

Dept. of Natural Resources: New restrictions on PFAS-containing firefighting foams effective Sept. 1

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MADISON, Wis. – 2019 Wisconsin Act 101, published on Feb. 6, 2020 and codified in Wisconsin Statutes section 299.48, implements measures that mitigate the discharge of PFAS-containing firefighting foam into the environment, and in doing so supports efforts by the Wisconsin Department of Natural Resources and fire departments to protect the health and safety of Wisconsin residents and the firefighting community.

This law goes into effect on Sept. 1, 2020 and stipulates that the use of PFAS-containing firefighting foams is prohibited with two exceptions: Its use in emergency firefighting operations or testing in an appropriately equipped facility.

PFAS, or per- and polyfluoroalkyl substances, are a large group of human-made chemicals that have been used in industry and consumer products worldwide since the 1950s. PFAS do not occur naturally and are widespread in the environment. These chemicals are found in wildlife and fish all over the world, are known to bioaccumulate and can stay in the human body for many years. The discharge of PFAS-containing firefighting foam during emergency fire events or training exercises has been identified as a significant source of PFAS contamination to the environment.

Starting Sept. 1, the use of PFAS-containing firefighting foams is strictly prohibited for the purpose of training. Such foams may only be used in an emergency firefighting or fire prevention operation and for testing purposes in a facility that has implemented appropriate containment, treatment and disposal or storage measures which do not lead to discharges into the environment.

If PFAS-containing foam is used in an emergency, the law requires fire departments to notify the DNR as soon as practicable without hindering firefighting or prevention operations. When testing foam effectiveness or equipment, the DNR must be notified immediately if there is any discharge of PFAS-containing foam into the environment.

The DNR continues to move forward in partnership with Wisconsin's fire departments to ensure that there are policies in place to protect public health, while supporting the firefighting community in the service that they provide to Wisconsin residents. If you would like to learn more about this newly effective law, please visit the DNR's webpage on PFAS-containing firefighting foam: <https://dnr.wisconsin.gov/-topic/Contaminants/AFFF.html>.