Honorable Stacy Brenner
Chair, Committee on Environment and Natural Resources
Maine State Legislature

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

April 21, 2023

RE: Support - LD 1214/ SP 495 *An Act to Clarify the Laws Related to Per- and Polyfluorinated Substances (PFAS) Contamination*

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

Solvay is a global leader in advanced materials and specialty chemicals. Our tailor-made range of products and constantly evolving research enables everyday sustainable market-based solutions for next-generation transportation, resource efficiency, consumer goods, healthcare, and industrial production to accommodate U.S. consumers' needs. At Solvay, we have been connecting people and scientific minds for nearly 160 years. Innovation is at our core and part of our DNA. In the United States, Solvay employs over 5,600 people working in 35 sites across 25 states. We are a science company with a remarkable past, aiming to reinvent the future with our technologies, particularly in the emerging clean energy markets.

For the reasons below, we respectfully request your support of LD 1214/SP 495 providing much-needed amendment and clarification to Public Law 2021 chapter 477. As currently written, P.L. 2021-477 is overly broad, and will undermine US competitiveness in key critical products that are vital to achieving the country's climate goals and preserving national security.

Public Law 2021-477 is Too Broad, Endangers Critical Supply Chains, and Undermines US Competitiveness:

As written, P.L. 2021-477 restricts applications with a major impact on many downstream products we use in our daily lives and that are critical for the future development of a sustainable society.

For example, fluoropolymers should not be targeted as they are chemically inert, critical to the functioning of modern society and key to innovation. Their use is generating significant benefits along the value chain, making them critical in numerous technologies, industrial processes, and everyday products.

Fluoropolymers, Perfluoropolyethers (PFPE) and Fluorochemicals are essential inputs for the production of rechargeable electric vehicle batteries, sealings in new energy vehicles, special lubrication for safety applications, gaskets and sealings in extreme service conditions, solar panels, hydrogen membranes, wind turbines and semiconductors, all of which rely on these products' specific properties.

Specifically, Solvay is a world leader in developing and manufacturing Polyvinylidene Fluoride (PVDF). PVDF is a high-performance fluoropolymer plastic offering an attractive combination of attributes including very good cohesion and mechanical strength, high purity, excellent resistance to strong acids, oxidation, ulta-violet radiation, and endurance in aggressive environments in general.

First, LD 1214/SP 495 incorporates important revisions to P.L. 2021-0477's definitions that will address concerns with certain PFAS chemistries while ensuring critical fluoropolymers remain commercially available. Solvay supports clear, science-based regulatory measures on PFAS and believes that a segmentation is needed to differentiate the substances according to their intrinsic properties and toxicological profile. We actively promote the continued responsible and safe manufacture, use and placement of products which are essential to the U.S. industry and to the decarbonization of the global economy. We take the subject of PFAS very seriously, and health and safety are Solvay's top priorities. In this vein, over the last several years, Solvay invested hundreds of millions to advance our technology where we now produce all of our fluoropolymers in the United States without the use of fluorosurfactants. Fluorosurfactants are process aids that help ingredients work together in manufacturing some fluoropolymers and these are the PFAS substances under the most intense spotlight. Solvay was able to invent a next generation, more sustainable range of very specialized fluoropolymers without the use of fluorosurfactants while keeping the unique properties of these products, as required for special applications.

Second, LD 1214/SP 495 removes the ban on any products with PFAS by January 1, 2030 unless DEP identifies it as an unavoidable use. The 2030 "unavoidable use restriction" results in a significant chilling effect for much-needed domestic investment in critical product supply chains and fails to provide industry the regulatory certainty to expand in the United States. **One of the most important uses of PVDF is as a cathode binder and separator in high-capacity lithium-ion batteries for electric vehicle applications. All lithium-ion batteries need PVDF in order to operate safely and effectively.** In its June 2021 critical product supply chain report, the Biden Administration noted that more domestic production of PVDF is important to growing the electric vehicle sector domestically beyond 2025. Chinese competitors also understand this dynamic, are significantly ahead in terms of capital investment, and looking to serve the burgeoning U.S. demand from their manufacturing facilities in China.

We are pleased to report that in November 2022, Solvay announced a joint venture that will create one of the largest PVDF production facilities for battery applications in the United States. The total investment is estimated around $850 million. Solvay is stepping up to meet this demand and ensure that the US has a strong and resilient domestic battery material supply chain. However, the regulatory uncertainty associated with securing timely essential use designations for dozens of applications could seriously undermine our ability to confidently make these extremely large capital investments. Obviously, if adequate domestic supply is not available, EV manufacturers will be forced to rely on Chinese suppliers which would threaten U.S. national security.

As such, passage of support of LD 1214/SP 495 is crucial for ensuring US competitiveness in critical product and clean energy supply chains. If you have any questions please feel free to contact me at any time.

Very truly yours,

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