



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: February 4, 2020

Subject: Amendment to contract with Mead & Hunt, Inc. for PFAS Work Plan Implementation and Final Report at Buchanan Field Airport

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute Amendment No. 1 to the contract between the County and Mead & Hunt, Inc., effective August 1, 2019, to (i) extend the term of the contract by eleven months, to June 30, 2021, and (ii) increase the payment limit by \$162,872.00 to a new payment limit of \$299,872.00 in order to allow Mead & Hunt, Inc. to perform additional sampling and testing work pursuant to State Regional Water Board Order WQ 2019-0005-DWQ.

FISCAL IMPACT:

Costs incurred under the contract are paid 100% by the Airport Enterprise Fund.

BACKGROUND:

In March 2019, the California State Water Resources Control Board (State Water Board) issued Order WQ 2019-0005-DWQ (Order), which requires certain airports, including Buchanan Field Airport, to (i) conduct a “one-time preliminary site investigation” regarding the storage and use of Per- and Polyfluoroalkyl Substances (PFAS), and (ii) obtain a preliminary understanding of PFAS concentrations in soil and/or groundwater resulting from the use of PFAS at the

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/04/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 4, 2020

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925)
681-4200

cc:

BACKGROUND: (CONT'D)

airport. PFAS is a family of more than 3,000 man-made and mostly unregulated chemicals that are resistant to degradation in the environment. PFAS are manufactured globally and have been used in the production of many industrial and household products such as dental floss, non-stick cookware and products, waterproof products, cleaning products, and fire-fighting foams. The Order applies to Buchanan Field because Buchanan Field operates pursuant to 14 CFR Part 139. As a result of the Order, the County is required to submit an investigation work plan (Work Plan) and final report to the local Regional Water Quality Control Board (Regional Water Board).

Effective August 1, 2019, the County executed a contract with Mead and Hunt to conduct planning, environmental, sampling, and legal support services needed to implement the Work Plan and final report (Phase 2). Phase 1 was completed through a contract with Mead and Hunt dated April 15, 2019. Under that contract, Mead and Hunt prepared the Work Plan for Buchanan Field Airport, which was submitted to the Regional Water Board before the required deadline.

In review of the County's Work Plan, the Regional Water Board requested revisions and subsequently accepted the County's revised Work Plan on December 19, 2019. The revised Work Plan specifies additional services to be performed by Mead & Hunt on behalf of the County to comply with the Order. Amendment No. 1 will enable Mead & Hunt to perform the additional services by extending the term and increasing the payment limit.

The County's use of PFAS at Buchanan Field is not optional. It is mandated by the Federal Aviation Administration (FAA), which requires airports with Part 139 certifications to provide aircraft rescue and firefighting (ARFF) services using aqueous film-forming foam (AFFF) that meets military specifications (MIL-PRF-24385)(MilSpec), which include PFAS constituents. Not only must Part 139 airports have such AFFF available, the FAA mandates that airport operators test and calibrate their equipment to ensure proper operation in case of an emergency. Part 139 airports have no option but to comply with FAA mandates in order to maintain their operating certificates and maintain eligibility for future federal funding opportunities.

CONSEQUENCE OF NEGATIVE ACTION:

If the Airports Division does not amend the contract with Mead & Hunt to perform the additional services required by the revised Work Plan, the County will be unable to complete the work required under the revised Work Plan and will be non-compliant with the Order. Non-compliance with the Order could subject the County to a daily fine (of up to \$5,000 per day) and criminal penalties.