As Introduced

133rd General Assembly
Regular Session
2019-2020

H. B. No. 328

Representative Baldridge

A BILL

To enact section 3737.52 of the Revised Code to prohibit the use of class B firefighting foam containing intentionally added PFAS chemicals for testing and training purposes beginning January 1, 2020.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3737.52 of the Revised Code be enacted to read as follows:

Sec. 3737.52. (A) As used in this section:

(1) "Class B firefighting foam" means a foam that is designed to extinguish a fire caused by flammable liquid.

(2) "PFAS chemicals" means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom, including perfluoroalkyl and polyfluoroalkyl substances, that are designed to be fully functional in class B firefighting foam formulations.

(3) "Testing" includes calibration testing, conformance testing, and fixed system testing.

(B) Beginning January 1, 2020, no person shall use a class
B firefighting foam containing intentionally added PFAS chemicals for training purposes.

(C)(1) Except as provided in division (C)(2) of this section, beginning January 1, 2020, no person shall use a class B firefighting foam containing intentionally added PFAS chemicals for testing purposes.

(2) A person may use a class B firefighting foam containing intentionally added PFAS chemicals for testing purposes if the testing facility has implemented appropriate containment, treatment, and disposal measures to prevent releases of the class B firefighting foam into the environment.

(D) Nothing in this section restricts either of the following:

(1) The manufacture, sale, or distribution of class B firefighting foam containing intentionally added PFAS chemicals.

(2) The use of class B firefighting foam containing intentionally added PFAS chemicals in emergency firefighting or fire prevention operations.

(E) For purposes of using foam during firefighting operations training, a person may use a training foam that does not contain intentionally added PFAS chemicals.