



January 28, 2025

Submitted via email to rulecomments.dep@maine.gov

Kerri Malinowski Farris
17 State House Station
Augusta, ME 04333
(207) 215-1894

RE: Comment on Chapter 90: Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances

Dear Ms. Malinowski Farris:

The Alliance for Automotive Innovation (Auto Innovators)¹ appreciates the opportunity to provide comments on the Maine Department of Environmental Protection's (DEP's) Draft Rule: Chapter 90: Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances.² Auto Innovators represents the full auto industry, including the manufacturers producing most vehicles sold in the U.S., equipment suppliers, battery producers, semiconductor makers, technology companies, and autonomous vehicle developers. Our mission is to work with policymakers to realize a cleaner, safer, and smarter transportation future and to ensure a healthy and competitive auto industry that supports U.S. economic and national security.

Auto Innovators appreciated DEP's support in spring 2024 of amendments to 38 M.R.S. § 1614 that excluded vehicles and most of their components from the scope of the law, which enabled the continued use of PFAS in many performance-critical applications. Those amendments did not cover PFAS uses in refrigerants or "textile articles," and so Auto Innovators remains interested in DEP's currently unavoidable use (CUU) provisions, in case they must be utilized down the line.

Auto Innovators agrees with and supports the Maine Chamber of Commerce's comments on this issue. Businesses should be able to submit CUU proposals more than 36 months in advance of the product's sales prohibitions. In the auto industry, vehicle development and manufacturing are on long timelines, with development starting several years in advance of time of sale and final certification and confirmatory testing of products already taking place several months if not a few years before time of sale. The auto industry would need regulatory certainty on a timeline earlier than that being proposed by DEP. For similar reasons, Auto Innovators also supports CUU determinations being valid for a period longer than five years, if justified. For automotive uses, for example, a longer CUU determination would provide greater certainty given product development

¹ Auto Innovators represents the full auto industry, including the manufacturers producing most vehicles sold in the U.S., equipment suppliers, battery producers, semiconductor makers, technology companies, and autonomous vehicle developers. Our mission is to work with policymakers to realize a cleaner, safer, and smarter transportation future and to ensure a healthy and competitive auto industry that supports U.S. economic and national security. Representing approximately 5 percent of the country's GDP, responsible for supporting nearly 10 million jobs, and driving \$1 trillion in annual economic activity, the automotive industry is the nation's largest manufacturing sector. www.autosinnovate.org.

² <https://www.maine.gov/dep/rules/index.html#13139124>

needs. Auto Innovators also agrees with the Chamber's suggestion that a streamlined renewal process would also make obtaining a timely CUU more feasible for regulated entities.

Thank you for your consideration of our comments. We welcome any additional discussion or questions regarding this submission.

Sincerely,



Catherine Palin
Alliance for Automotive Innovation