



LEGISLATIVE POSITION:

OPPOSE

House Bill 22

Environment—PFAS Chemicals-Prohibitions and Requirements

House Health and Government Operations Committee

Tuesday, February 2, 2021

Dear Chairwoman Pendergrass and Members of the Committee:

Founded in 1968, the Maryland Chamber of Commerce is the leading voice for business in Maryland. We are a statewide coalition of more than 5,000 members and federated partners, and we work to develop and promote strong public policy that ensures sustained economic recovery and growth for Maryland businesses, employees, and families.

If passed, House Bill 22 would prohibit the use, manufacturing, or knowing sale or distribution of products, including fire-fighting foam, carpet/rugs and food packaging, that contain intentionally added PFAS chemicals. The bill would require this prohibition to take effect on January 1, 2022, or what amounts to less than one year after its potential enactment.

Fluorinated chemicals, otherwise known as per- and polyfluoroalkyl substances (PFAS), are a large and diverse family of chemistry that make possible the use of products that are central to our everyday lives including, but certainly not limited to: electronics, aircraft, alternative energy, medical devices and building/construction materials.

However, not all PFAS are created equal. Each individual chemistry has its own unique properties and uses. Fluoropolymers, for example, are a distinct class within the broad PFAS group. High molecular weight fluoropolymers are highly stable, too large to be bioavailable, and do not have the potential to become widespread in the environment. Data shows that the properties of fluoropolymers present low health and environmental hazards, and the scientific community considers these materials to be inert.

Unfortunately, the definition of PFAS as drafted in Senate Bill 195 is extremely broad and amounts to an all-out ban, without considering the differences in chemical classes, some of which have been widely recognized as having low health and environmental risk. Product bans often result in a myriad of unintended consequences that should be further explored.

In addition, the legislation would take effect on January 1, 2022, less than one year after its potential enactment. It proposes to do this without an established regulatory process and

timeline. As a result, it would be unrealistic to assume that manufacturers, distributors, and retailers will have the alternatives and tools required to comply with the law, particularly in such a short period of time. As well, in the absence of regulatory assessment on the performance of PFAS alternatives, there is no way to demonstrate that their replacement would represent an improvement over the current product.

For these reasons, the Chamber respectfully requests an **unfavorable report** on House Bill 22

