

March 6, 2020  
TESTIMONY ON SB 176/HB240

Dear Senate Resources and House Resources Committees:

My name is Sally Schlichting and I am testifying as a private citizen. I am a former DEC employee with the Contaminated Sites Program where I was responsible for developing regulations and policy for hazardous substances such as PFAS.

I support SB176. This bill is necessary because it would establish clear statutory direction for DEC to carry out testing of drinking water in Alaska that is at risk due to a release of PFAS. The bill also provides for the voluntary testing of blood serum in individuals who have been exposed to PFAS contaminated drinking water or fire-fighting foams. Currently, these testing measures are not occurring as they should but instead are subject to the willingness of responsible parties.

Also critical is the bill's provision setting numeric standards for the six PFAS identified by EPA in the UCMR3 and the chemical known as GenX, which, though intended to be a safer replacement, is now being found to be toxic.

Setting levels in statute, while not ideal, requires DEC to regulate these compounds and require responsible parties to comply with these levels, while allowing DEC flexibility to set more stringent levels if new toxicity information becomes available.

Despite rapidly expanding scientific evidence pointing to a wide array of health impacts and despite many states setting standards for these compounds, DEC has failed to act. As long as DEC continues to maintain that they cannot set levels until EPA does, Alaskans will likely wait many years before they will be protected.

I recommend the following changes to the bill:

Require testing of fish and other subsistence foods near PFAS release sites. Otherwise we do not know if these foods are safe to eat.

Clarify that any testing in drinking water should include the full suite of PFAS compounds that are typically reported by EPA methods such as 537.1 and 533.

Place the authority for blood testing with H&SS. They are the appropriate agency to conduct such testing and ensure compliance with federal privacy rules for medical records.

Include a provision directing DEC to carry out its own recommendations contained in the State Action Plan on PFAS, which establishes goals for evaluating PFAS in air emissions, wastewater treatment discharges, and landfill leachate, and other measures, and to report to the legislature annually on the progress in achieving those goals.

Thank you,

Sally Schlichting

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