Testimony on 2025 Maryland House Bill 1112

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Chair Delegate Luke Clippinger
Vice-Chair Delegate J. Sandy Bartlett
Maryland House of Representatives
Judiciary Committee
Annapolis, Maryland 21401

Re: CCCA Position on HB1112 – Oppose

Dear Chair Clippinger, Vice Chair Bartlett, and Members of the Committee –

On behalf of the members of the Communications Cable & Connectivity Association (CCCA), located in Frederick, MD, we greatly appreciate being a part of this important dialog during your legislative cycles in 2025. CCCA is also aware of a broad coalition of Trade Associations, Supply Chain entities, and Consumers that share this same position in opposition. Here is our written testimony.

This HB1112 legislation is overly broad, lacks scientific basis, will have significant consequences and would ban thousands of critical products from manufacturing, sale and use in Maryland. We oppose HB1112 related to the comprehensive perfluoroalkyl and polyfluoroalkyl substance (PFAS) ban. This far-reaching legislation bans all consumer products that contain **ANY** PFAS. The measure further expands the time limit for bringing certain civil actions concerning exposure to PFAS.

HB1112 would be the broadest ban on products containing PFAS in the nation and 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.

HB 1112 is built on a foundation that incorrectly characterizes all PFAS as if they are a single substance, regardless of the clear diversity of properties and uses, environmental and health profiles, potential exposure pathways, and any potential risk within the PFAS family of chemistries. PFAS substances can be a solid (e.g., fluoropolymers), liquid (e.g., fluorotelomer alcohols) or a gas (e.g., hydrofluorocarbon refrigerants). The fundamental physical, chemical, and biological properties of solids, liquids, and gases are clearly different from one another. The very distinct physical and chemical properties of the three types demonstrate how varied they are and how imposing a “one-size fits all” approach as proposed would be inappropriate.

- More –

With this broad definition and description of "PFAS chemicals" referred to in HB1112, the vast majority are proven safe polymers and substances, containing fluorine chemistry, that are critical in commerce, without any available or adequate material substitutions. The design balance of temperature range, physical strength, electrical transmission, durability, fluid resistance, stability, resilience and several other important engineering factors are uniquely provided by safe fluorinated materials. Without them, products such as cellular devices, computers, microchips, cars, airplanes, satellites & space vehicles, healthcare monitoring devices, limited energy powering & communications network infrastructure, security cameras, HVAC systems, fire response equipment, water treatment, etc. (to name only a brief few) would not be functional.

For specific examples of the use of fluoropolymers (one key type of PFAS):

- **Automotive:** Gaskets, rings, valves, and hoses in the fuel system; wiring and circuit boards; interior and exterior sensors; pull cables; shock absorbers and bushings.

- **Aerospace (military and civilian):** High performance navigation and communication antennae; lubricants for wing flap mechanisms and landing gear; fuel-oxygen separation systems.

- **Clean Energy**: Electric vehicle batteries; hydrogen fuel cells; solar panels; wind turbines; and sheathing for power cables and coatings for electrical wire.

- **Electronics and Electric Appliances:** Computers and other electronic equipment and related components and accessories.

- **Industrial Processes:** Linings for pipes, valves, and tanks to prevent corrosion; gaskets in high temperature, high pressure production processes to contain reactive substances.

- **Medical:** Surgically implanted medical devices (e.g. stents); COVID testing equipment and respirator tubing; cardiac catheters and guide wires; transfer and storage bags for biological fluids; personal protective equipment.

- **Connections:** Seals, o-rings, gaskets, tapes, and connectors which provide multiple functions, such as flexibility, corrosion resistance, heat and cold resistance, fugitive emissions control, and tight seals for working with challenging substances and/or in challenging operating environments.

- **Semiconductors:** Ultra-low contamination semiconductor manufacturing; wafer etching; chemical piping and storage.

CCCA and our industry certainly support the responsible production, use, and the appropriate risk management of fluorinated substances. This includes regulatory requirements that are protective of human health and the environment. HB1112 does not appear to consider the diversity of physical and chemical properties, the corresponding environmental and health profiles of these fluorinated compounds, the critical and essential uses of products in which these substances are present, nor the technical and economic feasibility of alternatives.

Maryland has Already Taken Aggressive Action

- In 2022, Maryland passed the "**George Walter Taylor Act**" (**HB 275 and SB 273**). The broad sweeping bills ban Class B firefighting foam with PFAS; requires sellers of personal protective equipment to notify purchasers that the equipment contains PFAS chemicals; bans the disposal of firefighting foam with intentionally added PFAS using incineration or the disposal of such foam in a landfill; and bans carpets, rugs, food packaging, disposable plastics gloves with PFAS. Also requires the state to take back the foam if requested by a fire department rather than requiring the state to purchase unused foam.

- In 2024, Maryland passed "**Protecting State Waters From PFAS Pollution Act**" (**SB 956**) that regulates and limits the discharge of PFAS chemicals from industrial sources into state waterways and requires the Maryland Department of Environment to develop a PFAS Action Plan.

- Also in 2024, Maryland passed **HB 1147**, which bans PFAS in playground materials.

HB 1112 Proposes to Replicate Proven Flawed Policy and Negative Impacts

- A similar **California** bill (SB 903) failed to pass in 2024 amid concerns raised by a diverse coalition that represented virtually every aspect of the state's economy including manufacturers, biotech, life sciences, car makers, grocers, clean energy producers, and agriculture.

- Where similar laws have been adopted, implementation has proven to be extremely challenging. For example, in the **European Union**, industries have submitted thousands of comments on the widespread consequences of a ban and the lack of suitable alternatives. As a result, EU authorities have had to delay implementation given the complexity of the issue, the number of industries and applications impacted, and the potential consequences for the EU's long-term sustainability, public health, and economic growth goals. **The vast number of exemptions and extensions required renders the laws virtually ineffective**.

- Since 2001, the **Maine** Department of Environmental Protection (DEP) has struggled to implement a similar mandate. The Maine DEP has issued more than 2400 extensions to companies for just its PFAS reporting requirement due to a variety of reasons. These include complicated supply chains for manufacturers to determine if PFAS is even included, the lack of an operational database for manufacturers to submit product information, limited lab

capacity within the US to test products for PFAS and the lack of protection for confidential business information.

As a result, Maine Governor Janet Mills (D) signed LD 1537 last year that substantially **reformed the initial law**. Changes included extending some compliance deadlines, streamlining reporting requirements, including protections for confidential business information and exempting many economically critical product categories.

- **Minnesota**, which more recently enacted a comprehensive ban on PFAS, has already run into complications resulting from this law. Minnesota lawmakers worked last year to sign amendments into law that delay enforcement provisions. Now, Minnesota businesses are struggling with unsellable inventory due to the law's restrictions, and state lawmakers are actively discussing further possible revisions.

  Reporting requirements of Minnesota law are also of concern among impacted parties. With less than 11 months before reporting must begin (January 1, 2026), stakeholders have still not received a draft of the proposed rule from the department. It is expected that millions of products and components of products will be required to report into the state and no framework for submission or system has been made available to those entities required to report under the law. A fee structure for reporting is also required under the law but currently is still up in the air as the department has now combined the rulemaking for reporting and associated fees.

On behalf of CCCA, our Maryland-based members and Limited Energy Technology Integrators, thank you for the opportunity to voice our concerns with House Bill 1112 in its current form. CCCA looks forward to working with the members of the Judiciary and Health & Government Operations Committees, Staff and other industry stakeholders on a PFAS policy that is grounded in strong scientific principles, protects human health and the environment, leverages existing regulatory requirements and resources, encourages innovation and economic development, and provides regulatory certainty to the business community.

Respectfully,

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About CCCA

CCCA was formed on the principle that the industry could be served and strengthened by leveraging the efforts of individual leading firms into a single "voice" and mission that would benefit the structured cabling community and its supply chain. Today, the association's backbone is an active Board of Directors and working committees that manage the association, execute our mission and provide a platform for member benefits and initiatives.

Mission Statement

CCCA is a major resource for well researched, fact-based information and education on the important issues, technologies and structured cabling products impacting the current and future needs of the building network and cabling infrastructure. CCCA is proactive in supporting and participating in codes and standards bodies and other trade, industry and safety organizations, which affect the quality, performance and societal needs of the structured cabling infrastructure.

CCCA focuses its mission on **"What You Need to Know"** to stay abreast and well-informed on topics and issues vital to the structured cabling and connectivity industry.

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For further information, visit the CCCA website www.cccassoc.org or contact David B. Kiddoo, Executive Director, at dkiddoo@cccassoc.org or by phone at +1.410.353.3989