



association  
for contract  
textiles

November 10, 2022

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

Dear Ms. Malinowski:

On behalf of the Association for Contract Textiles (ACT), I am writing to express our association's additional comments in response to the call of October 27, 2022, regarding the second Concept Draft for the Maine PFAS in Products Program (Intentionally Added PFAS under Maine's Act to Stop Perfluoroalkyl and Polyfluoroalkyl Substances Pollution, 38 M.R.S. §1614). We would also like to call your attention to our original comments in our letter dated July 29, 2022, many of which have not yet been addressed.

ACT is a professional not-for-profit trade association comprised of companies involved in the design, development, production, application, and promotion of textiles for commercial interiors in the United States. Our membership includes all major contract textile distributors in North America, as well as furniture manufacturers, weaving mills, fiber/yarn manufacturers, fabric finishers, testing labs, textile designers and others throughout the industry supply chain. We represent a diverse industry that sources textiles both domestically and internationally. For more information about ACT and our membership, see [www.contracttextiles.org](http://www.contracttextiles.org).

1. In response to your request of October 27<sup>th</sup>, we are suggesting the following PFAS reporting ranges:

- 0-5%
- 5-10%
- 10-15%
- 15-20%
- More than 20%

2. Regarding the following FAQ on the Maine DEP web page:

**Will the Department publish a list of chemicals that meet the definition of PFAS?** The statute requires manufacturers to report the amount of intentionally added PFAS in their products by CAS number. Therefore, the Department interprets that PFAS subject to the reporting requirement of the law are limited to those that have a CAS number.

We recommend that the final rule clearly state reporting of substances is *only required* in cases where the PFAS used has been assigned a specific CAS number. Also, please confirm that if a PFAS with a CAS number is present, but not intentionally added (contamination/residuals), reporting is *not required*.

3. We understand that reporting extensions have already been granted to some companies, and we would like to request extensions on behalf of our members. We support the process of linking reports throughout the supply chain to eliminate duplicative reporting. Please confirm that distributors and retailers of consumer products made with a component from a manufacturer with a six-month extension (after the rulemaking is final) will also receive a similar extension (or no obligation to report) until the component manufacturers' reports are filed.

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We appreciate the opportunity to comment and your willingness to consider our views in this important and highly complicated matter. The Association for Contract Textiles and our member companies are committed to working with you toward the shared goal of safe, continued, uninterrupted manufacturing to provide products in a manner that protects human health and the environment in accordance with the State of Maine. We thank you for considering the perspectives of all stakeholders, including North American textile producers, furniture manufacturers, and distributors.

Sincerely,

Janan Rabiah  
Executive Director  
Association for Contract Textiles, Inc.