

HB 141-FN - AS INTRODUCED

2021 SESSION

21-0086

08/06

HOUSE BILL                    ***141-FN***

AN ACT                    requiring the department of environmental services to maintain a public registry of where certain fire suppressants have been used.

SPONSORS:            Rep. Rung, Hills. 21; Rep. Edgar, Rock. 21; Rep. Petrigno, Hills. 23; Rep. Meuse, Rock. 29; Rep. Cushing, Rock. 21; Rep. Levesque, Straf. 4; Rep. Weston, Graf. 8; Sen. Sherman, Dist 24

COMMITTEE:        Executive Departments and Administration

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ANALYSIS

This bill requires the department of environmental services to maintain a public registry of where certain fire suppressants have been used.

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Explanation:        Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears ~~[in brackets and struckthrough]~~  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT                    requiring the department of environmental services to maintain a public registry of where certain fire suppressants have been used.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1            1 Class B Firefighting Foam Registry. RSA 154:8-b, XI is repealed and reenacted to read as  
2 follows:

3            XI.(a) There is established in the department of environmental services a registry for  
4 compilation and analysis of information relating to the sites where the class B firefighting foam has  
5 been discharged, stored, captured, collected, managed, or disposed of. Such registry shall be  
6 available to the public on the department of environmental services' Internet website.

7            (b) Any time a class B firefighting foam to which PFAS chemicals have been  
8 intentionally added is discharged, the person or municipality making such discharge shall notify the  
9 department of environmental services within 48 hours of such discharge.

10            (c) Persons or municipalities shall notify the department of environmental services of all  
11 locations where class B firefighting foam is or has been stored, captured, collected, managed, or  
12 disposed of.

13            (d) Within 120 days of the effective date of this paragraph, persons or municipalities  
14 shall notify the department of environmental services of any known dates and locations where class  
15 B firefighting foam has been discharged in the past.

16            (e) The commissioner of the department of environmental services shall adopt rules  
17 pursuant to RSA 541-A relative to the content and design of forms for reporting use of class B  
18 firefighting foam. Reports shall include the location, date, time, and volume of the discharge.

19            2 Effective Date. This act shall take effect 60 days after its passage.

**HB 141-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT requiring the department of environmental services to maintain a public registry of where certain fire suppressants have been used.

**FISCAL IMPACT:**    ☒ State                    ☐ County                    ☐ Local                    ☐ None

| STATE:                 | Estimated Increase / (Decrease)             |                                    |                                  |                                |
|------------------------|---|------------------------------------|----------------------------------|--------------------------------|
|                        | FY 2021                                     | FY 2022                            | FY 2023                          | FY 2024                        |
| <b>Appropriation</b>   | \$0   | \$0                                | \$0                              | \$0                            |
| <b>Revenue</b>         | \$0   | \$0                                | \$0                              | \$0                            |
| <b>Expenditures</b>    | \$0   | Indeterminable Increase            | Indeterminable Increase          | Indeterminable Increase        |
| <b>Funding Source:</b> | <input checked="" type="checkbox"/> General | <input type="checkbox"/> Education | <input type="checkbox"/> Highway | <input type="checkbox"/> Other |

**METHODOLOGY:**

This bill requires the Department of Environmental Services to maintain a public registry of where certain fire suppressants have been used. The Department of Environmental Services indicates this bill would require it to establish a publicly available registry for compilation and analysis of information related to the sites where Class B firefighting foam has been discharged, stored, captured, collected, managed or disposed. The Department would be required to adopt rules relative to the content and design of forms for reporting use of the firefighting foam. The Department states an additional 1/2 FTE position of Environmentalist IV will be necessary to create and maintain reporting forms and develop and maintain the electronic registry. As no funding is provided for staff time, it is assumed all costs would come from the State General Fund. The Department estimates the cost of the position will be \$51,000 in FY 2022, \$52,000 in FY 2023 and \$54,000 in FY 2024. Aside from the necessary position, the State fiscal impact is indeterminable. There would be no fiscal impact to county and local government. The Department assumes existing fire department staff in each town would assume responsibility for reporting Class B foam use to the Department.

**AGENCIES CONTACTED:**

Department of Environmental Services