

118TH CONGRESS
2D SESSION

S. 4319

To provide for progress reports on the national transition plan related to a fluorine-free firefighting foam.

IN THE SENATE OF THE UNITED STATES

MAY 9, 2024

Mr. PETERS introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To provide for progress reports on the national transition plan related to a fluorine-free firefighting foam.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROGRESS REPORTS ON THE NATIONAL TRAN-**
4 **SITION PLAN RELATED TO A FLUORINE-FREE**
5 **FIREFIGHTING FOAM.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of enactment of this Act, and every 180 days there-
8 after until the progress report termination date described
9 in subsection (c), the Administrator, in consultation with
10 the Administrator of the Environmental Protection Agen-

1 cy and the Secretary of Defense, shall submit to the ap-
2 propriate committees of Congress a progress report on the
3 development and implementation of a national transition
4 plan related to a fluorine-free firefighting foam that meets
5 the performance standards referenced in chapter 6 of the
6 advisory circular of the FAA titled “Aircraft Fire Extin-
7 guishing Agents”, issued on July 8, 2004 (Advisory Cir-
8 cular 150/5210–6D) and is acceptable under section
9 139.319(l) of title 14, Code of Federal Regulations, for
10 use at part 139 airports.

11 (b) REQUIRED INFORMATION.—Each progress report
12 under subsection (a) shall include the following:

13 (1) An assessment of the progress made by the
14 FAA with respect to providing part 139 airports
15 with—

16 (A) guidance from the Environmental Pro-
17 tection Agency on acceptable environmental lim-
18 its relating to fluorine-free firefighting foam;

19 (B) guidance from the Department of De-
20 fense on the transition of the Department of
21 Defense to a fluorine-free firefighting foam;

22 (C) best practices for the decontamination
23 of existing aircraft rescue and firefighting vehi-
24 cles, systems, and other equipment used to de-
25 ploy firefighting foam at part 139 airports; and

1 (D) timelines for the release of policy and
2 guidance relating to the development of imple-
3 mentation plans for part 139 airports to obtain
4 approved military specification products and
5 firefighting personnel training.

6 (2) A comprehensive list of the amount of aque-
7 ous film-forming firefighting foam at each part 139
8 airport as of the date of the submission of the
9 progress report, including the amount of such fire-
10 fighting foam held in firefighting equipment and the
11 number of gallons regularly kept in reserve at each
12 such airport.

13 (3) An assessment of the progress made by the
14 FAA with respect to providing airports that are not
15 part 139 airports and local authorities with respon-
16 sibility for inspection and oversight with guidance
17 described in subparagraphs (A) and (B) of para-
18 graph (1) as such guidance relates to the use of flu-
19 orine-free firefighting foam at such airports.

20 (4) Any other information that the Adminis-
21 trator determines is appropriate.

22 (c) PROGRESS REPORT TERMINATION DATE.—The
23 progress report termination date described in this sub-
24 section is the date on which the Administrator notifies the
25 appropriate committees of Congress that development and

1 implementation of the national transition plan described
2 in subsection (a) is complete.

3 (d) DEFINITIONS.—In this section:

4 (1) ADMINISTRATOR.—The term “Adminis-
5 trator” means the Administrator of the Federal
6 Aviation Administration.

7 (2) APPROPRIATE COMMITTEES OF CON-
8 GRESS.—The term “appropriate committees of Con-
9 gress” means the Committee on Commerce, Science,
10 and Transportation of the Senate and the Com-
11 mittee on Transportation and Infrastructure of the
12 House of Representatives.

13 (3) FAA.—The term “FAA” means the Fed-
14 eral Aviation Administration.

15 (4) PART 139 AIRPORT DEFINED.—The term
16 “part 139 airport” means an airport certified under
17 part 139 of title 14, Code of Federal Regulations.

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