

From: [Walter Jager](#)
To: [DEP, PFASProducts](#)
Subject: Comment on Maine PFAS in Products Concept Draft Rule
Date: Thursday, November 10, 2022 5:16:33 PM

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Dear Maine Department of Environmental Protection,

Thank you for providing the second concept draft of the PFAS Rule and the opportunity to provide input on the stakeholder consultation. I would like to provide the following comment:

For the reporting of PFAS concentration, the mass percent of PFAS substance in the material should be used (instead of the mass percent of the product part). The rationale for this suggestion is that the mass percent of the material will be more consistent and better aligned with the application of PFAS in the product. This will help enable the use of meaningful concentration ranges.

Let me know if you have any questions.

Best Regards,
Walter Jager

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From: DEP, PFASProducts <PFASProducts@maine.gov>
Sent: October 13, 2022 9:57 PM
Subject: Maine PFAS in Products Concept Draft Rule Stakeholder Meeting

The Maine Department of Environmental Protection (Department) invites you to participate in our second stakeholder meeting to review the intentionally added PFAS in products registration program concept draft rule (attached) on October 27, 2022, at 11:00 a.m. EST via Microsoft Teams.

Discussion will be focused on amendments to the concept draft rule which are based on comments received on the initial concept draft, and will include a review of how the Department will proceed with rule development intended to clarify reporting requirements and program implementation pursuant to Maine law 38 M.R.S. §1614.

During this meeting the Department will focus on the following topic areas:

- **Categories:** The second concept draft proposes using Global Product Classification (GPC) brick codes for reporting, rather than the UPC codes proposed in the first draft. The Department is seeking feedback on how this would impact your organization. If your company will be required to report, how many individual reports do you anticipate filing? Feedback on the number of notifications that will be submitted may assist the Department in setting the filing fee.
- **Fees:** The second concept draft proposes fees of \$250 for the first three notifications by a company and \$50 for each notification thereafter. We invite your comments on how this would translate into fees for your company.
- **Currently Unavoidable Use:** Designating products or product categories as currently unavoidable uses is a separate major substantive rulemaking process; the Department anticipates undertaking such a rulemaking in summer of 2023. The concept draft includes definitions to add some clarity as to how the Department will consider currently unavoidable uses.
- **Carpet Definition:** The second concept draft clarifies which products are prohibited from sale in 2023 as carpet or rugs. Consistent with other jurisdictions adopting such bans, it is the Department's interpretation that the legislature intended the ban to apply to rugs and carpeting used as floor coverings in the interiors of buildings such as homes or businesses.

The Department will also update the program [webpage](#) in accordance with the second concept draft rule.

Please join us on **October 27, 2022, at 11:00 a.m. EST** using the Microsoft Teams meeting link below to learn more about how this rulemaking process will move forward.

Please direct questions and comments to our new program email address:
PFASProducts@maine.gov

Thank you for your interest and participation.

Microsoft Teams meeting

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