

ADDITIONAL REGULATIONS NOTICE INFORMATION

(AS 44.62.190(d))

1. Adopting agency: Alaska Department of Environmental Conservation
2. General subject of regulation: Contaminated Sites
3. Citation of regulation (may be grouped): 18 AAC 75
4. Department of Law file number, if any: 2018200876
5. Reason for the proposed action:
 - ☐ Compliance with federal law or action (identify):
 - ☐ Compliance with new or changed state statute
 - ☐ Compliance with Federal or state court decision (identify)
 - ☒ Development of program standards
 - ☐ Other (identify):
6. Appropriation/Allocation: Spill Prevention and Response Division/Contaminated Sites Program.
7. Estimated annual costs in the aggregate to comply with the proposed action:

Private Persons: There are no increased compliance costs to private persons or businesses who are not involved in sites contaminated with per- and polyfluoroalkyl substances (PFAS). There may be reduced or avoided costs from positive health impacts as a result of addressing contamination in residential drinking water.

There is potential for additional costs to private businesses and other entities considered responsible parties (RPs) for PFAS contamination. Facilities most likely to be impacted are airports, fire training areas, industrial sites, and sites where fire-fighting foams have been deployed as these areas are commonly associated with PFAS contamination. Types of costs related to PFAS contamination include, but are not limited to: monitoring, cleanup, and the provision of drinking water treatment options, such as bottled water or water filtration systems. As this is an emerging environmental issue at both the state and national level, cost data for responding to PFAS contamination is limited. It is likely that costs vary significantly dependent on site-specific factors. Sites with PFAS groundwater contamination will be more costly to remediate than sites with contaminated soil only. However, having cleanup levels for these compounds provides entities with certainty for compliance planning decisions.

Should there be concern about compliance costs due to these proposed changes the department encourages the submission of public comments which reference costs and provide specific cost information.

Other State Agencies: The Alaska Department of Transportation and Public Facilities has already experienced costs associated with PFAS groundwater contamination at State of Alaska airports. These costs include: employing additional staff, site inventorying, contracting environmental services (residential drinking water testing and removal of fire-fighting foams), delivering drinking water to affected residents, designing water system alternatives for impacted residents, providing public meetings, and other supplies/materials. It is expected that these costs are ongoing and the adoption of cleanup levels in state regulation does not significantly change the trajectory of the economic impacts; these costs would have been incurred anyway. Adoption of cleanup levels in regulation provides regulatory certainty for the department in addressing the issue of PFAS contamination at state owned facilities.

Municipalities: There is potential for municipalities to be affected in a similar manner as described above. Specifically, when a municipality is considered an RP or when there is a presence of PFAS above the adopted cleanup levels on municipal property. Facilities such as fire stations and water systems are more likely to be affected due to the nature of PFAS contamination.

8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY 2019	Subsequent Years
Operating Cost	\$ <u>0</u>	\$ <u>0</u>
Capital Cost	\$ <u>0</u>	\$ <u>0</u>
1002 Federal receipts	\$ <u>0</u>	\$ <u>0</u>
1003 General fund match	\$ <u>0</u>	\$ <u>0</u>
1004 General fund	\$ <u>0</u>	\$ <u>0</u>
1005 General fund/ program	\$ <u>0</u>	\$ <u>0</u>
1037 General fund/mental health	\$ <u>0</u>	\$ <u>0</u>
Other (Response Fund)	\$ <u>0</u>	\$ <u>0</u>

9. The name of the contact person for the regulations:

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Title: Unit Manager for Technical Services, Policy and Regulations

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10. The origin of the proposed action:

☒ Staff of state agency

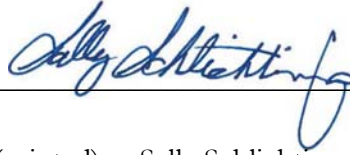
☐ Federal government

☒ General public

☐ Petition for regulation change

☐ Other (identify)

11. Date: October 1, 2018 Prepared by:



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