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LD 1214

On behalf of BP Polymers, we would like to extend our thanks to Chair Brenner and Chair Gramlich, and distinguished members of the Joint Committee on Environment and Natural Resources for the opportunity to submit this written testimony. We are a US-based company that focuses on providing eco-friendly resin and packaging alternatives to fluorination. Though it may seem that we are somewhat detached from this issue, our work brings us close to the fight against PFOS and PFOA as we have seen the sweeping detrimental effects of these substances on consumers and businesses alike.

Our testimony today is against LD 1214, “An Act to Clarify the Laws to Combat Perfluoroalkyl and Polyfluoroalkyl Substances Contamination”. Supporters may say this legislation is beneficial because it narrows the scope of what is considered perfluoroalkyl and polyfluoroalkyl substances as businesses are forced to bear the burden of transitioning away from these chemicals. However, there is a growing body of robust, sound scientific research highlighting the tremendous harms of perfluoroalkyl and polyfluoroalkyl substances on our environment and public health. These substances have shown to be endocrine disrupters, cancer-causing, and immune suppressing to the point where vaccine efficacy is affected. There is no point where perfluoroalkyl and polyfluoroalkyl substances are not pernicious. They are bioaccumulative and notoriously difficult to eliminate. Furthermore, they are everywhere – from your containers to your clothing to your food to your water.

Thus, this legislation that walks back previous iterations of PFAS regulation in the state is extremely concerning. Proponents have advocated for LD 1214 under the guise that it ensures availability of products in the marketplace and makes it easier for compliance purposes. But, if we are aware of the expansive harms that perfluoroalkyl and polyfluoroalkyl substances cause, why would we not seek to reduce and eliminate them from our world? The marketplace is ripe with alternatives and new, revolutionary technologies are being developed every day. Moreover, we belittle the consumer when we assume they would seek to continue to engage with a product that is actively injuring them.

This legislation is simply a way for producers of perfluoroalkyl and polyfluoroalkyl substances to avoid accountability for the very damage they have created. It narrows the scope to limit liability and allows producers to exempt themselves under the wording of “intentionally added.” Yet, the science is clear. Perfluoroalkyl and polyfluoroalkyl substances are what make antiquated barrier methods like the fluorination of HDPE products “work.” These perfluoroalkyl and polyfluoroalkyl substances are inherent to the very chemical processes that are taking place. Make no mistake, the loudest supporters of LD 1214 are not seeking to protect small businesses and consumers. They are the voices of polluters seeking to protect themselves.