



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Environmental  
Conservation

DIVISION OF SPILL PREVENTION AND RESPONSE  
Director's Office

610 University Avenue  
Fairbanks, AK 99709  
Main: 907.451.2143  
Fax: 907.451.2155

April 22, 2022

Co-Chair Click Bishop  
Senate Finance Committee

Co-Chair Bishop -

I have attached a written copy of the comments I made to the Senate Finance Committee during the hearing on SB 121 PFAS Use & Remediation; Fire/Water Safety on April 20, 2022 as requested. In addition, I have provided a response to the question asked by Senator Wielechowski, as well as some additional concerns regarding the bill.

Senator Wielechowski asked: What are the known human hazards of Per- and Polyfluoroalkyl Substances (PFAS)?

The U.S. Environmental Protection Agency's (EPA) toxicological evaluations at <https://www.epa.gov/pfas/our-current-understanding-human-health-and-environmental-risks-pfas> indicates that exposure to certain levels of PFAS may lead to reproductive effects such as decreased fertility or increased high blood pressure in pregnant women; developmental effects or delays in children; increased risk of some cancers, including prostate, kidney, and testicular cancers; reduced ability of the body's immune system to fight infections, including reduced vaccine response; interference with the body's natural hormones; and increased cholesterol levels and/or risk of obesity.

Some additional points I would like to highlight:

1. DEC currently has the necessary statutes and broad authority to protect Alaskans from emerging contaminants, including PFAS compounds. Beginning in 2018 DEC and the Department of Transportation (DOT) have sampled at airports where aqueous film forming foam (AFFF) was known to have been used. Where PFAS contamination was found in excess of the Lifetime Health Advisory (LHA), of 70 ppt individual or combined of PFOA and PFOS, alternative drinking water was provided.
2. Regarding the thermal remediation permit created on page 3 of the legislation, DEC does not believe that monitoring requirements under a Title I permit would be any different than under a Title V permit. This bill would require DEC to apply the unnecessary and expensive administrative procedures of a Title V permit, without changing the underlying risk assessment or monitoring that would be required. Where SB121 uses the term "minimal

amount,” DEC believes this would require establishing a threshold emission limit, typically we are encouraged under those special procedures to direct this work to the Environmental Protection Agency (EPA). If we look at the stringency of limits in other states that have done this – we would expect to see the same compliance from our permitted facilities. Adding these requirements ahead of an EPA action would be an additional burden to administrative costs and procedures for our Permittees. We have the tools and ability to hold our permittees accountable under our existing rules and regulations and that is what we have done.

3. Science and responsible policy making can take time. DEC proposes allowing the EPA and scientists best qualified to coordinate that effort be given the opportunity to do so as the best vehicle for addressing this issue. The scientific community is still identifying the risks and developing methodologies to regulate the family of PFAS chemicals (between 5,000-10,000 compounds). Establishing PFAS limits, individual or combined, in statute is preempting science based findings.

Sincerely,



Tiffany Larson  
Director, Spill Prevention and Response

Attachments: Prepared Statement DEC

[Second page]