

Response to Opposition – SB273 / HB 275

Environment – PFAS Chemicals – Prohibitions and Requirements (George “Walter” Taylor Act)

The opponents of this legislation argue that the PFAS-free foam is ineffective when compared to the PFAS-laden foam. There are PFAS free foams currently on the market for use. These foams have been used successfully in other countries, who have banned the PFAS-laden foams. In fact, other states (California, Colorado, Minnesota, New Hampshire, New York, and Washington) have banned the use of PFAS foams outright. While the application of these PFAS-free foams may be different, when applied correctly, they perform the same task as PFAS-laden foams. Switching to fluorine-free foams is a relatively easy as they are already effective alternatives on the market.

Below are testimonials from experts testifying on the effectiveness of non-PFAS foam use:

Short video of Congressional briefing with Randy Krause (Fire Chief – Sea Tac International Airport) and refinery foam industry expert, Niall Ramsden from LastFIRE:

<https://www.youtube.com/watch?v=DMloyuaoQOw>

An article from toxic free foams with Science Director, Erika Schreder, who attended a fluorine-free foam test at Dallas Fort Worth Fire Training and Research Center at Dallas Fort Worth International Airport:

<https://toxicfreefuture.org/new-tests-show-pfas-free-firefighting-foams-effective/>

Clip of hearing in Washington State of Randy Krause (Fire Chief – Sea Tac International Airport) testimony (1:29:12) on the tests his team performed with PFAS-free foams:

<https://tvw.org/video/senate-environment-energy-technology-committee-2020011223/?eventID=2020011223&startStreamAt=4879&stopStreamAt=5861&autoStartStream=true>

The NFPA referenced by the opposition is problematic because of the project sponsors:

<https://www.nfpa.org/-/media/Files/News-and-Research/Fire-statistics-and-reports/Suppression/REffectivenessFluorineFreeFoams.pdf>

- American Petroleum Institute
- Angus International
- Chevron USA Inc.
- Exxon Mobil
- Johnson Controls
- Marathon Petroleum
- Philipps 66
- Shell Oil Company

There are no independent research groups, raising concerns that this study may be biased based on the interests of the sponsors

Quotes About Nonfluorinated Foam

“We did head-to-head live fire testing of foams and chose our fluorine-free foam because it was effective for multi-class fires, and it had the benefit that it didn’t have deleterious effects on fish and it was biodegradable. We have never seen a fish kill from use or accidental discharge of this product. It has been a very effective product for firefighting and it’s less costly. Even though some of these new foams cost more per gallon, it’s a quarter to a third cheaper when it’s diluted for use. We saw a big cost savings and we’re ahead environmentally.”

— Captain Kurt Plunkett, Seattle Fire Department

“In our testing, driven by end users and not foam companies, we have achieved good performance with fluorine-free foam on fairly large hydrocarbon fires. We have extinguished 35 foot diameter tank fires with fixed systems and Monitor attack using fluorine-free foams at standard NFPA application rates. Some companies have already adopted the use of fluorine-free foams for certain types of incidents at refineries and tank farms. It is incorrect to say this foam will not work but LASTFIRE recognizes that further work is required to assess their performance for some major scenarios—as indeed is the case for some new generation C6 based products.”

— Niall Ramsden, LASTFIRE Project Coordinator

“We need all Fire Department leaders in the United States to step up and get educated on the topic of fluorine versus fluorine-free foams immediately. There are many ICAO Level B fluorine-free products being effectively used throughout the world and I am curious why we in this country are holding out against making this necessary change. Our peers in Europe are years ahead of us on this subject and I have personally witnessed fluorine-free foams in use that I feel totally confident in and if the FAA would approve some of these products, my airport would be interested in switching over to a fluorine-free foam at the earliest opportunity.”

— Randy Krause, Fire Chief, Sea-Tac International Airport

“Since purchasing our fluorine-free foam, we have used it on 2 separate aircraft fires (an A321 and a 787) and it worked perfectly.”

— Graeme Day, Fire Services Compliance Manager, London Heathrow Airport

“My experience is that fluorine free foam works flawlessly. We have used it in two major incidents, and we are using it for training purposes on a regular basis. When it comes to the extinguishing capability of the fluorine free foam, there are, from my point of view, no differences compared to the old AFFF foam containing PFAS.”

— Lars Andersen, Fire Chief, Royal Danish Air Force

STATES THAT HAVE LAWS RELATED TO PFAS IN FOAM, FOOD PACKAGING, AND CARPETS

Laws that ban PFAS foam	Laws that ban PFAS in food packaging	Laws that ban PFAS in rugs & carpets
AZ – SB 1526 (2019)	CT – SB 837 (2021)	VT – S 20 (2021)
CA – SB 1044 (2019)	ME – LD 1433 (2019)	
CO – HB19 – 1279 (2019)	NY – S 8817 (2020)	
CO – HB20 – 1119 (2020)	VT – S 20 (2021)	
CT – SB 837 (2021)	WA – HB 2658 (2018)	
KY – SB 104 (2019)		
ME – LD 1505 (2021)		
MI – HB 4390 (2020)		
MN – SF 321 (2019)		
NV – AB 97 (2021)		
NH – SB 257 (2019)		
NY – A 445 (2019)		
NY – A 8979 (2020)		
VT – S 20 (2021)		
WA – HB 2793 (2018)		
WA – HB 2265 (2020)		

STATES THAT HAVE INTRODUCED BILLS TO BAN PFAS IN FOAM, FOOD PACKAGING, AND CARPETS

Bills that ban PFAS foam	Bills that ban PFAS in food packaging	Bills that ban PFAS in rugs & carpets
AK – SB 121	AZ – HB 2095	NY – S 5022
CT – SB 11	CA – AB 1200	OR – HB 3271
CT – SB 109	CT – SB 111	VT – H 26
CT – SB 459	CT – SB 926	
CT – HB 5805	IA – SF 19	
CT – SB 837	IA – HF 293	
IL – SB 561	MA – S 1494	
IA – HF 293	MA – H 2348	
ME – LD 1505	MA – H 2350	
NV – AB 97	MN – SF 70	
TX – SB 2073	MN – SF 373	
VT – H 26	OR – HB 2365	
	RI – SB 110	
	VA – HB 1712	
	VT – H 26	