

2025

ACI-NA & ACI World Annual General Assembly, Conference and Exhibition

October 25 - 28, 2025

Toronto, ON



AIRPORTS COUNCIL
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2025 Host Airport

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2025

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Trick or Treat: Updates on your PFAS and NEPA Goblins

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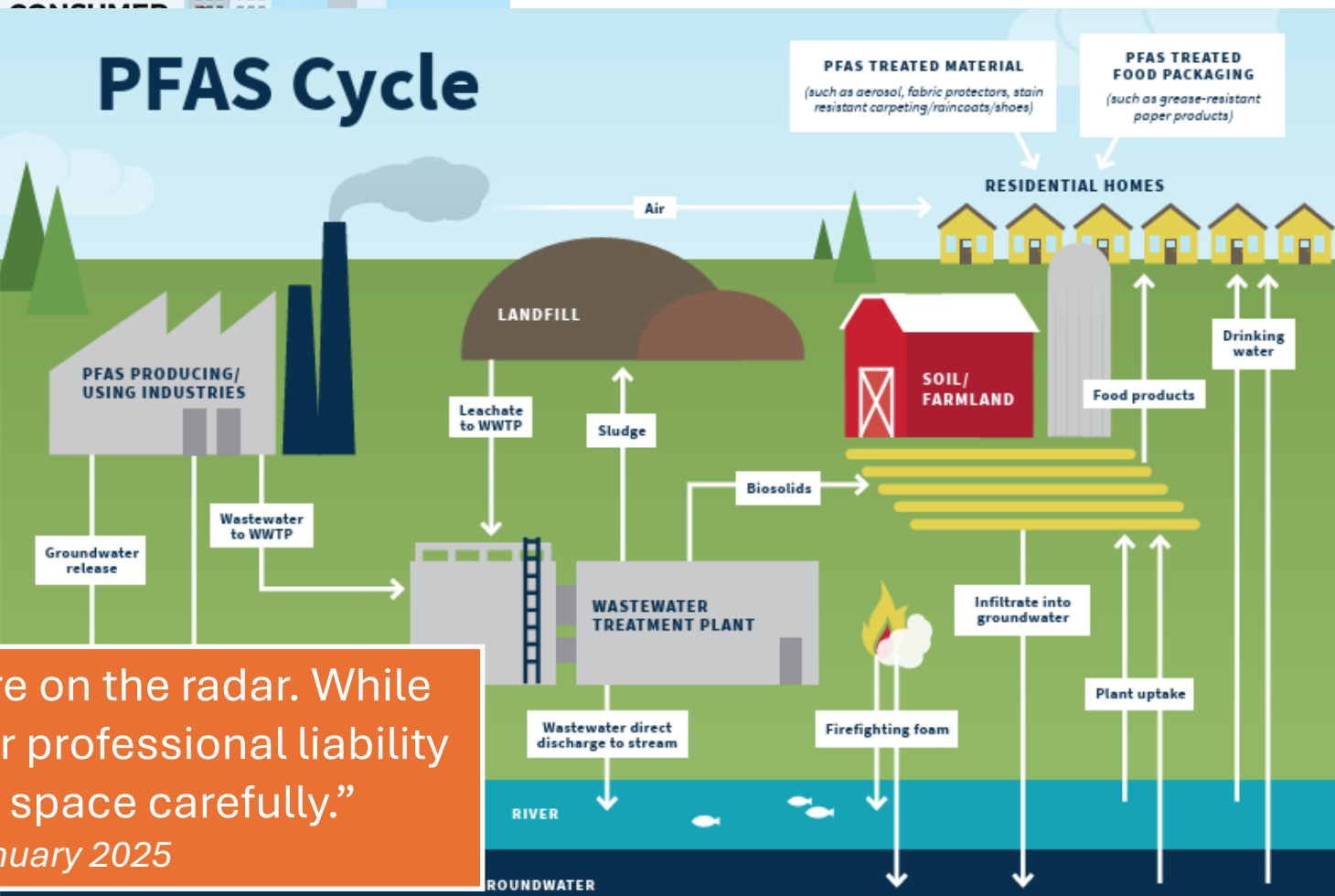
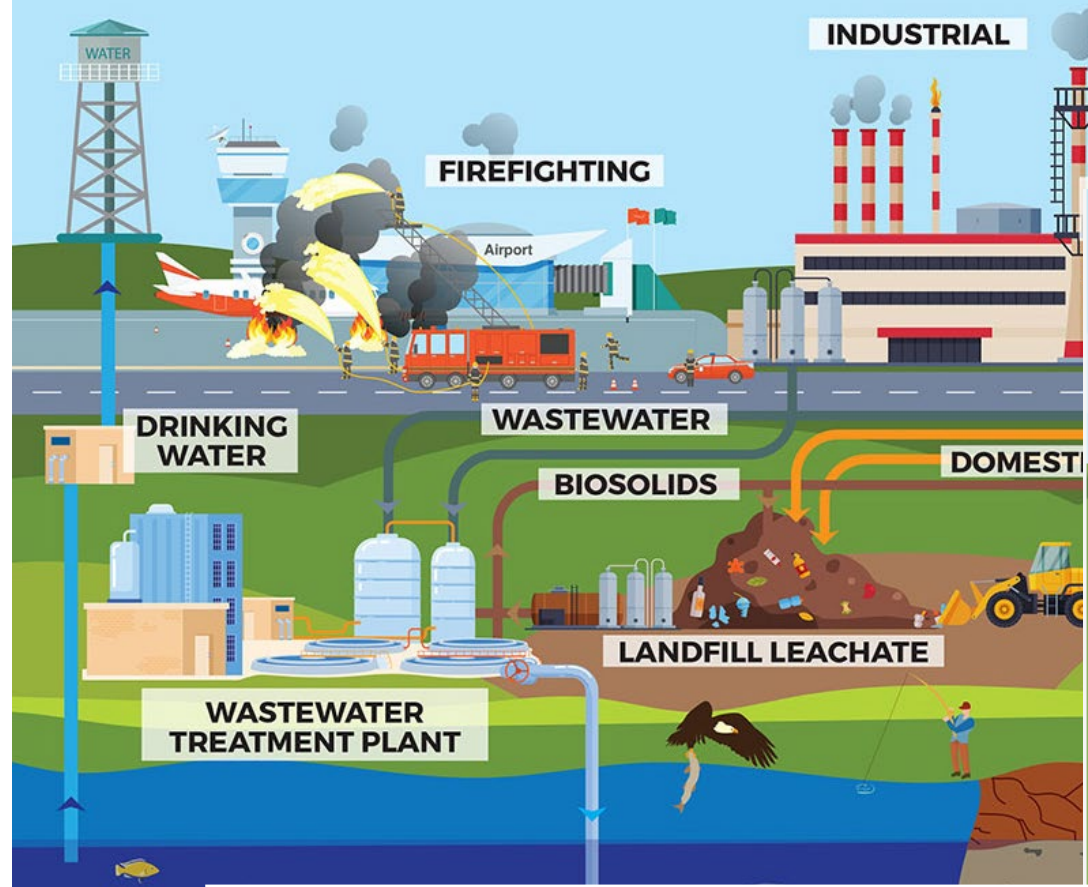
Don't be SPOOKED!

- PFAS Headlines
 - Canadian Highlights
 - US Highlights
 - Legal Considerations
- PFAS Hot Topics
- NEPA Headlines
- Open Forum Q&A



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PFAS SOURCES IN THE ENVIRONMENT



“PFAS and environmental exposure are on the radar. While not yet a source of major claims under professional liability coverage, insurers are monitoring this space carefully.”
 -National Society of Professional Engineers, January 2025



Canadian PFAS update

October 28, 2025



CANADIAN
AIRPORTS
COUNCIL



Canadian Airports Advocacy

- Use of F3 - Exemption issued in 2019 & renewed in 2024
- Joint advocacy between Operations & Environment committees

NCR-010-2024

**EXEMPTION FROM SECTION 303.08 OF THE CANADIAN AVIATION REGULATIONS
AND FROM PARAGRAPH 323.08(1)(a) OF THE AIRCRAFT FIRE FIGHTING AT
AIRPORT AND AERODROMES STANDARDS**

**EXEMPTION FROM SUBSECTION 305.47(b) OF THE CANADIAN AVIATION
REGULATIONS AND FROM SUBPARAGRAPH 325.47(2)(a)(i) OF THE EXTINGUISHING
AGENTS AND EQUIPMENT FOR HELIPORTS STANDARDS**

Pursuant to subsection 5.9(2) of the *Aeronautics Act*, and after taking into account that the exemption is in the public interest and is not likely to adversely affect aviation safety or security, I hereby exempt all Canadian airport operators from the requirements set out in paragraph 323.08(1)(a) of Standard 323 — Aircraft Fire Fighting at Airports and Aerodromes made pursuant to section 303.08 of the *Canadian Aviation Regulations* (CARs), and all Canadian heliport operators from the requirements set out in paragraph 325.47(2)(a)(i) of standard 325 — Extinguishing Agents and Equipment for Heliports made pursuant to subsection 305.47(b), subject to the following conditions.

The pertinent provisions of the CARs are reproduced in Appendix A.

PURPOSE

The purpose of this exemption is to allow Canadian airport and heliport operators to elect to transition to a fluorine-free foam which is more environmentally friendly and which is currently available on the market and used in other countries and some Canadian airports.

APPLICATION

This exemption applies to all Canadian airport and heliport operators.

This exemption ceases to apply to the Canadian airport or heliport operator who breaches a condition of this exemption.

CONDITIONS

This exemption is subject to the following condition(s):

General Conditions

1. The Canadian airport or heliport operator while transitioning to a fluorine-free foam shall develop procedures ensuring maintenance of its response readiness throughout the transition period.

Status of F3 transition

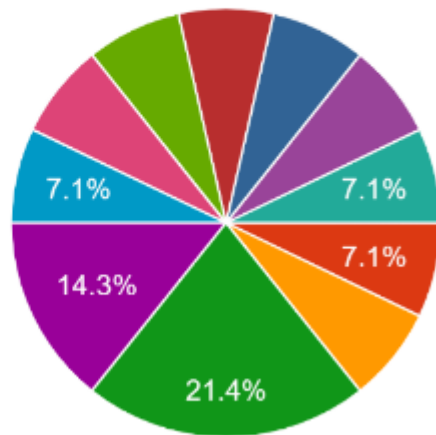
- 11 Canadian airports fully transitioned to F3
- 7 Canadian airports partially transitioned
- First Canadian airport to transition – one of our host airports



Barriers to F3 transition

In the question above you indicated you use AFFF. If you have not transitioned to F3, what is the primary barrier?

14 responses



- Cost.
- Supply/ equipment compatibility.
- Performance concerns.
- Lack of regulatory clarity.
- Other.
- Foam In the question above you indic...
- Researching best product, cost and a...
- Vehicles are near end of service life -...
- First Airport in North America to transition to F3 in 2019
- Aligning it to next ARFF apparatus purchase (2028)
- Has not been priorities as we are participating and ARRF services can be removed at anytime. Once we become designated again it will be transfered

Equipment cleaning considerations:

Decontamination

The Government of Canada does not specify which decontamination methods should be used to reach trace levels of contamination. It is up to AFFF users to find and use the appropriate methods for their firefighting applications. External resources like the [AFFF Phase Out Transition Manual - arctic-council.org](https://arctic-council.org), the [EU Guidance for transitioning to Fluorine-Free Firefighting Foams - echa.europa.eu](https://echa.europa.eu) or the article [Is Decontamination of PFAS From Fire Suppression Systems Required? - joiff.com](https://joiff.com) can help with choosing the best-fitting decontamination method. While testing for rebound in a laboratory after decontamination, make sure to wait long enough for any remaining substances to be released from the equipment and to use a testing method that also screens for the precursors.



Victoria International Airport Containment



Department of National Defence and City to outline progress in \$20M 'forever chemicals' cleanup project

A second public information session is set for November in North Bay as part of an ongoing effort by federal and municipal officials to address long-standing contamination from per- and polyfluoroalkyl substances (PFAS)

BayToday Staff
2 days ago



Action plan for contaminated sites

The Federal Contaminated Sites Action Plan (FCSAP) started in 2005. Its objective is to reduce risks to the environment and human health from federal contaminated sites and associated federal financial liabilities, focusing on the highest priority sites. Since 2005, the Government of Canada has approved \$7.18 billion in funding for the program, including \$1.48 billion in Budget 2024 for Phase V (2025 to 2030).

FCSAP helps federal departments, agencies, and consolidated Crown corporations (together called custodians) that are responsible for federal contaminated sites to assess, remediate or put in place measures to reduce risks. These actions reduce risks to the environment and to human health. The cost of managing the sites is shared between FCSAP and the custodians.

Share your thoughts: Prohibition of the use of per- and polyfluoroalkyl substances, excluding fluoropolymers, in firefighting foams

From: [Environment and Climate Change Canada](#)



PFAS Regulations and Activities – US Update

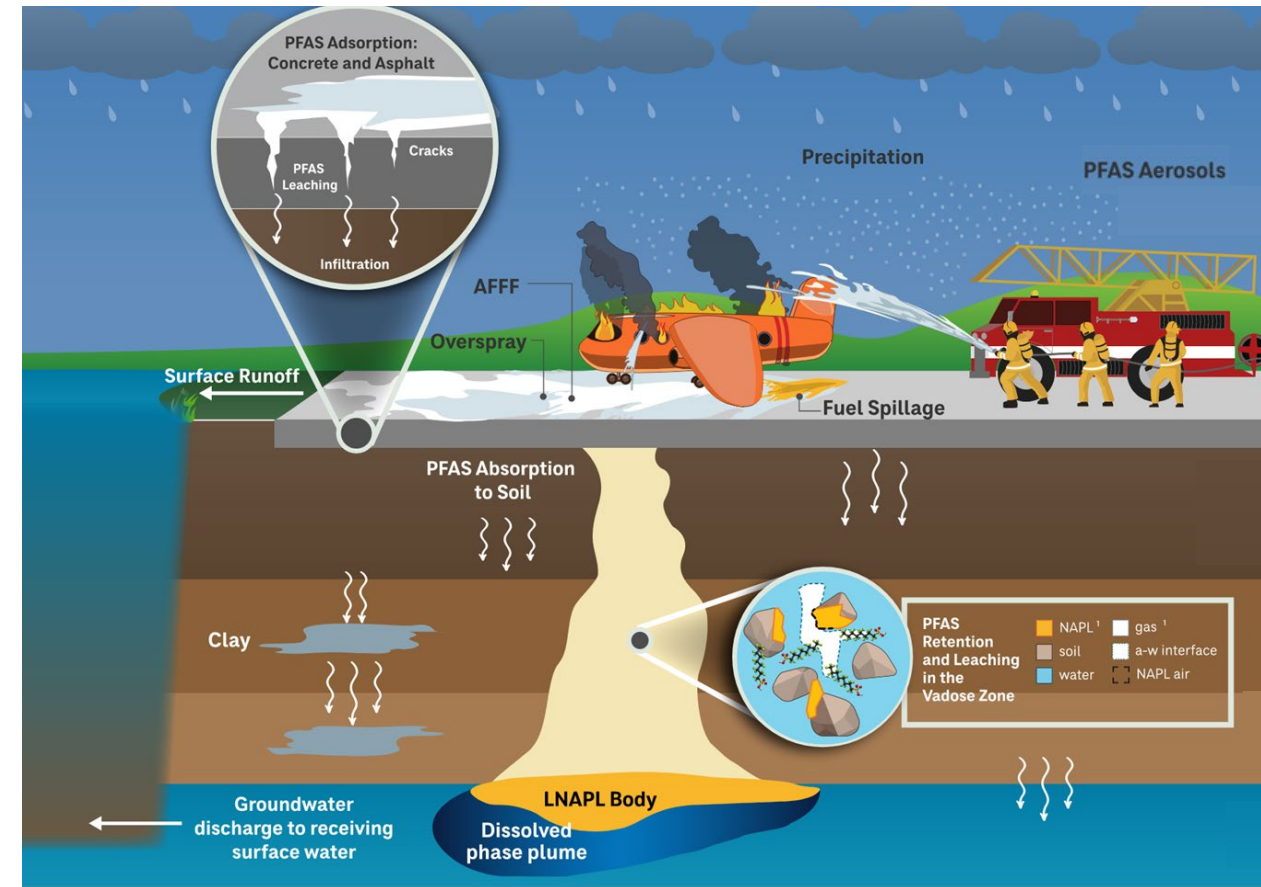


Use of PFAS-Containing Foams (AFFF)

- FAA Part 139 previously required AFFF for ARFF operations.
- In December 2022, Congress directed FAA to prepare a transition plan to move to fluorine-free foam (F3) alternatives.
- Transition to F3 is underway.
- FAA Reauthorization Act of 2024 approved reimbursement for eligible costs incurred after Sept 12, 2023.
- No Federal mandate to switch – drivers include state AFFF regulations, supply limitations, environmental impacts from historic use of AFFF.

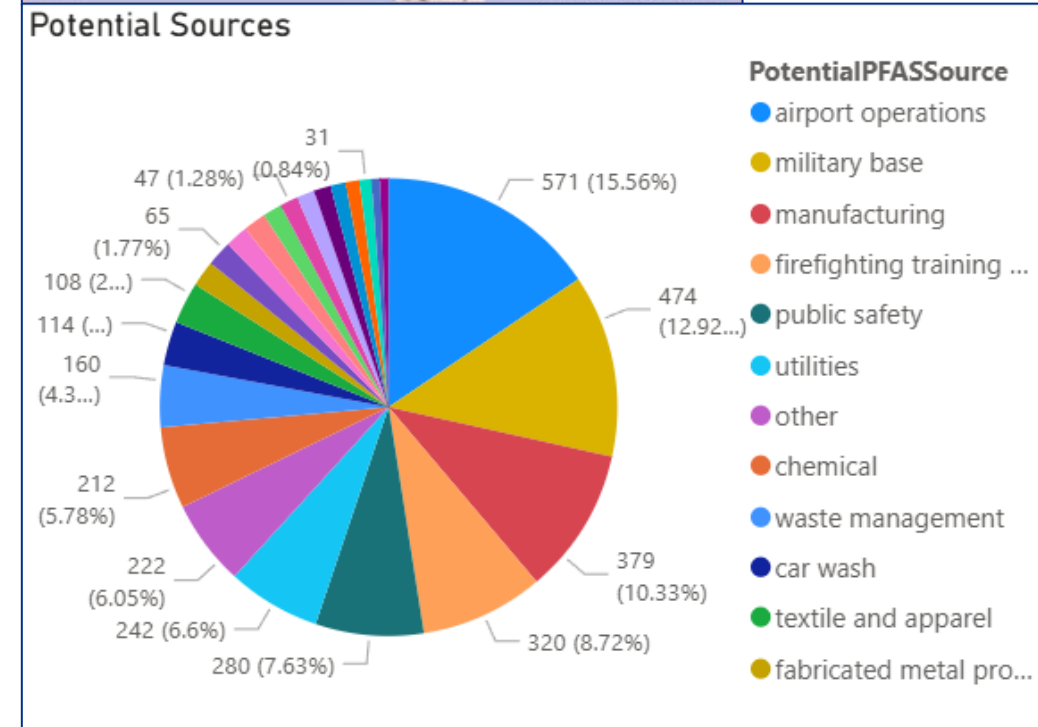
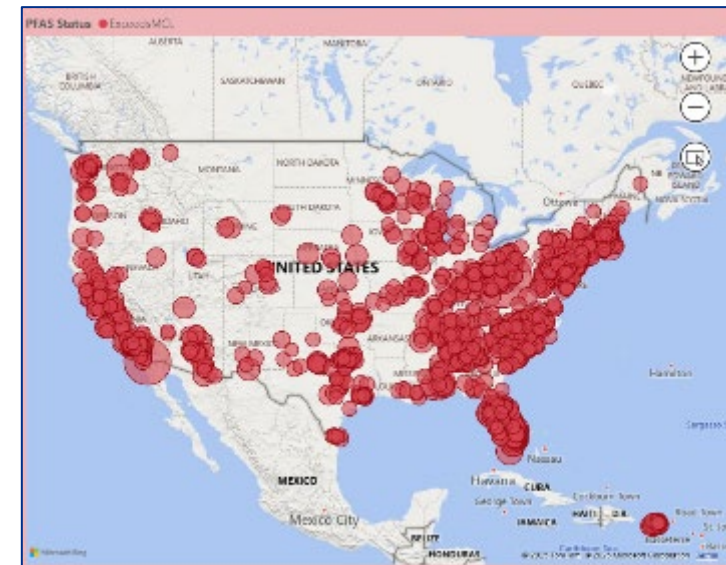
Regulations and Liability

- FAA mandated AFFF discharges during testing.
- PFAS adsorb to surfaces and leach into groundwater/stormwater over time
- Federal Drinking Water standards at ppt level.
- PFAS monitoring starting to be included in NPDES Permits.
- EPA designated PFOA/PFOS as hazardous under CERCLA (2024).
- States promulgating cleanup standards.



Current Activities

- Foam Transition - As of October 1, 2025, 48 certificated airports have fully transitioned.
- Drinking Water - UCMR5 monitoring - 60,798 PFAS samples representing 15,875 facilities.
 - Data suggests ~15% of large public water systems exceed MCL
 - Airports, military, firefighting training identified as source for 37% of facilities
- Stormwater – data will guide future regulations and drive investigation/cleanup.
- Construction Materials Management – PFAS disposal/destruction regulations and guidance continue to evolve.





PFAS INFORMATION SHARE

Presented by Mort P. Ames

City of Chicago Department of Law

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TOPICS TO BE COVERED

- Managing Current AFFF
- Managing Historic AFFF Releases
- Litigation – AFFF Multi-District Litigation
- Key Takeaways

MANAGING AFFF: CURRENT USE

- **Where is AFFF currently located at your airport?**
- **Does it have secondary containment?**
- **Does your airport have SOPs for managing AFFF (incl. clean-up)?**

MANAGING HISTORIC AFFF RELEASES

- **Where was AFFF historically used?**
- **Why should you care?**
- **How do you use information regarding areas of past AFFF releases?**
- **Special attention to offsite soil disposal**

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Foam Transition



Foam Transition Components

— Engage Stakeholders

- ARFF, Environmental, Ops, Legal, Risk Management

— Develop Goals and Objectives

- Eg, Maintain Index, Environmental Liability, Cost, Schedule

— Identify Transition Components

- F3, Training, ARFF Fleet Replacement Schedule, Decontamination Method, Waste Management Method, Proportioner Testing

— Develop Budgets and Plan Procurement

— Planning and Documentation

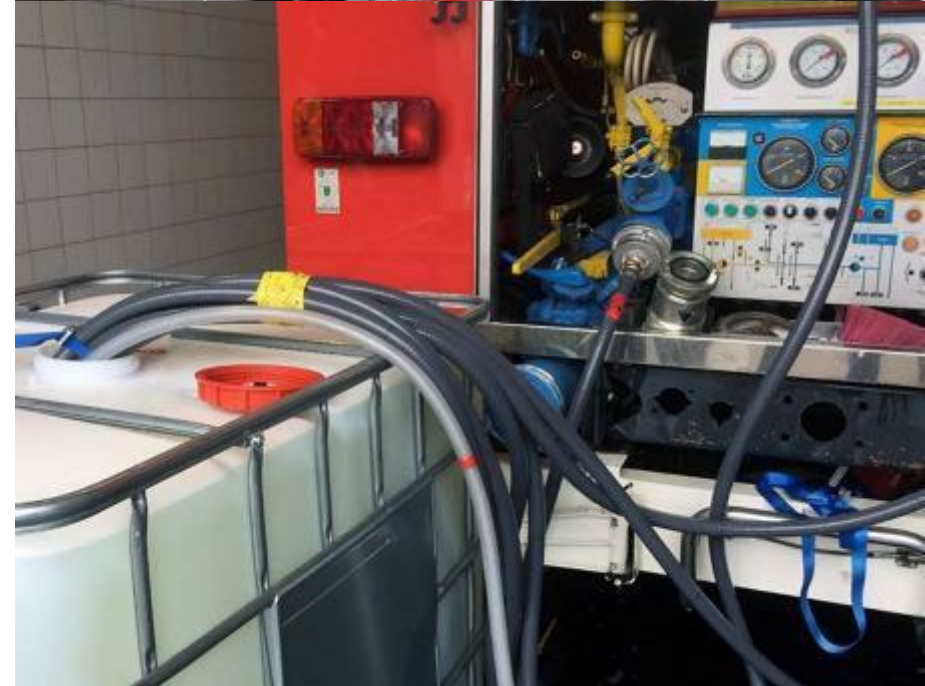
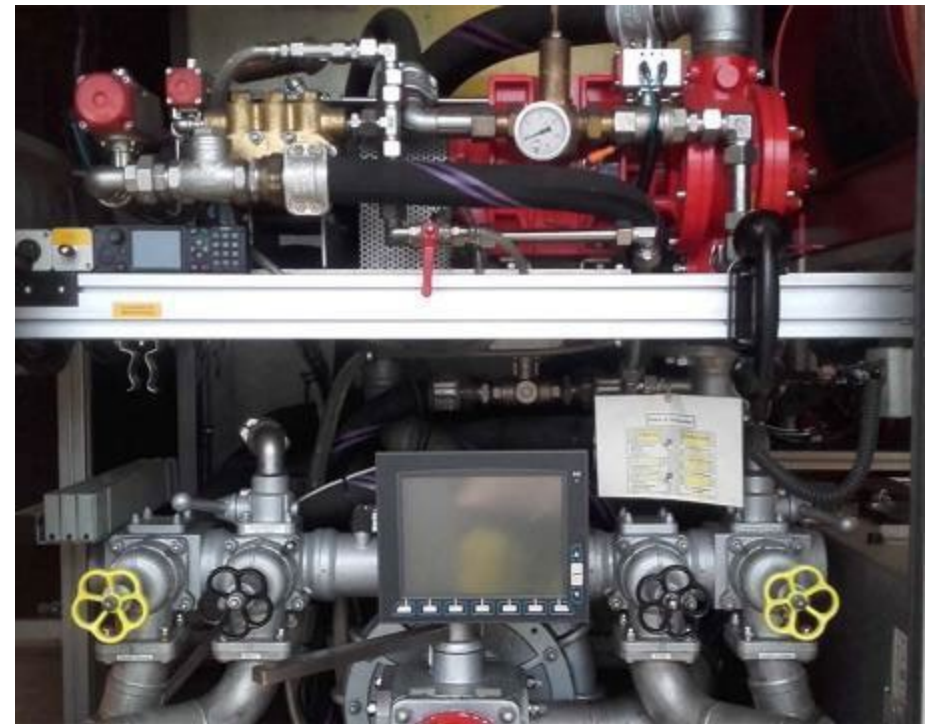
- Document Decision Making, Contractor Work Plan, H&S, Spill Response, Logistics, Work Locations, and Contingency Planning

— Execute Work

- Dynamic Schedule, Waste Tracking, Fleet Mechanic

Decontamination - State of the Science

1. Decontamination technologies are evolving
 - No current methods will remove all PFAS
 - F3 foams will be contaminated
2. PFAS stick to surfaces
 - Significant rebound in F3 foams after triple rinse
 - Glycols, heat, attrition can maximize potential for removal
3. Sampling to determine effectiveness of cleaning is critical
 - PFAS in firefighting foams cannot be detected using conventional target methods
 - TOP Assay/AOF are required to measure all PFAS
 - Swab analysis of PFAS on surfaces



Proportioner Testing

- CertAlert 24-11 Required Output-Based Testing After Completion of Fluorine Free Foam (F3) Transition
 - Requires discharge of F3 from roof/bumper turrets to confirm proper proportioning
 - F3 products are more viscous and may require adjustments to proportioning systems

FAA Update from September ARFF WG Symposium

- If F3 can not be discharged
 - “Airports will need to figure out a way to test their vehicles”
- If tests don’t meet the requirements
 - “Vehicle cannot be used for Index until repaired”
- No surrogate test liquids will be accepted at this time
- Both transitioned trucks and new trucks shall be tested “within a reasonable amount of time”

Foam Transition Take Aways

- Foam Transition requires extensive planning and coordination.
- Ensure vehicles are in good working condition and proportioning properly before starting work.
- Develop contingency plans to maintain Index.
- Consider fleet replacement and output-based testing in planning.



Image Courtesy of DFW



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AFFF MULTI-DISTRICT LITIGATION: GENERAL

- Claims against manufacturers and distributors of AFFF are the subject of multi-district litigation (“MDL”) in federal district court in South Carolina
- Major defendants are 3M, DuPont, Tyco, and BASF
- More than 10,000 cases consolidated in the MDL for pre-trial proceedings
- Cases organized into various categories of plaintiffs (personal injury, water providers, etc.)
- Categories are then represented by “bellweather” cases
- Bellweathers undergo test trials which guide potential global settlements for similar cases
- The settlements apply not only to the plaintiffs in the litigation, but to all class members unless they affirmatively opt out

AFFF MULTI-DISTRICT LITIGATION: CURRENT STATUS

- The water system bellweather went first and has now settled. 3M is paying \$10-\$12.5B; DuPont is paying \$1.2B; Tyco is paying \$750M; and BASF is paying \$316M
- The Product ID bellweather is now in discovery
- The current main focus of the MDL is personal injury
- Based on the water supplier settlement, the highest tier of settlement proceeds go to bellweather plaintiffs; the next tier are plaintiffs with complaints on file (and the earlier filed, the larger the proceeds); the lowest tier are class members who have not filed complaints in the MDL

AFFF MULTI-DISTRICT LITIGATION: AIRPORTS' ROLE

- So far, many airports have held back on entering into the MDL
- There is no airport track yet, although there is discussion of an airport track
- The industry is working on a unified approach to litigation: Airports have unique interests in this litigation compared to other MDL plaintiffs
- Big concern is that airports don't get adequately involved and are subsumed with non-airport plaintiffs and do not get special attention, and are included in a broader property damage settlement whose payouts are determined by a formula that is not appropriate for airports

AIRPORT MDL COALITION

- Members of ACI-NA have worked together to develop a framework for airports to come into the MDL PFAS litigation as a group, with common representation that is focused on airport interests, called the Airport MDL Coalition.
- Participation is voluntary.
- The Airport MDL Coalition is managed through a “common interest agreement” to help ensure that discussions and data sharing among members are protected activities.
- The Airport MDL Coalition Counsel Selection Steering Group has selected recommended plaintiffs’ counsel, and Airport MDL Coalition members now have an option to engage the recommended counsel to enter the MDL through the Airport MDL Coalition with favorable terms on contingency fees.

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N#\$@!

- National Environmental Policy Act

Key Takeaways - NEPA

- NEPA still applies.
- While the law is not settled, look for practical solutions, taking into account risk tolerance and political sensitivities.
- There are increasing opportunities to minimize or even avoid NEPA reviews.



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KEY TAKEAWAYS - PFAS

- **Your airport should not ignore PFAS – this issue is not going away**
- **Your airport needs to have a plan for managing both current AFFF and historic AFFF releases**
- **Your airport should think about joining the MDL sooner rather than later**

Our Next Collaborative Opportunity

ACI Webinar

PFAS 101/102 for Airports!

- November 19th, 2:00 pm Eastern
- Audience: Airport Leaders and Environmental Staff

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