Honorable Stacy Brenner
Chair, Committee on Environment and Natural Resources
Cross, Building Room 216
100 State House Station
Augusta, Maine 04333

April 25, 2023

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

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

MilliporeSigma respectfully requests your support of LD 1214/SP 495 that 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 unless DEP determines that the use of PFAS in the product is an unavoidable use.

MilliporeSigma recognizes and supports Maine's interest in managing PFAS contamination to protect the health of the state's citizens and the environment. LD 1214/SP 495 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.

As stated in our extension request letter, our use of PFAS, mainly fluoropolymers such as polyvinylidene fluoride (PVDF) and polytetrafluoroethylene (PTFE), is critical to the production of pharmaceuticals and lifesaving therapies, as well as for research and innovation. These uses can be divided into two main subgroups:

1. PFAS used in the production of articles used in laboratory settings, including the research, development, and production of critical vaccines and therapies within the pharmaceutical and biotechnology industries.
2. PFAS contained in equipment and articles used for manufacturer of products used in laboratory settings, including the research, development, and production of critical therapies.

Specifically, MilliporeSigma uses PFAS to produce filtration membranes used in the development and manufacturing of a variety of specialty products that require high purity.

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This includes pharmaceuticals, biologics, vaccines, and novel therapies including cell and gene therapy; in articles and equipment used in production where equipment needs to be chemically inert, heat resistant, oil and liquid repellent; and as coatings on single-use articles. We also supply many universities, laboratories, and analytical departments with PFAS and PFAS containing reagents in very small quantities for use in scientific research, routine analytics, and reference materials.

LD 1214/ SP 495 would enable greater compliance with the law by providing companies a one-year extension of the deadline for reporting of products containing intentionally added PFAS. Although the reporting requirement was scheduled to go into effect on January 1, 2023, the DEP granted MilliporeSigma, and additional 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.

Lastly, the proposed bill removes the ban on any products with PFAS by January 1, 2030, unless DEP identifies it as an unavoidable use. This provision is unnecessary and duplicative given that the law states DEP can by rule identify products or categories of products that cannot be sold or distributed.

Nearly every sector of the economy, including aerospace, autos, alternative energy, healthcare, building and construction, electronics, pharmaceuticals, and agriculture, relies on PFAS chemistries for the reliable and safe function of a variety of products. MilliporeSigma encourages the support of LD 1214/ SP 495 as a solution to protect health and the environment while providing regulatory clarification and certainty to impacted companies.

Sincerely,

Ellen Baker

Ellen Baker
Senior Regulatory Affairs Expert, North America
Life Science, Hazard Communication and Chemical Regulations

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