

# THE SPOKESMAN-REVIEW

[News](#)[Sports](#)[A&E](#)[Obits](#)[Search !\[\]\(003082e50e3009141f59bd5df831749f\_img.jpg\)](#)[Menu !\[\]\(17413706fd4997a1a4bdf85c6864eee1\_img.jpg\)](#)[Washington](#)[Idaho](#)[Business](#)[Health](#)

## SPOKANE

# Neighbors of Fairchild Air Force Base sue makers of toxic fire retardant, including 3M Co.

Wed., April 11, 2018, 5:30 a.m.



**Julie Dibble, whose family has lived near Fairchild Air Force Base since the 1960s, is one of many residents concerned about water contamination from the base's firefighting operations. She posed for a photograph beside the groundwater pump that supplies her homestead on Thorpe Road on Nov. 15, 2017. (Colin Mulvany / The Spokesman-Review)**

**By Chad Sokol** 

chadso@spokesman.com

(509) 459-5047



Nearly 100 people who live near Fairchild Air Force Base have filed a federal class-action lawsuit against manufacturers of a firefighting foam that has contaminated the area's water supply.

The plaintiffs claim they have suffered from an array of serious health problems caused by the water contamination, which resulted from decades of foam runoff from a training site on the air base. Some also claim the pollution has diminished their property values.

The defendants include 3M Co., which used perfluorinated chemicals, or PFCs, in fire retardant as well as its popular Scotchgard fabric protectant. In February, the company paid \$850 million to settle a similar lawsuit in Minnesota, where state officials claimed the chemicals were dumped at sites near Minneapolis for more than 40 years, poisoning wildlife and drinking water.

3M did not respond to a message seeking comment Tuesday, but in a statement announcing the Minnesota settlement, a company vice president, John Banovetz, said "we do not believe there is a PFC-related public health issue."

The case involving Fairchild was filed last week in the U.S. District Court for Eastern Washington. The plaintiffs are represented by local attorneys, including Breean Beggs, who's also a Spokane city councilman, and Andrew Biviano, who recently stepped down as chairman of the Spokane County Democratic Party.

They also are working with Napoli Shkolnik, a heavy-hitting New York firm that has secured major settlements in cases involving fracking, water contamination and other environmental issues.

The American military is spending hundreds of millions of dollars to mitigate PFC contamination at bases across the country.

Biviano has previously filed a tort claim, a precursor to a lawsuit, against the Air Force over the water contamination at Fairchild, but the class action does not name the Air Force as a defendant. Suing the U.S. government, he said, “is a different creature.”

“There are multiple parties that could be held liable for this,” Biviano said. “For something like this – such a disaster – mistakes were probably made all along the way.”

The lawsuit alleges the foam manufacturers acted negligently by creating a dangerous product and selling it without adequate warnings and instructions for its use.

“You shouldn’t be sending it out at all if you know it’s going to be used dangerously,” Biviano said.

Other cases have raised questions about what manufacturers have known about the harmful effects of PFCs, which do not break down in the environment and accumulate in the bodies of humans and animals. Documents from the Minnesota case, for example, show that a highly paid researcher colluded with 3M to “command the science” about PFCs, as reported by the Intercept, an investigative news website.

In Airway Heights, Medical Lake and other areas near Fairchild, residents claim they have suffered from birth defects, miscarriages, cancer, ulcerative colitis, thyroid problems, high cholesterol and other health problems because of the PFC contamination.

On Tuesday, the Air Force announced it is beginning to install water filters for residents near Fairchild who rely on private wells with high levels of PFC contamination. A base spokeswoman, 2nd Lt. Kaila Bryant, said Tuesday that 81

wells in the area have shown concentrations higher than the Environmental Protection Agency's recommended threshold of 70 parts per trillion, but so far only 13 property owners had signed agreements with the Air Force allowing filters to be installed.

Julie Dibble, whose family has lived just east of the base on Thorpe Road since the 1960s, has been outspoken about the water situation. She said Tuesday that many of her neighbors are concerned about how long the Air Force plans to maintain the filters. Bryant did not provide details of the agreements with well owners on Tuesday.

"Some have already installed filters or resolved their water issues out of their pockets, but that's not possible with everyone," Dibble said. "We just want security and longevity in the future of our water, especially for the next generations growing up here."

The other companies named in the class action are Chemguard, National Foam, Buckeye Fire Equipment and Tyco Fire Products. A spokesman for Milwaukee-based Johnson Controls, which merged with Tyco in 2016, declined to comment Tuesday, and the other companies did not respond to messages seeking comment.

---

PUBLISHED: APRIL 11, 2018, 5:30 A.M.

Tags: 3M co., Airway Heights, Buckeye Fire Equipment, Chemguard, contamination, Fairchild Air Force Base, National Foam, PFC, PFOA, PFOS, Tyco Fire Products, water

---