AN ACT

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:

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

23-28.4-1. Definitions.

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

(1) “Class B firefighting foam” means a foam designed for flammable liquid fire.

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

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

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

(5) “Firefighter turnout gear” means the protective clothing worn by firefighters.

(6) NFPA means national fire protection association.

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

(i) Contain at least one fully fluorinated carbon atom, including perfluoroalkyl and polyfluoroalkyl substances; and
(ii) Are designed to be fully functional in Class B firefighting foam formulations.

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

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

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

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

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

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

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

(2) Training purposes

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

SECTION 3. Section 1 of this act shall take effect upon passage. Section 2 shall take effect on January 1, 2023.
EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO HEALTH AND SAFETY - SAFETY AND HEALTH PROGRAMS FOR FIRE DEPARTMENTS - PFAS CHEMICALS

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

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

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