THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Environmental Conservation
OFFICE OF THE COMMISSIONER

PO Box 111800
Juneau, Alaska, 99811-1800
Main: 907.465.5066
Toll free: 866.241.2805
Fax: 907.465.5070
TDD: 1(800) 770-8973
www.dec.alaska.gov

April 10, 2026

The Honorable Carolyn Hall
Representative, House District 16
Alaska State Capitol, Room 434
Juneau, AK 99801

Dear Representative Hall,

On March 31 you sent a letter to the Department of Environmental Conservation (DEC) regarding questions relating to House Bill 235: PFAS USE & REMEDIATION, WATER TESTING, which was heard on March 24 in the House State Affairs Committee.

Below are responses to those questions:

1. **During the hearing, we learned that DEC received a federal grant for PFAS testing. Please provide details on when and why DEC applied for this funding and when funding was first received, the terms of the grant, including how long the funding is available for, and how DEC has utilized the grant.**

   DEC is utilizing multiple federal funding sources to support PFAS (per- and polyfluoroalkyl substances) monitoring in drinking water systems across Alaska, consistent with federal requirements. These include U.S. Environmental Protection Agency (EPA) Emerging Contaminants funding, the Bipartisan Infrastructure Law (BIL) State Revolving Fund (SRF) Emerging Contaminants set-aside, and the EPA Tribal Drinking Water Grant Program. DEC began accessing these funds as they became available to support compliance with the EPA's PFAS drinking water rule.

   The EPA Tribal Drinking Water Grant Program provides dedicated funding for public water systems serving Alaska Native Villages. DEC initiated this effort in 2024, with funding currently available through December 2026 and the potential for extension.

   For remaining public water systems, DEC has utilized SRF Emerging Contaminants funding available beginning in federal Fiscal Year 2023 under the BIL. This funding is anticipated to continue through at least federal Fiscal Years 2026 and 2027 (October 1, 2025, through September 30, 2027), subject to future federal allocations.

Across these sources, DEC has supported statewide PFAS monitoring, provided sampling and analysis to reduce costs for systems, and invested in laboratory capacity at the Environmental Health Laboratory to establish in-state PFAS analytical capability. These efforts are focused on meeting federal requirements while minimizing financial impacts to Alaska communities.

2. **There has been nationwide litigation against 3M, which is paying out $10.3 billion for PFAS remediation. Did the State of Alaska secure any of this funding? If yes, how much did Alaska receive and how was it spent, or how is it being spent?**

   The Multi-District Litigation (MDL) case, of which the State is a claimant, is ongoing. The Court divided claimants into different categories and decided to address public water provider claims first. The only category of claimants that has received settlement monies is the public water providers. Since the State is not a claimant in this category, the State has not received monies from these settlements.

3. **Alaska filed a lawsuit in 2021 against 3M, DuPont, and other companies for using PFAS in firefighting foam. Please share an update on that litigation, and if funds are awarded, the plan for how they have been or will be spent.**

   The MDL judge is now advancing the personal injury claimants as the next category of claimants. To date, the Court has not identified when it might entertain sovereign state claimants, like the State of Alaska. At this time, how the awarded money, should there be any, is going to be spent is unknown.

4. **When DEC is testing for toxics:**

   a. **How does the Department determine where and when to test? How many sites are public drinking water sources?**

   When a responsible party reports a release of a hazardous substance, or when DEC otherwise becomes aware of the release of a hazardous substance, the regulations require the responsible party to characterize the contamination in accordance with 18 AAC 75.335. Site characterization typically includes sampling of soil, groundwater, and surface water and may eventually include other potentially affected media such as sediment, indoor air, or subsistence food resources with the goal of delineating the nature and extent of contamination and evaluating the potential risk from exposure to that contamination. If the responsible party is unwilling or unable to conduct site characterization, then DEC can conduct those activities and recover the costs from the responsible party.

   b. **What is being tested? Soil? Water? We know that PFAS are pervasive and can travel through the environment, including under streams and up hills.**

   The site characterization regulations in 18 AAC 75.335 require testing of soil, groundwater, surface water, and any other potentially impacted media where exposure to the contaminated

media could pose a risk to human health or the environment. Site characterization can be an iterative process, where data collected during the initial phase of site work indicates a need to collect samples of other media at other locations.

c. What tests are being used? The EPA regulates 2 PFAS (PFOA and PFOS); does DEC test for more? What standards are used to determine that a site is problematic/contaminated?

The EPA has developed, validated, and published analytical methods to support the detection of PFAS in drinking water, including EPA Method 533. EPA Method 533 is a laboratory method specifically designed to detect and quantify multiple short-chain PFAS compounds at very low concentrations using liquid chromatography with tandem mass spectrometry (LC-MS/MS), making it well suited for drinking water compliance monitoring.

The Environmental Health Laboratory (EHL) is certified to perform PFAS analysis using EPA Method 533 and received approval on March 20, 2025, following a successful desk review. This certification allowed the laboratory to begin in-state PFAS testing using Method 533. Prior to this, samples were shipped out of state for analysis, and turnaround times for results often ranged between six and eight weeks. With in-state capability now established, EHL typically provides results within approximately one week, significantly reducing turnaround time, and improving the ability of public water systems to respond more quickly to monitoring and compliance needs.

The EPA's PFAS drinking water rule establishes standards for six PFAS compounds, including PFOA (Perfluorooctanoic acid) and PFOS (perfluorooctane sulfonate), and DEC's monitoring efforts include analysis for all regulated compounds.

Within the Drinking Water Program (DWP), standards for determining whether drinking water is impacted are based on the EPA's PFAS drinking water rule, which establishes enforceable Maximum Contaminant Levels (MCLs) for specific PFAS compounds. These include individual MCLs for PFOA and PFOS, as well as standards for additional PFAS compounds, including a hazard index approach for certain mixtures. Public water systems are required to monitor for these contaminants and take action if concentrations exceed the established federal standards.

More information on PFAS in drinking water, including monitoring efforts and testing schedules, is available on DEC's PFAS in Drinking Water webpage:
https://dec.alaska.gov/eh/pfas-in-drinking-water-landing-page/

d. What is DEC's remediation plan for contaminated sites?

Cleanup of PFAS contamination in soil and groundwater can vary depending on the risk posed by the contamination and the capacity of the responsible party. Generally, due to the high cost of in-state treatment or out-of-state disposal, DEC focuses on mitigating the risk by requiring an alternative source of drinking water, which is where the exposure risk is

the greatest. As new technologies and facilities come online, options for treatment or disposal of PFAS contaminated media is expected to increase.

Thank you for the opportunity to respond to these questions and to provide additional clarity on the department's processes, responsibilities, and mission as they relate to these serious emerging contaminants. If you have any questions, please contact me.

Sincerely,

Randy Bates
Commissioner

cc: Jordan Shilling, Legislative Director, Office of the Governor
Crystal Koeneman, Deputy Commissioner
Reece Williams, Legislative Liaison
Maya Narang, Staff to Representative Hall