

Representative John Lincoln, Co-Chairman
Representative Geran Tarr, Co-Chair
House Resources Committee
State Capitol, Room 102
Juneau AK 99801

March 7, 2020

To: Members of the House Resources Committee

Re: HB 240 Regulating PFAS Use; Fire/Water Safety

I am writing to express my support for House Bill 240, a bill to regulate PFAS and help mitigate the consequences of its use. I feel that the State Administration has been very slow to respond to the contamination in Gustavus; this legislation will help provide the tools for those agencies to do their job properly.

I have lived in Gustavus for over 50 years. Many family members and I were devastated to learn in August of 2018 that our homes, private water wells and properties are contaminated with PFAS caused by the entirely avoidable and unnecessary use of AFFF foam at our airport. This foam was mandated to be used here by the FAA and the State of Alaska DOT/PF despite our airport being one that is exempt from having to use these products. Both the FAA and the State have been aware for many years of the toxic nature of these chemicals but have required our local firefighters to use and train with them anyway. Even worse, despite federal and state regulating agencies' longtime awareness of PFAS issues, these same responders were never made aware of the toxic nature of the foam.

It is our hope that your passage of HB 240 will help our community and other communities across the state to deal with the consequences we now face: fear of long-term health issues, inability to drink our water, no communication from the State regarding if or when we will get any filtration systems for our homes, and the reduction in our property values due to a toxic water table.

Again, I urge your support towards the passage of HB 240 as a rational step forward in protecting the health of Alaska's residents, and the health and economic viability of our communities into the future.

Sincerely,
Sally McLaughlin



Gustavus, AK 99826

From: [REDACTED]
To: [House Resources](#)
Subject: HB 240
Date: Saturday, March 07, 2020 2:13:59 PM

Members of House Resources Committee
Rm 102, State Capitol Building
Juneau AK 99826

Members,

I am a 50 year resident of Gustavus with a long history in resource matters as resident and scientist. It has been frustrating to watch the development of the PFAS issue here and around the state, becoming acutely aware of its grave consequences to human and environmental health, and discovering how poorly the key agencies were equipped and directed to respond.

HB 240, before your committee, goes a fair distance toward rectifying these deficiencies by providing some badly needed regulatory tools and clarifying responsibilities. Others from our Gustavus PFAS action Committee have pointed to some of the salient details. I wish to add my voice to theirs in support of this important bill.

Thank you,

Greg Streveler
[REDACTED]
Gustavus, AK 99826

Sent from my iPad

From: [REDACTED]
To: [House Resources](#)
Subject: HB 240, Regulating PFAS Use; Fire/Water Safety
Date: Saturday, March 07, 2020 11:38:48 AM

March 7, 2020

Representative John Lincoln, Co-Chair

Representative Geran Tarr, Co-Chair

House Resources Committee members

State Capitol, Room 102

We would like to express our support for House Bill 240, a bill to regulate PFAS and help mitigate the consequences of its use. We feel the Legislature must act due to the lack of action on this issue by the Dunleavy Administration and the federal government.

My wife and I have lived in Gustavus for almost 50 years. We built our own home and raised our daughter there. We along with dozens of other families were irate and devastated to learn that our home and property are in the plume of PFAS/PFOS contaminants and our well is one of many that has potentially been contaminated by these chemicals.

This contamination was caused by the entirely avoidable and unnecessary use of AFFF foam in firefighter training at our airport. This foam was mandated to be used here by the FAA and the State of Alaska DOT/PF despite our airport being one that is exempt from having to use these products. Both the FAA and the State have been aware for many years of the toxic nature of these chemicals but have required our local firefighters to use and train with them anyway. Even worse, despite federal and state regulating agencies' longtime awareness of PFAS/PFOS issues, our local responders were never made aware of the toxic nature of the foam. In fact, it was the use of the firefighting foam from the airport in our neighborhood to extinguish a brushfire that has caused the contamination on the Same Old Road.

It is our hope that your passage of HB 240 will help other communities in the state avoid the consequences we now have to deal with: possibility of long-term health issues, inability to drink our water, no communication from the State as to if or when we will get any filtration systems for our homes, and the reduction in our property values due to a toxic water table.

Again, we urge your support for the passage of HB 240 as a step forward in protecting the health of Alaska's residents, and the health and economic viability of our communities in the future.

Sincerely,

Hayden and Bonnie Kaden
[REDACTED] Gustavus, AK 99826

March 6, 2020
TESTIMONY ON SB 176/HB240

Dear Senate Resources and House Resources Committees:

My name is Sally Schlichting and I am testifying as a private citizen. I am a former DEC employee with the Contaminated Sites Program where I was responsible for developing regulations and policy for hazardous substances such as PFAS.

I support SB176. This bill is necessary because it would establish clear statutory direction for DEC to carry out testing of drinking water in Alaska that is at risk due to a release of PFAS. The bill also provides for the voluntary testing of blood serum in individuals who have been exposed to PFAS contaminated drinking water or fire-fighting foams. Currently, these testing measures are not occurring as they should but instead are subject to the willingness of responsible parties.

Also critical is the bill's provision setting numeric standards for the six PFAS identified by EPA in the UCMR3 and the chemical known as GenX, which, though intended to be a safer replacement, is now being found to be toxic.

Setting levels in statute, while not ideal, requires DEC to regulate these compounds and require responsible parties to comply with these levels, while allowing DEC flexibility to set more stringent levels if new toxicity information becomes available.

Despite rapidly expanding scientific evidence pointing to a wide array of health impacts and despite many states setting standards for these compounds, DEC has failed to act. As long as DEC continues to maintain that they cannot set levels until EPA does, Alaskans will likely wait many years before they will be protected.

I recommend the following changes to the bill:

Require testing of fish and other subsistence foods near PFAS release sites. Otherwise we do not know if these foods are safe to eat.

Clarify that any testing in drinking water should include the full suite of PFAS compounds that are typically reported by EPA methods such as 537.1 and 533.

Place the authority for blood testing with H&SS. They are the appropriate agency to conduct such testing and ensure compliance with federal privacy rules for medical records.

Include a provision directing DEC to carry out its own recommendations contained in the State Action Plan on PFAS, which establishes goals for evaluating PFAS in air emissions, wastewater treatment discharges, and landfill leachate, and other measures, and to report to the legislature annually on the progress in achieving those goals.

Thank you,

Sally Schlichting


Juneau, Alaska 99801

(907) 957-3488

Sally.schlichting@gmail.com



1225 East International Airport Road, Suite 220
Anchorage, Alaska 99518
Phone: (907) 222-7714; Web site: www.akaction.org

March 5, 2020

Letter of Support for Senate Bill (SB) 176 and House Bill (HB) 240, "An Act relating to pollutants; relating to perfluoroalkyl and polyfluoroalkyl substances (PFAS); relating to the duties of the Department of Environmental Conservation; and relating to firefighting substances."

Dear Senator Kiehl and Representative Hannan:

We appreciate your leadership in sponsoring SB 176 and HB 240, respectively. Alaska Community Action on Toxics (ACAT) strongly supports these bills. We urge passage by the Senate and House Resources Committees and full legislature during the current session. PFAS contamination represents a significant threat to drinking water sources and public health throughout Alaska. This requires urgent action from the legislature to prevent further harm, ensure safe drinking water supplies for contaminated communities and responsible clean up, and measures to monitor and protect the health of affected community members and first responders.

In September 2019, ACAT released a report: *Threats to Drinking Water and Public Health in Alaska: The Scope of the PFAS Problem, Consequences of Regulatory Inaction, and Recommendations* (www.akaction.org). For this report, we reviewed hundreds of pages of documents obtained through public record requests and conducted a thorough review of the peer-reviewed scientific literature. In Alaska, the dispersive use of AFFF (aqueous film forming foam) on military bases and airports has contaminated the drinking water of communities from the North Slope to southeast Alaska. To date, PFAS have been discovered at over 100 individual sites (mostly "AFFF source areas") in nearly 30 locations. The State of Alaska has identified 33 airports where AFFF is known or suspected to have been released into the environment. Of these, only 13 have been investigated to date. Ten Alaska communities have PFAS in their drinking water at levels deemed unsafe by the U.S. Environmental Protection Agency (EPA) and it is likely that the number of communities with contaminated water will grow as more sampling is conducted throughout the state.


PFAS are highly toxic at exceedingly low levels of exposure. This is a significant public health concern given the latest science that shows health effects including: kidney and testicular cancer, high cholesterol, thyroid disruption, ulcerative colitis, pregnancy-induced hypertension, immune system effects, and effects on mammary gland development and breastfeeding duration. Firefighters suffer higher rates of cancer than the general U.S. population and are at risk from occupational exposures to PFAS. A new study of women firefighters showed that they face high exposures to toxic PFAS chemicals.

We look forward to working with members of the legislature to ensure that the bills are as protective as possible for the health of all Alaskans. Based on current scientific evidence, we recommend a class-based approach to setting water standards for PFAS because many PFAS chemicals share similar toxicological properties and adverse health endpoints, often at extremely low exposure levels. The goal should be to set a maximum contaminant level of zero for the class to provide a proper margin of safety for vulnerable infants and children and to protect public health from the class of PFAS chemicals that are extremely persistent, highly mobile, and linked with adverse health effects at exceptionally low levels of exposure. A combined limit of 2 ppt (for PFOA, PFOS, PFNA, PFHxS, PFHxA and PFBS, with a separate level of 5 ppt for GenX) is reasonable given that with current technology, removal of PFAS is feasible at that level. Other states are taking a more class-based and health protective approach.

In order to prevent further contamination of drinking water sources and other water bodies, we also urge you to explicitly prevent the discharge or use for training purposes of class B firefighting foam that contains PFAS chemicals. and that the legislation include a ban on the use of PFAS in firefighting foam such as those that have been supported by firefighters and enacted in such states as Washington, Colorado, and New Hampshire. On March 5, 2020, the Washington State Legislature overwhelmingly approved the strongest state ban in the country to phase out toxic PFAS chemicals in firefighting foam and eliminate important exemptions. We believe that this is a precedent that the Alaska State Legislature should follow.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Pamela K. Miller". The signature is written in a cursive, flowing style.

Pamela Miller
Executive Director

March 7, 2020

Representative John Lincoln, Co-Chairman
Representative Geran Tarr, Co-Chair
House Resources Committee
State Capitol, Room 102
Juneau AK 99801

To: Members of the House Resources Committee
Re: HB 240 Regulating PFAS Use; Fire/Water Safety

We would like to express our support for House Bill 240, a bill to regulate PFAS and help mitigate the consequences of its use. We feel the Legislature must act due to the inertia on this issue by the Administration and federal government.


My husband and I have lived in Gustavus for over 40 years. We along with dozens of other family members were devastated to learn that our home and property are in the plume of PFAS contaminates and our well is one of many that has been contaminated by these chemicals.

This contamination was caused by the entirely avoidable and unnecessary use of AFFF foam at our airport. This foam was mandated to be used here by the FAA and the State of Alaska DOT/PF despite our airport being one that is exempt from having to use these products. Both the FAA and the State have been aware for many years of the toxic nature of these chemicals but have required our local firefighters to use and train with them anyway. Even worse, despite federal and state regulating agencies' longtime awareness of PFAS issues, these same responders were never made aware of the toxic nature of the foam.

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Again, we urge your support towards the passage of HB 240 as a rational step forward in protecting the health of Alaska's residents, and the health and economic viability of our communities into the future.

Sincerely,

Melanie and Jim Lesh

Gustavus, AK 99826