

Fiscal Note

State of Alaska
2026 Legislative Session

Bill Version: HB 235
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB235-DOT-SA-03-20-2026
Title: PFAS USE & REMEDIATION, WATER TESTING
Sponsor: HALL
Requester: House State Affairs

Department: Department of Transportation and Public Facilities
Appropriation: Administration and Support
Allocation: Statewide Aviation
OMB Component Number: 1811

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2027 Appropriation Requested	Included in Governor's FY2027 Request	Out-Year Cost Estimates					
			FY 2027	FY 2028	FY 2029	FY 2030	FY 2031	FY 2032
OPERATING EXPENDITURES								
Personal Services	150.5		150.5	150.5	150.5	150.5		
Travel	46.2		46.2	46.2	46.2	46.2		
Services	7,835.4		7,835.4	7,835.4	7,835.4	7,835.4		
Commodities	5.0		5.0	5.0	5.0	5.0		
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	8,037.1	0.0	8,037.1	8,037.1	8,037.1	8,037.1	0.0	0.0

Fund Source (Operating Only)

1004 Gen Fund (UGF)	8,037.1		8,037.1	8,037.1	8,037.1		
Total	8,037.1	0.0	8,037.1	8,037.1	8,037.1	0.0	0.0

Positions

Full-time	1.0		1.0	1.0	1.0		
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2026) cost: 0.0 *(separate supplemental appropriation required)*

Estimated CAPITAL (FY2027) cost: 0.0 *(separate capital appropriation required)*

Does the bill create or modify a new fund or account? No
(Supplemental/Capital/New Fund - discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version/comments:

Not applicable, initial version.

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Agency: Department of Transportation and Public Facilities

Phone: (907)465-3900
Date: 03/20/2026
Date: 03/20/26

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2026 LEGISLATIVE SESSION

BILL NO. HB 235

Analysis

This legislation requires the Department of Environmental Conservation (DEC) to promulgate regulations consistent with EPA federally mandated substances containing perfluoroalkyl or polyfluoroalkyl substances (often referred to as PFAS or PFOA/PFOS or colloquially as "forever chemicals") in drinking water wells.

The Department of Transportation & Public Facilities (DOT&PF) state airports are mandated by the Federal Aviation Administration (FAA) to utilize PFAS-containing aqueous film forming foam (AFFF) at FAA Part 139 certified airports, in Aircraft Rescue & Fire Fighting (ARFF) vehicles.

Under this language, the Department of Environmental Conservation would ensure the responsible party who failed to comply with any applicable laws, regulations, or manufacturer instructions regarding the use and disposal of the substance is liable for the costs of providing drinking water and drinking water testing under AS 46.03.345. If the party has complied with any and all applicable laws, regulations and manufacturing instructions, they are not liable for the costs of providing drinking water and drinking water testing, but instead the manufacturer will be found liable providing drinking water and testing under AS 46.03.345; and jointly and severally liable for any other liability under this chapter, AS 46.08, AS 46.09, or any other state law related to the release of the product.

As context, DOT&PF has been using AFFF since the early 1970s as federally mandated by FAA. In 2019, PFAS became an emergent contaminant with long-term health effects. DOT&PF set up "bypass carts" to simulate the characteristics of the firefighting foam during testing of equipment, without physically utilizing the product. AFFF has only been used in emergency situations at state-owned airports.

As directed by previous legislation such as SB67 to remove PFAS contaminated AFFF from use in Alaska, DOT&PF has taken steps to remove the use of AFFF at state-owned airports with the ARFF Truck Transition to Fluorine-Free Foam and AFFF Collection and Disposal project. Several communities private and public drinking water systems are affected by ground water PFAS plumes from AFFF at state-owned airports. DOT&PF anticipates, as directed by this legislation and in cooperation with above listed state and private entities, conducting initial sampling program to determine PFAS levels in affected drinking water wells, beyond what is currently known to be affected. One state-funded position would be required to coordinate the sampling program, inventory verification, contracting, and logistics of this program with the following costs:

One FTE: PFAS Disposal Coordinator at Range 21, step F; in the General Government Union (GGU)

Advance step placement up to F step allows department to recruit an experienced contract coordinator.

Salary & Benefits: annually \$87.0 salary, COLA positioned in Fairbanks of \$3.5, associated benefits of \$59.5 (total of \$150.0)

Travel: \$46.15.0 in FY 27 through FY 30 to oversee the program, and travel statewide, including remote villages, for public meeting outreach to keep communities informed and participate in the permanent drinking water solutions.

Services: \$7,835.4 in FY 27 through FY 30 for contracted environmental consultants to establish the program locations, conduct sampling and site characterization determining wells to sample based on developed ground water models. Once locations are found equal to or above MCLs listed in this legislative bill, permanent drinking water solutions can be analyzed and installed with drinking water provided until such time. Remediation controls would be installed as economically feasible to minimize additional PFAS contamination.

Commodities: \$5.0 (computer, phone, etc)

Cost estimates for this fiscal note are based on previous drinking water sampling and site characterization at communities affected by PFAS contaminated ground water at state-owned airports. Consultants are currently under contract for other PFAS related projects for both DOT&PF airport and highway projects.

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One significant caveat to this analysis is with the language of the legislation stating "the manufacturer of the product is liable for the costs of providing drinking water and drinking water testing under AS 46.03.345; and jointly and severally liable for any other liability ..." Currently the State of Alaska is participating in a multi-district litigation case and any potential settlement is years away. It is not likely the State will be able to require any such responsible manufacturer to pay for these issues in a timely manner to help the affected parties.

The effective date of this bill, if enacted, would be retroactively applied to a release of a PFAS substance occurring before, on, or after the effective date of sec. 1 of this Act. DOT&PF would look to hire the PFAS disposal coordinator once the FY 27 budget was enacted with capital funds available for contractor collection and disposal starting the first quarter of calendar year 2027. This position would work in conjunction and under the Statewide Aviation PFAS Manager to ensure work was done cohesively and cost effectively.

Assumptions used in this analysis:

- There is the real potential for liability costs associated with PFAS drinking water wells that cannot be quantified at this time but, under reasonable consideration, could far exceed the costs of this fiscal note due to continued spread of ground water contamination outside of the state's control.
- There has not been any previous funding available for work to remove the "ground zero" AFFF contaminated soils at locations such as crashes and training sites. Until this removed or cleaned, soil and ground water will continue to "leak" PFAS contamination along the direction of the ground water plume.
- Potential institutional controls are available to mitigate the spread of PFAS contamination, with the use of things such as PlumeStop ("media curtain" to stop the movement of PFAS through the groundwater) or a line of filtration wells to "clean" the ground water then discharge it downgradient. Such work requires long-term monitoring and maintenance and can be expensive.
- The legislation only contemplates the drinking water component, not the cause of the contamination.
- Removing the AFFF from ARFF trucks and replacing it with a fluorine-free foam will eliminate a source of future potential contamination. This is expected to be a several year phased project due to field work constraints.
- Toxic levels in drinking water have been established at a federal level and classification as a hazardous material is in progress at the federal level.