

OFFICE OF FISCAL ANALYSIS

Legislative Office Building, Room 5200

Hartford, CT 06106 ◊ (860) 240-0200

<http://www.cga.ct.gov/ofa>

sSB-837

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

As Amended by Senate "A" (LCO 8517), House "A" (LCO 10231)

House Calendar No.: 488

Senate Calendar No.: 126

OFA Fiscal Note

State Impact: See Below

Municipal Impact: None

The bill prohibits using firefighting foam with intentionally added perfluoroalkyl or polyfluoroalkyl (PFAS) and offering for sale or promotional purposes food packaging with PFAS intentionally introduced during manufacturing or distribution.

Beginning October 1, 2021, it also prohibits anyone from using this foam for vapor suppression or firefighting purposes, unless the fire is flammable liquid-based and the Department of Energy and Environmental Protection (DEEP) does not identify an alternative to the foam by July 1, 2021. This has no fiscal impact as DEEP has expertise for this purpose.

Additionally, the bill prohibits manufacturers and distributors from selling food packaging with intentionally introduced PFAS by December 31, 2023. The bill's provisions applies existing penalties for violating the packaging and component law to the ban on PFAS in food packaging. This could result in a revenue gain to the General Fund to the extent violations occur.

Also, the bill requires the DEEP commissioner, by October 1, 2021,

Primary Analyst: MR
Contributing Analyst(s):

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to develop or identify a take-back program for municipally owned class firefighting foam with PFAS that applies best management practices for its disposal. This take-back program was already established using \$2 million of General Obligation (GO) bond funds authorized in FY 20, with funds 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.

Lastly, the bill makes other minor, technical, and conforming changes that have no fiscal impact.

Senate "A" replaces the underlying bill with the provisions and fiscal impacts discussed above.

The Out Years

State Impact: None

Municipal Impact: None

The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does 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.