

**SENATE  
STATE OF MINNESOTA  
NINETY-FOURTH SESSION**

**S.F. No. 2408**

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DATE	D-PG	OFFICIAL STATUS
03/13/2025	746	Introduction and first reading Referred to Environment, Climate, and Legacy See First Special Session, SF3, HF4

1.1 A bill for an act

1.2 relating to environment; delaying prohibitions of certain PFAS-containing

1.3 firefighting foam at airport hangars; amending Minnesota Statutes 2024, section

1.4 325F.072, subdivision 3.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2024, section 325F.072, subdivision 3, is amended to read:

1.7 Subd. 3. **Prohibition.** (a) No person, political subdivision, or state agency shall

1.8 manufacture or knowingly sell, offer for sale, distribute for sale, or distribute for use in this

1.9 state, and no person shall use in this state, class B firefighting foam containing PFAS

1.10 chemicals.

1.11 (b) This subdivision does not apply to the manufacture, sale, distribution, or use of class

1.12 B firefighting foam for which the inclusion of PFAS chemicals is required by federal law,

1.13 including but not limited to Code of Federal Regulations, title 14, section 139.317. If a

1.14 federal requirement to include PFAS chemicals in class B firefighting foam is revoked after

1.15 January 1, 2024, class B firefighting foam subject to the revoked requirements is no longer

1.16 exempt under this paragraph effective one year after the day of revocation.

1.17 (c) This subdivision does not apply to the manufacture, sale, distribution, or use of class

1.18 B firefighting foam for purposes of use at an airport, as defined under section 360.013,

1.19 subdivision 39, until the state fire marshal makes a determination that:

1.20 (1) the Federal Aviation Administration has provided policy guidance on the transition

1.21 to fluorine-free firefighting foam;

2.1 (2) a fluorine-free firefighting foam product is included in the Federal Aviation  
2.2 Administration's Qualified Product Database; and

2.3 (3) a firefighting foam product included in the database under clause (2) is commercially  
2.4 available in quantities sufficient to reliably meet the requirements under Code of Federal  
2.5 Regulations, title 14, part 139.

2.6 (d) Until the state fire marshal makes a determination under paragraph (c), the operator  
2.7 of an airport using class B firefighting foam containing PFAS chemicals must, on or before  
2.8 December 31 each calendar year, submit a report to the state fire marshal regarding the  
2.9 status of the airport's conversion to class B firefighting foam products without intentionally  
2.10 added PFAS, the disposal of class B firefighting foam products with intentionally added  
2.11 PFAS, and an assessment of the factors listed in paragraph (c) as applied to the airport.

2.12 (e) Until January 1, 2028, this subdivision does not apply to the manufacture, sale,  
2.13 distribution, or use of class B firefighting foam for purposes of use at an airport hangar.

2.14 (f) The operator of an airport hangar may apply for a one-year extension from the date  
2.15 provided under paragraph (e) by demonstrating that there is a need for additional time due  
2.16 to circumstances beyond the control of the operator. An extension under this paragraph  
2.17 must be approved by the commissioner of the Pollution Control Agency and the state fire  
2.18 marshal. When approving an extension under this paragraph, the commissioner of the  
2.19 Pollution Control Agency must determine that the environment will be protected and the  
2.20 state fire marshal must determine that public safety will be protected.

2.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.