



May 15, 2023

Mr. Mark Margerum
Maine Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017

Re: Per- and Polyfluoroalkyl Substances (PFAS) in Products
06-096 ch. 90 Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances,
Draft Rule

Mr. Margerum:

SKF USA Inc. (SKF) is the U.S. subsidiary of SKF Group of Sweden. SKF reviewed the proposed changes to 06-096 ch. 90 Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances and respectfully submits the following comments:

- **PFAS definition** (Section 2(P)): the current definition of PFAS includes polymeric PFAS and fluoropolymers, substances with undetermined toxicity. Therefore, including these substances in the PFAS definition may be unwarranted and cause confusion.
- **Responsibility for notification** (Section 3(A)): manufacturers do not always have control or knowledge of where their products are finally sold. In some cases, SKF sells to third party distributors (such as an auto parts distributor) which may or may not be physically located in Maine. These distributors in turn may ship parts to Maine without our knowledge or our control. As the regulations are currently written, the manufacturer or importer would be required to submit notification to the Maine for products sold/shipped to Maine. This would put an unreasonable bureaucratic and economic burden on SKF and other such companies. Further, this requirement could have anti-competitive implications insofar as the restriction of trade is concerned between manufacturers and third parties like distributors.
- **Grouping of products** (Section 3(C)): SKF produces hundreds of variants of products which have identical features, in terms of materials used in their production and technical performance. The only relevant differences are dimensions and weight of these products, and consequently the amount of PFAS contained in the product. To keep the number of notifications to a manageable level, it would be a lot more effective to be able to group these products into one unique notification. For example, all products with identical GPB brick code and identical PFAS. It would then be possible to indicate all the commercial designations of affected products with related amount of PFAS.
- **Prohibition on sale** (Section 5(C)): fluoropolymers have a very large amount of industrial and consumers applications. For many of these products there is no current technological alternative available to replace these materials. For example,



in transport (seals and lubricants in vehicles for road transport), National Defense (helicopters) or civil construction (movable bridges) there is virtually no potential for human exposure under normal operating conditions. The pending prohibition of sales may cause many industries to be placed at a disadvantage and adversely impact the people of Maine.

SKF is aware of the requirement to report under this legislation. To date, we are working to merge sales data across multiple sales organizations and merging shipping addresses to the parts sold. Once these issues have been resolved, SKF will provide the information required under this regulation.

If you have any questions, please feel free to contact me at (267) 946-1844 or bob.larosa@skf.com.

Sincerely,

DocuSigned by:

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Robert A. LaRosa, P.E.
Corporate Environmental Manager