

SENATE BILL REPORT

SB 6360

As of January 21, 2020

Title: An act relating to eliminating exemptions from restrictions on the use of perfluoroalkyl and polyfluoroalkyl substances in firefighting foam.

Brief Description: Eliminating exemptions from restrictions on the use of perfluoroalkyl and polyfluoroalkyl substances in firefighting foam.

Sponsors: Senators Van De Wege, Cleveland, Mullet, Saldaña and Rolfes.

Brief History:

Committee Activity: Environment, Energy & Technology: 1/22/20.

Brief Summary of Bill

- Removes the exemption prohibiting the manufacture, sale and use of class B firefighting foam with PFAS for aircraft rescue and firefighting required by federal law, and at oil refineries, terminals, and chemical plants.

SENATE COMMITTEE ON ENVIRONMENT, ENERGY & TECHNOLOGY

Staff: Jan Odano (786-7486)

Background: PFAS are a class of man-made chemicals not found naturally in the environment. PFAS chemicals have been widely used to make products stain-resistant, waterproof, and nonstick as well as to help fight fires at airfields and other places where petroleum-product-based fires are a risk.

According to the U.S. Environmental Protection Agency, PFAS chemicals are very persistent in the environment and in the human body. The Department of Ecology states the toxicity of PFAS compounds varies with animal studies indicating that exposure to some PFAS can affect liver function, reproductive hormones, development of offspring, and mortality. PFAS toxicity in humans is less understood and exposure may be linked to high cholesterol, ulcerative colitis, thyroid disease, testicular cancer, kidney cancer, and pregnancy-induced hypertension.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

PFAS-based class B firefighting foams have been used since the 1970s for vapor suppression, firefighting, and firefighting training at airports, refineries, bulk storage terminals, and other facilities handling large volumes of flammable liquid petroleum or natural gas. PFAS chemicals are used in fire foam products because of their ability to produce a fast spreading foam. Potential sources of PFAS contamination related to fire-fighting foam use are found in Washington State airports, military sites, fire training centers, and where foam has been used to extinguish petroleum fires.

In 2018, the Legislature prohibited the manufacture, sale, and distribution of Class B firefighting foam that has PFAS chemical intentionally added beginning July 1, 2020. The prohibition did not apply to the sale, manufacture, or use of Class B firefighting foam for aircraft rescue and firefighting required by federal law, as it existed on January 1, 2018; an oil refinery; oil terminal; or chemical plant.

Summary of Bill: The exemption to the prohibition on the manufacture, sale, and use of class B firefighting foam to which PFAS chemicals have been intentionally added for aircraft rescue and firefighting required by federal law, and at oil refineries, terminals, and chemical plants is removed.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.