



Senate Bill 195

Environment – PFAS Chemicals – Prohibitions and Requirements

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Education, Health, and Environmental
Affairs Committee

Date: January 28, 2021

From: Alex Butler

The Maryland Association of Counties (MACo) **SUPPORTS SB 195 WITH AMENDMENTS**. The bill provides increased restrictions on the sale and use of class B fire-fighting foam that contains intentionally added per- and poly-fluoroalkyl substances (“PFAS chemicals”). MACo supports additional action to limit the spread of PFAS into the environment but believes the State should provide additional assistance to local fire departments to ease the financial burden of transitioning to “green” firefighting foam.

SB 195 prohibits the use or sale of PFAS foam after January 1, 2022 and outlines stricter disposal requirements. MACo is informed by local firefighting departments that the cost of foam without PFAS is becoming increasingly cost-competitive compared to foam with added PFAS chemicals. The bill also includes provisions that require manufacturers or retailers of PFAS foam to recall products purchased after January 1, 2021 at no charge to the consumer.

However, some firefighting departments have an existing stock of previously purchased foam that may not be used up prior to the implementation of the ban. One firefighting truck alone could currently house upwards of \$20,000 worth of foam. If properly maintained, that foam could last for several years. The State should provide assistance to these departments by either (1) creating a fund that would provide grants for fire departments to immediately transition to PFAS-free foam; or (2) establishing a waiver provision allowing the continued use of foam purchased prior to Jan 1, 2021.

PFAS chemicals are termed “forever chemicals” because they do not easily break down and can remain in humans and the environment for extended periods. SB 195 would restrict the use of class B firefighting foam with PFAS, but also place the burden on local fire departments to fund disposal and replacement of existing stores of PFAS foam. The State should provide assistance to limit the cost burden of local fire departments as they transition to PFAS-free foam. Accordingly, MACo urges the Committee to issue a report of **FAVORABLE WITH AMENDMENTS** for SB 195.