



DEPARTMENT OF THE NAVY  
NAVY AND MARINE CORPS PUBLIC HEALTH CENTER  
620 JOHN PAUL JONES CIRCLE SUITE 1100  
PORTSMOUTH VA 23708-2103

5720  
Ser CS/ 0430  
SEP 12 2017

From: Commanding Officer, Navy and Marine Corps Public Health Center

To: Commander, Naval Surface Warfare Center, Carderock Division (Attn: FOIA Coordinator), 5001 S. Broad Street, Philadelphia, PA 19112-1403

Subj: FREEDOM OF INFORMATION ACT REQUEST REFERRAL

Ref: (a) Section 552 of Title 5, United States Code, "Freedom of Information Act"

Encl: (1) NAVMCPUBHLTHCEN ltr 828 Ser IH50/000016 of 6 Jan 06  
(2) CNO MEMO 5720 Ser DNS-36RH/17U105154 of 22 Aug 17

1. Per the provisions of reference (a), enclosure (1) is forwarded to you as a matter under your cognizance for release determination. Please note, the reference documents associated with enclosure (1) are stored at the NARA Repository, Suitland, Maryland, file number 1-28 and account number 181-14-0124.

2. This is a high visibility request. As required by enclosure (2), please coordinate your response with CNO DNS-36.

3. If you have any questions, my points of contact are Ms. Amy Dulka at (757)953-0992 or via email at amy.s.dulka.civ@mail.mil, or Ms. Robin Zuellig at (757)953-2395 or email robin.m.zuellig.civ@mail.mil.

  
T. L. WAGNER

Copy to:  
CNO DNS-36 (w/o enclosure (2))  
BUMED



DEPARTMENT OF THE NAVY  
NAVY ENVIRONMENTAL HEALTH CENTER  
620 JOHN PAUL JONES CIRCLE SUITE 1100  
PORTSMOUTH VA 23708-2103

8282  
Ser IH50/ 000016  
06 JAN 2006


From: Commanding Officer, Navy Environmental Health Center  
To: Commander, Naval Surface Warfare Center, Carderock Division (Code 635),  
5001 S. Broad Street, Philadelphia PA 19112-1403

Subj: ADMINISTRATIVE HEALTH HAZARD ASSESSMENT: AQUEOUS FIRE-  
FIGHTING FOAMS (AFFF)

Ref: (a) Commander, Naval Surface Warfare Center Ltr 9593 Ser 635/215 1-6350-480  
of 6 December 2005  
(b) FC-206CF Light Water™ AFFF 6% manufactured by 3M Specialty Materials  
(c) Buckeye 3% MIL SPEC AFFF (BFC-3MS) manufactured by Buckeye Fire Equipment  
Company  
(d) OPNAVINST 5100.23F

Encl: (1) Toxicologic and Safety Evaluation of Aqueous Fire-Fighting Foams

1. Per reference (a), an administrative health hazard assessment for two aqueous fire-fighting foams (references (b) and (c)) has been conducted. Enclosure (1) outlines possible health effects arising from perfluorooctanoic acid (PFOA) as a AFFF metabolite and 35 years of Navy experience involving AFFF use in fire-fighting.
2. Aqueous Fire-Fighting Foam (AFFF) is an important chemical used for extinguishing fires on Navy ships and at shore facilities. AFFF is representative of more than 50 compounds that produce the metabolite, PFOA in exposed persons. This metabolite is present in the body and persists in tissues and fluids for months and years.
3. The United States Environmental Protection Agency (USEPA) is evaluating PFOA to determine if it is associated with adverse health outcomes. While current studies have not yielded consistent evidence of biological effects, such findings can be expected to fuel further regulatory interest, possibly further restricting use.
4. If a AFFF substitute becomes available, its toxicity should be compared against that of AFFF. Industrial hygiene and medical surveillance guidance should be relied upon to prevent adverse effects (reference (d)). Information on AFFF/PFOA toxicity will continue to be collected by this Command. The point of contact, Mr. Mike Swartout, can be reached via telephone at 757-953-0745, or by e-mail at swartoutm@nehc.med.navy.mil.

  
J.T. PIERCE  
By direction

Copy to:  
BUMED (M33)

ENCLOSURE (1)

## Toxicologic Safety Evaluation of Aqueous Fire-Fighting Foams

- (a) MEDLINE search conducted January 2006 (PFOA: 187 abstracts/13.4 million entries)  
TOXLINE search conducted January 2006 (PFOA: 123 /50,000)
- (b) Clinical Toxicology Awareness, a summary of 300 new developments  
(November 2005)
- (c) C&E News, News Article on Perfluorinated Compounds, 30 Aug 04

1. The scientific literature reports over 300 research-grade references concerning toxic effects of perfluorinated compounds (reference (a)). These entries investigate the propensity for pregnancy loss and various liver and kidney effects in rodents. Reference (b), did not reveal any entries concerning toxicity of perfluorinated compounds in humans.
2. Perfluorinated compounds yield perfluorooctanic acid (PFOA) when metabolized and have been discovered in human biological materials, e.g., serum, mother's milk and sperm. Americans have detectable levels of PFOA's in their serum. PFOA in children have been found to range from 1.9 - 56.1 ppb with an average of 5.6 ppb (reference (c)) suggesting exposures occur very early in life. AFFF is similar to other perfluorinated molecules, all of which could contribute to serum levels of PFOA.
3. Rodent studies suggest minor effects corresponding to serum concentrations at 400 ppb PFOA. This is the lower bound risk estimate; an upper bound of 5000 ppb of PFOA has been noted. These values will be referred to in this risk assessment.
4. Thus, occupationally unexposed individuals typical of Navy and Marine Corps personnel would display serum levels below 10 ppb. This concentration is a reasonable guide for controlling PFOA exposures. As a comparison, workers manufacturing perfluorinated compounds have recorded serum levels of 1000-1500 ppb, thereby crossing the lower bound risk estimate. PFOA-relevant exposures will continue, even if AFFF use is discontinued, due to widespread nature of perfluorinated compounds.
5. From the standpoint of the firefighter health, elimination of the AFFF will not prevent further biological contamination with PFOA. Firefighter injuries include those associated with inhalation exposures (carbon monoxide and acid gases), along with thermal burns. Given the real chemical and physical risks associated with fire-fighting, the PFOA issue is of minor importance to this occupational group.



## DEPARTMENT OF THE NAVY

OFFICE OF THE CHIEF OF NAVAL OPERATIONS  
2000 NAVY PENTAGON  
WASHINGTON, DC 20350-2000

5720

Ser DNS-36RH/17U105154

22 Aug 17

MEMORANDUM FOR THE OFFICE OF BUREAU OF MEDICINE AND SURGERY (BUMED)

Subj: FREEDOM OF INFORMATION ACT (FOIA); FOIA REQUESTS TRACKING NUMBERS DON-NAVY-2017-003505, DON-NAVY-2017-005500 & DON-NAVY-2017-007713

Ref: (a) SECNAVINST 5720.42F

Encl: (1) FOIA request dated 13 Feb 17 DON-NAVY-2017-003505  
(2) FOIA request dated 18 Apr 17 DON-NAVY-2017-005500  
(3) FOIA request dated 02 Jun 17 DON-NAVY-2017-007713  
(4) Summary of Nine FOIA exemptions  
(5) DD Form 2086 Processing Cost

1. Enclosures (1), (2) and (3) are FOIA requests for the following: Please produce all notice and claim forms, including but not limited to SF-95 forms, filed after September 1, 2016 to the present date with the Department of the Navy pertaining to water contamination of Perfluorooctanoic Acid (PFOA) or Perfluorooctanesulfonic Acid (PFOS). Please see enclosures (1) & (2) for a more comprehensive list of details.

2. Accordingly, per reference (a), enclosures (1), (2) & (3) are forwarded for action/review and direct response to CNO DNS-36 by **19 Sept 17**.

3. It is requested that BUMED perform the following tasks with regard to enclosures (1), (2) & (3).

a. Locate any responsive documents pertaining to these FOIA requests. If in the course of conducting your search you are unable to locate responsive documents please indicate the following in your response to DNS-36:

(1) Method of search.

(2) Locations where searches took place.

(3) Recommendation (if any) as to which Navy office may maintain responsive records.

(4) If applicable, the date responsive records were destroyed or transferred to records repository (e.g. NARA).

ENCLOSURE (2)

5720

Ser DNS-36RH/17U105152

22 Aug 17

Subj: FREEDOM OF INFORMATION ACT (FOIA); FOIA REQUESTS TRACKING NUMBERS DON-NAVY-2017-003505, DON-NAVY-2017-005500 & DON-NAVY-2017-007713

b. Upon identifying and recovering responsive documents, review each document for release and if you believe that portions should be withheld under any of the nine FOIA exemptions (see enclosure 4) bracket those portions accordingly and cite the FOIA exemption. Additionally, please ensure that you clearly articulate the harm for each sentence or paragraph you deem exempt from disclosure.

4. Upon completion of processing this request, fill out enclosure (5), please identify the pay grade of the person(s) working on this tasker; ensure you include the total hours of search and review time separately, and the number of pages for release. Return the DD Form 2086 along with an official response letter to include release recommendations to CNO DNS-36.

5. Questions concerning this matter may be directed to our FOIA Service Center at (202) 685-0412 or [donfoia-pa@navy.mil](mailto:donfoia-pa@navy.mil).

Sincerely,



R. PATTERSON

Head, DON FOIA/PA Program Office

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Office of the General Counsel, Deputy Commissioner & General Counsel  
625 Broadway, 14th Floor, Albany, New York 12233-1010  
P: (518) 402-8543 | F: (518) 402-9018  
www.dec.ny.gov

August 23, 2017

FOIA request via e-mail: [whs.mc-alex.esd.mbx.osd-js-foia-requester-service-center@mail.mil](mailto:whs.mc-alex.esd.mbx.osd-js-foia-requester-service-center@mail.mil)

Stephanie Carr

FOIA Contact for Department of Defense Office of the Secretary and Joint Staff  
OSD/JS FOIA Requester Service Center, Office of Freedom of Information  
1155 Defense Pentagon  
Washington, DC 20301-1155

FOIA request via e-mail: [usaf.pentagon.saf-cio-a6.mbx.af-foia@mail.mil](mailto:usaf.pentagon.saf-cio-a6.mbx.af-foia@mail.mil)

JoAnne Collins

FOIA Contact Department of the Air Force  
SAF/AII (FOIA)  
1000 Air Force Pentagon  
Washington, DC 20330-1000

FOIA request via e-mail: [NGB.FOIA@mail.mil](mailto:NGB.FOIA@mail.mil)

Jennifer Nikolaisen

FOIA Contact  
Office of Information and Privacy (NGB/JA-OIP)  
111 South George Mason Drive, AH2  
Arlington, VA 22204-1373

FOIA request via e-mail: [DONFOIA-PA@navy.mil](mailto:DONFOIA-PA@navy.mil)

Robin Patterson

FOIA Contact, Chief of Naval Operations  
DNS-36  
2000 Navy Pentagon  
Washington, DC 20350-2000

FOIA request via e-mail: [foia-nan@usace.army.mil](mailto:foia-nan@usace.army.mil)

CENAN-OC

26 Federal Plaza  
New York, NY 10278-0090

To Whom It May Concern:

This is a request under the Freedom of Information Act (FOIA) (5 U.S.C. § 552).

The request is being sent to each of the following that purchased, transported, stored, used, or disposed of the materials that are the subject of this request: the United States Department of Defense's Office of the Secretary and Joint Staff; the United States Air Force, including the Air National Guard; the National Guard Bureau; the United States Navy; and the Army Corps of Engineers New York District.

For purposes of this FOIA request, the following terms have meanings indicated:

- A. "Agency" means the agency responding to the FOIA request.
- B. "All" means each and every.
- C. "Any" shall be construed as "any and all."
- D. "Biota" means any type of organism including, but not limited to, microbes, vertebrates, invertebrates, and plants.
- E. "Concerning" means relating to, consisting of, referring to, relevant to, reflecting on, arising out of, or in any way or manner, legally, factually, or logically connected with the matter discussed.
- F. "Document(s)" means all records and other tangible forms of expression including without limitation originals, drafts or finished versions, or annotated or nonconforming copies, however created, produced or stored (manually, mechanically, electronically or otherwise), including electronic mail, Blackberry or similar messages, instant messages, books, papers, files, notes, confirmations, account statements, correspondence, memoranda, reports, press releases, contracts, agreements, records, journals, registers, analyses, plans, manuals, policies, telegrams, faxes, telexes, wires, telephone logs, telephone messages, message slips, minutes, notes or records or transcriptions of conversations or communications or meetings, tape recordings, videotapes, disks, drives, and other electronic media or storage devices, microfilm, microfiche, calendars, date books, appointment books, diaries, notices and summaries.
- G. "Environment" means any water, including surface or groundwater; sediment; water vapor; any land, including land surface and subsurface; air, including soil vapor; fish; wildlife; other biota; all other natural resources; and humans.
- H. "NYSDEC" means the New York State Department of Environmental Conservation.
- I. "PFOS" means Perfluorooctane Sulfonic Acid (CAS No. 1763-23-1) and Perfluorooctane Sulfonate (CAS No. 2795-39-3) **AND any product or material containing any amount (including trace amounts) of PFOS, including fire-fighting foam.** PFOS is a hazardous waste pursuant to New York State Environmental Conservation Law § 27-1301(1). PFOS is a hazardous substance pursuant to New York State Environmental Conservation Law § 37-0103(a).
- J. "PFOA" means Perfluorooctanoic Acid (PFOA-acid, Chemical Abstracts Service (CAS) No. 335-67-1), Ammonium Perfluorooctanoate (PFOA-salt, CAS No. 3825-26-1)

**AND any product or material containing any amount (including trace amounts) of PFOS, including fire-fighting foam.** PFOA is a hazardous waste pursuant to New York State Environmental Conservation Law § 27-1301(1). PFOA is a hazardous substance pursuant to New York State Environmental Conservation Law § 37-0103(a).

K. "PFC/PFAS" means Perfluorinated Compounds and Perfluoroalkyl Substances including PFOS, PFOA, or other perfluorinated compounds.

L. "Release" includes any disposing, discharging, spilling, pumping, pouring, emitting, emptying, or leaching, directly or indirectly, of any PFC/PFAS so that it or any related constituent thereof, or any degradation product of it or of a related constituent thereof, may enter the environment.

M. All other words and terms have the meanings commonly ascribed to them.

N. The use of the singular form of any word includes the plural and vice versa.

O. If there are no documents responsive to any particular request, please so state in writing.

P. If any document requested is withheld on ground of privilege or other legal doctrine, indicate (a) the type of document; (b) the date of the document; (c) the author and recipient of the document; (d) the general subject matter of the document; and (e) the legal ground for withholding the document.

Documents Requested Pursuant to FOIA:

The NYSDEC requests that a copy of each of the following document(s) from the year 1949 to the present be provided to the below-identified NYSDEC representative:

Request Number:

1. All documents concerning all purchases or other acquisition of PFC/PFAS by the FOIA-recipient agency for transport through, storage, or use in New York State, including all product names and all quantities purchased. **Please use the broad definitions of PFOS, PFOA, and other PFC/PFAS, above.**
2. All contracts, purchase orders and similar documentation concerning the purchase or other acquisition of the materials identified in response to Request Number 1.
3. All documents identifying the persons, corporations or other entities from which the materials identified in response to Request Number 1 were purchased or otherwise acquired.
4. All documents identifying the manufacturer(s) of the materials identified in response to Request Number 1.



5. All documents identifying distributors or other persons in the supply chain for the materials identified in response to Request Number 1.
6. All documents concerning the means of transporting all of the materials identified in response to Request Number 1.
7. All documents concerning storage locations for all of the materials identified in response to Request Number 1.
8. All documents concerning all the agency's uses of the materials identified in response to Request Number 1.
9. All documents concerning all locations in New York State where the materials identified in response to Request Number 1 have been (or are) stored, used, or released into the environment.
10. All documents concerning all releases of materials identified in response to Request Number 1 into the environment in New York State, including the manner of all such releases, and the locations, date, time, and quantity of all such releases.
11. All documents concerning the potential or actual environmental impacts and public health impacts associated with the potential or actual release of PFC/PFAS, including studies or reports.
12. All documents notifying the State of New York or other governmental authorities of any releases of the materials identified in response to Request Number 1.
13. All documents identifying all PFC/PFAS degradation or waste products associated with the transportation, storage, use, or release of PFC/PFAS.
14. All documents identifying the percent concentration of PFC/PFAS in all PFC/PFAS-containing materials identified in response to Request Number 1.
15. All documents from all manufacturers, distributors, or other persons or entities in the supply chain for the materials identified in response to Request Number 1 identifying all end uses and all foreseeable end uses of each material.
16. All documents concerning agency specifications for the materials identified in response to Request Number 1.
17. All documents concerning instructions or warnings for transporting, storing, using, or disposing the materials identified in response to Request Number 1, including instructions given to the Agency by anybody or given by the Agency to anybody including its personnel.
18. All documents showing labels for the materials identified in response to Request Number 1.

19. All documents with warnings for the materials identified in response to Request Number 1.
20. All documents identifying methods and/or container types (size and/or composition) used to transport, store, use, or dispose of the materials identified in response to Request Number 1.
21. All documents identifying all handling instructions, warnings, and disposal information for the materials identified in response to Request Number 1.
22. All documents regarding the nature and/or extent of all research or investigations concerning the effects of PFC/PFAS on human or animal health. For all research or investigations, provide full references and abstracts of all published works, and all final data reports and other summaries of data and conclusions for non-published research or investigations.
23. All documents regarding the nature and/or extent of all research or investigations concerning the effects of PFC/PFAS on environmental receptors. Provide full references and abstracts of all published works, and all final data reports and other summaries of data and conclusions for non-published research or investigations for all such research.
24. All documents regarding review and evaluation of the safety and/or appropriateness of use of PFC/PFAS within or by the Agency based on known or suspected environmental and/or public health impacts and risks.
25. All documents regarding public health and/or environmental impacts associated with PFC/PFAS releases at or from the Agency owned or operated facilities.
26. All documents concerning the fate and/or transport of PFC/PFAS in the environment, including its impact on biota and the characteristics of their migration from locations at which it is released.
27. All documents concerning the rate of migration of PFC/PFAS from a location at which it is released.
28. All documents identifying all facilities currently or formerly owned and/or operated by the Agency in New York State at which PFC/PFAS was produced, used, stored, or released.

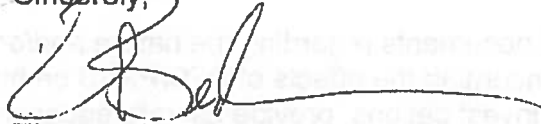
Documents should be provided to the NYSDEC in a searchable electronic format such as pdf. Document should be sent to:

**625 Broadway, 14<sup>th</sup> Floor  
Albany, NY 12233-1500  
Attention: Peter M. Casper**

NYSDEC is willing to pay fees for this request up to a maximum of \$500.00. If you estimate that the fees will exceed this limit, please inform me first.

Please contact Deputy General Counsel Peter M. Casper as necessary to discuss any aspect of this request at 518-402-9185 or [peter.casper@dec.ny.gov](mailto:peter.casper@dec.ny.gov).

Sincerely,



Thomas S. Berkman  
Deputy Commissioner  
and General Counsel

**B R E W E R**  
ATTORNEYS & COUNSELORS

April 7, 2017

Robin Patterson, Custodian of Records  
Department of the Navy – Office of the Chief of Naval Operations  
FOIA Program Office/Service Center ATTN: DNS 36  
2000 Navy Pentagon  
Washington, DC 20350-2000

Re: **FREEDOM OF INFORMATION ACT REQUEST**

To the Custodian of Records:

We write on behalf of our clients Chemguard, Inc., Tyco Fire Products LP, and 3M Company in connection with litigation pending in the Eastern District of Pennsylvania and the District of Colorado. The litigation concerns the use of aqueous film-forming foams ("AFFF") at certain military bases.

We respectfully request, pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, information from the Department of the Navy ("Navy") relating to the Navy's purchase and use of AFFF products. We request all documents and records, regardless of form (written or electronic) with respect to each of the specific categories of documents and records listed below.<sup>1</sup> These requests do not seek any business proprietary information.

1. Documents regarding research, development, and testing of aqueous film-forming foams ("AFFF") or fluorine-free alternative products, including without limitation:
  - Cooperative Research and Development Agreements (CRADAs) that reference AFFF or fluorine-free alternatives to AFFF;

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<sup>1</sup> We request responsive documents and records of all Navy component entities, including without limitation the following component entities:

Military Sealift Command, Europe  
Naval Air Test Center  
Naval Aircraft Survivability Test Center  
Naval Facilities Engineering Command  
Naval Material Command (NAVMAT)  
Naval Sea Systems Command (NAVSEA)  
Naval Ship Research and Development Center

Naval Technology Center  
Naval Testing Facility (Hughes Associates)  
Navy Environmental Health Center  
Navy Public Works Center  
Naval Research Laboratory  
Office of Chief Naval Operations

Please advise us if any of the listed component entities is excluded from the requested search for documents and records.

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April 7, 2017

- Research, Development, Test and Evaluation (RDT&E) materials that reference AFFF and/or fluorine-free alternatives to AFFF, including without limitation: technical reports, conference presentations, symposia presentations, and distribution statements;
  - Scientific reports, manuscripts, and publications regarding AFFF;
  - Meeting minutes, field reports, trip reports, interoffice memoranda and certificates of approval that reference AFFF or fluorine-free alternatives to AFFF;
  - Reports, memoranda, data, letters and meeting minutes regarding development of applicable military specifications (MIL-F-23905 and MIL-F-24385);
  - Reports, memoranda, data, letters, meeting minutes, and certificates of approval regarding application of applicable military specifications (MIL-F-23905 and MIL-F-24385) to AFFF and/or fluorine-free alternative products;
  - Data, summaries, studies, letters and/or reports describing testing of products and/or product components in connection with the development of each revision to, or amendment of, Military Specifications MIL-F-23905 and MIL-F-24385;
  - Data, summaries, studies, letters, meeting minutes and/or reports describing comparative tests of AFFF products;
  - Reports regarding inclusion of perfluorooctane sulfonate ("PFOS") and/or perfluorooctanoic acid ("PFOA") on the Department of Defense "Emerging Contaminant Action List" and "Emerging Contaminant Watch List."
2. Documents regarding quantities of each AFFF manufacturer's products purchased or acquired by the Navy (including any agencies or divisions thereof) and stored or used at the specified military bases, including without limitation:
- Purchase logs and/or invoices for the purchase of AFFF for use at the former Willow Grove Naval Air Station Joint Reserve Base in Horsham Township, Pennsylvania (the "Willow Grove Base"), the former Naval Air Warfare Center in Warminster Township, Pennsylvania (the "Warminster Base"), Peterson Air Force Base, and/or Fort Carson;
  - Distribution and/or transportation logs and/or bills of lading for AFFF distributed or transported to or from the Willow Grove Base, the Warminster Base, Peterson Air Force Base, and/or Fort Carson;

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- Inventory logs for AFFF stored at the Willow Grove Base, the Warminster Base, Peterson Air Force Base, and/or Fort Carson.
3. Documents regarding the storage, use, and disposal of AFFF at the specified military bases, including without limitation:
- Emergency Planning and Community Right-to-Know Act (EPCRA) § 311 reports, EPCRA § 312 reports, and similar reports, regarding base storage locations, amounts, types of containers, specific hazards and/or storage methods for AFFF stored at the Willow Grove Base, the Warminster Base, Peterson Air Force Base, and/or Fort Carson;
  - EPCRA § 313 reports, and similar reports, regarding releases of AFFF or constituents of AFFF at the Willow Grove Base, the Warminster Base, Peterson Air Force Base, and/or Fort Carson;
  - Response plans by installation spill teams and/or off-base contractors to contain, collect, and dispose of discharged AFFF at the Willow Grove Base, the Warminster Base, Peterson Air Force Base, and/or Fort Carson;
  - Accident and/or incident reports regarding use of AFFF in firefighting operations at the Willow Grove Base, the Warminster Base, Peterson Air Force Base, and/or Fort Carson;
  - Reports regarding use of AFFF in training exercises at the Willow Grove Base, the Warminster Base, Peterson Air Force Base, and/or Fort Carson;
  - Reports regarding accidental discharge or spill of AFFF at the Willow Grove Base, the Warminster Base, Peterson Air Force Base, and/or Fort Carson.
4. Communications with manufacturers and/or suppliers (or their representatives or manufacturer trade associations) regarding AFFF product formulation and/or potential environmental or health effects, including without limitation:
- Communications regarding perfluorooctane sulfonate (PFOS) or perfluorooctanoic acid (PFOA) content;
  - Communications regarding use and/or purity of C6-based vs. C8-based fluorosurfactants;
  - Communications regarding use and/or purity of long-chain vs. short chain fluorosurfactants;

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April 7, 2017

- Communications regarding use of fluorine-free surfactants;
  - Communications regarding use of AFFF Training Foam;
  - Communications regarding potential environmental effects of AFFF discharge, including without limitation the prevention, mitigation, or remediation of such effects;
  - Communications regarding potential health effects of exposure to AFFF, PFOS, PFOA, or other per- and polyfluoroalkyl substances (PFAS);
  - Communications regarding alleged PFOS and/or PFOA contamination of groundwater on or near the Willow Grove Base, the Warminster Base, Peterson Air Force Base, and/or Fort Carson;
  - Communications regarding safety, clean-up and/or disposal procedures.
5. Communications with federal, state, and/or municipal regulatory agencies re AFFF product formulation and/or environmental or health effects, including without limitation:
- Communications regarding PFOS or PFOA content;
  - Communications regarding use and/or purity of C6-based vs. C8-based fluorosurfactants;
  - Communications regarding use and/or purity of long-chain vs. short chain fluorosurfactants;
  - Communications regarding use of fluorine-free surfactants;
  - Communications regarding potential environmental effects of AFFF discharge, including without limitation the prevention, mitigation, or remediation of such effects; communications regarding potential health effects of exposure to AFFF, PFOS, PFOA, or other PFAS;
  - Communications regarding alleged PFOS and/or PFOA contamination of groundwater on or near the Willow Grove Base, the Warminster Base, Peterson Air Force Base, and/or Fort Carson;
  - Communications regarding safety, clean-up and/or disposal procedures.
6. Communications with manufacturers (or their representatives or manufacturer trade associations) regarding AFFF instructions and/or warnings, including Material Safety

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Data Sheets (MSDS), Product Environmental Data Sheets (PEDS), and Product Toxicity Summary Sheets.

7. Communications with federal, state, or municipal regulatory agencies re AFFF instructions and/or warnings, including MSDS, PEDS and Product Toxicity Summary Sheets.
8. Written instructions, orders, guidance, or procedures regarding use and/or disposal of AFFF products, including without limitation:
  - Tactics, Techniques, and Procedures (TTP) that reference AFFF;
  - Editions of the Airman's Manual and/or Air Force Manual that reference AFFF;
  - Air Force Instructions (AFI) that reference AFFF;
  - Headquarters Operating Instructions (HOI) that reference AFFF;
  - Standard Operating Procedures (SOP) that reference AFFF;
  - Engineering Technical Letters (ETL) that reference AFFF, including without limitation: "ETL 86-8, Aqueous Film Forming Foam Waste Discharge Retention and Disposal, 4 June 1986".
9. Instructions, orders, guidance, or procedures developed by or issued to Willow Grove Base, the Warminster Base, Peterson Air Force Base, and/or Fort Carson personnel, contractors or third parties, regarding AFFF purchase, transport, use, storage, discharge or disposal.
10. Documents regarding investigation of and response to alleged PFOS and/or PFOA contamination of soil or groundwater on or near the Willow Grove Base, the Warminster Base, Peterson Air Force Base, and/or Fort Carson, including without limitation:
  - 10/17/2016 Tetra Tech Transmittal Letter Regarding the Final CERFA Area of Interest Investigation Report Former NASJRB Willow Grove PA (10/17/2016).

We respectfully request that you produce responsive documents in their entirety, including each attachment, enclosure and exhibit. We would prefer to receive electronic copies if possible. Please produce all responsive material to:

Attn: Ms. Diamond Drayton  
Brewer Attorneys & Counselors  
Comerica Bank Building



FOIA Request  
Department of the Navy  
April 7, 2017

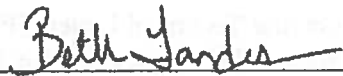
1717 Main Street, Suite 5900  
Dallas, TX 75201

Should your agency determine that a document contains material or information that falls within a statutory exemption to mandatory disclosure, we ask that, in accordance with the provisions of 5 U.S.C. § 552(b), any and all reasonably segregable portions of such document be produced. If, for any reason, your agency denies this request or withholds certain information, we ask that you please provide a list of the denied or withheld materials and applicable exemptions under FOIA.

For fee purposes, this is a commercial-use request. **We agree to pay all reasonable costs, but would appreciate prior notice if you expect the charges for these documents to exceed \$1,000.**

Please do not hesitate to contact us by telephone or email if necessary to discuss any aspect of this request. If this request is misdirected, please forward it to the appropriate records custodian.


Very truly yours,

  
Beth A. Landes

BREWER, ATTORNEYS & COUNSELORS  
750 Lexington Avenue, 14th Floor  
New York, New York, 10022  
Phone: 212-489-1400  
Email: bal@brewerattorneys.com

*Attorney for 3M Company*

-- and --

  
David S. Weinraub

QUINN EMANUEL URQUHART & SULLIVAN LLP  
51 Madison Avenue, 22nd Floor,  
New York, New York 10010  
Phone: 212-849-7000  
Email: davidweinraub@quinnemanuel.com

*Attorney for Chemguard, Inc. and  
Tyco Fire Products LP*

Laura McCrystal  
The Philadelphia Inquirer  
800 River Road, Route 23  
Conshohocken, PA 19428

August 23, 2016

Chief of Naval Operations (DNS-36)  
2000 Navy Pentagon  
Washington, DC 20350-2000

To Whom It May Concern:

In accordance with the federal Freedom of Information Act, 5 U.S.C. § 552, I am writing to request from the Naval Facilities Engineering Command (NAVFAC) access to and copies of:

- A list of all FOIA requests submitted to NAVFAC for information pertaining to perfluorinated compounds, PFOA, PFOS, or aqueous film-forming foam from January 1, 2014 to the present.
- Copies of all correspondence, including but not limited to memos, emails, or text messages, within NAVFAC pertaining to perfluorinated compounds, PFOA, PFOS, or aqueous film-forming foam from Jan. 1, 2009 to Dec. 31, 2014.
- Copies of all correspondence, including but not limited to memos, emails, or text messages, between NAVFAC and the Environmental Protection Agency pertaining to perfluorinated compounds, PFOA, PFOS, or aqueous film-forming foam from Jan. 1, 2009 to Dec. 31, 2014.
- All NAVFAC-commissioned studies, including but not limited to medical studies, about or related to perfluorinated compounds, PFOA, PFOS, or aqueous film-forming foams.
- All NAVFAC manuals, instructions, or training-related records pertaining to the use of perfluorinated compounds, PFOA, PFOS, or aqueous film-forming foam.
- A list of all current and former Navy sites known by NAVFAC where perfluorinated compounds/PFOA/PFOS have been detected in the groundwater to include the date(s) of detection and locations of sites.

If available, I can accept this request electronically on any standard electronic media, such as via email, CD-ROM, or FTP. The file can be compressed for easy transfer. If it will take longer to comply with some parts of this request than others, I would like to receive the records as they become available.

As a representative of the news media, I am only required to pay for the direct cost of duplication after the first 100 pages. Through this request, I am gathering information about perfluorinated compounds, which is of current interest to the public due to contamination found from Navy bases in Pennsylvania. This information is being sought on behalf of The Philadelphia Inquirer for dissemination to the general public. Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities in relation to perfluorinated compounds. If, however, you decline to waive all fees, I request that you notify me of any costs exceeding \$25.00 before complying with any portion of this request for which there will be a charge.

If my request is denied in whole or in part, I ask that you justify all deletions by reference to specific exemptions under the Act. I will also expect you to release all portions that can be segregated from otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

As I am making this request as a reporter and this information is of timely value, I would appreciate your communicating with me by telephone or email, rather than by mail, if you have questions regarding this request. If there is anything about this request that will be particularly difficult, I will be glad to discuss it with you and consider amending the request. Please do not hesitate to contact me at the telephone number or email address below.

I look forward to your reply within 20 business days, as the statute requires. Thank you for your assistance.

Sincerely,  
Laura McCrystal  
The Philadelphia Inquirer  
610-313-8116  
Lmccrystal@philly.com

Kyle Bagenstose  
Environmental Reporter  
Bucks County Courier Times  
8400 N Bristol Pike  
Levittown, PA 19057  
215-949-4211

May 31, 2017

Robin Patterson  
FOIA Contact, Chief of Naval Operations  
DNS-36  
2000 Navy Pentagon  
Washington, DC 20350-2000  
202-685-0412  
DONFOIA-PA@navy.mil

**FOIA REQUEST**

**Fee benefit requested**

**Fee waiver requested**

**Expedited processing requested**

Dear Ms. Patterson:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, I request access to and copies of any memos, reports, presentations or correspondence between employees of Hughes Associates, Inc. (now doing business as Jensen Hughes) and U.S. Navy personnel, related to firefighting foams or fluorinated surfactants. The time period covered by this request is from Jan. 1, 1999, to Dec. 31, 2004.

I agree to pay reasonable duplication fees for the processing of this request in an amount not to exceed \$100. However, please notify me prior to your incurring any expenses, especially if they are in excess of that amount. As a media requester, I am asking that you waive any fees in the public interest. Through this request I am gathering information on behalf of the newspapers the Bucks County Courier Times and The Intelligencer for dissemination to the public. I would like to receive the information in an electronic format, preferably by email.

Please also provide expedited processing of this request. I am a reporter who is primarily engaged in disseminating information to the public, and it is urgent that I inform the public about actual or alleged Federal Government activity related to toxic chemicals (fluorinated surfactants) in firefighting foams that have been found in drinking water in several local communities. The public has an urgent need for this information because studies have found probable links between at least one of the chemicals and health concerns such as high cholesterol, ulcerative colitis and testicular and kidney cancers.

I certify that my statements concerning the need for expedited processing are true and correct to the best of my knowledge and belief. I look forward to your determination regarding my request for expedited processing within 10 calendar days, as the statute requires.

If this FOIA request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees or expedited processing. I would appreciate your communicating with me by email or telephone, rather than by mail.

Thank you for your assistance.

Sincerely,

Kyle Bagenstose