



Henry L. Ingwersen
Senator, District 32

THE MAINE SENATE
132nd Legislature

3 State House Station
Augusta, Maine 04333

Dear Board of Environmental Protection,

My name is Senator Henry Ingwersen. I represent Senate District 32 in York County, which encompasses the communities of Arundel, Biddeford, Dayton, Hollis, and Lyman. I am the Senate Chair of the Health and Human Services Committee, and I also sit on the Agriculture, Conservation and Forestry Committee.

After my constituent, Fred Stone of Stoneridge Farm, lost his livelihood due to PFAS contamination of his farm, I have been passionate about protecting Mainers from toxic PFAS exposure. Last legislative session, I introduced LD 1537, "An Act to Amend the Laws Relating to the Prevention of Perfluoroalkyl and Polyfluoroalkyl Substances Pollution and to Provide Additional Funding," which amended the original PFAS Products Act to allow for some exemptions from the products act.

For several years, the Board of Environmental Protection (BEP) and the Department of Environmental Protection (DEP) have been working to implement the PFAS products law. I want to commend the BEP and the DEP for their hard work. Please accept these comments in response to the draft recommendations on currently unavoidable use designations for specific products under Chapter 90: Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances.¹

During my time working on LD 1537, which the Committee worked on for two years, we heard from a whole host of industries asking for exemptions from the law. Some were granted; some weren't. None of the exemptions given were for products that consumers come into contact with directly on a daily basis.

I am grateful that the DEP has stated that requests from various cookware products industries for currently unavoidable use (CUU) designations should be rejected. Exempting products that come into contact with the food that we eat makes little sense. Ingestion is one of the main ways people are exposed to PFAS.² We should be limiting that exposure, not expanding it. Teflon coated pans are not a necessity. We have many other ways to cook our food including stainless steel, cast iron, and non-stick cookware (such as the PFAS-free Green Pan line). Alternatives are readily available.

I would also point out that not once during that two-year process did we hear from the Sustainable Cookware Alliance or any other cookware industry representatives. It was well

¹ Access online at <https://www.maine.gov/dep/bep/2023/01-19-23/Chapter%2090%20Draft.pdf>

² Centers for Disease Control and Prevention. "Human exposure: Pfas information for clinicians." Centers for Disease Control and Prevention. November 12, 2024.
<https://www.atsdr.cdc.gov/pfas/hcp/clinical-overview/human-exposure.html>



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reported that Maine was making some adjustments to the PFAS products law. The time to come forward would have been during that process.

Fluoropolymers used in PFAS-coated cookware are dangers in the entire life cycle of the product. They release harmful chemicals in the air and water during production. They can flake off as gas during use, impacting consumers. During disposal they can break down and flake off the product, turning into microplastics and entering the environment. F-gases used in refrigerants are a huge contaminant of PFAS in emissions. According to the European Union, they are responsible for 52% of the PFAS emissions.³ These products will end up in our landfills, adding more toxic chemicals and microplastics to our environment.

When it comes to banning PFAS in cookware, Maine is not an outlier. Our New England neighbors in Vermont, Connecticut, and Rhode Island have also banned PFAS in cookware. Beyond New England, Minnesota has also banned PFAS in cookware. That new law went into effect last year.

I also urge the BEP to join the DEP in rejecting the CUU requests for the components of some cleaning, cosmetic, and upholstered furniture products that contain PFAS. These components are flame-retardant barriers for electric fragrance warmers, wire coatings for electric (plug-in) air fresheners, container O-rings for hand lotion pumps, and ball bearings for the internal mechanical parts of massage chairs. These are product categories that are banned in other states, including Minnesota, where much of their law is already in place. If manufacturers can manage to comply with other states' PFAS product laws, they can comply with Maine's.

In terms of the two products that the DEP states should be given CUU designations, I urge the BEP to reject those requests. Both of the products listed are used in cleaning products and while they are internal products and therefore not consumer facing, there is a possibility for leaching into the actual product which is consumer facing. We should not allow PFAS in anything that could lead to consumer exposure of toxic PFAS.

I'm very proud of the work we've done in Maine to protect people from further PFAS exposure and contamination. The state of Maine has spent millions of dollars on the PFAS contamination crisis. We should be reducing our sources of PFAS, not expanding them. I urge the Board to reject all requests for currently unavoidable use designations.

Thank you,

³ European Chemicals Agency. Annex XV Restriction Report. Proposal for a Restriction: Per- and Polyfluoroalkyl Substances (PFASs), Version Number 2. March 23, 2023.



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Proudly representing Senate District 32: Arundel, Biddeford, Dayton, Hollis, Lyman