

**As Introduced**

**133rd General Assembly  
Regular Session  
2019-2020**

**H. B. No. 328**

**Representative Baldrige**

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**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

<u>B firefighting foam containing intentionally added PFAS</u>	19
<u>chemicals for training purposes.</u>	20
<u>(C)(1) Except as provided in division (C)(2) of this</u>	21
<u>section, beginning January 1, 2020, no person shall use a class</u>	22
<u>B firefighting foam containing intentionally added PFAS</u>	23
<u>chemicals for testing purposes.</u>	24
<u>(2) A person may use a class B firefighting foam</u>	25
<u>containing intentionally added PFAS chemicals for testing</u>	26
<u>purposes if the testing facility has implemented appropriate</u>	27
<u>containment, treatment, and disposal measures to prevent</u>	28
<u>releases of the class B firefighting foam into the environment.</u>	29
<u>(D) Nothing in this section restricts either of the</u>	30
<u>following:</u>	31
<u>(1) The manufacture, sale, or distribution of class B</u>	32
<u>firefighting foam containing intentionally added PFAS chemicals.</u>	33
<u>(2) The use of class B firefighting foam containing</u>	34
<u>intentionally added PFAS chemicals in emergency firefighting or</u>	35
<u>fire prevention operations.</u>	36
<u>(E) For purposes of using foam during firefighting</u>	37
<u>operations training, a person may use a training foam that does</u>	38
<u>not contain intentionally added PFAS chemicals.</u>	39