BeachEdge Consulting - Testimony on HB 22

Introduction

BeachEdge Consulting, LLC (BEC) is an independent consulting company focusing on fluorotechnology and its chemistry, uses and applications. BEC is a member of the Fire Fighting Foam Coalition (FFFC).

Opposition to HB 22

With regard to the proposed legislation, HB 22, we respectfully oppose this bill for the following reasons:

1. AFFF foams are the most effective foams currently available to fight high-hazard flammable liquid fires (Class B) in military, industrial, chemical, fuel depot/storage, aviation and other applications. AFFF have proven effectiveness in large scale tank fires, fuel-in-depth fires and other high hazard Class B fires. Their unique film-forming and fuel repellency properties provide rapid extinguishment, critical burnback resistance and protection against vapor release, which help to prevent re-ignition and protect fire fighters working as part of rescue and recovery operations.

2. Fluorine-free foams can and do provide an alternative to fluorinated foams in some applications such as spill fires and smaller tank fires. However, they are not currently able to provide the same level of fire suppression capability, efficiency, flexibility, and scope of usage.

3. Fire test results presented at international fire protection conferences [in 2011, 2013, 2015 and 2016], including some performed by the Naval Research Labs (NRL), all show that fluorinated foams are significantly more effective at extinguishing flammable liquid fires than fluorine-free foams. In a recent trade publication (Jan'19), an NRL scientist said fluorinated foams "outperform fluorine-free foams by a factor or four to five" by containing the fire and suppressing vapors that can reignite.

4. While concerns have been raised regarding environmental contamination issues related to certain PFAS (namely PFOA, PFOS [and PFHxS]), these chemicals are neither used to manufacture nor used in the formulation of the Fluorotelomer C6-based PFAS fluorosurfactants used in class B firefighting foams. The C6-based products have been available and used since the 1970's with full conversion to all high-purity C6 products by year-end 2015.

5. Legacy contamination from the use of firefighting foams is largely the result of past practices where foam was discharged uncontrolled to the environment during training as well as the testing and calibration of foam equipment. Current best practice calls for the containment and treatment of foam discharges and the use of non-fluorinated fluids and methods for testing, training and calibration.

6. As large-scale high hazard Class B fires are actually rare, requiring best management practices for all foam users has the potential to significantly reduce discharges of PFAS to the environment from foam. We are supporting legislation in other states that bans the use of PFAS-based foams for testing and training but not their use on emergency fires. We believe that this a responsible and sound approach that protects society from catastrophic fires while at the same time minimizing the environmental impact from foam use.

7. Banning the use of PFAS-based foams in high-hazard fire applications could leave important facilities in Maryland without adequate life safety and fire protection.

For these reasons, we oppose HB 22, and ask that the previous firefighting foam regulations remain in place.