



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

Commissioner Melanie Loyzim  
 Maine Department of Environmental Protection  
 State of Maine  
 17 State House Station  
 Augusta, Maine 04333

July 7, 2022

**RE: Extension Request- Reporting Deadline 38 MRSA Section (3)**

Dear Governor Mills and Commissioner Loyzim,

We are writing to respectfully request an extension of the deadline for reporting of products containing intentionally added substances defined as PFAS in the State of Maine that is scheduled to go into effect on January 1, 2023. As you know, 38 MRSA Section 1612 has a broad impact on nearly every sector of the economy, including aerospace, autos, alternative energy, healthcare, building and construction, electronics, pharmaceuticals, and agriculture, that relies on PFAS chemistries for the reliable and safe function of a variety of products important for industry and consumers.

Under 38 MRSA Section 1614 (3), the Maine Department of Environmental Protection (DEP) may grant an extension if the DEP determines that more time is needed by manufacturers to comply with submission requirements. We respectfully request the extension of the reporting deadline for the following reasons:

**The delay in rulemaking makes it difficult for manufacturers and companies to come into compliance, with a reporting deadline in less than six months.** Rulemaking for 38 MRSA Section 1614 has just started with an informational meeting scheduled for June 30, 2022. With an effective reporting deadline of January 1, 2023, manufacturers and companies have little knowledge of what information is required and how to comply with a broad mandate that currently has few details about what information is necessary and the process for submitting information.

**Manufacturers and companies that are trying to comply are having difficulty in obtaining information protected by intellectual property laws.** Companies that are aware of the deadline and are preparing to provide information are having difficulty obtaining information from their suppliers for a number of reasons- (1) A disrupted global supply chain continues to create complexities at every level in the marketplace; (2) Suppliers will not provide protected intellectual property information to the public domain for competitors to potentially access unless they have legal assurance that their intellectual property is protected.

We the undersigned organizations that represent the regulated community recognize that there will be an obligation to report information on products containing PFAS; however, for the above stated reasons we are requesting a 12-month extension of the reporting deadline past the promulgation of the final rule. Thank you for your consideration of this request.

Sincerely,

AdvaMed  
American Chemistry Council  
ACC Spray Foam Coalition  
American Apparel and Footwear Association (AAFA)  
American Coatings Association  
American Fuel & Petrochemical Manufacturers (AFPM)  
AGC Chemicals Americas, Inc  
Animal Health Institute (AHI)  
Alliance for Automotive Innovation  
Association of Equipment Manufacturers (AEM)  
Association of Home Appliance Manufacturers (AHAM)

BASF  
Carlisle Spray Foam  
Insulation  
Chemours  
Creative Polymer  
Solutions  
Crop Life America  
Communications Cable &  
Connectivity Association  
(CCCA)  
Consumer Healthcare

Products Association (CHPA)  
Consumer Technology Association (CTA)  
Covestro  
Daikin America, Inc.  
Flexible Packaging Association  
Fluid Sealing Association (FSA)  
General Coatings Manufacturing Corp  
Honeywell  
Household & Commercial Products Association (HCPA)  
Huntsman  
Hydraulic Institute  
ICP Group  
IDI Distributors  
Juvenile Products Manufacturers Association  
Maine State Chamber of Commerce  
Motorcycle Industry Council (MIC)  
National Association of Chemical Distributors (NACD)  
National Council of Textile Organizations (NCTO)  
National Electrical Manufacturers Association (NEMA)  
Natural Polymers, LLC  
Outdoor Power Equipment Institute (OPEI)  
Pine Chemicals Association International (PCA)  
Plastics Industry Association  
Recreational Off-Highway Vehicle Association (ROHVA)  
Responsible Industry for a Sound Environment (RISE)  
Rhino Linings

SES Foam  
Semiconductor Industry  
Association (SIA)  
Specialty Vehicle Institute  
of America (SVIA)  
Solvay  
Sustainable PFAS Action  
Network (SPAN)  
SWD Urethane  
TC Hafford Basement  
Systems (*a Maine  
Company*)  
Weather Seal Spray Foam  
Solutions Inc (*a Maine  
Company*)