



Honorable Janet Mills  
Governor of Maine  
1 State House Station  
Augusta, ME 04333

June 18, 2021

RE: Veto Request LD 1503

Dear Governor Mills,

We are writing to respectfully request a veto of LD 1503 related to the regulation of products that utilize PFAS technology. We support the regulation of PFAS; however in its current form LD 1503 is extremely broad and will have significant unintended consequences for the State. We respectfully encourage you to veto the bill and direct the legislature to make targeted enhancements to the legislation.

**The legislation as written would automatically ban thousands of products from sale and distribution in Maine** unless the state goes through a complex regulatory process to deem these products “a currently unavoidable use”. It would be the broadest ban on products containing PFAS in the nation and would have far reaching negative consequences on nearly every sector of the economy including aerospace, autos, alternative energy, healthcare, building and construction, electronics, pharmaceuticals, and agriculture. No other state has even considered such an extreme and unworkable approach to this broad and important class of chemistry.

In addition to the broad implications for the availability of these products in Maine, the legislation would have a significant impact on the Maine economy. Critical industries and business that rely on this technology would be threatened and unable to produce or sell their products in Maine. Even if there was hope that their products would be deemed a “currently unavoidable use” and exempted from the broad ban at some point in the future, these industries and businesses rely on predictability and a clear, transparent, science-based regulatory process. They are unlikely to invest or continue to operate in the state as they could not be assured that their products would not be impacted. This is essentially telling critical industries that Maine is “closed for business”.

We understand from our conversations with your staff and the DEP that this was not the intent of the legislation, so we are requesting a targeted technical fix that would align the bill with the stated intent.



This would provide for the regulation of products of concern while avoiding the unintended consequence of banning all of the beneficial and safe uses of this technology.

Today's poly/perfluorinated chemicals are essential to modern life and an important enabling technology. They play a vital role in everything from designing automobiles with lower emissions and improved safety, reliability and fuel-efficiency to manufacturing semiconductors, solar panels and high performance electronics. Critical industries that would be impacted by this legislation include:

- Aerospace Electronics
- Agriculture
- Automotive
- Batteries and Battery Storage
- Food
- HVAC
- Industrial Equipment
- Medical
- Optical and Data Transmission
- Paint and Coatings
- Pharmaceuticals
- Refrigeration
- Semiconductors
- Solar and Wind Energy

**In this regard, the legislation would undermine effective product design, and in some cases, even overall product safety and efficacy for a broad range of products - including applications that are important for public safety and public health.** One critical example and timely example, this bill would currently restrict critical materials that are essential to the COVID vaccine distribution and COVID testing, as well as the medical equipment used by healthcare providers that are on the front-line of fighting the COVID pandemic.

We have tried to raise these concerns during the legislative process, however this legislation was hastily considered. It had no formal work session and was passed without any debate in



either chamber. Such sweeping legislation should have more thoughtful consideration and stakeholder input – if for no other reason to avoid the unintended consequences noted above.

We thank you for your consideration and respectfully request that you veto LD 1503 and direct the legislature to make targeted enhancements to the legislation.

Sincerely,

AdvaMed  
 American Chemistry Council  
 American Coatings Association  
 American Coke and Coal Chemicals Institute  
 American Fuel & Petrochemical Manufacturers (AFPM)  
 AGC Chemicals Americas, Inc  
 Alliance for Automotive Innovation  
 Arkema  
 Association of Home Appliance Manufacturers (AHAM)  
 BASF  
 Chemours  
 Creative Polymer Solutions  
 Crop Life  
 Consumer Technology Association (CTA)  
 DuPont  
 Flexible Packaging Association  
 Fluid Sealing Association (FSA)  
 Household & Commercial Products Association (HCPA)  
 ICP Group  
 IDI Distributors  
 Maine State Chamber of Commerce  
 Maine Grocers & Food Producers Association

National Association of Chemical Distributors (NACD)  
 National Council of Textile Organizations (NCTO)  
 National Electrical Manufacturers Association (NEMA)  
 Responsible Industry for a Sound Environment (RISE)  
 Retail Association of Maine  
 Rhino Linings  
 SES Foam  
 Semiconductor Industry Association (SIA)  
 Solvay  
 SWD Urethane  
 TC Hafford Basement Systems (*a Maine Company*)  
 3M  
 Weather Seal Spray Foam Solutions Inc (*a Maine Company*)