

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1571 Session of 2023

INTRODUCED BY SCOTT, SANCHEZ, MADDEN, HILL-EVANS, PIELLI, CEPEDA-FREYTIZ, HARKINS, FLEMING, MAYES, CURRY, O'MARA, CONKLIN, GREEN AND KHAN, JULY 18, 2023

AS REPORTED FROM COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 2, 2024

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in Commonwealth services, providing
3 for firefighting protective equipment.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 35 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 7390. Firefighting protective equipment.

9 ~~(a) Warning labels.~~

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10 ~~(1) A manufacturer that produces or sells personal
11 protective equipment for firefighting entities in this
12 Commonwealth containing PFAS chemicals shall affix a warning
13 label to the product that indicates that the product contains
14 perfluorooctane (PFOS) or perfluorooctanoic acid (PFOA) and
15 provide a written notice to the purchaser at the time of the
16 sale that includes:~~

17 ~~(A) WARNING LABELS.--A MANUFACTURER OF PERSONAL PROTECTIVE~~

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1 EQUIPMENT USED IN FIRE PREVENTION, FIREFIGHTING OR FIRE CONTROL
2 ACTIVITIES SHALL AFFIX A WARNING LABEL TO SUCH PRODUCT SOLD FOR
3 USE IN THIS COMMONWEALTH THAT INDICATES IF THE PRODUCT CONTAINS
4 A PFAS CHEMICAL. THE FOLLOWING SHALL APPLY:

5 (1) A MANUFACTURER OF PERSONAL PROTECTIVE EQUIPMENT USED
6 IN FIRE PREVENTION, FIREFIGHTING OR FIRE CONTROL ACTIVITIES
7 SHALL PROVIDE A WRITTEN NOTICE TO THE PURCHASER AT THE TIME
8 OF THE SALE THAT INCLUDES:

9 (i) A statement ~~that~~ OF WHETHER the personal <--
10 protective equipment contains PFAS chemicals.

11 (ii) The reason that the personal protective
12 equipment contains PFAS chemicals~~;~~, IF APPLICABLE. <--

13 (2) A MANUFACTURER OR INDIVIDUAL IS NOT PRECLUDED FROM
14 PROVIDING FURTHER GUIDANCE ON THE LIMITATIONS OR RESTRICTIONS
15 ON PFAS CHEMICALS IN PERSONAL PROTECTIVE EQUIPMENT IN
16 ADDITION TO THE WRITTEN NOTICE REQUIRED UNDER PARAGRAPH (1).

17 ~~(2)~~ (3) The manufacturer and purchaser of the personal <--
18 protective equipment containing ~~perfluorooctane (PFOS) or~~ <--
19 ~~perfluorooctanoic acid (PFOA)~~ A PFAS CHEMICAL shall retain <--
20 the written notice ~~under this section on file~~ REQUIRED UNDER <--
21 PARAGRAPH (1) for at least three years from the date of
22 purchase.

23 (b) Enforcement.--The Office of the State Fire Commissioner
24 shall enforce the provisions of this section.

25 (c) Violations.--

26 (1) A manufacturer or person shall be subject to a civil
27 penalty not to exceed \$5,000 for a first violation and
28 \$10,000 for each subsequent violation.

29 (2) Money collected under paragraph (1) shall be
30 transferred to the department for the Fire Company Grant

1 Program and the Emergency Medical Services Grant Program.

2 (d) Definitions.--As used in this section, the following
3 words and phrases shall have the meanings given to them in this
4 subsection unless the context clearly indicates otherwise:

5 "Firefighting entity." An entity that engages in fire
6 prevention, firefighting or fire control activities in this
7 Commonwealth. The term shall include municipal fire departments
8 and volunteer fire companies.

9 "Manufacturer." A person that manufactures, imports or
10 distributes domestically personal protective equipment for a
11 firefighting entity.

12 "Personal protective equipment." Items designed, intended or
13 marketed to be worn by firefighting entity personnel in the
14 performance of fire and rescue activities, including jackets,
15 pants, shoes, gloves, helmets and respiratory equipment.

16 "PFAS chemical." A fluorinated organic chemical that
17 contains at least one fully fluorinated carbon atom ~~and is~~
18 ~~designed to be fully functional in formulations of class B~~
19 ~~firefighting foam.~~

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20 Section 2. This act shall take effect immediately.