



# LAWS OF ALASKA

2024

**Source**

HCS CSSB 67(FIN)

**Chapter No.**

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**AN ACT**

Relating to firefighting substances; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1



**AN ACT**

1 Relating to firefighting substances; and providing for an effective date.

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

4 **Article 3A. Firefighting Substances Disposal Reimbursements.**

5 **Sec. 46.03.135. Firefighting substances disposal reimbursements.** (a) A  
6 firefighting substances disposal reimbursement program is established in the  
7 department.

8 (b) The department shall accept an application for disposal reimbursement on  
9 a form provided by the department from a person domiciled in

10 (1) a community in the state with a population of less than 2,000 that is  
11 off the road system who received a firefighting substance that contains a  
12 perfluoroalkyl substance or polyfluoroalkyl substance; or

13 (2) the state who received a firefighting substance that contains a  
14 perfluoroalkyl substance or polyfluoroalkyl substance from a partially state-funded  
15 fire safety project.

1 (c) The department may accept a reimbursement application only if the  
2 application provides proper disposal documentation showing compliance with  
3 regulations adopted by the department and any other applicable law.

4 (d) The department shall prioritize reimbursements as follows:

5 (1) activities related to the proper disposal of a firefighting substance  
6 that contains a perfluoroalkyl substance or polyfluoroalkyl substance, including  
7 disposal of the equipment containing the substance;

8 (2) activities related to the proper disposal of firefighting equipment  
9 residually contaminated by a perfluoroalkyl substance or polyfluoroalkyl substance;

10 (3) replacement of equipment containing or residually contaminated by  
11 a perfluoroalkyl substance or polyfluoroalkyl substance.

12 \* **Sec. 2.** AS 46.03 is amended by adding a new section to article 5 to read:

13 **Sec. 46.03.340. Use of firefighting foam.** (a) Notwithstanding AS 46.03.320,  
14 a person may not use a firefighting foam that contains a perfluoroalkyl substance or  
15 polyfluoroalkyl substance in the state unless the use is permitted under (b) of this  
16 section or required by federal law.

17 (b) Unless the state fire marshal adopts regulations under (c) of this section  
18 requiring use of an alternative firefighting foam, a person may use a firefighting foam  
19 that contains a perfluoroalkyl substance or polyfluoroalkyl substance to respond to a  
20 fire that originates in relation to oil or gas production, transmission, transportation, or  
21 refining in the state.

22 (c) If the state fire marshal determines an alternative firefighting foam listed  
23 by an organization recognized by the federal Occupational Safety and Health  
24 Administration's Nationally Recognized Testing Laboratory Program is safe and  
25 effective, the state fire marshal shall adopt regulations requiring use of the alternative  
26 firefighting foam. The regulations must state the proposed effective date of the  
27 regulations.

28 \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
29 read:

30 **TRANSITION: REGULATIONS.** The commissioner of environmental conservation  
31 may adopt or amend regulations as necessary to implement the changes made by this Act. The

1 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the  
2 effective date of the law implemented by the regulation.

3 \* **Sec. 4.** Section 3 of this Act takes effect immediately under AS 01.10.070(c).

4 \* **Sec. 5.** Except as provided in sec. 4 of this Act, this Act takes effect January 1, 2025.