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## HOUSE BILL NO. 2762

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Agriculture, Chesapeake and Natural Resources  
on January 30, 2019)

(Patron Prior to Substitute—Delegate Bulova)

A BILL to amend the Code of Virginia by adding a section numbered 9.1-207.1, relating to firefighting foam management.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 9.1-207.1 as follows:

§ 9.1-207.1. *Firefighting foam management.*

A. For purposes of this section, unless the context requires a different meaning:

"Class B firefighting foam" means a foam designed for flammable liquid fires.

"Local government" includes any locality, fire district, regional fire protection authority, or other special purpose district that provides firefighting services.

"PFAS chemicals," "perfluoroalkyl," or "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.

"Testing" includes calibration testing, conformance testing, and fixed system testing.

B. Beginning July 1, 2021, no person, local government, or agency of the Commonwealth shall discharge or otherwise use class B firefighting foam that contains intentionally added PFAS chemicals (i) for testing purposes, unless otherwise required by law or by the agency having jurisdiction over the testing facility, and with the condition that the testing facility has implemented appropriate containment, treatment, and disposal measures to prevent uncontrolled releases of foam to the environment or (ii) for training purposes, where such foam shall be replaced by nonfluorinated training foams.

C. No provision of this section shall restrict (i) the manufacture, sale, or distribution of class B firefighting foam that contains intentionally added PFAS chemicals or (ii) the discharge or other use of such foams in emergency firefighting or fire prevention operations.

HOUSE SUBSTITUTE

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