

SF776 - 0 - Certain Firefighting Foam Prohibited

Chief Author: **Judy Seeberger**
 Committee: **Legacy and Natural Resources**
 Date Completed: **2/16/2023 9:18:54 PM**
 Lead Agency: **Pollution Control Agency**
 Other Agencies:
 Public Safety Dept

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
State Total						
Total		-	-	-	-	-
Biennial Total				-		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2023	FY2024	FY2025	FY2026	FY2027
Total		-	-	-	-	-

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Jim Carlson **Date:** 2/16/2023 9:18:54 PM
Phone: 651-284-6540 **Email:** jim.carlson@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
Total		-	-	-	-	-
Biennial Total				-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total		-	-	-	-	-
Biennial Total				-		-
2 - Revenues, Transfers In*						
Total		-	-	-	-	-
Biennial Total				-		-

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 Agency: **Pollution Control Agency**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Jim Carlson **Date:** 2/16/2023 9:18:28 PM
Phone: 651-284-6540 **Email:** jim.carlson@lbo.mn.gov

State Cost (Savings) Calculation Details

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*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027	
Total	-	-	-	-	-	-
Biennial Total			-			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total	-	-	-	-	-	-
Biennial Total			-			-
2 - Revenues, Transfers In*						
Total	-	-	-	-	-	-
Biennial Total			-			-

Bill Description

This bill amends MS 2022 section 325F.072 subdivisions 1 and 3 to prohibit the use of certain firefighting foam with exemptions for class B firefighting foam for which the inclusion of PFAS is federally required. It adds the prohibition of manufacture, knowingly sell, offer or distribute for sale, or distribute for use of PFAS containing class B firefighting foam unless exempted where inclusion of PFAS is required by federal law. The amendment does not change subdivision 4, which gives the commissioner of the Pollution Control Agency authority to enforce compliance with these sections under sections 115.071 and 116.072 in coordination with the commissioners of commerce and health. This amendment would be effective January 1, 2024.

Assumptions

This amendment does not change the authority placed in the commissioner of the Pollution Control Agency to conduct enforcement. Because the MPCA already received staff and supply funds with the implementation of MS 2022 section 325F.072, it is assumed that the required level of effort for compliance will remain similar and not add existing costs.

Expenditure and/or Revenue Formula

N/A

Long-Term Fiscal Considerations

None known.

Local Fiscal Impact

No costs to local governments are expected.

References/Sources

MPCA staff familiar with PFAS and compliance and enforcement were consulted for this fiscal note.

Agency Contact: Pam Anderson (651-757-2190)

Agency Fiscal Note Coordinator Signature: John Allen

Date: 2/15/2023 5:50:07 PM

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Chief Author: **Judy Seeberger**
 Committee: **Legacy and Natural Resources**
 Date Completed: **2/16/2023 9:18:54 PM**
 Agency: **Public Safety Dept**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2023	FY2024	FY2025	FY2026	FY2027
Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Laura Cecko **Date:** 2/16/2023 3:50:44 PM
Phone: 651-284-6543 **Email:** laura.cecko@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027	
Total	-	-	-	-	-	-
Biennial Total			-			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total	-	-	-	-	-	-
Biennial Total			-			-
2 - Revenues, Transfers In*						
Total	-	-	-	-	-	-
Biennial Total			-			-

Bill Description

This bill is to prohibit the use of certain firefighting foam with exemptions for class B firefighting foam for which the inclusion of PFAS is federally required. It adds the prohibition of manufacture, knowingly sell, offer or distribute for sale, or distribute for use of PFAS containing class B firefighting foam unless exempted where inclusion of PFAS is required by federal law.

Assumptions

This bill does not change the authority placed in the commissioner of the Pollution Control Agency to conduct enforcement. Because the MPCA already received staff and supply funds with the implementation of MS 2022 section 325F.072, it is assumed that the required level of effort for compliance will remain similar and not add existing costs.

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact: Jim Smith 651-201-7201

Agency Fiscal Note Coordinator Signature: Dan Boytim

Phone: 651-201-7040

Date: 2/16/2023 3:38:18 PM

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