



Testimony in Opposition to LD 1503, An Act to Stop Perfluoroalkyl and Polyfluoroalkyl Substances

Chair Brenner, Chair Tucker, and members of the Environment and Natural Resources Committee;

On behalf of Twin Rivers Paper Company, headquartered in Madawaska Maine, I am before you today in opposition to LD 1503, An Act to Stop Perfluoroalkyl and Polyfluoroalkyl Substances.

Twin Rivers Paper Company, headquartered in Madawaska, Maine, is an integrated specialty paper company that produces specialty packaging, label, publishing, and technical specialty papers as well as dimensional lumber. Targeting its manufacturing capabilities to specific market segments. The Madawaska mill combines manufacturing flexibility and product development expertise with a strong service platform to deliver innovative products that drive our continued success in Madawaska. As one of the largest employers in Aroostook County with over 400 employees, the mill is a key cornerstone for the economy in that part of the State.

Twin Rivers recognizes the challenges that PFAS contamination has presented in Maine – both for the health and safety of Maine citizens and for the Department of Environmental Protection (DEP), which is seeking to be responsive to citizens’ and legislators’ concerns. For this reason, Twin Rivers supports reasonable proposals being made at the federal level related to PFAS reporting and the phase-out of certain PFAS-containing products. We do not support an immediate ban on any and all products containing intentionally-added PFAS, but rather endorse a more measured and phased approach.

Twin Rivers’ primary concern with LD 1503 is with respect to products containing PFAS other than carpets, rugs, or fabric treatments. Specifically, we are concerned with proposed §1612(5)(C) – found on page 2, line 34 of the bill. This section would allow the DEP to identify categories of products containing intentionally added PFAS, and to implement a ban on the sale, offer, or distribution of those products.

There is no date provided in the bill by which such a ban would take effect. Twin Rivers therefore assumes that, if LD 1503 is enacted, a ban on any and all PFAS-containing products could be implemented as soon as the law is effective and a rulemaking process can be conducted accordingly. The bill further proposes that the rulemaking be routine technical, which would not provide the legislature any chance to further review the proposed ban. This bill introduces an unpredictability in managing the phase out of products containing PFAS that could be extremely problematic for Twin Rivers, as we are working closely with the federal government to that end. More specifically,

- Twin Rivers Paper has a large business – nearly half of its production in Maine – built on food packaging grades, some of which use PFAS chemistry.
- The FDA has recently taken action to require a phase out of PFAS in food packaging products by December 31, 2023.

- Twin Rivers is committed to finding innovative solutions to replacing PFAS in its food packaging products over the next two years, according to the EPA timeline.
- As we work towards this, we are using the next two years to make sure that we have sustainable replacement products, available raw materials, and scale up timelines to meet customers' expectations.

Replacing PFAS in our food packaging products by December 31, 2023, will not be an easy, quick, or inexpensive process. Twin Rivers is committed to meeting the challenge, but needs the time and runway to do it effectively. For these reasons, Twin Rivers is concerned that the proposal to allow a ban of PFAS-containing products, effective as early as 2021, will negatively impact Twin Rivers' ability to continue to maintain business operations in Madawaska.

Twin Rivers urges the Committee to consider other options for evaluating the state's PFAS risk and protecting Maine consumers. Specifically, we ask the committee to work with existing federal EPA and FDA standards, when considering a ban on any PFAS-containing products, to ensure that Maine manufacturers have consistency and predictability with respect to this important new regulatory landscape.

We respectfully ask the Committee to vote Ought Not to Pass on LD 1503, and welcome the opportunity to further discuss this important issue.

Sincerely,

Brian M. McAlary
Vice President of Business Development, Technical and Export Sales
Twin Rivers Paper Company