

January 27, 2025

Kerri Malinowski Farris
Maine Department of Environmental Protection
17 State House Station
Augusta, ME 04333

RE: Comments on Chapter 90 Posting Draft Dated December 20, 2024

Dear Ms. Farris:

Taconic is submitting these comments in response to the Public Notice of the Posting Draft of Chapter 90: Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances dated December 20, 2024.

As stated in Section 4(A) of the Posting Draft, several products or product categories, described in subsections 1-13, are exempt from the requirements of this Chapter. Based on Section 4(A) subsection 13, the list of exempt products includes "Equipment directly used in the manufacture or development of products described in subsections 5 through 12, above." Taconic requests that Maine DEP consider expanding subsection 13 to include all equipment directly used in the manufacture or development of products when the equipment is not incorporated into the product.

For instance, industrial conveyor belts with intentionally added fluoropolymers are frequently used in manufacturing processes that require flexibility, heat resistance, and non-stick properties provided by the fluoropolymer coating. As currently written in the Posting Draft, certain fluoropolymer belts will be exempt based only on the products or product categories carried on the belts, and not on the form, function, or risks inherent in the use of the fluoropolymer belt. Fluoropolymer belts used in the manufacturing of non-consumer electronics would be exempt, but the same belt used in the manufacture of consumer electronics would be prohibited.

As another example, fluoropolymer coated tapes are typically used as a release material in industrial composite molding, like for custom-built watercraft hulls. As currently written in the Posting Draft, fluoropolymer tapes used in composite molding exempt product categories, such as watercraft hulls, would be exempt, while fluoropolymer tapes used for composite molding a non-exempt product category like wind-turbine blades would be prohibited even though the masking tape and molding process may be otherwise identical for both exempt and non-exempt product categories.

Taconic request Maine DEP consider the expansion of the exempt categories to include equipment/products that contain intentionally added PFAS used in manufacturing of other products where the PFAS-containing equipment/product is not incorporated into the final products.

Taconic appreciates the opportunity to provide input in the rulemaking process. Please contact me if you have any questions at (518) 658-3202, x-205.

Sincerely,

Rachel Farnum

Rachel Farnum, PE
Environmental Specialist
Tonoga, Inc, dba Taconic

cc: Jeff Mirarchi, Taconic
Lori Mason, Taconic