

SENATE No. 1400

The Commonwealth of Massachusetts

PRESENTED BY:

Diana DiZoglio

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the reduction of certain toxic chemicals in firefighter personal protective equipment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Diana DiZoglio</i>	<i>First Essex</i>	
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>1/24/2019</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/28/2019</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>1/28/2019</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>1/29/2019</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/29/2019</i>
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	<i>1/29/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/31/2019</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>1/31/2019</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>1/31/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>1/31/2019</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>1/31/2019</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>2/1/2019</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/1/2019</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/5/2019</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/7/2019</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>3/22/2019</i>

John Barrett, III

1st Berkshire

3/25/2019

SENATE No. 1400

By Ms. DiZoglio, a petition (accompanied by bill, Senate, No. 1400) of Diana DiZoglio, Michael D. Brady, Timothy R. Whelan, Walter F. Timilty and other members of the General Court for legislation relative to the reduction of certain toxic chemicals in firefighter personal protective equipment. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to the reduction of certain toxic chemicals in firefighter personal protective equipment.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. (1) Beginning January 1, 2020, a manufacturer or other person that sells
2 firefighting personal protective equipment to any person, local government, or state agency must
3 provide written notice to the purchaser at the time of sale if the firefighting personal protective
4 equipment contains PFAS chemicals and the reason PFAS chemicals are added to the equipment.

5 (2) The manufacturer or person selling firefighting personal protective equipment and the
6 purchaser of the equipment must retain the notice on file for at least three years from the date of
7 the transaction. Upon the request of the department, a person, manufacturer, or purchaser must
8 furnish the notice, or written copies, and associated sales documentation to the department within
9 sixty days.

10 SECTION 2. (1)A manufacturer or other person to that sells firefighting personal
11 protective equipment to any person, local government, or state agency shall not, after January 1,

12 2022, no person may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute
13 for use in this state firefighting protective equipment containing intentionally added PFAS
14 chemicals.

15 SECTION 3. The definitions in this section apply throughout this chapter unless the
16 context clearly requires otherwise.

17 (1)“Firefighting personal protective equipment” means any clothing designed, intended,
18 or marketed to be worn by firefighting personnel in the performance of their duties, designed
19 with the intent for the use in fire and rescue activities, including jackets, pants, shoes, gloves,
20 helmets, and respiratory equipment.

21 (2)“Local governments” includes any county, city, town, fire district, regional fire
22 protection authority, or special purpose district that provides firefighting services.

23 (3)“Manufacturer” includes any person, firm, association, partnership, corporation,
24 organization, joint venue, importer, or domestic distributor of firefighting agents or firefighting
25 equipment. For the purposes of this subsection, “importer” means the owner of the product.

26 (4)“Perfluoroalkyl and polyfluoroalkyl substances” or “PFAS chemicals”
27 means, for the purposes of firefighting agents and firefighting equipment, a class of
28 fluorinated organic chemicals containing at least one fully fluorinated carbon atom.