



Senate

General Assembly

File No. 126

January Session, 2021

Substitute Senate Bill No. 837

Senate, March 24, 2021

The Committee on Environment reported through SEN. COHEN of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE USE OF PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES IN CLASS B FIREFIGHTING FOAM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section:

2 (1) "Perfluoroalkyl or polyfluoroalkyl substance" means a class of
3 fluorinated organic chemicals containing at least one fully fluorinated
4 carbon atom;

5 (2) "Class B firefighting foam" means a foam used for the purpose of
6 extinguishing flammable liquid fires; and

7 (3) "Testing" includes calibration testing, conformance testing and
8 fixed system testing as required by state or municipal law or policy.

9 (b) On and after the effective date of this section, no person, local
10 government or state agency may use a class B firefighting foam that
11 contains an intentionally added perfluoroalkyl or polyfluoroalkyl

12 substance in any amount for training purposes.

13 (c) On or after April 1, 2021, no person shall use a class B firefighting
14 foam that contains an intentionally added perfluoroalkyl or
15 polyfluoroalkyl substance for any firefighting purpose unless such fire
16 is a petroleum-based fire and the Commissioner of Energy and
17 Environmental Protection fails to identify an alternative to such use by
18 January 1, 2021.

19 (d) Not later than October 1, 2021, the Commissioner of Energy and
20 Environmental Protection shall develop or identify a take-back program
21 for municipal sources of perfluoroalkyl and polyfluoroalkyl substances
22 that results in the application of best management practices for the
23 disposal of such substances.

24 (e) The provisions of this section may be enforced, within available
25 appropriations, by the Commissioner of Energy and Environmental
26 Protection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

ENV Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

There is no anticipated cost to the state associated with the Department of Energy and Environmental Protection establishing or identifying a take-back program for municipal sources of perfluoroalkyl and polyfluoroalkyl substances (PFAS), as this program was already established using \$2 million of General Obligation (GO) bond funds authorized in FY 20. Funds were fully allocated for this purpose in July 2020. No change to debt service is anticipated as a result of the bill, as all authorized bonds have already been made available to the program.

Background

The Governor's proposed bond bill (SB 887) includes \$1.15 million of new GO bond authorizations in each of FY 22 and FY 23 for grants to municipalities for the PFAS buy-back program.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 837*****AN ACT CONCERNING THE USE OF PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES IN CLASS B FIREFIGHTING FOAM.*****SUMMARY**

This bill prohibits a person, local government, or state agency from using a class B firefighting foam with intentionally added perfluoroalkyl or polyfluoroalkyl substance (“PFAS”) in any amount for training purposes. Under the bill, class B firefighting foam is used to extinguish flammable liquid fires and PFAS is a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

The bill also prohibits, beginning April 1, 2021, using this foam for any firefighting purposes unless (1) the fire is petroleum-based and (2) the Department of Energy and Environmental Protection (DEEP) commissioner did not identify an alternative to the foam by January 1, 2021. Because the commissioner did not identify an alternative by that date, the foam may still be used for petroleum-based fires under the bill.

By October 1, 2021, the bill requires the DEEP commissioner to develop or identify a take-back program for municipal PFAS sources that applies best management practices for their disposal.

Lastly, the bill authorizes DEEP to enforce the bill’s provisions, within available appropriations.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 32 Nay 0 (02/26/2021)