March 24, 2026
AK HB 235 (PFAS Use and Remediation, Water Testing)
Testimony – House State Affairs Committee

Good afternoon, Chair Carrick and Members of the State Affairs Committee:

My name is Owen Jappen, and I serve as Director of Chemical Products and Technology at the American Chemistry Council (ACC). ACC is a national trade association headquartered in Washington, D.C., representing more than 190 companies engaged in the business of chemistry. Our members produce the chemistries and materials essential to a wide range of products and industries that support modern life, including healthcare, manufacturing, infrastructure, and consumer goods. Thank you for the opportunity to provide testimony today on House Bill 235.

Given the U.S. Environmental Protection Agency's (EPA) final National Primary Drinking Water Regulation (NPDWR) for PFAS, the State of Alaska can reasonably limit PFAS monitoring requirements to situations where concentrations exceed the federal Maximum Contaminant Levels (MCLs). While EPA's current approach established MCLs of 4.0 parts per trillion (ppt) for PFOA and PFOS, and 10 ppt for PFHxS, PFNA, and HFPO-DA (GenX), the Agency has signaled they may seek to withdraw the designations for PFHxS, PFNA, and HFPO-DA. Recognizing that the MCLs are somewhat in flux, other states in similar situations (such as Illinois) have incorporated the MCLs by reference in their entirety, as opposed to naming each MCL individually. A similar approach in Alaska would be appropriate and coherent and prevent a patchwork of regulations across the country if EPA were to modify or change its approach.

Because EPA's MCLs are the federally enforceable thresholds designed to prevent adverse health effects, aligning Alaska's monitoring requirements with these federal levels ensures regulatory consistency, avoids unnecessary testing burdens for public water systems when PFAS levels pose no demonstrated health risk, and directs resources toward systems most in need of mitigation. This targeted approach supports the goal of public health protection while maintaining regulatory efficiency and clarity for public water systems.

To accomplish this, ACC suggests the following amendments to the bill:

**Strike:**

~~5 (c) For purposes of this section,~~
~~6 (1) the limit of perfluoroalkyl substance or polyfluoroalkyl substance~~
~~7 contamination in water is the lesser of~~
~~8 (A) the limit established by the department in regulation; or~~
~~9 (B) the following limits:~~
~~10 SUBSTANCE CUTOFF CONCENTRATION~~
~~11 perfluorooctanoic acid 4 parts per trillion~~
~~12 perfluorooctanesulfonic acid 4 parts per trillion~~
~~13 perfluorononanoic acid 10 parts per trillion~~
~~14 perfluorohexanesulfonic acid 10 parts per trillion~~
~~15 hexafluoropropylene oxide dimer acid 10 parts per trillion~~
~~16 mixture containing two or more of the following: 1 hazard index~~
~~17 perfluorononanoic acid, perfluorohexanesulfonic acid,~~
~~18 hexafluoropropylene oxide dimer acid, and~~
~~19 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~~

**Replace with:**

(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 maximum contaminant level (MCL) established by rule or amended rule by the United States Environmental Protection Agency.[1]
(d) Each year, the Alaska Department of Environmental Conservation shall assess the U.S. EPA's MCLs for PFAS and adopt rules that conform Alaska's approach to the U.S. EPA's approach.

Thank you again for the opportunity to provide testimony today. ACC appreciates the Committee's time and consideration of our perspective on HB 235.

[1] U.S. Environmental Protection Agency (EPA). Per- and Polyfluoroalkyl Substances (PFAS). https://www.epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas (accessed March 12, 2026).