



Honorable Janet Mills
Governor of Maine
1 State House Station
Augusta, Maine 04333

Commissioner Melanie Loyzim
Maine Department of Environmental Protection
State of Maine
17 State House Station
Augusta, Maine 04333

July 7, 2022

RE: Extension Request- Reporting Deadline 38 MRSA Section (3)

Dear Governor Mills and Commissioner Loyzim,

We are writing to respectfully request an extension of the deadline for reporting of products containing intentionally added substances defined as PFAS in the State of Maine that is scheduled to go into effect on January 1, 2023. As you know, 38 MRSA Section 1612 has a broad impact on nearly every sector of the economy, including aerospace, autos, alternative energy, healthcare, building and construction, electronics, pharmaceuticals, and agriculture, that relies on PFAS chemistries for the reliable and safe function of a variety of products important for industry and consumers.

Under 38 MRSA Section 1614 (3), the Maine Department of Environmental Protection (DEP) may grant an extension if the DEP determines that more time is needed by manufacturers to comply with submission requirements. We respectfully request the extension of the reporting deadline for the following reasons:

The delay in rulemaking makes it difficult for manufacturers and companies to come into compliance, with a reporting deadline in less than six months. Rulemaking for 38 MRSA Section 1614 has just started with an informational meeting scheduled for June 30, 2022. With an effective reporting deadline of January 1, 2023, manufacturers and companies have little knowledge of what information is required and how to comply with a broad mandate that currently has few details about what information is necessary and the process for submitting information.

Manufacturers and companies that are trying to comply are having difficulty in obtaining information protected by intellectual property laws. Companies that are aware of the deadline and are preparing to provide information are having difficulty obtaining information from their suppliers for a number of reasons- (1) A disrupted global supply chain continues to create complexities at every level in the marketplace; (2) Suppliers will not provide protected intellectual property information to the public domain for competitors to potentially access unless they have legal assurance that their intellectual property is protected.

We the undersigned organizations that represent the regulated community recognize that there will be an obligation to report information on products containing PFAS; however, for the above stated reasons we are requesting a 12-month extension of the reporting deadline past the promulgation of the final rule. Thank you for your consideration of this request.

Sincerely,

AdvaMed
American Chemistry Council
ACC Spray Foam Coalition
American Apparel and Footwear Association (AAFA)
American Coatings Association
American Fuel & Petrochemical Manufacturers (AFPM)
AGC Chemicals Americas, Inc
Animal Health Institute (AHI)
Alliance for Automotive Innovation
Association of Equipment Manufacturers (AEM)
Association of Home Appliance Manufacturers (AHAM)

BASF
Carlisle Spray Foam
Insulation
Chemours
Creative Polymer
Solutions
Crop Life America
Communications Cable &
Connectivity Association
(CCCA)
Consumer Healthcare

Products Association (CHPA)
Consumer Technology Association (CTA)
Covestro
Daikin America, Inc.
Flexible Packaging Association
Fluid Sealing Association (FSA)
General Coatings Manufacturing Corp
Honeywell
Household & Commercial Products Association (HCPA)
Huntsman
Hydraulic Institute
ICP Group
IDI Distributors
Juvenile Products Manufacturers Association
Maine State Chamber of Commerce
Motorcycle Industry Council (MIC)
National Association of Chemical Distributors (NACD)
National Council of Textile Organizations (NCTO)
National Electrical Manufacturers Association (NEMA)
Natural Polymers, LLC
Outdoor Power Equipment Institute (OPEI)
Pine Chemicals Association International (PCA)
Plastics Industry Association
Recreational Off-Highway Vehicle Association (ROHVA)
Responsible Industry for a Sound Environment (RISE)
Rhino Linings

SES Foam
Semiconductor Industry
Association (SIA)
Specialty Vehicle Institute
of America (SVIA)
Solvay
Sustainable PFAS Action
Network (SPAN)
SWD Urethane
TC Hafford Basement
Systems (*a Maine
Company*)
Weather Seal Spray Foam
Solutions Inc (*a Maine
Company*)