



House Bill 275

Environment – PFAS Chemicals – Prohibitions and Requirements

(George “Walter” Taylor Act)

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Health and Government Operations
Committee

Date: February 9, 2022

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** HB 275 **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 that there are more sensible policy solutions as Maryland transitions to “green” firefighting foam.

HB 275 prohibits the sale or use of PFAS foam after January 1, 2023, 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. 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.

MACo has been working to identify amendments which would effectively ban PFAS foams going forward while recognizing the current limitations of local fire departments. Two possible solutions were identified which seem to strike that balance. First, amending the bill to allow for the PFAS foams after the ban. This would allow local fire departments to more reasonably transition to PFAS-free alternatives.

The second possible solution would be to establish a buyback program that would go into effect in tandem with the ban. This would give local fire departments the ability to adequately dispose of any remaining PFAS foam, while not subjecting them to an unfunded mandate.

Counties agree that it is time to transition away from the use of PFAS chemicals, but that transition should be done in a safe and sensible manner. Accordingly, MACo urges the Committee to issue a report of **FAVORABLE WITH AMENDMENTS** for HB 275.