

325F.072 FIREFIGHTING FOAM.

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given.

(b) "Class B firefighting foam" means foam designed for flammable liquid fires.

(c) "PFAS chemicals" or "perfluoroalkyl and polyfluoroalkyl substances" means, for the purposes of firefighting agents, a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom and designed to be fully functional in class B firefighting foam formulations.

(d) "Political subdivision" means a county, city, town, or a metropolitan airports commission organized and existing under sections 473.601 to 473.679.

(e) "State agency" means an agency as defined in section 16B.01, subdivision 2.

(f) "Testing" means calibration testing, conformance testing, and fixed system testing.

Subd. 2. **Notification.** Beginning on July 1, 2020, any person, political subdivision, or state agency that discharges, uses, releases, or knows of a discharge, use, or release of class B firefighting foam that contains intentionally added PFAS chemicals must be reported to the Minnesota Fire Incident Reporting System within 24 hours of the discharge, use, or release. The notification must include:

(1) the time, date, location, and estimated amount of class B firefighting foam discharged, used, or released;

(2) the purpose or reason of the discharge, use, or release; and

(3) the containment, treatment, and disposal measures to be taken or used to prevent or minimize the discharge or release of the foam into the environment.

Subd. 3. **Prohibition of testing and training.** (a) Beginning July 1, 2020, no person, political subdivision, or state agency shall discharge class B firefighting foam that contains intentionally added PFAS chemicals:

(1) for testing purposes, unless the testing facility has implemented appropriate containment, treatment, and disposal measures to prevent releases of foam to the environment; or

(2) for training purposes, unless otherwise required by law, and with the condition that the training event has implemented appropriate containment, treatment, and disposal measures to prevent releases of foam to the environment. For training purposes, class B foam that contains intentionally added PFAS chemicals shall not be used.

(b) This section does not restrict:

(1) the manufacture, sale, or distribution of class B firefighting foam that contains intentionally added PFAS chemicals; or

(2) the discharge or other use of class B firefighting foams that contain intentionally added PFAS chemicals in emergency firefighting or fire prevention operations.

Subd. 4. **Enforcement.** The commissioner of the Pollution Control Agency may enforce compliance with this section under sections 115.071 and 116.072. The commissioner must coordinate with the commissioners of commerce and health in enforcing this section.

History: 2019 c 47 s 2