

Article 82B.

Management of Aqueous Film-Forming Foams.

§ 58-82B-1. Findings.

The General Assembly finds that certain firefighting foams used to fight Class B fires, often referred to as Aqueous Film-Forming Foams (AFFF), are critical for fire suppression and public safety. However, because many AFFF could contain per- and poly-fluoroalkyl substances, certain foams may require additional research, oversight, and management. The General Assembly further finds that accurate and comprehensive reporting of the use of AFFF by fire departments throughout the State is essential in order to appropriately manage the potential impacts of AFFF on the environment and public health. (2021-180, s. 8.10(h).)

§ 58-82B-5. Reporting requirement.

Fire departments operated, regulated, or managed by one or more units of State and local government, including those located at or serving public airports, in partnership with the Office of the State Fire Marshal (OSFM), shall, no later than July 1, 2022, and annually thereafter, do all of the following:

- (1) Provide an inventory of all AFFF at each department.
- (2) Identify all AFFF no longer utilized at each department that should be properly disposed of.
- (3) Report annually in summary form and within 15 days individually every incident where AFFF were deployed. Both the annual summary report and the individual incident reports shall utilize the online portal created as directed by G.S. 58-82B-10. (2021-180, s. 8.10(h).)

§ 58-82B-10. Duties of Office of the State Fire Marshal.

The Office of the State Fire Marshal (OSFM) shall do all of the following:

- (1) Educate and inform every fire department it regulates of the reporting requirements imposed by this Article.
- (2) Assist the North Carolina Collaboratory, established under G.S. 116-255, in the development of an online reporting portal for fire departments operated, regulated, or managed by one or more units of State and local government, including those located at or serving public airports, with the requirements of this Article.
- (3) Adopt rules to implement the requirements of this Article. OSFM may adopt temporary rules and shall adopt permanent rules no later than January 1, 2023. (2021-180, s 8.10(h).)

§ 58-82B-15. Report.

The Office of the State Fire Marshal (OSFM) shall report annually to the Environmental Review Commission no later than September 1 of each year on the utilization and inventory of AFFF by fire departments across the State during the previous fiscal year based on the reporting requirements of this Article. (2021-180, s. 8.10(h).)