



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

April 24, 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,

Arkema Inc. 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 as of January 1st 2030, unless DEP determines that the use of PFAS in the product is an unavoidable use.

Arkema Inc. recognizes Maine's interest in managing PFAS 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 legacy PFAS chemistries while allowing critically important uses and benefits of PFAS that are not bioavailable and do not end up in living organisms – i.e. PFAS of low concern.

LD 1214/ SP 495 would also enable greater compliance with the law by providing downstream users and resellers 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 thousands of 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 affected businesses and the DEP to work through these issues. Please note that Arkema complied with the reporting requirement prior to the deadline of 1/1/2023 for the chemicals we manufacture, but we recognize that it is much more difficult for article manufacturers and downstream users.

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.

As you know, nearly every sector of the economy, including aerospace, autos, alternative energy, healthcare, building and construction, electronics, pharmaceuticals, and agriculture, relies on PFAS chemistries, including PFAS of low concern, for the reliable and safe function of a variety of products.

Arkema Inc. encourages the support of LD 1214/SP 495 as a sensible solution to protect health and the environment while providing regulatory clarification and certainty to impacted companies.

Sincerely,

A handwritten signature in blue ink that reads "Allen Karpman". The signature is fluid and cursive, with the first name "Allen" and last name "Karpman" clearly distinguishable.

Allen Karpman
Director of Government Affairs
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