State of Arizona
Senate
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 222

SENATE BILL 1526

AN ACT

AMENDING TITLE 36, CHAPTER 13, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 9; RELATING TO FIREFIGHTING FOAM REGULATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 36, chapter 13, Arizona Revised Statutes, is amended by adding article 9, to read:

ARTICLE 9. FIREFIGHTING FOAM

36-1696. Firefighting foam; prohibited uses; exception; definitions

A. BEGINNING JANUARY 1, 2020, A PERSON, LOCAL GOVERNMENT OR STATE AGENCY MAY NOT DISCHARGE OR OTHERWISE USE FOR TRAINING PURPOSES CLASS B FIREFIGHTING FOAM THAT CONTAINS INTENTIONALLY ADDED PFAS CHEMICALS UNLESS OTHERWISE REQUIRED BY LAW OR FEDERAL REGULATION.

B. BEGINNING JANUARY 1, 2020, A PERSON, LOCAL GOVERNMENT OR STATE AGENCY MAY NOT DISCHARGE OR OTHERWISE USE FOR TESTING PURPOSES CLASS B FIREFIGHTING FOAM THAT CONTAINS INTENTIONALLY ADDED PFAS CHEMICALS UNLESS OTHERWISE REQUIRED BY LAW OR FEDERAL REGULATION OR THE TESTING FACILITY HAS IMPLEMENTED APPROPRIATE CONTAINMENT, TREATMENT AND DISPOSAL MEASURES TO PREVENT UNCONTROLLED RELEASES OF FIREFIGHTING FOAM INTO THE ENVIRONMENT.

C. THIS SECTION DOES NOT RESTRICT THE MANUFACTURE, SALE OR DISTRIBUTION OF CLASS B FIREFIGHTING FOAM THAT CONTAINS INTENTIONALLY ADDED PFAS CHEMICALS OR THE DISCHARGE OR OTHER USE OF CLASS B FIREFIGHTING FOAM IN EMERGENCY FIREFIGHTING OR FIRE PREVENTION OPERATIONS.

D. FOR THE PURPOSES OF THIS SECTION:

1. "CLASS B FIREFIGHTING FOAM" MEANS FOAM DESIGNED TO EXTINGUISH A FIRE THAT INVOLVES A FLAMMABLE LIQUID.

2. "LOCAL GOVERNMENT" INCLUDES ANY COUNTY, CITY, TOWN, FIRE DISTRICT OR OTHER SPECIAL DISTRICT THAT PROVIDES FIREFIGHTING SERVICES.

3. "PFAS CHEMICALS" MEANS PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES THAT ARE A CLASS OF FLUORINATED ORGANIC CHEMICALS CONTAINING AT LEAST ONE FULLY FLUORINATED CARBON ATOM, THAT ARE DESIGNED TO BE FULLY FUNCTIONAL IN CLASS B FIREFIGHTING FOAM FORMULATIONS AND THAT ARE USED AS A FIREFIGHTING AGENT.

4. "TESTING" INCLUDES CALIBRATION TESTING, CONFORMANCE TESTING AND FIXED SYSTEM TESTING.

APPROVED BY THE GOVERNOR MAY 13, 2019.