**2265-S AMH DENT H4982.1 - NOT FOR FLOOR USE**

**SHB 2265 (Corrected Copy)** - H AMD TO H AMD (H-4929.1/20) **1390**

By Representative Dent

**ADOPTED 02/16/2020**

On page 1, beginning on line 27, after "agent." strike all material through "regulations" on line 32 and insert "Two years after publication in the Washington State Register, the restrictions of subsection (1) of this section apply to the manufacture, sale, and distribution of class B firefighting foam that contains intentionally added PFAS chemicals for the uses specified in 14 C.F.R. Sec. 139.317 or other applicable federal regulations. However, the restrictions of subsection (1) of this section do not take effect for an additional year if all of the airports in Washington certificated under 14 C.F.R. Sec. 139 have not been able to secure alternative firefighting agents and any necessary infrastructure to apply the agent in order to meet certification requirements, as determined by the department. Eighteen months after the department's original publication in the Washington State Register, each section 139 licensed airport shall report to the department on the airport's status with respect to obtaining alternative firefighting agents approved by the federal aviation administration and any necessary infrastructure. The department must publish a second notice delaying the restrictions under subsection (1) of this section for an additional year if the department has determined that any section 139 airport is unable to secure alternative firefighting agents without intentionally added PFAS chemicals or infrastructure to meet certification requirements because the agents or infrastructure are not commercially available"

EFFECT: Delays the effective date of restrictions on the manufacture, sale, and distribution of PFAS firefighting foam for uses restricted by federal law until two years after the Department of Ecology (Ecology) publishes a notice in the Washington State Register that federal regulations have been modified to allow the use of PFAS-free firefighting foam. Establishes a process whereby eighteen months after Ecology's register notice publication, Federal Aviation Administration (FAA)-certificated airports report to Ecology regarding the airports' status with respect to obtaining alternative firefighting foam and infrastructure needed to meet FAA certification requirements, and if Ecology determines that any airport is unable to secure alternative foam and infrastructure because they are not commercially available, Ecology must delay the effective date of PFAS foam restrictions by an additional year.