

HOUSE BILL NO. 166

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE STAPP

Introduced: 4/19/23

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to firefighting substances; and providing for an effective date."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 46.03 is amended by adding a new section to article 5 to read:

4 **Sec. 46.03.340. Use of firefighting substances.** (a) Notwithstanding
5 AS 46.03.320, a person may not use a firefighting substance that contains a
6 perfluoroalkyl substance or polyfluoroalkyl substance in the state unless the use is
7 permitted under (b) of this section or required by federal law.

8 (b) Unless the state fire marshal adopts regulations under (c) of this section
9 requiring use of an alternative firefighting substance, a person may use a firefighting
10 substance that contains a perfluoroalkyl substance or polyfluoroalkyl substance to
11 respond to a fire that originates in relation to oil or gas production, transmission,
12 transportation, or refining in the state.

13 (c) If the state fire marshal determines an alternative firefighting substance
14 listed by an organization recognized by the federal Occupational Safety and Health
15 Administration's Nationally Recognized Testing Laboratory Program is safe and

1 effective, the state fire marshal shall adopt regulations requiring use of the alternative
2 firefighting substance. The regulations must state the proposed effective date of the
3 regulations.

4 (d) The department shall ensure the state accepts for disposal from a person
5 domiciled in the state a firefighting substance that contains a perfluoroalkyl substance
6 or polyfluoroalkyl substance in a quantity not to exceed 40 gallons each year.

7 * **Sec. 2.** This Act takes effect January 1, 2024.