



**The Maryland Department of the Environment
Secretary Serena McIlwain**

Senate Bill 686

PFAS Chemicals – Product Phase Outs and Registration Requirements

Position: Support with Amendments
Committee: Education, Energy, and the Environment
Date: February 24, 2026
From: Jeremy D. Baker, Director of Government Relations

The Maryland Department of the Environment (MDE) **SUPPORTS SB 686 WITH AMENDMENTS.**

Bill Summary

SB 686 establishes a regulatory framework to reduce intentionally added per- and polyfluoroalkyl substances (PFAS) in a broad range of consumer product categories. It authorizes MDE to require manufacturer registration and disclosure of PFAS-containing products, assess fees, mandate testing, and conduct enforcement. The bill also phases out certain product categories containing intentionally added PFAS on a defined timeline, requires MDE to designate "currently unavoidable uses," and creates a special non-lapsing PFAS Chemicals Protection and Remediation Fund ("Fund") to support implementation and enforcement.

Position Rationale

This bill aligns with MDE's mission by addressing persistent, bioaccumulative PFAS chemicals at their source - in the products to which they are added in the first place - consistent with pollution-prevention practices. Early source control lowers future treatment and cleanup costs and provides data for risk assessment. The currently unavoidable use provision allows for narrower continued use while promoting safer alternatives. The Fund, though not resourced immediately through the bill, would support future implementation using fees from covered manufacturers under the bill, as well as responsible-party contributions, reducing reliance on general funds. MDE supports creating an enforceable framework to reduce PFAS and limit long-term public health and fiscal impacts.

However, MDE notes that many provisions of this bill, including the registration and disclosure requirement for all products containing intentionally added PFAS, as well as the determination of currently unavoidable uses for potentially hundreds or thousands of individual products, will create a significant administrative burden on MDE. The successful implementation of these provisions would require significant additional staffing resources, as well as a data management infrastructure, training, and ramp up time. Additionally, MDE would require far more time to develop the mandated regulations identifying unavoidable PFAS usage than currently envisioned by the legislation. The bill establishes a new fee on manufacturers or importers of products that contain intentionally added PFAS, which are

Contact: Jeremy D. Baker, Director of Government Relations
Cell: 240-548-3321, Email: jeremy.baker@maryland.gov

intended to cover the administrative, implementation, and enforcement activities associated with the bill. Furthermore, there are program startup costs that MDE would incur prior to implementing and receiving these fees. These issues would be substantially reduced, though not eliminated, by removing the broad product disclosure requirements for all products containing intentionally-added PFAS that are not otherwise covered under the phase-out provisions of the bill.

Accordingly, MDE asks for a **FAVORABLE** report for SB 686 with amendments.