

As Reported by the House Commerce and Labor Committee

133rd General Assembly

Regular Session

2019-2020

Sub. H. B. No. 328

Representative Baldrige

Cosponsors: Representatives Manning, G., Edwards, Lightbody

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.

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) No person shall use a class B firefighting foam

containing intentionally added PFAS chemicals for training 18
purposes. 19

(C)(1) Except as provided in division (C)(2) of this 20
section, no person shall use a class B firefighting foam 21
containing intentionally added PFAS chemicals for testing 22
purposes. 23

(2) A person may use a class B firefighting foam 24
containing intentionally added PFAS chemicals for testing 25
purposes if the testing facility has implemented appropriate 26
containment, treatment, and disposal measures to prevent 27
releases of the class B firefighting foam into the environment. 28

(D) Nothing in this section restricts either of the 29
following: 30

(1) The manufacture, sale, or distribution of class B 31
firefighting foam containing intentionally added PFAS chemicals. 32

(2) The use of class B firefighting foam containing 33
intentionally added PFAS chemicals in emergency firefighting or 34
fire prevention operations. 35

(E) For purposes of using foam during firefighting 36
operations training, a person may use a training foam that does 37
not contain intentionally added PFAS chemicals. 38