



DEPARTMENT OF THE AIR FORCE  
AIR FORCE CIVIL ENGINEER CENTER  
JOINT BASE SAN ANTONIO LACKLAND TEXAS



Ms. Judy Lopez, Director  
Air Force Civil Engineering Center  
Environmental Directorate  
2261 Hughes Ave, Suite 155  
JBSA Lackland AFB, Texas 78236-9853

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OFFICE OF  
WATER

Mr. Ken LeBon  
Manager, Black Hawk Water User District  
5513 Oak Street  
P.O. Box 476  
Black Hawk, SD 57718

Mr. Brian Peterson  
President, Black Hawk Water User District  
5513 Oak Street  
P.O. Box 476  
Black Hawk, SD 57718

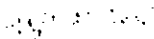
Dear Mr. LeBon and Mr. Peterson,

This letter responds to your letter dated September 22, 2022. We reviewed your submission and the US Air Force's actions with respect to its on-going effort to design and build a community water system to service several dozen households where Air Force activities at Ellsworth Air Force Base have at least in part contributed to exceedance of the US Environmental Protection Agency's May 2016 lifetime health advisories for PFOS and PFOA. We are certain the actions taken to date are authorized and appropriate under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, 42 U.S.C. §§ 9601-9675) the Defense Environmental Restoration Program statute (DERP, 10 U.S.C. §§ 2700-2711), and the National Oil and Hazardous Substances Pollution Contingency Plan. (National Contingency Plan or NCP, 32 CFR Part 300).

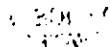
Thank you for sharing your thoughts about the Air Force's actions. Thank you also for your interest in meeting with the US Air Force representatives and others to discuss how Black Hawk Water User District (BHWUD) can be part of the Air Force's PFOS/PFOA response effort. We respectfully decline your offer to meet at this time because the Air Force decided what short-term, interim response action it will take back in January 2021 and has been implementing that decision since. The Air Force announced its interim response decision through a Non-Time Critical Removal Action Action Memorandum dated January 8, 2021 and posted that decision document on a publicly accessible website the Air Force maintains for environmental restoration work at Ellsworth. As authorized by Section 270(d) of the DERP statute, the Air Force decided to obtain support in implementing its interim response action from the South Dakota Ellsworth

Development Authority (SDEDA). The Air Force is receiving sufficient support from SDEDA and has no need at this time to obtain services or support from the BHWUD, whether BHWUD is a government entity or not.

Sincerely,







LOPEZ.JUDY Digitally signed by  
LOPEZ JUDY M.1291747988  
M.1291747988 Date: 2022.10.03 14:19:58  
0500

JUDY LOPEZ, P.E., GS-15, DAF  
Director, Environmental Management  
Air Force Civil Engineer Center

cc:

Ms. Kate Need, Chief, Offutt Installation Support Section, AFCEC/CZOM  
Mr. Ron Duvall, Water Permit Administrator, SD Dept of Agriculture and Natural Resources  
Ms. Ann Bailey, Assistant Attorney General (Counsel to SD Water Management Board)  
Mr. Glen Kane, Managing Director, SD Ellsworth Development Authority  
Mr. Greg Erlandson, Bangs, McCullen, Butler, Foye & Simmons, L.L.P (Counsel to SD Ellsworth Development Authority)