



Senator Scott Jiu Wo Kawasaki

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“An Act relating to perfluoroalkyl and polyfluoroalkyl substances; relating to thermal remediation of and perfluoroalkyl and polyfluoroalkyl substance contamination; and providing for an effective date.”

The DEC has published a map indicating where Alaskan water systems are currently contaminated by the harmful substances perfluoroalkyl and polyfluoroalkyl, commonly known as PFAS. These chemicals are harmful to human health and are linked to serious conditions in adults, such as cancer, infertility, higher cholesterol levels, liver and kidney disease, and cardiovascular effects. Infants and children are even more exposed to these risk factors. This harm occurs even at extremely small concentrations.

SB 219 conforms Alaska statute to the National Primary Drinking Water Regulation set by the EPA on April 10, 2024. This bill requires the Department of Environmental Conservation to, at a minimum, annually test all public water systems for PFAS, and if contamination levels exceed health-based limits, the department must provide safe drinking water to affected citizens. Further testing will be required when there is a known PFAS release into an Alaska water system.

In addition, SB 219 clarifies liability for the costs associated with testing drinking water and, if necessary, replacement. The state will not bear the cost of testing or replacing drinking water if the parties who caused the PFAS release failed to comply with any applicable laws, regulations, or manufacturer instructions regarding the use and disposal of the substance. If the parties complied with all known regulations governing PFAS disposal, the manufacturer will be liable for the costs of testing and replacing water. Neither the state or the communities being affected by the PFAS contamination will bear the financial burden for a situation they did not create under this bill.

Lastly, SB 219 establishes permitting standards for facilities designed to thermally remediate PFAS contamination. This bill requires that any such facility must have a permit issued under the Clean Air Act. A permit will not be issued if it is determined that the process to rectify the PFAS would result in the release of more than a minimal amount of airborne carbon-fluorine compounds.

SB 219 will protect public health, ensure the community is confident in its drinking water, and enforce accountability for the parties and manufacturers who have contaminated our drinking water with these pernicious chemicals. This bill also provides for safe remediation methods for these chemicals. This is a balanced and deliberate approach that prioritizes clean drinking water for Alaskans and the management of these “forever chemicals”.