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February 8, 2018

The Honorable Peter Micciche  
Senator  
State Capitol Room 508  
Juneau, AK 99801

Dear Senator Micciche:

Alaska Power Association is the statewide association for electric utilities in Alaska. Our members provide power to a half-million Alaskans, from Utqiagvik to Unalaska, through the Interior and Southcentral, and down the Inside Passage.

Thank you for introducing Senate Bill 173, which will codify that neither the state nor a person is subject to liability for costs or damages for the release of a pesticide registered under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) if:

- the release resulted from the application of the pesticide on a wood utility pole during the installation, use, or removal of the utility pole; and
- the use of the utility pole is or was intended to provide a utility service in the state.

Alaska Power Association strongly supports this bill. There are thousands of utility poles throughout Alaska using pentachlorophenol to prevent damage to the poles from termites and decay fungi. The U.S Environmental Protection Agency, through FIFRA regulations, re-registered penta after determining its use will not present risks inconsistent with FIFRA and that the benefits of penta to society outweigh the remaining risks.<sup>i</sup>

The Federal Insecticide, Fungicide and Rodenticide Act provides significant oversight of pesticide distribution, sale and use, ensuring through federal regulations that using a pesticide according to specifications will not cause unreasonable adverse effects on the environment.

Senate Bill 173 ensures that Alaska's public utilities will not incur significant regulatory expenses from the use of federally regulated pesticides on wood utility poles. This bill benefits Alaska consumers, who would eventually end up paying for these expenses through their utility bills.

Sincerely,

Crystal Enkvist  
Executive Director

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<sup>i</sup> Registration Eligibility Denison for Pentachlorophenol, Section IV Reregistration Eligibility and Risk Management Decisions, Page 37. [https://www3.epa.gov/pesticides/chem\\_search/reg\\_actions/reregistration/red\\_PC-063001\\_25-Sep-08.pdf](https://www3.epa.gov/pesticides/chem_search/reg_actions/reregistration/red_PC-063001_25-Sep-08.pdf)