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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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A N A C T

RELATING TO HEALTH AND SAFETY- SAFETY AND HEALTH PROGRAMS FOR FIRE
DEPARTMENTS - PFAS CHEMICALS

Introduced By: Representatives Speakman, Casimiro, Cortvriend, Handy, Donovan, and
Fogarty

Date Introduced: February 18, 2022

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-28.4-1 of the General Laws in Chapter 23-28.4 entitled "Safety
2 and Health Programs for Fire Departments" is hereby amended to read as follows:

3 **23-28.4-1. Definitions.**

4 The following terms when used in this chapter shall have the meanings herein ascribed:

5 (1) "Class B firefighting foam" means a foam designed for flammable liquid fire.

6 ~~(1)~~(2) Employee means a person involved in performing the duties and responsibilities of
7 a fire department, under the auspices of the organization. A fire department employee may be a
8 full-time, or part-time, or volunteer employee, may occupy any position or rank within the fire
9 department, and may or may not engage in emergency operations.

10 ~~(2)~~(3) Employer means any person who has one or more employees, but does not include
11 the United States. A fire district shall be considered an employer.

12 ~~(3)~~(4) Fire department means an organization providing rescue, fire suppression, and
13 related activities.

14 (5) "Firefighter turnout gear" means the protective clothing worn by firefighters.

15 ~~(4)~~(6) NFPA means national fire protection association.

16 (7) "PFAS chemicals" means a class of fluorinated organic chemicals that:

17 (i) Contain at least one fully fluorinated carbon atom, including perfluoroalkyl and
18 polyfluoroalkyl substances; and

1 (ii) Are designed to be fully functional in Class B firefighting foam formulations.

2 ~~(5)~~(8) Provide means to furnish, supply, or to make arrangements for full monetary
3 reimbursement.

4 SECTION 2. Chapter 23-28.4 of the General Laws entitled "Safety and Health Programs
5 for Fire Departments" is hereby amended by adding thereto the following section:

6 **23-28.4-6.2. Use of firefighting foam containing PFAS chemicals.**

7 (a) Beginning on September 1, 2022, Class B firefighting foam that contains intentionally
8 added PFAS chemicals may not be used for:

9 (1) Testing purposes, including calibration testing, conformance testing, and fixed-system
10 testing unless:

11 (i) The use is required by law or by the agency having jurisdiction over the testing facility;
12 and

13 (ii) The testing facility has implemented appropriate containment, treatment, and disposal
14 measures to prevent releases of foam into the environment; or

15 (2) Training purposes

16 (b) Non fluorinated training foam shall be used for purposes of firefighting training.

17 SECTION 3. Section 1 of this act shall take effect upon passage. Section 2 shall take effect
18 on January 1, 2023.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO HEALTH AND SAFETY- SAFETY AND HEALTH PROGRAMS FOR FIRE
DEPARTMENTS - PFAS CHEMICALS

1 This act would prohibit the use of firefighting foam containing PFAS chemicals during
2 training exercises.

3 Section 1 of this act would take effect upon passage. Section 2 would take effect on January
4 1, 2023.

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