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April 26, 2023

Honorable Stacy Brenner
Cross Building, Room 216
100 State House Station
Augusta, Maine 04333

Honorable Lori Gramlich
Cross Building, Room 216
100 State House Station
Augusta, ME 04333

RE: Support - LD 1214/ SP 495, *An Act to Clarify the Laws Related to PFAS Contamination*

Dear Chair Brenner, Chair Gramlich, and Members of the Committee on Environment and Natural Resources,

The Association of Home Appliance Manufacturers (AHAM) appreciates the opportunity to provide our views on LD 1214, which would provide clarification to Public Law 2021 Chapter 477 which requires reporting of products with intentionally added PFAS and would ban products with intentionally added PFAS. We would like to express our support to LD 1214.

AHAM represents manufacturers of major, portable and floor care home appliances, and suppliers to the industry. AHAM's membership includes over 150 companies throughout the world. In the U.S., AHAM members employ tens of thousands of people and produce more than 95% of the household appliances shipped for sale. The factory shipment value of these products is more than \$30 billion annually. In Maine, the home appliance industry is a significant and critical segment of the economy. The total economic impact of the home appliance industry to Maine \$437.4 million, more than 3,200 direct and indirect jobs, \$66.5 million in state tax revenue and more than \$138.3 million in wages. Home appliances also are a success story in terms of energy efficiency and environmental protection. New appliances often represent the most effective choice a consumer can make to reduce home energy use and costs.

AHAM's members produce hundreds of millions of products each year. They design and build products at the highest levels of quality and safety. As such, they have demonstrated their commitment to strong internal safety design, monitoring, and evaluation/failure analysis systems. AHAM recognizes Maine's interest to protect consumers against all unreasonable risks, including those associated with the exposure to potentially harmful chemicals. AHAM also firmly supports the appropriate use of PFAS chemicals in appliances. Together with industry design practices, test requirements, and redundant safety mechanisms, PFAS chemicals play an important role in the safety of household appliances. LD 1214 furthers this goal by making the necessary changes to definitions in current law that would address concerns with certain PFAS chemistries while allowing critically important uses and benefits of these chemistries.

AHAM conducted a member survey in a good faith effort to determine the extent to which PFAS is used in home appliances and the estimated time needed to phase out of PFAS in those use

cases. To the best of AHAM members' knowledge, as indicated appliances contain PFAS chemicals but in low amounts compared to the complete appliance weight. In some cases, PFAS are used for their self-lubricating properties and great resistance to high temperature but was also confined to internal components and parts, such as bolts and washers, plastic brackets, and wire terminals with no direct exposure to consumers during use. This material is added during the manufacturing process, which reduces the potential for any consumer exposure during use or transmission to the environment.

AHAM supports LD 1214 especially around the redefinition of "perfluoroalkyl and polyfluoroalkyl substances" as a group of synthetic perfluoroalkyl and polyfluoroalkyl substances that contain at least 2 sequential fully fluorinated carbon atoms, excluding polymers, gases and volatile liquids. This seeks to model Environmental Protection Agency actions. Among the several issues with the current broad ban, the PFAS ban would include the prohibition of hydrofluoroolefins (HFOs). HFOs are ultra-low global warming, climate friendly alternatives for use as refrigerator insulation foam blowing agents. In fact, Maine enacted a law in 2021 (LD 226) phasing down the use of HFCs and an HFO is one of the alternatives that is being used to help achieve these state's climate change mitigation goals. Prohibition or restriction of HFOs would require a total re-design of models and retooling of entire appliance manufacture facilities at significant cost. This new definition would exclude HFOs and we strongly support this update.

LD 1214 would also enable greater compliance with the law by providing companies a one year extension of the deadline for reporting of products containing intentionally added PFAS. Appliance manufacturers employ a complex, global supply chain for thousands of models with hundreds of thousands of components, often involving multi-tiered suppliers located on multiple continents with thousands and thousands of components. This includes an array of manufacturers, from small private firms to multinational corporations, providing chemicals, component parts, and assemblies that come together in a final manufactured article. Although the reporting requirement was scheduled to go into effect on January 1, 2023, the DEP granted thousands of manufacturers, including many appliance manufacturers, an extension in recognition of the complications related to reporting including delays in rulemaking, difficulty in obtaining and protecting confidential business information protected by intellectual property laws, disruptions in the global supply chain, and lack of laboratory testing capacity. A one-year extension of the reporting requirement date would allow manufacturers and the DEP to work through these issues.

AHAM encourages the support of LD 1214 as a sensible solution to protect health and the environment while providing regulatory clarification and certainty to impacted companies. Please feel free to contact me with any questions or to further discuss AHAM's comments.

Sincerely,



John Keane
Manager of Government Relations