

SENATE BILL NO. 219

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - SECOND SESSION

BY SENATORS KAWASAKI, Kiehl, Tobin, Gray-Jackson, Claman

Introduced: 1/21/26

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to perfluoroalkyl and polyfluoroalkyl substances; relating to thermal**
2 **remediation of perfluoroalkyl and polyfluoroalkyl substance contamination; and**
3 **providing for an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 46.03 is amended by adding new sections to read:

6 **Article 6A. Perfluoroalkyl and Polyfluoroalkyl Substances.**

7 **Sec. 46.03.345. Testing; drinking water.** (a) The department shall test the
8 drinking water from all public water systems located in the state at least annually for
9 the presence of perfluoroalkyl substances and polyfluoroalkyl substances.

10 (b) When a perfluoroalkyl substance or polyfluoroalkyl substance is released
11 in the area of a water supply located in the state, the department shall test all drinking
12 water from the water supply for perfluoroalkyl substances and polyfluoroalkyl
13 substances. If a test conducted under this subsection detects a perfluoroalkyl substance
14 or polyfluoroalkyl substance at a level equal to or greater than the limit described in

(c) of this section, the department shall provide each person who routinely uses the tested drinking water, at no cost to the person, a source of drinking water containing levels of perfluoroalkyl substances and polyfluoroalkyl substances lower than the limits described in (c) of this section.

(c) For purposes of this section,

(1) the limit of perfluoroalkyl substance or polyfluoroalkyl substance contamination in water is the lesser of

(A) the limit established by the department in regulation; or

(B) the following limits:

SUBSTANCE	CUTOFF CONCENTRATION
perfluorooctanoic acid	4 parts per trillion
perfluorooctanesulfonic acid	4 parts per trillion
perfluorononanoic acid	10 parts per trillion
perfluorohexanesulfonic acid	10 parts per trillion
hexafluoropropylene oxide dimer acid	10 parts per trillion
mixture containing two or more of the following:	1 hazard index
perfluorononanoic acid, perfluorohexanesulfonic acid,	
hexafluoropropylene oxide dimer acid, and	
perfluorobutanesulfonic acid;	

(2) the hazard index is the sum of the quotients calculated for each substance by dividing the measured concentration of the substance in drinking water by the health-based value associated with the substance expressed in the same units as the measured concentration using

(A) the health-based values established by the department in regulation; or

(B) the following health-based values:

SUBSTANCE	HEALTH-BASED VALUE
perfluorononanoic acid	10 parts per trillion
perfluorohexanesulfonic acid	10 parts per trillion
hexafluoropropylene oxide dimer acid	10 parts per trillion
perfluorobutanesulfonic acid	2,000 parts per trillion.

1 **Sec. 46.03.350. Liability for drinking water and drinking water testing.** (a)

2 A person who causes a release of a perfluoroalkyl substance or polyfluoroalkyl
3 substance is liable for the costs of providing drinking water and drinking water testing
4 under AS 46.03.345 if the person failed to comply with any applicable laws,
5 regulations, or manufacturer instructions regarding the use and disposal of the
6 substance.

7 (b) If a person who causes a release of a product containing a perfluoroalkyl
8 substance or polyfluoroalkyl substance complied with all applicable laws, regulations,
9 and manufacturer instructions in the use and disposal of the product, the manufacturer
10 of the product is

11 (1) liable for the costs of providing drinking water and drinking water
12 testing under AS 46.03.345; and

13 (2) jointly and severally liable for any other liability under this chapter,
14 AS 46.08, AS 46.09, or any other state law related to the release of the product.

15 (c) The liability of a person for costs under this section is in addition to other
16 liability under this chapter, AS 46.08, AS 46.09, or other state law for a release of a
17 perfluoroalkyl substance or polyfluoroalkyl substance.

18 **Sec. 46.03.355. Thermal remediation permit.** A facility that thermally
19 remediates a perfluoroalkyl substance or polyfluoroalkyl substance contamination
20 must have a permit from the department issued under 42 U.S.C. 7661 - 7661f (Clean
21 Air Act, secs. 501 - 507) authorizing the remediation. The department may not issue a
22 permit or allow a facility to retain a permit issued under this section if the department
23 determines that the remediation will result in the release of more than a minimal
24 amount of an airborne compound with a carbon-fluorine bond detectable through
25 source testing. Source testing under this section must include testing of all compounds
26 with a carbon-fluorine bond for which the United States Environmental Protection
27 Agency has approved a testing methodology.

28 **Sec. 46.03.359. Definitions.** In AS 46.03.345 - 46.03.359, "perfluoroalkyl
29 substance" and "polyfluoroalkyl substance" include

30 (1) perfluorooctanoic acid;

31 (2) perfluorooctanesulfonic acid;

- 1 (3) perfluorononanoic acid;
- 2 (4) perfluorohexanesulfonic acid;
- 3 (5) perfluorobutanesulfonic acid;
- 4 (6) hexafluoropropylene oxide dimer acid;
- 5 (7) other perfluoroalkyl substances or polyfluoroalkyl
- 6 substances specified by the department in regulation.

7 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
8 read:

9 APPLICABILITY; RETROACTIVITY. AS 46.03.350, added by sec. 1 of this Act,
10 applies retroactively to a release of a perfluoroalkyl substance or polyfluoroalkyl substance
11 occurring before, on, or after the effective date of sec. 1 of this Act.

12 * **Sec. 3.** Section 2 of this Act takes effect immediately under AS 01.10.070(c).

13 * **Sec. 4.** Except as provided in sec. 3 of this Act, this Act takes effect January 1, 2027.