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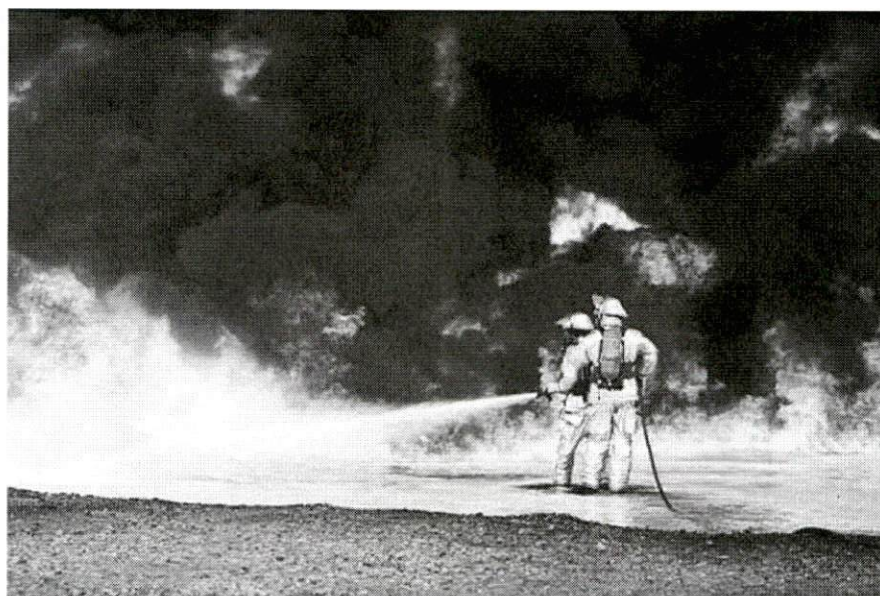
April 10, 2019

State bill would ban toxic chemicals in firefighting foam

The fight over PFAS

By Faith Miller

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U.S. Air Force/Eddie Green

State bill would ban firefighting foam with PFAS.

A bipartisan group of state lawmakers has introduced a bill to ban firefighting foam that contains certain toxic, man-made chemicals: those classified as per- and polyfluoroalkyl substances, better known as PFAS.

El Paso County Democrats Rep. Tony Exum and Sen. Pete Lee joined forces with their Republican counterparts, Rep. Lois Landgraf and Sen. Dennis Hisey, on House Bill 1279, which was introduced March 27. It would prohibit the sale of firefighting foam that contains PFAS for use in Colorado.

The U.S. military used firefighting foam containing long-chain PFAS for decades, and contaminated the drinking water supplies of communities near military installations around the world — including Fountain, Security-Widefield and Stratmoor, outside Peterson Air Force Base. (Those water districts have changed sources or added filtration systems since 2015, when evidence of the contamination began to emerge.)

Studies have linked two types of long-chain PFAS — PFOA and PFOS — to low infant birth weights, immune system disorders, cancer and thyroid problems.

The Department of Defense has completely phased out its original foam formula and replaced it with a new, supposedly safer formula that contains shorter-chain PFAS. Peterson's emergency response vehicles were outfitted with the new formula in 2016, and the base no longer uses the foam for training exercises.

But while the Department of Defense has said that the new formula's shorter-chain chemicals don't accumulate in the body and are more environmentally friendly, some clean-water advocates beg to differ.

"In some cases, the [shorter-chain chemicals] may migrate farther ... so you may have a bigger contamination area," says Melanie Benesh, a legislative attorney for Environmental Working Group. "We don't have strong evidence that these newer substitutes are much safer and much better for the environment."

But could a state ban on all PFAS-containing foam change the federal government's policy?

"The Air Force isn't going to speculate on proposed legislation," wrote Stephen Brady, a spokesperson for Peterson Air Force Base, when asked how the bill could affect Peterson's operations.

The Air Force's website explains that so far, no non-fluorinated foam formula meets "performance criteria necessary to safeguard our Airmen from real time fire emergency responses." PFAS-containing foams "are the most effective foams currently available to fight flammable liquid fires in military, industrial, aviation and municipal arenas," it continues.

Fire departments and airports separate from the military have said they could replace PFAS foam with other products, and don't oppose the bill, Landgraf says. She believes that the ban wouldn't affect the Air Force.

But the Sierra Club — an environmental nonprofit that backed the bill — expects opposition from the chemical industry.

Modern PFAS foams should "not be banned outright," the American Chemistry Council, a group representing chemical manufacturers, said in a statement. "We look forward to working with the bill sponsors to ensure that these products are available for use where needed, while also reducing unnecessary release into the environment."

Advocates say the bill — which would also require manufacturers to disclose when personal protective equipment contains PFAS — is a decisive step in the ongoing fight against PFAS, which have been used in everything from Teflon pans to food packaging. While the Environmental Protection Agency announced in February that it would begin the process of setting a maximum contaminant level for PFOA and PFOS, that process could take years.

In February, El Paso County was announced as one of eight new locations for a federal assessment of human exposure to PFAS near military installations. A future study will examine the health effects of elevated PFAS levels.

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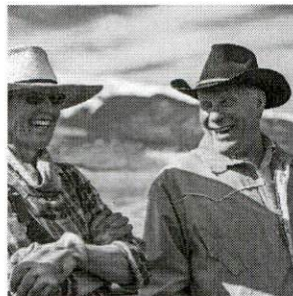
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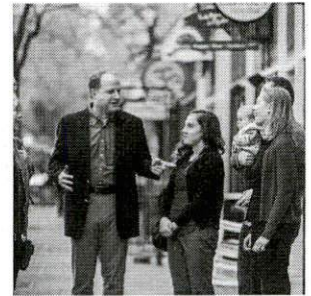
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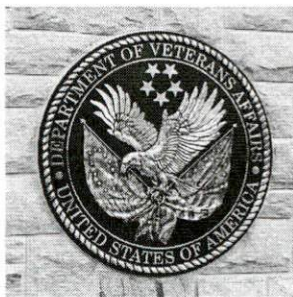
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El Paso County lawmakers sponsor bill to ban firefighting foam

By: **Marianne Goodland** Apr 2, 2019



Caption +

Peterson Air Force base used firefighting foam that contaminated nearby drinking water.

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If the U.S. Environmental Protection Agency won't act, a bipartisan group of El Paso County legislators will.

This week, the foursome introduced House Bill 1279, which would ban the kind of firefighting foam found in water supplies of Fountain, Security and Widefield.

The two Republican sponsors are Sen. Dennis Hisey of Fountain and Rep. Lois Landgraf of Colorado Springs, and the two Democrats are Sen. Pete Lee and Rep. Tony Exum, both of Colorado Springs.

HB 1279 — scheduled to be heard April 15 in the House Energy and Environment Committee — would ban Class B firefighting foams that contain “intentionally added” per- and polyfluoroalkyl substances, also called PFAS.

The Widefield aquifer is permanently contaminated with PFAS chemicals. The full extent of contamination in Colorado is unknown, the bill says, though it notes that such chemicals also have been an issue in firefighting station wells in Boulder County’s Sugarloaf area.

Implementation dates would start Aug. 2, when fire departments would be banned from using such foam when training. A first offense would result in a \$5,000 fine; each subsequent offense could prompt a \$10,000 fine. Also Aug. 2, the bill would ban firefighters’ protective gear that contains the chemicals.

Under the bill’s “Firefighting Foams and Personal Protective Equipment Act,” which would start in August 2021, manufacturers no longer could sell such foam in Colorado, except where allowed by federal law.

The EPA can protect public water supplies and set maximum contaminant levels for certain chemicals, but it hasn’t done so for any types of PFAS despite calls by environmental advocates and residents affected by the toxic chemicals.

The agency has issued health advisories for two types of these chemicals, known as PFOA and PFOS, which formerly were used in carpets, clothing, upholstery, paper packaging and other goods. U.S. companies volunteered to phase out those chemicals in 2006, but they’re still used in firefighting foam, says a 2016 EPA fact sheet.

High levels of the contaminants were found in the bloodstream of residents in the affected communities during a December study by the Colorado School of Mines and the Colorado School of Public Health at the Anschutz Medical Campus in Aurora.

- The foam found its way into the drinking water supply from nearby Peterson Air Force Base, which also used it at the Colorado Springs Municipal Airport, Landgraf said this week.

The chemicals weaken the immune system and may cause cancer, liver disease and high cholesterol, the study shows. The chemicals also are linked to kidney and thyroid problems and complications in pregnancy, according to the bill.

The foam has been used on fires at Peterson, but its most common use was for fire training, which has taken place there for decades. Peterson's plane-fire simulator allows crews to practice for actual crashes.

This was used by military and civilian firefighting crews around the Pikes Peak region for decades, resulting in the largest emissions of the perfluorinated chemicals, according to Air Force studies.

The Air Force has replaced that toxic foam with a new foam that contains a different type of PFAS chemical, which the military says is more environmentally friendly.

The foam also reached wastewater treatment systems after being used at Petersen and at the city airport's fire training area. The foam, in turn, wound up in the Colorado Springs Utilities treatment plant, which uses an oil/water separator that could not remove any type of PFAS chemicals. The water then was flushed into Fountain Creek, which supplies the Widefield Aquifer.

The Gazette's Jakob Rodgers and Tom Roeder contributed to this story.

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