STATE OF MAINE

BOARD OF ENVIRONMENTAL PROTECTION

Public Hearing

on

Chapter 90: Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances

PUBLIC HEARING reported by Robin J. Dostie, a Notary Public and court reporter in and for the State of Maine, on January 16, 2025, held at the Deering State Office Building, 90 Blossom Lane, Augusta, Maine commencing at 10:01 a.m.

BEP MEMBERS IN ATTENDANCE:
SUSAN LESSARD, BEP Chair
ROBERT DUCHESNE, BEP Member
STEVEN PELLETIER, BEP Member
ROBERT SANFORD, BEP Member
BARBARA VICKERY, BEP Member
ROBERT MARVINNEY, BEP Member

OTHER PERSONS IN ATTENDANCE:
JACK DAFOE, Assistant Attorney General
MELANIE LOYZIM, DEP Commissioner
BILL HINKEL, BEP Executive Analyst
RUTH ANN BURKE, BEP Administrative Assistant

DEP STAFF IN ATTENDANCE:
KERRI FARRIS, Safer Chemicals Program
MARK MARGERAM, Rulemaking Coordinator

PROCEEDINGS

MS. LESSARD: We will now open the hearing on Chapter 90. Additional details regarding this hearing were provided at the outset of this Board's proceeding. I note that all Board members are present and participating in this matter today.

At this time, I will administer an affirmation to those persons planning to testify on this proposed rule. Those who wish to testify should now stand or otherwise make your presence known. I knew there would be more.

Do you solemnly, sincerely and truly declare and affirm that the evidence you offer the Board is the truth, the whole truth, and nothing but the truth?

(Participants affirm.)

MS. LESSARD: Thank you very much. We will proceed with a presentation from Department staff. Welcome.

KERRI FARRIS: Good morning, Chair Lessard and Members of the Board. I am Kerri Malinowski Farris. I manage the Safer Chemicals Program at the Department. With me this morning is Mark Margerum. He is our Rulemaking Coordinator within the Commissioner's office. Thank you for holding this

hearing this morning.

Draft rule Chapter 90 proposes to implement the regulation of intentionally added PFAS in products as established by the Legislature at 38 M.R.S. Session 1614. This section of law creates specific product category sales prohibition and establishes a reporting requirement for prohibited product categories that have received a currently unavoidable use determination through routine technical rulemaking.

The statutory sales prohibitions are scheduled in three year intervals up to 2032 when the scope of the prohibited product prohibition broadened to any product with intentionally added PFAS with some exceptions which are captured in a 2040 sales prohibition and with the Legislature's most recent amendment now includes a prohibited product fluorinated container even if the prohibitive product itself does not contain intentionally PFAS. The draft rule establishes criteria for currently unavoidable use proposals for those products prohibited for sale for which there is a specific need for the use of PFAS such as health, safety, or the functioning of society would be negatively impacted by the product's unavailability and no

cost-effective alternatives that meet performance standards are available.

Currently, unavoidable use determinations will be made through routine technical rulemaking with you and are valid for a limited amount of time. For manufacturers of prohibited products which have been determined to have a currently unavoidable use, the law requires submission of a report to the Department for their use of PFAS in those products. This rule mirrors reporting requirements established in statute and proposes a reporting fee to cover the program's administrative costs.

Thank you for holding this public hearing for draft rule Chapter 90. We're happy to answer any questions you might have.

MS. LESSARD: Does anyone have any questions for staff before we begin? Mr. Duchesne.

MR. DUCHESNE: Thank you. So I -- as is my habit, I've read the statute after reading the rule to see how closely they all adhere and much of what's in the rule is defined in statute. So I'm assuming the testimony and comments that could follow would be most helpful to the Department if it goes into where the Department may have misinterpreted or added additional language that is not in statute and that's

the kind of thing that really helps the Department focus.

KERRI FARRIS: Absolutely.

MR. DUCHESNE: Yup.

KERRI FARRIS: Thank you.

MS. LESSARD: Any other questions or comments? Thank you both.

KERRI FARRIS: Thank you.

MS. LESSARD: We have eight people who signed up. We have some in support of, some in opposition to and some neither for nor against. So I'm going to go -- I'm not going to go all, all, all. I'm going to start with one and go this way. So we will start with Sarah Woodbury from Defend Our Health.

SARAH WOODBURY: So Representative Gramlich needs to leave, so I'm going to give her my slot if we could switch places. Would that be okay?

MS. LESSARD: That's perfectly fine.

SARAH WOODBURY: Okay.

LORI GRAMLICH: I have written testimony. I'm very conditioned in the Legislature, so I don't know if anybody wants that, but I do have copy. And before I start, I just want to say I'm really impressed how you have people stand up and affirm

that they're going to tell the truth. I want to implement that in the Legislature.

MR. DUCHESNE: That takes half the fun out of it.

LORI GRAMLICH: Or puts more fun in it.

So good morning, Chair Lessard and Members of the BEP. I am Lori Gramlich and I am currently Assistant House Majority Leader and State Representative serving the lovely seaside community of Old Orchard Beach. I really appreciate the opportunity to comment on the proposed Chapter 90 rule containing PFAS.

During my time in the Legislature, I've worked to address the increasingly alarming concerns around PFAS contamination and the way these chemicals affect our land and our health. I have personally sponsored several proposals to protect Mainers from the health risks posed by PFAS exposure, including LD 1503 in the 130th Legislature, which phase out avoidable use of intentionally added PFAS.

As a side note, I will tell you I just recently got back from a trip out to Iowa where I gave a PFAS panel to a group of farmers, many of whom from both the Canadian providences and the central plain states too were unfamiliar with PFAS, and it

was really -- it was really eye opening to have that opportunity. Additionally, I will say that Maine has been a real leader in advancing the work that we've done around PFAS and that was evident by what I was exposed to out in Iowa.

As House Chair of the Environment and Natural Resources Committee during the 131st Legislature, I worked closely with my colleagues and stakeholders on LD 1537, which I was co-sponsor of with Senator Henry Ingwersen, and that bill amended the critically important law 1503 from 130th to allow for greater success in its implementation.

I'm deeply grateful to the Department staff, environmental, and public health advocates and industry stakeholders who have informed the work we are providing feedback on today. The draft rule is well done. And while I have feedback to draw to your attention today, I am pleased to support it overall and offer the following suggestions to further strengthen it before final adoption by the Department.

First, I ask that the Department increase the specificity of the definitions in the proposed rule. For example, "commercially available analytical method" testing does not need to be done

by a third-party lab. Industry should be allowed to test their own -- should not be allowed to test their own materials. This is vague language about not altering third-party lab protocols. The definition should also more specific. In theory, a lab could use any test methodology that they want for a third-party. "Chemically formulated" is defined as a process that chemically changes the substance extracted from naturally occurring plant, animal or mineral sources. What about instances where it does not chemically change the natural substance but is still added to the substance? Cosolvent: It is not clear it me why "in small amounts" is in the definition. Cosolvents can be used in a wide range of concentrations.

Secondly, I believe additional language is needed in Section 9 to accomplish the following: To require manufacturers to clearly articulate the characteristics in question are necessary for the relevant product's function in health, safety or the functioning of society and provide specific criteria to guide industry when comparing the known risks of PFAS with any such risks posed by alternative materials.

Finally, I respectfully urge you to ensure

that this draft rule is not weakened in any way before adoption. Current law is a result of extensive work between the Legislature, the Executive Branch and various advocacy groups to compromise and we did a lot of compromise to get this particular portion of the statute that is being impacted. It allows a number of exemptions requested by industry and aligns our timeline with that of other states providing uniformity. Where delays or exceptions may have been helpful or necessary, we have already made them. Now is the time to move forward. Quite frankly, the genie is out of the bottle, we cannot put it back.

I am so proud of the nation-leading work we have done here in Maine. As I mentioned, we have been a true leader with this particular policy initiative, not only to recognize the threat of PFAS chemicals that pose but that also we've been able to take thoughtful and meaningful action. The bottom line is that we need to ensure these rules serve to further strengthen our protections against unnecessary PFAS contamination and exposure.

I will also alert you to not written in my testimony there was an article that just came out by the Portland Press Herald that talks about the number

of farms that are being impacted, somewhere in the neighborhood of 600, and they've only -- the Department has only gotten halfway through their testing and the article references the vast array of materials and products that PFAS is found in. So I'll alert that to you when you have nothing else to do to take a look at that as well.

I am happy to try to answer any questions, but I am fairly certain there is somebody coming behind me that will be able to elaborate on some of the questions you may have.

MS. LESSARD: Any questions for -- Mrs. Vickery.

MS. VICKERY: Thank you. It's very helpful to hear directly from somebody involved in drafting the statute. I found the first bullet point, the -- the concerns about the -- the definitions of commercially valuable analytical method. As I read what your testimony is it's about here is what it shouldn't be?

LORI GRAMLICH: Mmm Hmm.

MS. VICKERY: So what should it be?

LORI GRAMLICH: As I said, I think there are going to be people that can really kind of tease that out a little bit in a more deliberate way that --

MS. VICKERY: Okay.

LORI GRAMLICH: I'm not a scientist. When I was with the farmers out in Iowa, I was very clear to let them know I am not a scientist, nor am I a farmer, but I am a public health advocate, so I'm -- I'm conversant in the risks relative to this with public health.

MS. VICKERY: Thank you.

LORI GRAMLICH: Thank you.

MS. LESSARD: Any other? Thank you very much. Christopher Correnti.

CHRISTOPHER CORRENTI: Good morning, Chair Lessard and Members of the Board. I am Christopher Correnti and I'm President, CEO and general counsel for a company called AGC America. I appreciate the opportunity to be able to testify this morning on the proposed Chapter 90 regulations as they relate to products containing PFAS.

For those of you who may not know who AGC is, we are an international company and we have in the U.S. multiple different manufacturing businesses including chemicals, life sciences, electronic materials, automotive glass, manufacturing and fabrication, we have a coding equipment business and we have several different R&D facilities. All of the

businesses are related to manufacturing of products.

So why are we here talking about PFAS and products in Maine? We're here because all of our businesses manufacture products that use equipment or the products that they are selling, especially with our chemicals business, have products in them that use something called fluoropolymers. If you're not familiar with fluoropolymers, they are included as a PFAS under the definition -- the broad definition that is used for PFAS under the Maine law. So it is a major concern for not only our chemicals business, who is actually dealing with these materials and selling products that have fluoropolymers in them, all of our businesses and, therefore, the products they make that go into cars or go into making our life sciences products they all are using fluoropolymers, so this law and the regulation certainly is very important to us and it's something that we're very concerned in terms of making sure there is consistency and clarity as regulations are being developed.

We are submitting written comments so I won't go into detail on what our written comments are going to be. I do want to say that I want to thank and certainly recognize the Department for taking on

this battle, trying to get the regulations put together. Very complex law, very complex subject and very difficult to put together implementing regulations that are going to make sense and are going to work for not only the citizens of Maine but also for industry and those of us who are selling products into Maine. So thanks for all of the efforts. I know it's been a long process and certainly a difficult process.

There is a number of the -- most of the regulations we -- that are drafted we don't have a real major issue with, but there are some areas that we think need further refining so that's really what I'm going to focus my testimony on today. Our comments go into much more detail on where some of those refinements need to be made, but to save time I only want to focus really on three critical issues for -- for us and what we think should be addressed in the regulations. The first relates to fluoropolymer. We are asking the Board and the Department to consider either giving a broad exemption to fluoropolymers under the regulations and the law or to give a categorical currently unavailable use for fluoropolymers under the regulations.

So why are we asking for that? You may know there is some 14,000 or so chemicals that are considered PFAS, okay, so it's a very, very large dynamic body of chemicals. Many of them are similar, many of them perform different functions. Fluoropolymers are unique. They have a particular combination of bonds that make the products that use fluoropolymers make them able to withstand significant temperatures. They're highly durable. They can go into environments that most other materials cannot survive in or certainly won't survive as long in. So fluoropolymers were developed, I don't know, a couple of decades ago or so initially. They've been improved over time, but they go into applications that need something that's going to last. So the best example of that is insulating wiring that goes into cars or boats or airplanes. That wiring needs to last and shouldn't be affected by cold temperature, other harsh conditions, all right. So that's why fluoropolymers are used where you need reliability, you want safety, and you certainly want the public health to be protected and that's why they have become used in so many different areas. I think people don't really appreciate what does or does not have a fluoropolymer

it, but laptops, cell phones, medical devices certainly, stents and pacemakers, they all have fluoropolymer material either insulating their wiring or helping protect the components.

They are also incredibly difficult to replace. They are -- it took years of study to develop fluoropolymers. All of us in this industry have looked at ways can we, you know, find another material that works as well. I can tell you none of us have been able to find any material that works nearly as well as fluoropolymers and our customers would tell you the same thing. They pay a higher prices for those products from us, but it's worth it because their products these go into last. They don't degrade. They don't have shortages in wire because the covering is not able to withstand conditions that they're sitting in. So it is truly a material that is essential, but it's also material that's incredibly hard to replace and I don't -- maybe some day someone will invent something that might replace fluoropolymers, but today it does not exist.

So we're asking the Department to take that into consideration and asking the Board to take that into consideration to say these materials are unique

and they should get some different treatment under the regulations than all of the other PFAS materials that are certainly included in the definition of PFAS under the law and the regulations.

The second topic we want to talk about is on consistency. So I think there are a number of exemptions in the regulations and in the law. I think those were, as you've already heard, were highly debated and there was a lot of discussion that went into how to draw up those those exemptions. I think there probably was not a full appreciation of all of the areas in some of the exemptions that might be in products that are not in the exemptions and so what we're asking the Board and the Department to look at is create consistency. So a great example is if you look at the exemption for motor vehicles or motor vehicle equipment, all right, that includes, of course, all cars and ATVs and farm equipment, but it doesn't include locomotives or rail cars that might have the same materials, the same wiring, the same gaskets that contain fluoropolymer materials. Snowmobiles would not be exempt under that regulation yet they use some of those same fluoropolymer materials. And maybe even more important, equipment used on manufacturing floors for non-exempt products,

such as fork lifts, which have gaskets that are made of fluoropolymer material, they're not exempt. So we understand it's probably very difficult to fully appreciate the breadth of the exceptions and what is or is not included, so we're just asking let's look at and again. Our comments will detail a number of those circumstances where maybe exemptions need to be broadened or maybe there is another category they can fall under to ensure consistency on how the same products are being dealt with in different applications.

The third thing that we would like to talk about briefly is the currently unavoidable use process. So we know the law has a five year period for that process and only the Legislature can change that five year period, which we would hope they will look at in the future. One of the issues for companies like us is five years is not long enough to look at developing alternate products, okay, it just doesn't happen that quickly and for us for fluoropolymers that is not a quick process. Five years is nowhere near the time that we could be able to possibly find some alternative to fluoropolymer material that we're using today. So, again, I appreciate the Board and the Department can't change

the five year process, but I hope we can look at maybe how that rule is interpreted and hope the Legislature certainly reconsiders that in the future.

In particular, the information that has to be submitted every five years is a key area we want to focus on. The current regulation in law says you have to provide a whole series of information in order to get a currently unavoidable use determination, okay, but then you have to do the same thing five years later even if nothing has changed and, of course, talk about what has changed or is there new information. So and I think secondly to -- for companies to say I only have a five year guarantee of selling products in Maine is not a very practical approach. It's certainly not a business model that companies can really, really find is going to allow them to make new investments or to continue to sell products in certain areas if that, in fact, is only a five year guarantee. So we would ask for maybe a process that could look at that five year period but say for renewals can you not require all of the same information but new information or and say that unless there is new information that says the exemption shouldn't be reconsidered or should be reconsidered the renewal is granted and you don't

have to have this period where you don't really know whether you're going to be able to continue to sell products in Maine or not. So I think the consistency for the public, for manufacturers, and certainly for products that are sold and used in Maine that's an important aspect and if there is a way to affect that process we think it could be a good improvement to the regulations.

So I appreciate your time this morning. We're happy to continue to work with the Board and the Department certainly on continuing to get the regulations to a final approved state. And I would be happy to answer any questions you have. Thank you.

MS. LESSARD: Mr. Duchesne.

MR. DUCHESNE: Thank you very much, Madam Chair. Fluoropolymer, that's probably a -- has at least one of fully fluorinated carbon atom --

CHRISTOPHER CORRENTI: Correct.

MR. DUCHESNE: So under the definitions in the Legislature statute we'd have to follow that. I have a little bit of deja vu about this because it's the kind of thing that I think the Legislature and Board went through 10, 15 years ago on decabrominated flame retardants --

CHRISTOPHER CORRENTI: Mmm Hmm.

MR. DUCHESNE: -- there was a whole classification of chemical similar -- with the similar problems that they were good in wiring harnesses and hard to replace. And so there had to be a lot of fudging during the course of that over several years where the Legislature had to change or create the exemptions, the Board was given some latitude. I'm trying to figure out what that process is going to be if we follow your recommendations. So you suggest that this is going to come back to the Legislature for some refinement?

CHRISTOPHER CORRENTI: Well, I think a couple of the requirement, for example, the five years is in the statute. I understand this Board --

MR. DUCHESNE: Mmm Hmm.

CHRISTOPHER CORRENTI: -- and this Department can't change the five year period, but is there a way to interpret the regulation -- the law to allow for some modification of the process. I think that's what we're asking the Board and the Department to look at because we think there is. But that could require the Legislature to come back --

MR. DUCHESNE: Mmm Hmm.

CHRISTOPHER CORRENTI: -- which I know is

not everyone's desire for the Legislature to have to revisit this again.

MR. DUCHESNE: Oh, I have no problem with that.

CHRISTOPHER CORRENTI: So I think there is some refinement the Legislature should do. There are examples of -- in other states where there have been other PFAS laws enacted that I think address some of the -- maybe the gaps that resulted from the amendments that were made last year, but I think the Legislature has -- should do some additional refinement, but certainly I think the Department and the Board have some leeway within the language of the statute to address some of the concerns that we've raised already.

MR. DUCHESNE: Mmm Hmm. All right. And will you be submitting any comments suggesting what specific leeway recommendations you'd make?

CHRISTOPHER CORRENTI: Yes.

MR. DUCHESNE: Okay.

CHRISTOPHER CORRENTI: Yes. We will have that in detail, yes.

MR. DUCHESNE: Okay. Thank you.

MS. LESSARD: Mr. Sanford.

MR. SANFORD: Following up along the lines

of what Mr. Duchesne has said, it's got to be -- we -- we cannot find ourselves in a situation where we're saying the Legislature should do this or should do that, so I think there really needs a bifurcation between where you make the strategy approach that you would be doing with the Legislature and more specifically what you think that the Environmental Board and the DEP can do without violating or flying against that five years that's in there. Like where do you think that there is leeway that doesn't violate the intention and spirit?

CHRISTOPHER CORRENTI: Sure. And we will try -- we are trying to do that in the comments that we're going to submit, so --

MR. SANFORD: Okay.

CHRISTOPHER CORRENTI: -- because we approach that -- that line the Department and the Board has to draw.

MS. LESSARD: Anything else? Thank you very much.

CHRISTOPHER CORRENTI: Thank you.

MS. LESSARD: John Keene.

JOHN KEENE: Good morning, Members of the Board. My name is John Keene with the Association of Home Appliance Manufacturers, also known as AHAM,

based in Washington, D.C. This is in particular regard to the cookware bans in the PFAS law. We represent the major affordable small care appliances specifically to this cookware issue. We represent all powered, like plugged in appliances, your skillets, air fryers, your panini presses.

Under the proposed rule cookware is defined as -- it shouldn't be broad to be any houseware intended to be in direct contact with food or beverages. As currently written there are some serious concerns on what a product would be incorporated, i.e., a refrigerator is -- has kind of a food or beverage. We -- what we wanted to assure manufacturers are clear of responsibilities of this law and the appliance supply is not threatened here in Maine. So we have five kind of individual requests for the cookware issue in this law.

So the first we would request that this ban focuses on heated surfaces during cooking that come into contact directly with food or beverages, so the food contacts part of the product. So the proposed language is very expansive and our interpretation is that it would include internal components, which do not have contact with food. And, in fact, the use of PFAS as discussed earlier may be needed for product

safety for the internal parts of the appliance. Appliances are very complex products. Obviously many internal components, wiring, circuit boards, internal components, unlike other products in the ban, e-wax, dental floss, cosmetics, so these much more complex products require special consideration. So because of the inclusion of internal components manufacturers may have to find substitutes that may or may not exist with the same level of product safety which could lead to manufacturers having to determine if they can still provide appliances here in Maine potentially.

As you may already know, Minnesota became the first state to enact a PFAS supporter ban two years ago. In their guidance documents they took -- they articulated that cookware only applies to the food contact surface and that's what we encourage you all to do as well here in Maine. More importantly, when we refer to cooking we refer to the process of being heated, so I think let's focus on heated products in the kitchen. Ultimately, we request that you would clarify the restriction is on direct food contact, provides heat that would not include internal components.

So secondly, the product scope is entirely

too broad. Under the law it says included but not limited to, so the language in the law creates unbounded uncertainties and what products would be banned and what cookware products are being banned. With the upcoming 2026 deadline on this, time is of the essence. Manufacturers have to redesign, retool or clear out the inventory if the ban goes into effect as currently written. So the pulls could include many appliances such as refrigerators, dishwashers, I guess, if it has food contact, forcing manufacturers to decide if they can comply or have to make other changes to their products.

As I mentioned earlier, in Minnesota also in their guidance stated that their ban was just the products listed in their ban, so it was the pots and pans, skillets, baking molds, so we encourage you all to do the same thing here in Maine just so we know what products are being banned and it would be just for food contact as well. They also in their guidance stated that pocket makers were excluded because it did not fit within their definition of cookware, so I encourage you to do that as well.

Thirdly, I also encourage you all to look at replacement and spare parts for products that are already in the market. So appliances have spare

parts, we encourage you to allow that people can buy replacement parts for appliances and ensure that they can still be used if this law moves forward.

Fourthly, we looked -- we asked that -- so the current law looks at date of sale would be the -- January 1 would be the prohibition. We would encourage you to look at date of manufacture. The issue around date of sale is that it requires months in advance to get products into stores so that could be a month away from now to get products into stores changed and updated to the guidance. Date of manufacture is a set date, they know it, they can -- they are bound by, they can ensure that from January 1 on all products will be in compliance.

So I guess fifth and, I guess, the last one is, of course, currently the unavoidable use process. We appreciate that you will have that here in Maine. Other states do not have that, but one concern we have with that is -- is the timing. Obviously, January 1 is obviously a year away, but for manufacturers it's very, very quick. So we -- we would encourage you -- the current process would be a -- this summer would be the submission process and then the fall and winter would be you get -- you get your answer, rejection or acceptance. For our

manufacturers it's a very tight time frame to know if it will be accepted or rejected, so one proposal we have is potentially like providing interim exemptions, so if the summer we file exemptions for whatever we file exemptions for, provide that exemption, allow the Department to go through all of the requests and then come fall when the requests come in they make the determination. If they accept it it would continue, but if they reject it you should provide those rejections a little extra time to comply with the January 1 timeline.

So with that, I want to work with you all on this cookware issue. Manufacturers want to comply. It's not a new issue for them, but any uncertainties around the law can potentially affect product availability and that may not be what you all intended here in Maine. So I want to work with you all on this and I would be happy to answer any questions you have on this, so thank you for your time.

MS. LESSARD: Thank you, sir. Any questions? Seeing none, thank you. Sarah Woodbury.

SARAH WOODBURY: Good morning, Chair Lessard and Members of the Board of Environmental Protection. My name is Sarah Woodbury. I am the Vice President

of Policy and Advocacy for Defend Our Health. Defend Our Health is a Maine-based non-profit that works to make sure everyone has equal access to safe food, safe drinking water, healthy homes and toxic-free climate-friendly products. We have been working on the issue of PFAS contamination since the initial discovery of the first contaminated farm by Fred Stone back in 2017. We thank you for the opportunity to provide comments on the draft rule for Chapter 90, Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances.

MR. HINKEL: Excuse me. I just want to remind everybody, we do have a transcriptionist here today and if --

SARAH WOODBURY: Sorry, I talk really fast. I'll try to slow down.

MR. HINKEL: Okay.

SARAH WOODBURY: I always have this. It's a -- my bad habit.

So I -- we will submit more in-depth written comments by January 28, but we did want to take a moment to make a couple of comments on the draft rule. The PFAS products law passed -- that was passed last session was the result of weeks, if not months, of hard work and compromise between the

Department, legislators, industry, and advocates like me. No one is a hundred percent happy with it, which means the Department is probably doing something right and we just want to say that we appreciate the work that the Department has done to draft this language. Overall, we think this is a really good rule and we would urge the Board to avoid any attempts to weaken the reporting requirements that are laid out by the Department for industry to obtain a currently unavoidable use designation.

I will point out that Minnesota has a law that is much stronger than ours in terms of reporting that most industry will be required to provide a lot of this information to Minnesota before they even have to report it to us, so they should for the most part already have it in place because Minnesota's law has a much more strict and in-depth reporting requirement than Maine's does.

We do have a couple of concerns from some of the language in the draft. I'm not going to hit everything because, like I said, we will submit more in-depth comments.

First off for -- as was mentioned, the PFAS definition -- and this is not a concern of ours. We love the PFAS definition. The PFAS definition in

this law is not unique to Maine. Twenty-eight other states, including Minnesota, use the same definition of PFAS which includes the fluoropolymers that were mentioned. The Department of Defense uses the same definition of PFAS in a couple of their laws, so this is not a new thing for industry and it is a thing that all of the other states that have some sort of PFAS ban coming are utilizing the same law, so Maine is not unique. And so we would urge you as you're looking at the fluoropolymer issue to know that they're not only going to have to comply here, they're going to have to comply a lot of other places and that, you know, from the AGC's gentleman, most of the things that he mentioned are exempt under the law anyway.

So our issues are, as mentioned by Representative Gramlich, the draft rule defines commercially available analytical method as does not need to be performed by a third-party. The definition of commercially available analytical method is defined in the statute. It's an EPA approved analytical method. There are a couple of different ones. Our concern with that definition is not the -- the use of the EPA currently available analytical method, it's the not requiring industry to

perform their tests at a third-party lab. We disagree and we think that industry should not be allowed to test their own materials. There is a massive history that's shown us that the information that comes from industry when it comes from PFAS -- around PFAS that has not always been in the public's best interest. So we urge, urge, urge that avail -- allowed to be kind of test internally to be stricken. They should absolutely should be required to use a third-party to prove that the information is correct and valid.

As the -- in terms of the -- the draft rule also defines chemically formulated as a process that chemically changes a substance extracted from a naturally occurring plant, animal or minerals. This does not take into account where PFAS doesn't chemically change a natural substance. For example, if you add PFAS to cotton it doesn't change the -- to make it stain resistant, it doesn't change the chemical composition of cotton. So that definition is -- doesn't take into account that sort of thing, so we think that -- and we will provide alternative language in our draft, but that language should not be in there.

I will skip this one because Representative

Gramlich mentioned it.

And for the other definition that we're concerned about, semiconductor. Semiconductors are exempt under the law and the current part of the -- and this also speaks back to some of what other folks have already spoken -- a lot of the stuff they mentioned is going to be exempt under this law because of semiconductor. Part of the definition states that intended to perform electronic or other related functions, this is incredibly broad. Given that this will be an exemption in the law, it should be strengthened. The primariy purpose of semiconductor devices is according to -- it's like basic definition, control the flow of electric current via amplification of signals switching or energy conversion, we believe that this should be added to the definition to avoid an unnecessarily broad definition, especially considering this is an exemption under the law.

And then, let's see here. When it comes to currently unavoidable use under Section A(3)(b), the draft states "The required specific characteristics or combination of characteristics that necessitate the use of PFAS chemicals" they should have to provide clear information as to why this

characteristic is necessary for the function of the health, safety, or function of society. Or more clearly stated, why the absence of this characteristic will negatively affect the health, safety, or functioning of society, which is the definition under the law of why the use of the PFAS is necessary.

And finally, under Section A(4)(e), "A comparison of the known risks to human health and the environment between PFAS and the materials identified in Subsection A." For this section and for some of the other assessments in this section what is the criteria for completing such an assessment? There needs to be criteria laid out so that industry cannot cherry pick studies that show that -- show what they want basically. I needed to edit that sentence before I printed it and I did not. So we just want to make sure there is some criteria in place so that they have to, you know, so that when they're looking at known risks of health and environment that there is actual, you know, clarity around what types of studies, peer review, all of that type of stuff so that when they're presenting the information for the currently unavoidable use designation they, you know, there is -- there is not an ability to cherry pick

things that will kind of prove what they want.

And so once again, we'll provide much more detailed comments on January 28. And we just want to once again say we are generally broadly in support of this. We appreciate the Department. They have strengthened from the previous rule for the law that was 1503 before it was amended, some of the requirements for the currently unavoidable use designation reporting and we greatly, greatly appreciate that. So overall, we're in support, we just have a couple of definitions that we think need to be clarified or strengthened that are not in statute to be clear, so.

MS. LESSARD: Thank you. Mr. Sanford.

MR. SANFORD: Towards that end with the same thing that Mr. Duchesne was saying, if you can make it clear --

SARAH WOODBURY: Yes.

MR. SANFORD: -- on those what is for us --

SARAH WOODBURY: Yes, we will --

MR. SANFORD: -- within the context --

SARAH WOODBURY: -- make sure that's very clear what the language we think should work, so we'll do that.

MR. SANFORD: Okay.

MS. LESSARD: Any other questions for this witness? Thank you very much.

SARAH WOODBURY: Great. Thank you very much for your time and thanks again to the Department.

MS. LESSARD: Ben Gilman.

BEN GILMAN: Good morning, Chair Lessard, Members of the Board. My name is Ben Gilman. I'm an attorney with Drummond Woodsum in Augusta. I'm also a resident of Gorham. And I'm here on behalf of Emerson Electric. Emerson Electric headquartered in St. Louis, Missouri is a global leader in automation with extensive operations across the United States, including over 29,000 employees and 15 manufacturing sites. The company is dedicated to producing industrial automation monitoring and control equipment and professional tools and equipment products that are safe for both end users and the environment and the goals aligned with the State of Maine's Department of Environmental Protection.

We first would like to start by thanking the Maine DEP staff for a well-executed stakeholder process and their work with the regulating community regarding the Chapter 90 rulemaking. We'd also like to thank them for their work on the previous unavoidable use rulemaking process that paused due to

changes in the law by the Legislature.

We come before the BEP today to advocate for one change in the current proposed rule. The current proposed rule only allows for a company to apply for a currently unavoidable use determination 36 months before the product ban goes into effect. Emerson would like to see a change that would allow companies to apply for a CUU before 36 months. Under the current proposed rule for products to be banned in 2032, 2029 would be the earliest that a company could apply for a CUU. Emerson would like to know before 2029 if their product will receive a CUU or if it would be subject to a ban. This is necessary for long-term investment decisions and certainty within their industry. Thirty-six months may seem like plenty of time for a determination, but in certain manufacturing industries many decisions are made many years prior to that. Not every manufacturing industry will seek CUUs prior to 2029, but those that would like the determination should be allowed. Essentially, we're here today asking to be regulated earlier.

Emerson will be submitting written comments by the January 28 deadline with more detail as to why more time is needed for CUU applications, but I

wanted to speak today to highlight the importance this issue is to Emerson Electric.

Thank you for your time and happy to answer any questions you may have.

MS. LESSARD: Mr. Duchesne.

MR. DUCHESNE: Thank you. Is Emerson getting regulated faster in Minnesota?

BEN GILMAN: I can't speak to that. I can find out. I know that they're active in, you know, all 50 states across the country. They're worldwide actually. They have employees across the world, so they're used to being regulated in many jurisdictions, so I'm sure they're working on that.

MR. DUCHESNE: Mmm Hmm. Yeah, I mean, just curious, I mean, Minnesota did it, Maine is in the process and other states are. There is going to be eventually some kind of timetable that's pretty common.

BEN GILMAN: Yup, but they -- they would just like the ability to apply for a CUU earlier than the 36 months than the proposed rule, which the law is silent on, so the Board does have the ability to move that timeline up.

MR. DUCHESNE: Okay. Thanks.

BEN GILMAN: And the Department.

MS. LESSARD: Mrs. Vickery.
MS. VICKERY: Do you have a suggested alternative to the 36 months?
BEN GILMAN: We would like to see the ability once the rule goes into effect I think Emerson would be prepared to apply for a CUU soon thereafter, you know, as soon as possible. I think the Department is probably timing, you know, for staffing and things of that nature, but as soon as possible that the Department employees feel like they could handle that we would like to do that.
MS. VICKERY: Thank you.
MS. LESSARD: Mr. Pelletier.
MR. PELLETIER: There was some concern mentioned earlier about the five years. Five years.
BEN GILMAN: Well, we don't have any concern with that.
MR. PELLETIER: Thank you.
MS. LESSARD: Any other questions for this witness? Thank very much -- oh, I'm sorry. Commissioner.
MS. LOYZIM: Thank you, Madam Chair. I just might suggest it would be helpful if the recommendation is for there to be no time frame or the submission of the CUU request. If you could

address how the information you would submit well in advance of the prohibition date would meet the term currently.

BEN GILMAN: Yup. Okay. We'll -- we'll put that in our written comments.

MS. LOYZIM: Thank you.

BEN GILMAN: Yup.

MS. LESSARD: Anything else? Thank you very much.

BEN GILMAN: Thank you.

MS. LESSARD: Jay West.

JAY WEST: Hello. Chair Lessard, Members of the Board and Commissioner Loyzim, my name is Jay West and I'm the Executive Director of the Performance Fluoropolymer Partnership, a specialty trade association managed under the American Chemistry Council. The American Chemistry Council is headquartered in Washington, D.C.

You have already heard from Mr. Correnti about fluoropolymers, so I can just say that they're stable, large molecule PFAS that possess a unique combination of attributes. Thank you for the opportunity to testify here and thank you to the staff at the Department of Environmental Protection for their work to implement the statutory amendments

passed last year.

We believe there are provisions in the proposed regulation that require further and more detailed clarification and consideration. I will briefly cover just a few of those here today, but we will submit much more detailed written comments by the January 28 deadline. And to the comments made by Board Member Sanford, we will be very cognizant of what has -- what can be done by the Department and the Board versus what would have to be a legislative fix.

So I'd like to start by echoing Mr. Correnti's comments about fluoropolymers. These are large, highly stable molecules that meet criteria for identifying polymers of low concern for environmental health and for the environment. They are insoluable in water and they don't break into smaller pieces in the environment, therefore, there are not concerns associated with fluoropolymers in terms of mobility in the environment. Because they don't break apart into smaller pieces they're also not bioavailable and they're not bioaccumulative. I've a seen some videos where it basically shows fluoropolymers bouncing off of cells. So for these reasons we would echo the need for a broader CUU

exemption for fluoropolymer products up front so that the Department can focus resources on the small molecule, water solulable, highly mobile PFAS that are the ones at issue when we're talking about things like drinking water contamination and biosolids contamination. There is a way to prioritize here within the allowable framework.

The second thing that I'd like to say is that the assertion of proprietary information to support a CUU proposal cannot be an automatic basis for deeming incomplete or rejecting a CUU proposal. If you look at the interpretive note that is in Section 9(e)(iii) the Department recommends that a manufacturer avoid inclusion of any proprietary information in their proposal. However, it is reasonably foreseeable to evaluate a PFAS containing product and potential alternatives during the rulemaking process. The Department will have to consider information about product formulations and other things like manufacturing processes and the design of manufacturing processes that will be proprietary information. There are examples of regulatory processes, subject to public comment, that have procedures for allowing the consideration of proprietary information and we urge the Department to

develop similar procedures for implementation under this statute.

I am also going to make comments about concerns of the definition of commercially available analytical method. That seems to be a common theme from everybody today. We believe it is too generic and it lacks any quality control or performance expectations. And while we appreciate that the Department has attempted to define it because it was left undefined by the Legislature, the phrase within the definition any test methodology is in our minds too generic. There is nothing in there that contemplates expectation for the use of methods that are sufficiently characterized have undergone any kind of performance evaluation to know whether the data they produce are reliable, are they repeatable and are they fit for this regulatory purpose. We think to create an even playing field the Department should elaborate baseline criteria for performance standards for any test methodology and baseline qualifications of any lab generating data that is submitted to the program.

Fourth, the Department should not use total organic fluorine, or TOF, as a proxy or surrogate for the amount or type of PFAS in a product. We know

that it's included in the statutory language, but without careful review of a TOF protocol those data should not be used to make conclusive statements about the amount or specific type of any PFAS or group of PFAS in a product. It should only be used as a screening method as the U.S. EPA recommends. Also, the Department should require under regulation the submission of the TOF protocol used to generate the data in the submission to account for the extraction of inorganic fluorine according to standardized methods. One should not assume that all commercially available laboratory methods for total organic fluorine actually take that step when they prepare the sample. So we think there is an ability for the protocol to be provided to the Department so the Department understands what are these data and how are they generated.

And finally, I'll just say that there is a need for several clarifications around the CUU and notification processes and we have a lot of comments and develop with specific language suggestions for the Department. We are going to offer these comments in the spirit of getting further clarity to help manufacturers develop effective compliance plans and to do it right the first time by better understanding

the intention and interpretation of the Department and what the Department needs. For example, the Department proposes that notification is include, quote, "the general type of the product." Well, how is general type of product materially different than the GPC brick category or the harmonized tariff system descriptor in code that already have to be provided and what more is the Department looking for with what appears to be a much more generic and -- and not standardized approach to describing the product. Another example is the use of the novel term complex product that appears in the proposed regulation. What is a complex product? When do I know that my product is complex and when do I get to consider the considerations that are made for complex products? No -- no light on that at all in the draft regulations or in the statute, so we can't go back to the Legislature to look for interpretation there. So those are just two examples of things that seem small, but when you take the sum of all of these small things and try to develop a compliance plan many, many questions pop up and it gets -- one can get very lost.

So in our comments that we're planning for the 28th, we're planning to address these and we hope

that we will be offering what are viewed as constructive ways forward. So thank you very much. I appreciate being here before you today and I am prepared to take any questions.

MS. LESSARD: Mr. Sanford.

MR. SANFORD: Thank you. Are you aware of or find acceptable any laboratory certification processes such as those of ASTM or chain of custody, evidentiary analysis laboratories used in -- in the judicial or prosecutorial situations?

JAY WEST: Maybe not to that extent because I'm not a lawyer and I don't do litigation, but what I can tell you is that ISO, the International Standards Organization, does have a standard that I cannot name right now that is a baseline for laboratory certification.

MR. SANFORD: Right. In the 14,000? The ISO 14,000 --

JAY WEST: No, it's not in that one. I think it's in a different series.

MR. SANFORD: Okay.

JAY WEST: But it is about the basic qualifications of a laboratory to be considered a reliable laboratory in the sense of fluora and we don't have anything like that or anything like that

contemplated it appears in the proposed regulations. In terms of our -- in terms of methods, there will soon be published by ASTM, which is another consensus standard body --

MR. SANFORD: Right.

JAY WEST: -- a guidance document on how to use and not use existing analytical methods for the detection of PFAS in different media. That work was initiated by the need to look at PFAS in products. Most protocols have been focused on water or on soil or sludge, those sorts of things, and so there is -- have been a two, maybe three year process to develop a guidance document that says if your problem looks like this use these, use these with caution and do not use these. So we think that that will be very helpful either to the Department in possibly elucidating something more about data quality and laboratory method appropriateness, in an interpretive note, in the regulation itself or perhaps in a guidance document. So the short answer is that, yes, there are standards out there and there are guidance that is coming from third-party standard setting organizations that can help inform this particular element.

MR. SANFORD: Thank you.

JAY WEST: Mmm Hmm. Thank you.

MS. LESSARD: Any other questions from any Board members or the Commissioner? Thank you very much. Dana Colihan.

DANA COLIHAN: Good morning, Chair Lessard and Members of the Board of Environmental Protection. My name is Dana Colihan. I am the Co-Executive Director of Slingshot and I live in Portland, Maine. We are testifying in support of the draft Chapter 90 rules and we urge the DEP to avoid weakening any of the requirements.

Whether your community is facing polluted water from sludge spreading, an HBLS spill or a leaking landfill, communities deserve to know the facts, make their voices heard and create the change that they want to see. Slingshot is an environmental health and justice organization working alongside communities most impacted by environmental health threats to take aim at polluters and build community power.

We're currently facing, as we all know, one of the largest contamination crises of our lifetime with communities around the country discovering daily that their water is polluted with polyfluoralkyl substances. We co-facilitate the National PFAS and

Foundation Coalition, which is composed of 42 community groups from around the country, including Maine, that are directly impacted by PFAS. The coalition is fighting for a world where people are not exposed to any PFAS, where there is justice for the victims of PFAS exposure and where laws and regulations prevent contamination disasters like this from happening again and from this work we've witnessed firsthand the harm that PFAS has on our bodies, our families and the environment.

We need to do everything in our power to stop PFAS exposures and turn off the tap of contamination. We shouldn't have PFAS in our products, we shouldn't have PFAS in our water and we shouldn't have PFAS in our bodies. In many ways Maine has been a leader and taking steps to tackle a PFAS contamination crisis maintaining strong requirements for currently unavoidable uses is critical to ensuring that we do everything in our power to prevent exposure to PFAS. As we know, for years companies like 3M and Dupont knew about the serious dangers of these chemicals but covered up the health impacts and the public regulators, even their own employees, and we're now collectively paying the price. We need to ensure that industry doesn't shirk

responsibility or weaken these rules because there is a real human cost to negligence. It's time to put people over profit and stop preventable exposure and this is why we're asking the BEP to ensure strengthening or tightening the language in a few key areas as we've hear earlier today.

The first place being in the currently unavoidable section A(3)(b) beyond just asking industry for characteristics for the use of PFAS, we need to require that industry provide clear information as to why the characteristic is necessary for product's functions and health safety or the functioning of society.

Under Section A(4)(e), we need clear criteria laid out for completing such an assessment as to comparing the known risks to human health and the environment between PFAS and the materials identified in Subsection A. And we need tighter and clearer definitions for certain terms like commercially available analytical methods. Industry should not be allowed to test their own materials. They should be required to use a third-party laboratory. Chemically formulated and co-solvulent, I won't go into that because we've heard more about that already.

And I also just want to add it is critical that we maintain a strong definition of PFAS because excluding certain PFAS like fluoropolymers or fluorinated gases can result in increased proliferation of PFAS. Fluoropolymers can be thought of as plasticized PFAS and are used in many consumer products like non-stick cookware appliances. These chemicals can degrade over time polluting the ground water and drinking water and ultimately be found in humans.

Fluorinated gases are just as problematic as our PFAS. These gases are used in refrigerator and heat pumps and electronics. They travel on air currents and degrade into potent water contaminants called TFAs. The level of TFAs in water have actually increased over the last 20 years due in part to the proliferations of fluorinated gases.

At the end of the day, we really appreciate all of the hard work that has gone into drafting these rules. We're in support of the draft and we really urge the BEP to avoid weakening any of the requirements especially required to the currently unavoidable use. Thank you for taking action to protect Mainers and the environment.

MS. LESSARD: Any questions? Mr. Sanford.

MR. SANFORD: A fair number of federal processes use internal industry certification and affidavits and such but they use an accreditation for laboratories. Do you think any such approach as that could work in conjunction with third-party labs or do you think it just has to be third-party labs?

DANA COLIHAN: Can you say the first part of that again?

MR. SANFORD: A number of federal processes require --

DANA COLIHAN: Yup.

MR. SANFORD: -- industry to self-certify --

DANA COLIHAN: Mmm Hmm.

ME. SANFORD: -- but they have accredited processes similar -- and we know that there are problems with that, but what I'm asking is do you see anything in between just going with an external or a third-party lab such as having an accredited lab such as by the American Chemical Society or the ASTM or something like that where -- where if they'e certified it's a rebuttable presumption, let's say, but they get inspected periodically?

DANA COLIHAN: Yeah. I think my preference would be kind of just still doing strict third-party labs versus having that form that accreditation.

MR. SANFORD: Thank you.

DANA COLIHAN: Yeah.

MS. LESSARD: Any other questions? Thank you very much.

AUDIENCE MEMBER: Thank you.

MS. LESSARD: We have Ashley from the Maine Chamber. I am not going to try your last name. There is too many consonants running together.

AUDIENCE MEMBER: Ashley Luszczki, Maine State Chamber of Commerce. Chair Lessard, Members of the Board of Environmental Protection, Commissioner Loyzim, I'm pleased to be here with you today to speak on the Chapter 90, Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances rule.

The Maine State Chamber of Commerce is Maine's largest business association representing a diverse network of over 5,000 businesses which includes researchers and developers, manufacturers, retailers and distributors, among several other focuses. The Chamber has been actively involved in the legislative and regulatory process related to PFAS advocating for balanced solutions that protect public health and the environment while supporting Maine businesses viability as well as compliance efforts. Unfortunately, as Maine's initial

legislative and regulatory responses to PFAS created uncertainty and challenge for the business community, Maine quickly became a cautionary tale to other states. I've heard this in speaking with counterparts located in other areas of the country as well as the business community.

Last year, we spent significant time working with Commissioner Loyzim, DEP staff and other stakeholders on amendment to Maine's PFAS and products law that was ultimately adopted by the Legislature. We want to express our sincere appreciation for all of the work that was done on this. It was a very complex and also important issue, so we really do appreciate that. You know, I remember at the last BEP hearing there was a question about how long this hearing would go and I think the open chairs behind me are a great example of how that collaborative process played out, so thank you all for that. I will just say, you know, through that effort we definitely have been able to balance health and environmental concerns while providing greater clarity and predictability.

While this rules follows much of the framework passed by the Legislature, we do believe there are areas where changes and greater clarity are

required and I'm not going to get into all of those today. I will provide them in our written comments, but a few areas I want to touch on today are around the fees associated with the notification process as well as currently unavoidable use Section 9.

Before jumping into that though, I'd be remiss if I didn't thank the Department for taking into consideration our request for the definition of semiconductor to be greater aligned with how the industry defines semiconductors, so thank you for that.

As mentioned, the fee amount accompanying notifications for each product where currently unavoidable use should be considered was amended from the concept draft and while we appreciate this initial change, our membership does continue to feel that a fee for each product notification could impose a huge financial burden on businesses that have multiple products and so we believe a better approach would be to determine a limit imposed on the total amount of fees which can be assessed per business.

As far as the currently unavoidable use process, the rule states that any CUU proposal will not be considered if submitted more than 36 months in advance of the applicable sales prohibition.

Following the submission, the Department will initiate rulemaking to designate CUUs. These steps take time and we believe it would be in the best interest of both the stakeholders and the Department for a longer runway for submitting and accepting these proposals. We heard about this earlier and we would just reinforce we feel the same way. We feel this will provide for greater time for planning for investments, manufacturing, and will also help prevent the potential for costly economic disruptions such as last minute product recalls.

We would ask the Board to consider amending this section of the rule and allow for CUU proposals to be submitted as soon as feasibly possible for the Department. Certainly, we will look into the -- currently and recognizing the -- the time frame and how, you know, what that really looks like from a practical standpoint and we'll try to address that in our comments. Additionally, we would ask that the CUU renewal process be streamlined in a way that would be limited to just requiring new information to be submitted for renewal rather than resubmitting the same information required of the applicant in the initial proposal.

Thank you again for the opportunity to speak

today. Again, I'll be providing more in our written comments, but those are the most significant points we'd like to focus on today. Happy to answer any questions.

MS. LESSARD: Thank you very much. Any questions? Mr. Duchesne.

MR. DUCHESNE: Thank you. On the fees, I realize that the fees are intended to offset the Department expenses and so they have to align with whatever timetable the Department is on. We have a request to regulate faster, some request to regulate slower, but at the same time the fees need to come in at the same time the staff needs to spend the money. Do you have any recommendations on how to align that or are we going to have to guess?

ASHLEY LUSZCZKI: Let me give that some additional thought, if I may.

MR. DUCHESNE: Okay.

MS. LESSARD: Mr. Sanford.

MR. SANFORD: And if you didn't have to file -- if you limited the renewals to filing of new information, would you see a problem with including affidavits of compliance such that the previous information or compliance has been maintained?

ASHLEY LUSZCZKI: I'd -- I'd have to check

with our membership, Mr. Sanford.

MR. SANFORD: Okay. Or perhaps something along that effect could be even filed --

ASHLEY LUSZCZKI: Understood.

MR. SANFORD: -- like the presumption is and this is what you do to demonstrate that you're in compliance with that presumption, let's say.

ASHLEY LUSZCZKI: Sure.

MR. SANFORD: Yup.

AUDIENCE MEMBER: Okay.

MS. LESSARD: Any other questions? Thank you very much.

That was the last name for anyone who signed up. Has anyone come in during this process who now wishes for an opportunity to speak?

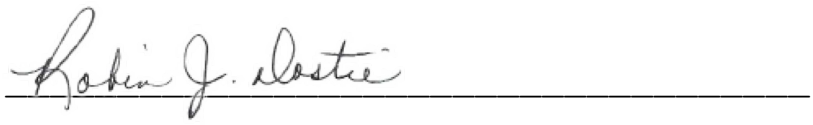
Seeing none, written comments on the proposed amendments to Chapter 90 must be submitted no later than 11:59 p.m. on January 28, 2025. This concludes today's hearing on Chapter 19. I want to thank you all for your time attention and participation in this effort.

(Hearing concluded at 11:12 a.m.)

C E R T I F I C A T E

I, Robin J. Dostie, a Court Reporter and Notary Public within and for the State of Maine, do hereby certify that the foregoing is a true and accurate transcript of the proceedings as taken by me by means of stenograph,

and I have signed:



Court Reporter/Notary Public

My Commission Expires: February 6, 2026.

DATED: February 6, 2026

(1)

COMMENTS NEITHER FOR NOR AGAINST:

Chapter 90, *Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances*

THURSDAY, JANUARY 16, 2025, STATE OFFICE BUILDING, DEERING, ROOM 101, AUGUSTA

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COMMENTS IN OPPOSITION OF:

Chapter 90, *Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances*

THURSDAY, JANUARY 16, 2025, STATE OFFICE BUILDING, DEERING, ROOM 101, AUGUSTA

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COMMENTS IN SUPPORT OF:

Chapter 90, *Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances*

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