

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,

Yarmouth Research and Technology, LLC (YRT) 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 2023, unless DEP determines that the use of PFAS in the product is an unavoidable use.

YRT recognizes Maine's interest in managing PFAS contamination 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 PFAS chemistries while allowing critically important uses and benefits of these chemistries.

LD 1214/ SP 495 would also enable greater compliance with the law by providing companies 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 manufacturers and the DEP to work through these issues.

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 for the reliable and safe function of a variety of products.

I created YRT in 1992 with the main purpose to test products in the petro/chemical market to reduce pollution (ie. Fugitive emissions). We test valves, gaskets and seals that are used in refineries, paper mills, chemical plants and many other facilities. Before the Clean Air Act Amendments of 1990, leakage from these products at these plants was not measured or controlled. The initial allowable leakage was 10,000 PPMv of VOC's from any device. Throughout the last 30+ years, the petro/chemical industry has written many standards and have reduced the allowable leakage in most tests to no more than 100 PPMv. The manufacturers of these products have made great strides in reducing green house gases and other pollutants. So, what does this have to do with the Act? Most of the seals that are used in these facilities, whether in a gasket, valve, pump, heat exchanger or other piece of equipment contain a polymer or elastomer that would not be allowed if this Act was to not pass. And in most if not all of these applications, there are no available alternatives.

YRT 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 black ink, appearing to read "Matthew Wasielewski".

Matthew Wasielewski
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