

Crypton LLC  
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July 15, 2022

Kerri Malinowski Farris  
Maine Department of Environmental Protection  
Office of the Commissioner:

SUBJECT: PFAS Maine law MRSA 38 §1614 - Comments

Crypton LLC has reviewed above law and the provided first Concept Draft.  
We have a few comments and are unclear about implementation.

Crypton LLC produces highly functional fabrics that contain small quantities of PFAS in form of a C6 side chain polymer. The quantity was minimized over the years of development to be less than 0.1% measured as total fluorine by a combustion method according to standard AATCC 189. This method is an accepted method, but it is not an EPA listed method since the methods listed by EPA are only valid and practical for classical low molecular weight PFAS such as PFOA, PFOS and similar perfluorinated substances of concern. We can provide a concentration range for the treated fabrics in terms of total combustible fluorine, which should reflect a worst-case scenario.

The CAS number of the C6 side chain polymer is not known or might not even exist since these polymers were registered by an ingredient supplier under confidential agreements between EPA and the supplier. To our knowledge there is also a high likelihood that these polymers do not have a defined CAS number. We look for guidance how to report a substance as such into the notification system.

Crypton LLC is committing to a complete phaseout of PFAS containing materials by October 2022. Materials produced after this date and obviously before law implementation on January 1, 2023, will not contain reportable substances. However, we must assume that inventories with materials before phasing out might still be in circulation. This will be very difficult to manage for us and our customers and Crypton LLC would appreciate consideration of a "grace period".

Crypton LLC itself does not sell any materials into the State of Maine. We sell our fabrics to companies that make furniture and distributors that sell to furniture makers. These furniture companies and maybe distributors could sell into the State of Maine. Would Crypton LLC as the manufacturer of the fabric but not the final selling good (e.g. upholstered chair) be the company that has to register/notify or would the furniture company be the one to register?

Crypton LLC finishes a variety of fabrics in different colorations and with slightly different constructions. However, all these materials have in common that they would be treated with the same PFAS type, and they all would be treated with the same PFAS concentration range. Would this qualify as one submission, or would every single SKU have to be notified and registered?

Respectfully and with best regards,

A handwritten signature in blue ink, appearing to be "M. Grigat".

Michael Grigat  
VP, Research and Development  
Crypton LLC