



AGC MAINE

THE CONSTRUCTION ASSOCIATION

Testimony of Matt Marks in Support of LD 987
“An Act Clarifying Exemptions from the Notification
Requirements for Products Containing PFAS ”
Joint Standing Committee on Environment and Natural Resources
March 17, 2025

Senator Tepler, Representative Doudera, and distinguished members of the Environment and Natural Resources Committee, my name is Matt Marks. I am a Principal at Cornerstone Government Affairs, and I'm here today to testify on behalf of my client, the Associated General Contractors of Maine (AGC Maine). AGC Maine is a statewide commercial construction trade association and a Chapter of AGC America founded in 1918 with 27,000 contractors, suppliers, and service providers nationwide.

AGC Maine supports the modifications of the exemption list included in this bill. While motor vehicles and motor vehicle equipment were explicitly exempted, it did not capture equipment used in construction when they contain perfluoroalkyl and polyfluoroalkyl substances. We can expect the same challenges with construction equipment as motor vehicles.

The construction equipment industry has continued work on alternatives to using PFAS-related products in the design and build of machinery but utilize them to protect equipment from the adverse weather impacts to equipment, including:

- cables and hoses
- hydraulic systems (PFAS is an additive in hydraulic fluids and lubricants)
- refrigerants: the industry uses two PFAS substances, HFC-134a and HFO-1234yf, in air conditioning systems
- alternative power technologies: PFAS provides the functional properties that are essential for many new alternative power technologies, including batteries and hydrogen fuel cells.

The industry is working on regional approaches to replacing or modifying the use of PFAS, but that work continues and should be guided by that broader regional approach. If they are not excluded, this will create additional regulatory barriers for approval to sell or lease critical equipment in Maine. Thank you for considering my testimony. I am happy to answer any questions.