



March 15, 2024

The Honorable Thomas R. Carper
Chair
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

The Honorable Shelley Moore Capito
Ranking Member
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

Dear Chairman Carper and Ranking Member Capito:

On behalf of Dallas Fort Worth International Airport, I am writing to request your support granting liability exemptions for federally mandated users, including our airport, in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Airports are committed to being responsible partners with their communities by following legal requirements to operate their facilities in environmentally responsible ways. Because the federal government mandated airports use AFFF containing PFAS, airports should not bear liability for using these chemicals in good faith to protect the travelling public. As the EPA continues its process of designating PFOA and PFOS as hazardous substances under the CERCLA, we ask that Part 139 airports be granted a liability exemption, as proposed in S. 1433, the Airport PFAS Liability Protection Act.

Relatedly, there are other issues that airports are facing with transitioning from AFFF to F3. These issues include:

- **ARFF Vehicle Proportioning System Modifications:** Existing aircraft rescue and firefighting (ARFF) vehicles equipped with fixed orifice plate proportioning systems will require time-consuming and labor-intensive modifications to discharge F3 at appropriate concentrations. Retrofitting these vehicles with electronic foam proportioning (EFP) systems instead offers a more promising and versatile approach for vehicles being modified for F3 use. To speed F3 transition and facilitate future transitions to improved F3 products, these retrofits should be made eligible for AIP grant funding or similar federal financial assistance.
- **Environmental Remediation at Contaminated Sites:** Even after the transition to F3, there is still the large issue of remediation at contaminated sites. We recommend that the federal government begin to develop a national, coordinated approach to remediation and disposal needs at airports. Relevant federal agencies should ensure that best practices regarding soil testing, disposal, and remediation are shared and utilized by all stakeholders involved in firefighting. Since airports have been required by the federal government to use AFFF containing PFAS, the federal government should be responsible for remediation at airports.

We appreciate your leadership and consideration of this important matter.

Regards,

A handwritten signature in black ink, appearing to read 'Maruchy Cantu', written in a cursive style.

Maruchy Cantu,
Executive Vice President,
Administration, DE&I