

By: Johnson

S.B. No. 1898

A BILL TO BE ENTITLED

AN ACT

relating to the discharge or use of certain firefighting foams for testing or training.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 501, Health and Safety Code, is amended by adding Section 501.027 to read as follows:

Sec. 501.027. DISCHARGE OR USE OF CERTAIN FIREFIGHTING FOAMS PROHIBITED FOR TESTING OR TRAINING. (a) In this section:

(1) "Fixed foam system" means a complete installation engineered for flammable liquid fire hazards that discharges through a fixed discharge device foam piped from a central foam station onto a flammable liquid fire hazard. The installation must have permanently installed foam proportioning components and may contain multiple listed components and foam.

(2) "Perfluoroalkyl and polyfluoroalkyl chemicals" means non-polymeric perfluoroalkyl substances, saturated polyfluoroalkyl substances, and side-chain fluorinated polymers that contain at least two fully fluorinated sequential carbon atoms. The term does not include gases or substances that become gases in use that are otherwise regulated by state or federal laws, rules, or regulations, or by international protocols.

(3) "Testing facility" means a facility, including a facility used for firefighter training, that allows for the discharge of firefighting foam in a nonemergency situation for the

1 evaluation and calibration of firefighting equipment and foam.

2 (b) A person may not discharge a Class B firefighting foam
3 designed to extinguish flammable liquid fires that contains
4 intentionally added perfluoroalkyl and polyfluoroalkyl chemicals:

5 (1) during or for the training of firefighters; or

6 (2) during or for testing, including calibration
7 testing, conformance testing, or fixed foam system testing, unless
8 the discharge or use:

9 (A) is otherwise:

10 (i) required by law or a rule or order of
11 the applicable state agency or political subdivision; or

12 (ii) necessary to meet applicable National
13 Fire Protection Association standards; and

14 (B) occurs in a testing facility that has
15 implemented appropriate containment, treatment, and disposal
16 measures to prevent the release of the foam into the environment.

17 (c) A person shall use a non-fluorinated firefighting
18 training foam or other non-fluorinated surrogate during or for the
19 training of firefighters. Training that uses a non-fluorinated
20 firefighting training foam or other non-fluorinated surrogate
21 under this subsection must be conducted in a manner that ensures
22 collection of the used foam or surrogate, regardless of the foam or
23 surrogate type.

24 (d) This section does not prohibit or restrict:

25 (1) the manufacture, sale, or distribution of
26 firefighting foam that contains intentionally added perfluoroalkyl
27 and polyfluoroalkyl chemicals; or

1 (2) the discharge or use of firefighting foam that
2 contains intentionally added perfluoroalkyl and polyfluoroalkyl
3 chemicals during emergency firefighting operations.

4 SECTION 2. This Act takes effect September 1, 2025.