



Georgia Enacts Prohibition On PFAS Firefighting Foam

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In the final hours of the 2019 Georgia legislative session, the House agreed to the Senate's revision to the firefighting foam regulation bill, [House Bill 458](#), with an almost unanimous vote of 159 to 1.

The final version of this legislation goes beyond the [original HB 458](#) by prohibiting prospectively (on and after January 1, 2020) the discharge or other use of firefighting foam that contains [PFAS chemicals](#). The law is still focused on "Class B" firefighting foam used to extinguish flammable liquid fires (like at airports, refineries, etc.), and defines "PFAS chemicals" to include those fluorinated organic chemicals that contain at least one fully fluorinated carbon atom.

However, the fire code amendments now prohibit any fire department or other state or local entity from discharging or otherwise using Class B firefighting foam that contains PFAS chemicals, with two exceptions:

1. Use of such firefighting foams in response to an emergency fire occurrence.
2. For training or testing purposes at an engineered facility built to contain releases into the environment. The original proposed bill was focused solely on training exercises utilizing firefighting foam with PFAS chemicals.

The legislation is now expected to be signed into law by Governor Brian

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Barnes & Thornburg attorneys are experienced in this area and would be happy to discuss these issues further with our clients and friends.