



Your Dreams, Our Challenge

March 10, 2026

The Maryland General Assembly
Health Committee
240 Taylor House Office Building
Annapolis, Maryland 21401

Re: HB1022 PFAS Chemicals – Product Phase Outs and Registration Requirements – Opposed

Dear Chair Bagnall and members of the Health and Environment & Transportation Committees:

AGC Chemicals Americas (“AGCCA”) and its parent company, AGC America, Inc. (herein jointly referred to as “AGC”), appreciates this opportunity to submit written testimony before the Maryland House Health Committee on HB1022, PFAS Chemicals—Product Phase Outs and Registration Requirements, and to offer suggestions on how to improve the bill. We oppose HB1022 as drafted but as we have done in other states we believe we could support the bill with amendments.

AGCCA manufactures and supplies a range of specialized industrial chemicals and materials, including resins, coatings, films and membranes, that are incorporated into a wide range of products essential to the daily lives of Maryland residents and businesses, such as wiring insulation for airplanes and electric vehicles, protective films for solar panels, electrical components for cell phones and computers, and gaskets, fuel lines and seals for motor vehicles, energy production and manufacturing equipment.

Many of these products are comprised of fluoropolymers. While fluoropolymers fall within the broad definition of “PFAS,” they are very different from other PFAS chemicals. From a health and environmental standpoint fluoropolymers are inert, non-toxic, and are not bioavailable. Importantly, they do not dissolve in water, so they cannot migrate to groundwater and do not dissolve in wastewater or drinking water. In fact, peer-reviewed studies demonstrate that fluoropolymers satisfy internationally-recognized criteria for being “Polymers of Low Concern,” which are deemed to have insignificant environmental and human health impacts.

Fluoropolymers also provide a unique combination of physical, chemical and electrical properties that enhance the safety, reliability and durability of products and critical product

components under diverse and demanding operating conditions. These properties make fluoropolymers critical to the performance of a wide range of products and technologies, such as semiconductors, fuel cells, wind turbines, printed circuit boards, coated wires, batteries, aircraft components, vehicle engines, manufacturing equipment, medical devices and prosthetics, and scientific and laboratory equipment. This unique combination of properties underlies the irreplaceability of fluoropolymers in a wide range of applications, including those noted above. Further, AGC's other businesses in North America all use or rely upon fluoropolymer materials to manufacture their products or in equipment essential to operating those businesses day-to-day. These include AGC's automotive glass, electronic materials, life sciences, and plasma coating equipment manufacturing and/or distribution, all of which impact citizens in Maryland every day.

AGC has worked throughout the country with other states in drafting PFAS product bills and has often supported those with targeted consumer product bans. Despite HB1022 having some targeted product bans, AGC is concerned that HB1022 reaches too far and without amendment, will have unintended consequences for a large number of products affecting all sectors of the Maryland economy.

AGC's primary concerns and suggested path forward for each are as follows:

- HB1022 treats all 14,000+ PFAS compounds the same. However, they are not the same. This is especially true for fluoropolymers, which AGCCA processes and sells to customers throughout the U.S. to make hundreds of thousands of manufactured products critical to everyday life. As this bill is considered by the legislature, we urge you to amend the bill to focus on only those PFAS substances that have the greatest potential environmental and health impacts and exclude products containing fluoropolymers from any product bans. Therefore, we propose the following language for your consideration:

This section does not apply to ... a product that contains fluoropolymers, consisting of polymeric substances for which the backbone of the polymer is either a perfluorinated or polyfluorinated carbon-only backbone or a perfluorinated polyether backbone and that are solid at standard temperature and pressure.

The inclusion of a fluoropolymer exemption would prevent the unintended prohibition or restriction of safe products critical to the economy, while still ensuring the intent of this bill is satisfied – protecting human health from exposure to harmful PFAS. This would also strengthen the bill by way of its consistency with other states, like New Mexico, that have recognized the critical value of fluoropolymers and have included in their legislation exemptions like the one we are proposing for Maryland.

- Section 6-1606 requires all manufacturers of a product sold or distributed in the state containing intentionally added PFAS to submit disclosure forms and pay applicable fees. This requirement is overly broad and would impose significant compliance burdens on

tens of thousands of manufacturers. For example, any product containing a circuit board, data cable, or coated electric wire could be subject to the product disclosure requirements of the bill. The same is true for any vehicle or piece of machinery containing a gasket or seal, a fuel line, a high capacity battery, a sampling tube or dispenser, or a purifying filter. In short, this reporting requirement will affect literally hundreds of thousands of products that are critically important to Maryland consumers and businesses. Moreover, manufacturers that are unable or unwilling to provide sensitive information regarding their products may decide against selling their products in Maryland to avoid this overly-burdensome reporting requirement, and failure to comply with the reporting requirement would result in a product being banned in 2029, which would have serious consequences for Maryland residents and the State's economy.

It is also important for the Committee to recognize that other states and the federal government have attempted to impose similarly broad reporting requirements but, due to obstacles encountered in developing and implementing a workable process, have been forced to delay implementation and/or scale back on the scope of their reporting requirements. Accordingly, AGC recommends removing Section 6-1606 which we understand that the bill sponsors are considering. AGC recommends removing paint from the products subject to the January 1, 2029 ban in Section 6-1605 which we understand the bill sponsors are considering. Striking paint is particularly important for fluoropolymer-based paints, which are essential in architectural and industrial applications, particularly for large-scale infrastructure projects such as the new Key Bridge. Their durability enhances safety, reduces maintenance needs, and results in long-term cost savings for the State and local cities and communities throughout Maryland. Indeed, available data indicate that fluoropolymer-based paints used in outdoor applications degrade at 1/20th the rate of non-fluoropolymer alternative coatings and have a potential life of greater than 100 years, compared to less than 15 years for non-fluoropolymer alternatives. Consequently, the bill's elimination of fluoropolymer-based paints can be expected to result in substantially increased costs for infrastructure maintenance throughout the State of Maryland and result in greater environmental risks that occur from using non-fluoropolymer alternatives.

- AGC also suggests narrowing the scope of "textiles" and "cleaning products" covered by the bill. The current definition of "textile" is dangerously overbroad, and could potentially result in the unavailability of important industrial and commercial products such as filters, purification membranes, automotive parts, and architectural fabrics. We support using a definition similar to that used in California law, which is tailored to focus on consumer-use products and applications and specifically excludes filters, architectural fabrics, and aircraft and automotive parts, among others. Similarly, the definition of "cleaning product" in HB1022 should be narrowed to exclude specialty solvents and similar materials intended for use in industrial applications -- for example, in the manufacture of precision optics and electronics. To address the most significant sources of potential

exposure, the definition of “cleaning product” should be targeted to focus on products intended for household and consumer use, not industrial or commercial use.

- AGC also recommends striking the requirement that the Department adopt regulations to identify Currently Unavoidable Uses (CUU) of PFAS. As drafted the CUU process in section 6-1605 is open-ended and provides no criteria for the Department to consider in making a CUU determination. Moreover, lessons learned from Minnesota and Maine which are trying to implement a CUU process demonstrate that developing and implementing a CUU process will be very costly and burdensome to the Department and nearly impossible for those seeking a CUU to follow. With respect to HB1022, which only bans a limited number of consumer products we do not believe that a CUU process is needed. States such as Colorado and California that have enacted consumer product bans similar to those in HB1022 do not include a Currently Unavoidable Use exemption. Striking the CUU process in HB1022 provides consistency with these and other states that have enacted limited consumer product bans.

Thank you for the opportunity to share our views. We understand that the sponsors are proposing amendments that address some of these concerns and appreciate their willingness to modify the bill as introduced. We look forward to working as a partner with you and the Legislature on these issues as you consider this legislation further.

Sincerely,



Christopher F. Correnti
President and CEO
AGC America, Inc.