

HB 1208 -- FOAM FIRE SUPPRESSANTS

SPONSOR: Bush

This bill requires the Department of Natural Resources to establish rules regulating the manufacture, use, storage, and remediation of firefighting or fire-suppressing foam containing added Perfluoroalkyl and polyfluoroalkyl substances (PFAS). The rules and regulations must be designed to protect the environment and ensure safe and clean soil, water, and air for the State.

A person that discharges firefighting or fire-suppressing foam containing PFAS into or upon any waters of the State or any public or private water supply or onto land adjacent to, on, or over these waters must report the discharge to the Department as soon as practicable, but no later than 24 hours after the discharge occurs.

Beginning January 1, 2027, a person can not manufacture, sell, offer for sale, distribute for sale, or distribute for use in this State a firefighting or fire-suppressing foam containing PFAS, except certain circumstances specified in the bill. A person that manufactures for sale or distribution in this State a firefighting or fire-suppressing foam must, upon request, provide the Department with a certificate of compliance certifying the foam does not contain PFAS or is excepted from the prohibition.

Before January 1, 2027, a person that manufactures firefighting or fire-suppressing foam containing PFAS that are sold, offered for sale, or distributed in this State before January 1, 2027, must provide written notification of the prohibition to any person in the State that received such foam from the manufacturer and issue a recall and reimbursement from the manufacturer of all such foam.