washington	BRAC	Four Lakes Air National Guard Station	201506	No Further Action					PA/SI Completed - No Further Action
Air Force	West Virginia	National Guard	EWVRA Shepherd Field (Martinsburg)	202312	RI/FS Required		202109	202609	Underway	PA/SI Completed - RI Underway
Air Force	West Virginia	National Guard	Yeager (McLaughlin)	202202	RI/FS Required		202309	202809	Underway	PA/SI Completed - RI Underway
Air Force	Wisconsin	National Guard	General Mitchell	202202	RI/FS Required	202609			Planned	PA/SI Completed - RI Planned
Air Force	Wisconsin	BRAC	General Mitchell Air Reserve Station	201908	RI/FS Required		202212	202712	Underway	PA/SI Completed - RI Underway
Air Force	Wisconsin	National Guard	Truax Field	202202	RI/FS Required		202009	202509	Underway	PA/SI Completed - RI Underway
Air Force	Wisconsin	National Guard	Volk Field	202202	RI/FS Required		202009	202509	Underway	PA/SI Completed - RI Underway
Air Force	Wyoming	National Guard	Cheyenne Municipal	202112	RI/FS Required	202509			Planned	PA/SI Completed - RI Planned
Air Force	Wyoming	Active	FE Warren AFB	202106	RI/FS Required		202109	202709	Underway	PA/SI Completed - RI Underway
DLA	California	Active	DFSP Norwalk	202209	RI/FS Required		202308	202505	Underway	PA/SI Completed - RI Underway
DLA	California	Active	DFSP Ozol	202211	RI/FS Required		202307	202505	Underway	PA/SI Completed - RI Underway
DLA	California	Active	DFSP San Pedro	202403	RI/FS Required		202309	202509	Underway	PA/SI Completed - RI Underway
DLA	New Hampshire	Active	DFSP Newington	202105	RI/FS Required	202512			Planned	PA/SI Completed - RI Planned
DLA	New York	Active	DFSP Verona	202211	RI/FS Required		202303	202509	Underway	PA/SI Completed - RI Underway

**Appendix A: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Complete**

DoD Component	State/Territory	Installation Type	Installation Name	Actual PA/SI End Date	PA/SI Results	Estimated RI/FS Start Date	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
DLA	Pennsylvania	Active	Defense Distribution Center Susquehanna	202406	RI/FS Required	202410			Planned	PA/SI Completed - RI Planned
DLA	Virginia	Active	Defense Supply Center Richmond	202312	RI/FS Required	202410			Planned	PA/SI Completed - RI Planned
FUDS	California	FUDS	HAMILTON ARMY AIRFIELD	202312	RI/FS Required	202412			Planned	PA/SI Completed - RI Planned
FUDS	Michigan	FUDS	KINCHELOE AIR FORCE BASE (04)	202206	RI/FS Required		202208	202708	Underway	PA/SI Completed - RI Underway
FUDS	Rhode Island	FUDS	NAVAL AUX LANDING FIELD	202109	RI/FS Required		202112	202809	Underway	PA/SI Completed - RI Underway
FUDS	Washington	FUDS	MANCHESTER ANNEX	202406	RI/FS Required	202412			Planned	PA/SI Completed - RI Planned

**Appendix B: Military Installations and National Guard Facilities Where the Per- and Polyfluoroalkyl Substances
Preliminary Assessment/Site Inspection Testing Was Underway or Planned**

DoD Component	State/Territory	Installation Type	Installation Name	Estimated PA/SI End Date	PA/SI Status	Actual RI/FS Start Date	Estimated RI/FS End Date	RI/FS Status	Cleanup Status as of September 30, 2024
Army	Maryland	National Guard	H. Steven Blum Military Reservation	202602	Underway				PA/SI Underway
Army	Mississippi	National Guard	Gulfport Combat Readiness Center	202601	Underway				PA/SI Underway
Army	North Dakota	National Guard	Camp Grafton	202512	Underway				PA/SI Underway
Army	South Dakota	National Guard	Joint Forces Headquarters SD	202606	Underway				PA/SI Underway
Army	Utah	BRAC	Defense Distribution Depot, Ogden Utah	202603	Underway				PA/SI Underway
Navy	Guam	Active	NSA ANDERSEN GUAM	202503	Underway	201907	203606	Underway	PA/SI and RI Underway
Navy	Rhode Island	Active	NEWPORT RI NETC	202608	Underway	201608	203706	Underway	PA/SI and RI Underway
DLA	Ohio	Active	Defense Supply Center Columbus	202709	Planned				PA/SI Planned
DLA	South Carolina	Active	DFSP Charleston	202503	Underway				PA/SI Underway
FUDS	California	FUDS	MOUNT LAGUNA AF STATION	202508	Underway				PA/SI Underway

EXHIBIT J

*DoD PFAS Progress at the 723
Installations Being Assessed for PFAS
Use or Potential Release*

March 31, 2025

PROGRESS AT THE 723 INSTALLATIONS BEING ASSESSED FOR PFAS USE OR POTENTIAL RELEASE

DOD COMPONENT	STATE/ TERRITORY	INSTALLATION TYPE	INSTALLATION NAME	PA/SI STATUS	ESTIMATED PA/SI END DATE	RI/FS STATUS	ESTIMATED RI/FS END DATE	CLEANUP STATUS AS OF MARCH 31, 2025	ACTUAL OBLIGATIONS THROUGH FY 2024 (\$000)	PLANNED OBLIGATIONS IN FY 2025 (\$000)	PLANNED OBLIGATIONS AFTER FY 2025 (\$000)*
Air Force	Missouri	National Guard	Rosecrans Memorial	Complete		Underway	203509	PA/SI Completed - RI Underway	1,648	0	16,145
Air Force	Missouri	Active	Whiteman AFB	Complete		Planned		PA/SI Completed - RI Planned	953	0	17,236
Air Force	Montana	National Guard	Great Falls International Airport	Complete		Planned		PA/SI Completed - RI Planned	239	56	22,337
Air Force	Montana	Active	Malmstrom AFB	Complete		Underway	203206	PA/SI Completed - RI Underway	2,594	0	27,601
Air Force	Nebraska	National Guard	Lincoln Municipal	Complete		Planned		PA/SI Completed - RI Planned	197	0	16,640
Air Force	Nebraska	Active	Offutt AFB	Complete		Underway	203302	PA/SI Completed - RI Underway	3,612	0	50,369
Air Force	Nevada	Active	Creech AFB	Complete		Underway	203206	PA/SI Completed - RI Underway	6,581	0	32,013
Air Force	Nevada	Active	Nellis AFB	Complete		Underway	203206	PA/SI Completed - RI Underway	8,940	0	57,736
Air Force	Nevada	National Guard	Reno Tahoe	Complete		Planned		PA/SI Completed - RI Planned	113	0	0
Air Force	New Hampshire	Active	New Boston Space Force Station	Complete		Underway	203206	PA/SI Completed - RI Underway	3,476	500	13,048
Air Force	New Hampshire	National Guard	Pease	Complete				PA/SI Completed - Additional Work will be Combined with Work Being Conducted at Another Installation	0	0	0
Air Force	New Hampshire	BRAC	Pease AFB	Complete		Underway	203109	PA/SI Completed - RI Underway	95,440	12,269	444,618
Air Force	New Jersey	National Guard	Atlantic City	Complete		Planned		PA/SI Completed - RI Planned	571	0	32,947
Air Force	New Jersey	Active	Joint Base McGuire-Dix-Lakehurst	Complete		Underway	203206	PA/SI Completed - RI Underway	34,228	1,579	272,185
Air Force	New Mexico	Active	Cannon AFB	Complete		Underway	203206	PA/SI Completed - RI Underway	74,610	202	42,201
Air Force	New Mexico	Active	Holloman AFB	Complete		Underway	203206	PA/SI Completed - RI Underway	4,090	0	24,562
Air Force	New Mexico	Active	Kirtland AFB	Complete		Underway	203206	PA/SI Completed - RI Underway	2,470	0	325

EXHIBIT K

*Office of Management and Budget,
Letter to Senator Susan Collins,
Fiscal Year 2026 Discretionary Budget
Request*

May 2, 2025



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

May 2, 2025

The Honorable Susan Collins
Chair
Committee on Appropriations
United States Senate
Washington, D.C. 20510

Dear Chair Collins:

This letter provides President Trump's recommendations on discretionary funding levels for fiscal year (FY) 2026. They are being provided in advance of the President's full fiscal plan to reach balance and restore confidence in America's fiscal management, so that your Committee may commence with debate and consideration of appropriations bills for the upcoming fiscal year.

The recommended funding levels result from a rigorous, line-by-line review of FY 2025 spending, which was found to be laden with spending contrary to the needs of ordinary working Americans and tilted toward funding niche non-governmental organizations and institutions of higher education committed to radical gender and climate ideologies antithetical to the American way of life.

We also considered, for each program, whether the governmental service provided could be provided better by State or local governments (if provided at all). Just as the Federal Government has intruded on matters best left to American families, it has intruded on matters best left to the levels of government closest to the people, who understand and respect the needs and desires of their communities far better than the Federal Government ever could.

Cutting such spending from the discretionary budget leads to significant savings: the President is proposing base non-defense discretionary budget authority \$163 billion—22.6 percent—below current-year spending, while still protecting funding for homeland security, veterans, seniors, law enforcement, and infrastructure. Over 10 years, this restraint would generate trillions in savings, necessary for balancing the budget.

At the same time, the Budget proposes unprecedented increases for defense and border security. For Defense spending, the President proposes an increase of 13 percent to \$1.01 trillion for FY 2026; for Homeland Security, the Budget commits a historic \$175 billion investment to, at long last, fully secure our border. Under the proposal, a portion of these increases—at least \$325 billion assumed in the budget resolution recently agreed to by the Congress—would be

provided through reconciliation, to ensure that our military and other agencies repelling the invasion of our border have the resources needed to complete the mission. This mandatory supplement to discretionary spending would enable the Departments of Defense and Homeland Security, among others, to clean up the mess President Trump inherited from the prior administration and harden the border and other defenses to protect America from foreign invasion. Providing these resources through reconciliation ensures that the money is available when needed, and not held hostage by Democrats to force wasteful non-defense discretionary spending increases as was the case in the President's first term.

The attached tables provide overviews of the discretionary request, in total and by major agency, and a detailed listing of the specific recommended changes that will be incorporated into forthcoming appropriations bill language.

I look forward to working with you to achieve significant budgetary savings for the American people within the spending programs under your jurisdiction.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. Vought', with a long horizontal stroke extending to the right.

Russell T. Vought
Director

Enclosure

Major Discretionary Funding Changes

Program Name	\$ Change from 2025 Enacted (in millions)	Brief Description of Program and Recommended Reduction or Increase
Department of State and U.S. Agency for International Development (USAID)		
<i>Increases</i>		
America First Opportunity (AIOF) Fund	+2,900	The Budget includes \$2.9 billion for a new America First Opportunity (AIOF) Fund. This Fund would focus on strategic investments that make America safer, stronger, and more prosperous. The AIOF would be able to: support some of America's most enduring and critical partners such as India and Jordan; support activities critical to keeping American safe, such as repatriations; counter China and other near-peer rivals; and fund new activities to strengthen America's national security priorities.
Development Finance Corporation (DFC)	+2,820	The Budget increases the U.S. International DFC to support U.S. national security and American interests through billions in loans and guarantees that would generate returns to the taxpayer and reduce reliance on foreign aid. This investment includes \$3 billion for a new revolving fund to allow DFC to recycle any realized returns from its initial investments without further appropriation.
<i>Cuts, Reductions, and Consolidations</i>		
Economic Support Fund, Development Assistance, Democracy Fund, and Assistance for Europe, Eurasia, and Central Asia	-8,326	U.S. economic and development aid has been funneled to radical, leftist priorities, including climate change, diversity, equity, and inclusion (DEI), and LGBTQ activities around the world. The Budget eliminates funding for these programs and combines duplicative accounts into the single AIOF, which supports the foreign programs that serve American interests and advance the President's objectives abroad. The Budget simultaneously strengthens the DFC to shift America's global posture from handouts to investments, returning a profit for the taxpayer while making America safer, stronger, and more prosperous.
International Disaster Assistance, Migration and Refugee Assistance, and Emergency Refugee and Migration Assistance (ERMA)—International Humanitarian Assistance (IHA)	-3,207	The Budget reduces unaffordable levels of disaster assistance far in excess of what other countries contribute. The Budget provides \$1.5 billion in ERMA for the President to use at his discretion and consolidates wasteful and duplicative accounts into a new \$2.5 billion IHA account to fund disaster relief when it fulfills the President's foreign policy aims.

Program Name	\$ Change from 2025 Enacted (in millions)	Brief Description of Program and Recommended Reduction or Increase
Administration for a Healthy America— Sexual Risk Avoidance Program and Teen Pregnancy Prevention Program, HHS Office on Women’s Health, HHS Office of Minority Health	-180	The Budget eliminates the Sexual Risk Avoidance Program, which serves less than one percent of youth nationwide, and is duplicative of the mandatory Sexual Risk Avoidance Education program administered by the Administration for Children and Families (ACF). The Budget also eliminates the Teen Pregnancy Prevention program which is similar to the mandatory Personal Responsibility Education program administered by ACF. The Budget also reduces funding levels for the HHS Office of Minority Health and Office on Women’s Health to promote efficiency and invest in areas that align with Administration priorities. These programs were previously under the Office of Assistant Secretary of Health. Consistent with the recently announced HHS reorganization, the Budget relocates these programs within the newly formed Administration for Healthy America.
Environmental Protection Agency (EPA)		
<i>Increases</i>		
Drinking Water Programs	+9	The Budget provides \$124 million in funding for the critical drinking water mission at EPA, protecting Americans, and especially children, from unsafe or contaminated water. The \$9 million increase from the 2025 enacted level is to properly equip EPA with funds to respond to drinking water disasters, directly helping people on the ground recover from such emergencies.
Indian Reservation Drinking Water Program	+27	The Budget increases funding for Tribes to retain access to critical funding for drinking water and wastewater infrastructure on their lands, with a total level of \$31 million for the grant program. While the Budget rightfully returns responsibility for State infrastructure to the States, it also prioritizes funding for Tribes to be able to maintain their water infrastructure.
<i>Cuts, Reductions, and Consolidations</i>		
Clean and Drinking Water State Revolving Loan Funds	-2,460	EPA’s State Revolving Fund (SRF) was designed decades ago to give money to States via formula allocation for seed money to set up their own water infrastructure loan programs without continued annual appropriations. When it comes to water infrastructure, the States should be responsible for funding their own water infrastructure projects. Contrary to that design, in practice, the program has been heavily earmarked by the Congress for projects that are ultimately not repaid into the program and bypass States’ interest and planning. In addition, the SRFs are largely duplicative of the EPA’s Water Infrastructure Finance and Innovation Act (WIFIA) program and the Department of Agriculture’s (USDA) Water and Wastewater Loan and Grant program, and they received a massive investment in the Infrastructure Investment and Jobs Act (IIJA). The Budget proposes to return the SRFs to their intended structure of funds revolving at the State level, and therefore provides the

Program Name	\$ Change from 2025 Enacted (in millions)	Brief Description of Program and Recommended Reduction or Increase
		decreased funding level of \$305 million total to allow States to adjust to alternative funding sources for their water infrastructure.
Categorical Grants	-1,006	EPA's Categorical Grant programs have become a crutch for States at the expense of taxpayers—many of whom receive no benefit from these grants. With a majority of these statutes having been on the books for several decades, States and local governments should be capable and empowered to fund their own programs in order to comply with the law. As such, the Budget includes the elimination of 16 categorical grants, and maintains funding at 2025 enacted levels for Tribes. These reductions promote federalism by allowing States to achieve primary enforcement authority for these programs, while also encouraging States to innovate and find more efficient ways to meet their responsibilities under delegated authority.
Hazardous Substance Superfund	-254	EPA's Superfund program is charged with cleaning up contaminated areas and responding to emergencies, such as oil spills and natural disasters. The Congress imposed large taxes in IJA and the Inflation Reduction Act to help finance the Superfund program. Between these \$1.6 billion in taxes estimated to be available in 2026 and litigation recoveries from responsible parties, there is no need for additional funding for Superfund cleanup, which is reflected in the Budget.
Office of Research and Development	-235	The President is committed to Making America Healthy Again. This framework includes ensuring that the American people have clean air and water, and is making investments that benefit human health. The Budget puts an end to unrestrained research grants, radical environmental justice work, woke climate research, and skewed, overly-precautionary modeling that influences regulations—none of which are authorized by law. Instead, the Budget provides \$281 million for statutorily required research in support of core mission areas that help the American people.
Environmental Justice	-100	EPA's environmental justice program is eliminated in line with the vision the President set forth in Executive Order 14151, "Ending Radical and Wasteful Government DEI Programs and Preferencing," and Executive Order 14173, "Ending Illegal Discrimination and Restoring Merit-Based Opportunity," terminating radical preferencing and restoring and protecting civil rights for all Americans. This elimination would put an end to taxpayer funded programs that promote divisive racial discrimination and environmental justice grants that were destined to go to organizations that advance radical ideologies.
Diesel Emissions Reduction Act (DERA) Grants	-90	DERA grants distort the market by subsidizing select technologies, picking winners and subverting consumer choice. This program is a waste for taxpayers and should be eliminated.

Program Name	\$ Change from 2025 Enacted (in millions)	Brief Description of Program and Recommended Reduction or Increase
Atmospheric Protection Program	-100	The Atmospheric Protection Program is an overreach of Government authority that imposes unnecessary and radical climate change regulations on businesses and stifles economic growth. By prioritizing climate change over job creation and energy independence, the program has burdened American industries with costly mandates, ultimately hurting consumers and taxpayers. This program is eliminated in the 2026 Budget.
Department of Homeland Security (DHS)		
<i>Increases</i>		
DHS	+43,800	Amounts for DHS in the 2026 Budget complement amounts that the Administration has requested as part of the reconciliation bill currently under consideration in the Congress. Reconciliation would allocate more than \$175 billion in additional multiyear budget authority to implement the Administration's priorities in the homeland security space of which at least an estimated \$43.8 billion would be allocated in 2026. Reconciliation funding in 2026 would enable DHS to fully implement the President's mass removal campaign, finish construction of the border wall on the Southwest border, procure advanced border security technology, modernize the fleet and facilities of the Coast Guard, and enhance Secret Service protective operations. Reconciliation would also provide funding to bolster State and local capacity to enhance security around key events and facilities, and prepare for upcoming special events like the 2026 World Cup and 2028 Olympics.

EXHIBIT L

*Feb. 2, 2024, Fairness Hearing of the
3M Settlement Tr.*

Pages 1-2, 14

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

IN RE: AQUEOUS FILM-FORMING * MDL No. 2:18-mn-2873
FOAMS PRODUCTS LIABILITY *
LITIGATION * February 2, 2024

TRANSCRIPT OF FAIRNESS HEARING OF THE 3M SETTLEMENT
IN THE CASE OF THE CITY OF CAMDEN VS. 3M, ET AL.
BEFORE THE HONORABLE RICHARD M. GERGEL
UNITED STATES DISTRICT JUDGE, presiding

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software.

1 for 6.5 billion. And they're also facing other PFAS
2 claims.

3 And we all know, and we've talked about in this
4 courtroom before, the PFAS problem as a whole is larger
5 than all of the companies put together. And so it was
6 important that class members realize that the only way
7 this was going to work is you have to take less for the
8 greater good.

9 **THE COURT:** We had a discussion, I'm sure you
10 recall this, some years ago in which I made the
11 observation that even if the plaintiffs maxed out and won
12 every issue, there was not enough money among the
13 defendants to pay for the damages alleged by the
14 plaintiffs, and that y'all needed, I told you at the time,
15 I'm sitting here and I've got the best lawyers in America
16 on both sides here, but you need to at least step back and
17 together go to Congress to explain this problem. Because
18 as significant as this settlement is, it is -- several
19 objectors, you know, made the point, there isn't -- it
20 doesn't pay for the whole damage. And you don't claim it
21 does.

22 **MR. SUMMY:** That's correct.

23 **THE COURT:** Because it just -- and, you know, I
24 found it very interesting and I read with a great deal of
25 care the provisions of this settlement which discussed in

EXHIBIT M

July 14, 2023, Status Conference Tr.

Pages 1-2, 12-16

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

IN RE: AQUEOUS FILM-FORMING * MDL No. 2:18-mn-2873
FOAMS PRODUCTS LIABILITY *
LITIGATION * July 14, 2023

TRANSCRIPT OF STATUS CONFERENCE

BEFORE THE HONORABLE RICHARD M. GERGEL
UNITED STATES DISTRICT JUDGE, presiding

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software.

1 important for us to make it very fair, very equitable.
2 And we think it's a very elegant way to do it. We spent a
3 lot of time working this out with 3M in putting this
4 together.

5 THE COURT: Well, you're a veteran of these
6 water cases, Mr. Summy.

7 MR. SUMMY: Yes.

8 THE COURT: And the settlement, how does it sort
9 of fall in terms of size with other settlements of this
10 type?

11 MR. SUMMY: It's a good question, Your Honor.
12 As the Court knows, I've been doing this a long time with
13 water contaminants and representing public water systems.
14 And this by far trumps anything that I've ever been
15 involved with. And I've been involved in some big cases.

16 But this is, first of all, it's a landmark
17 settlement because it's the largest drinking water
18 settlement in US history. It's extremely large. And part
19 of that is, the reason for that is is that, you know, this
20 PFAS, these PFAS chemicals are widespread and they have
21 hit a lot of systems. There have never been this many
22 water systems hit with a single family of chemicals like
23 this before.

24 And at the same time what's never occurred is
25 the federal government and state governments all at one

1 time have become very concerned about it and, you know,
2 rushing to pass regulations. So all of these water
3 systems are in a situation where they're dealing with, you
4 know, the pending federal and state regulations. And so
5 it's sort of created this perfect storm.

6 But this settlement is -- we're very proud of it
7 because it's extremely large. We think that the way we've
8 structured it is very elegant. We think that, look, it's
9 never easy to try to come up with a way to settle this
10 many cases at one time. And it's never easy when -- and
11 this is one of the things I was trying to explain
12 yesterday is, you know, we're hearing some grumblings
13 about, well, it's just still not enough. But at the same
14 time, you know, we're dealing with --

15 THE COURT: Ask the asbestos lawyers about that.
16 If you press too hard --

17 MR. SUMMY: That's correct.

18 THE COURT: -- you're litigating in bankruptcy
19 court.

20 MR. SUMMY: Well, and that's what we tried to
21 explain yesterday. I mean, it is a lot of money that 3M
22 and Dupont, when you start adding it together, are paying.
23 And there's only so much money we can get from them. And
24 that's just the reality.

25 THE COURT: Mr. Summary, you may remember, early

1 in this litigation I said I'm looking at some of the best
2 lawyers in America. And you're going to spend a lot of
3 time going after each other. That's good. Y'all need to
4 also consider going to congress together, informing them
5 of the scope of this problem. Because it may be bigger
6 than, when you get to the final analysis that the private
7 industry that may be responsible for this, it just doesn't
8 have the capacity to remediate this completely.

9 **MR. SUMMY:** You're exactly right, Your Honor.
10 One of the things that I was trying to say yesterday is
11 that this problem is bigger than the defendants. It just
12 is. And people can be mad about it, but that's just the
13 way it is. And one of the things that I told folks
14 yesterday is with your clients, go get as much -- you
15 know, there is grant money out there. And Ms. Falk's
16 talked about it before. The Government has put out
17 \$10 billion or so out there on the streets.

18 **THE COURT:** You say that very casually.
19 \$10 billion is a lot of money.

20 **MR. SUMMY:** I know. It really is.

21 **MR. LONDON:** I remember when Ms. Falk told us
22 that, there was like a pause on the phone.

23 **MR. SUMMY:** It's a lot of money and we've
24 encouraged our clients, you know, go get some of that
25 money. Apply for it. And one of the things that we did

1 in the allocation agreement is we've instructed that,
2 look, if you've taken government money, you don't get
3 penalized for having taken government money in the
4 settlement. Because it may take what you get here and put
5 it with what you get from the federal government to try to
6 get you as close as you can to what you need. So we're
7 very cognizant of that. But at the same time, there's
8 only so much money we can get from these defendants for
9 this problem. And we feel like we have, we have stretched
10 the bounds of that.

11 **THE COURT:** Well, you know, one of the sort of
12 really impressive parts of that Ohio, Southern West
13 Virginia settlement Mr. Douglas was so involved in was
14 they took a part of the money and did these leach studies,
15 right, that really informed. And, you know, my suggestion
16 is is that the plaintiffs and the defendants ought to pool
17 some resources, perhaps even to hire lobbyists on behalf
18 of their clients, to go to congress and really in an
19 educational effort for people to appreciate the scope of
20 this problem.

21 **MR. SUMMY:** I think that's right.

22 **THE COURT:** And I really think y'all need to be
23 putting your heads together about joint cooperation. You
24 know, I once had a surgeon tell me in a deposition, the
25 enemy of perfect -- of the good is perfect. There is no

1 perfect solution to this problem. It just isn't.

2 And you're going to do the good. You're going
3 to do as best you can from as many places as you can. The
4 10 billion from the federal government is useful, you
5 know. That's definitely something to pay attention to and
6 to master. But if it's not enough, and it may well not be
7 enough, then y'all need to go educate congress about the
8 needs here and the federal government about the scope of
9 the needs. And maybe there needs to be more.

10 But, you know, I was with Judge Barbier who did
11 the Gulf Horizon litigation. And, you know, it was very
12 clear from our conversation that this is in the range of
13 the Gulf Horizon settlement. That's ultimately what it's
14 going to be. And he gave me a lot of advice about
15 managing it. And I'm sure we'll have many challenges
16 along the way. But it's -- it is significant. It is not
17 perfect.

18 **MR. SUMMY:** That is correct. You've nailed it,
19 Your Honor. It truly isn't perfect but we think it's very
20 good.

21 **THE COURT:** Let's talk about the process of
22 obtaining approval. Step one, of course, is there is this
23 preliminary motion for approval, which is, as we all know,
24 just has to be in the range of a possible settlement, so a
25 sort of low threshold. And then we have a period of