

1                   **2021 RES-125 As Amended by Airport Commission on 10/13/21**  
2                   **PROVIDING PUBLIC INFORMATION ABOUT PFAS AND AIRPORT CONSTRUCTION**  
3                   **PROJECTS**

4  
5 Dane County has taken the lead on investigating and mitigating the presence of PFAS  
6 contamination at the Airport.

7  
8 The County and its partners are eager to clean up these chemicals. It must be done  
9 responsibly, which involves learning and managing risks to the community and worker safety as  
10 the process evolves. For instance, Dane County has to make sure that any plan for disposing of  
11 PFAS will not create more problems in the future.

12  
13 The County is one of three parties the Wisconsin Department of Natural Resources (DNR)  
14 identified in October 2019 as responsible for remediating the Airport PFAS contamination. The  
15 other responsible parties are the Wisconsin Air National Guard and the City of Madison. Dane  
16 County is working in cooperation with those other responsible parties.

17 (Source: <https://www.msnairport.com/documents/pdf/DCRA-site-activity-through-May-2021.pdf>)

18  
19 To protect the health, safety, and drinking water of the residents of Dane County:

20  
21 **NOW, THEREFORE, BE IT RESOLVED**, the Dane County Corporation Counsel, is requested  
22 pursuant to Wis. Stat. § 59.42 to produce a legal opinion on any and all ways the County can  
23 regulate airport activities, construction and the work to clean up PFAS discharges through its  
24 stormwater ordinances and any other authority the County has.

25  
26 **BE IT FURTHER RESOLVED**, Dane County in cooperation with Public Health Madison and Dane  
27 County create a central clearinghouse web site that will contain or link to:

- 28       • All PFAS tests and results that Dane County has performed or has access to and have  
29       been submitted to the DNR. The practice for the testing entities is to submit test results to  
30       the DNR.  
31       • Agendas and minutes of any public meetings at which the topic of PFAS is discussed  
32       between County departments, the Wisconsin DNR, the Wisconsin Air National Guard, and  
33       any Private Contractors or Companies that are not protected by attorney client privilege.

34  
35 **BE IT FURTHER RESOLVED**, Dane County Corporation Counsel, the County Lobbyist, and the  
36 Airport Director are requested to provide any available updates on all airport construction projects  
37 impacting PFAS contamination to the County Board on at least a quarterly basis and will be  
38 available to attend meetings of the Airport Commission and the Environmental, Agricultural and  
39 Natural Resource Committee when requested.

40  
41 ~~**BE IT FINALLY RESOLVED** the Dane County Corporation Counsel is requested pursuant to Wis.  
42 Stat. § 59.42 to produce a legal opinion on how to use any and all tools available to halt all  
43 construction projects at the airport if a PFAS test exceeds levels prescribed by the Wisconsin  
44 DNR or federal Environmental Protection Agency.~~