

HB0275/403124/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 275

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “chemicals;” insert “establishing a process by which the Department purchases and disposes of certain fire-fighting foam;”; in line 17, strike the third comma and substitute “or knowingly”; and in line 21, strike the first comma and substitute “or knowingly”.

AMENDMENT NO. 2

On page 3, in line 3, after “means” insert “, WHEN USED IN FIRE-FIGHTING AGENTS, FIRE-FIGHTING EQUIPMENT, FOOD PACKAGING, AND RUGS AND CARPETS,”; after line 12, insert:

“(G) “TERMINAL” MEANS:

(1) A BULK LIQUID STORAGE FACILITY EXCLUSIVELY ENGAGED IN THE MERCHANT WHOLESALE DISTRIBUTION OF PETROLEUM PRODUCTS, INCLUDING LIQUEFIED PETROLEUM GAS, THAT CONTAINS AT LEAST ONE STORAGE TANK CONTAINING PETROLEUM PRODUCTS WITH A SURFACE AREA OF 120 SQUARE METERS OR GREATER; OR

(2) A FACILITY ENGAGED IN THE DISTRIBUTION OF CRUDE PETROLEUM FROM EXTRACTION OR PROCESSING FACILITIES THAT INCLUDES AT LEAST ONE STORAGE TANK CONTAINING CRUDE PETROLEUM WITH A SURFACE AREA OF 120 SQUARE METERS OR GREATER.”;

in line 23, strike “MAY” and substitute “SHALL”; in line 25, strike “SUBSECTION” and substitute “SUBSECTIONS”; and in the same line, after “(B)” insert “AND (C)”.

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On page 3 in line 26, on page 6 in line 4, and on page 8 in line 18, in each instance, strike “**2023**,” and substitute “**2024**.”

On page 4, after line 7, insert:

“(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A PERSON MAY USE, MANUFACTURE, SELL, OFFER FOR SALE, OR DISTRIBUTE FOR SALE OR USE CLASS B FIRE-FIGHTING FOAM THAT CONTAINS INTENTIONALLY ADDED PFAS CHEMICALS IN THE STATE:

(1) ON OR BEFORE SEPTEMBER 30, 2024, IF THE FIRE-FIGHTING FOAM WILL BE USED AT AN AIRPORT, A PORT, A REFINERY, OR A CHEMICAL PLANT;

(2) ON OR BEFORE DECEMBER 31, 2027, IF THE FIRE-FIGHTING FOAM WILL BE USED AT A TERMINAL; AND

(3) ON OR BEFORE ANY APPLICABLE DATE SPECIFIED IN FEDERAL LAW, IF THE FIRE-FIGHTING FOAM WILL BE USED BY A PERSON THAT IS REQUIRED TO USE CLASS B FIRE-FIGHTING FOAM THAT CONTAINS INTENTIONALLY ADDED PFAS CHEMICALS.”;

in line 8, strike “**(B)**” and substitute “**(C)**”; and in the same line, strike “**FEDERAL LAW**” and substitute “**SUBSECTION (B) OF THIS SECTION**”.

On page 5, in line 10, strike “**(C)**” and substitute “**(D)**”; and in lines 10 and 17, in each instance, after “**EQUIPMENT**” insert “**FOR FIRE FIGHTING**”.

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On page 6, in line 4, strike “MANUFACTURE,” and substitute “MANUFACTURE OR KNOWINGLY”; in lines 7 and 8, strike “MANUFACTURES, SELLS, OFFERS FOR SALE, OR DISTRIBUTES” and substitute “MANUFACTURES A RUG OR CARPET”; in line 8, strike “A RUG OR CARPET”; in line 27, after “DESIGNED” insert “AND INTENDED”; and in line 28, after “CONTACT” insert “AND IS COMPOSED, IN SUBSTANTIAL PART, OF PAPER, PAPERBOARD, OR OTHER MATERIALS ORIGINALLY DERIVED FROM PLANT FIBERS”.

On page 7, in line 28, after “MEANS” insert “, WHEN USED IN FIRE-FIGHTING AGENTS, FIRE-FIGHTING EQUIPMENT, FOOD PACKAGING, AND RUGS AND CARPETS,”.

On page 8, in line 19, strike the first comma and substitute “OR KNOWINGLY”.

On page 9, in line 29, strike “OR DISTRIBUTOR”.

On page 10, in lines 6 and 8, in each instance, strike “OR DISTRIBUTOR”.

AMENDMENT NO. 3

On page 5, after line 20, insert:

“(E) (1) ON REQUEST OF A FIRE DEPARTMENT IN THE STATE, THE DEPARTMENT SHALL PURCHASE FROM THE FIRE DEPARTMENT CLASS B FIRE-FIGHTING FOAM THAT CONTAINS INTENTIONALLY ADDED PFAS CHEMICALS FOR THE PRICE THAT THE FIRE DEPARTMENT PAID WHEN IT PURCHASED THE FIRE-FIGHTING FOAM.

“(2) THE DEPARTMENT SHALL DISPOSE OF FIRE-FIGHTING FOAM PURCHASED UNDER THIS SUBSECTION IN A MANNER CONSISTENT WITH THIS SUBTITLE.

(Over)

(3) FOR FISCAL YEAR 2024, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$500,000 TO THE DEPARTMENT FOR THE PURPOSE OF PURCHASING FIRE-FIGHTING FOAM UNDER THIS SECTION.