

SHB 2265 (Corrected Copy) - H AMD 1065

By Representative Dent

WITHDRAWN 02/16/2020

1 On page 2, beginning on line 8, after "agent." strike all
2 material through "regulations" on line 13 and insert "Two years after
3 publication in the Washington State Register, the restrictions of
4 subsection (1) of this section apply to the manufacture, sale, and
5 distribution of class B firefighting foam that contains intentionally
6 added PFAS chemicals for the uses specified in 14 C.F.R. Sec. 139.317
7 or other applicable federal regulations. However, the restrictions of
8 subsection (1) of this section do not take effect for an additional
9 year if all of the airports in Washington certificated under 14
10 C.F.R. Sec. 139 have not secured an adequate supply of alternative
11 firefighting agents and any necessary infrastructure to apply the
12 agent, as determined by the department of transportation aviation
13 division. Eighteen months after the department of ecology's original
14 publication in the Washington State Register, each section 139
15 licensed airport shall report to the department of transportation
16 aviation division on the airport's status with respect to obtaining a
17 supply of alternative firefighting agents and any necessary
18 infrastructure. The department must publish a second notice delaying
19 the restrictions under subsection (1) of this section for an
20 additional year if the department is notified that the department of
21 transportation aviation division has determined that any section 139
22 airport is unable to secure alternative firefighting agent supply or
23 infrastructure"

EFFECT: Delays the effective date of restrictions on the manufacture, sale, and distribution of PFAS firefighting foam for uses restricted by federal law until two years after the Department of Ecology (Ecology) publishes a notice in the Washington State Register that federal regulations have been modified to allow the use of PFAS-free firefighting foam. Establishes a process whereby eighteen months after Ecology's register notice publication, Federal Aviation Administration-certificated airports report to the Department of Transportation Aviation Division (WSDOT) regarding the airports' status with respect to obtaining alternative firefighting foam and infrastructure, and if WSDOT determines that any airport is unable to secure alternative foam and infrastructure, Ecology must

delay the effective date of PFAS foam restrictions by an additional year.

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