

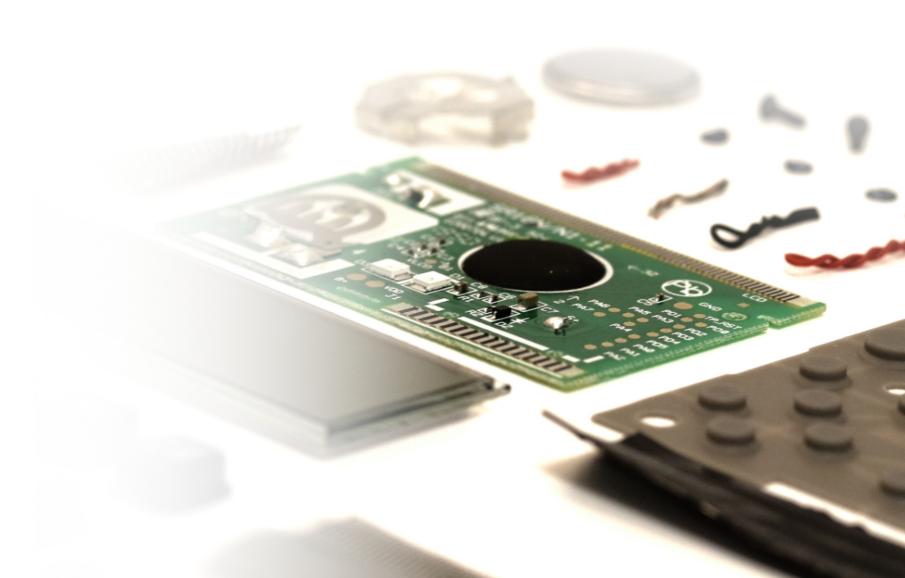
Claigan Webinar

Maine PFAS CUU &

Canadian PFOA Prohibition

Presented by: Bruce Calder VP Consulting

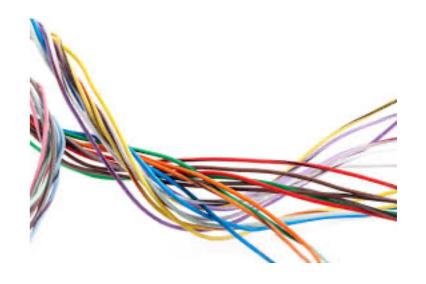
January 24, 2024





### Overview - Agenda

- PFAS CUU Maine
  - Deadlines
  - Requirements
  - CUU submission project
  - PFAS CUU Minnesota
- Canada PFOA Prohibition
  - Deadlines
  - Impact
  - Canada PFOA exemption projects
- Actions
- Q&A





#### PFAS - State of Maine

- Currently Unavoidable Use (CUU) submission
  - All PFAS in State of Maine to be banned unless added to their legislation as <u>currently unavoidable uses</u>.

## PFAS - State of Maine Restriction



- Restriction
  - January 2030

- Currently Unavoidable Uses
  - Submission deadline March I 2024

# PFAS - State of Maine CUU Project



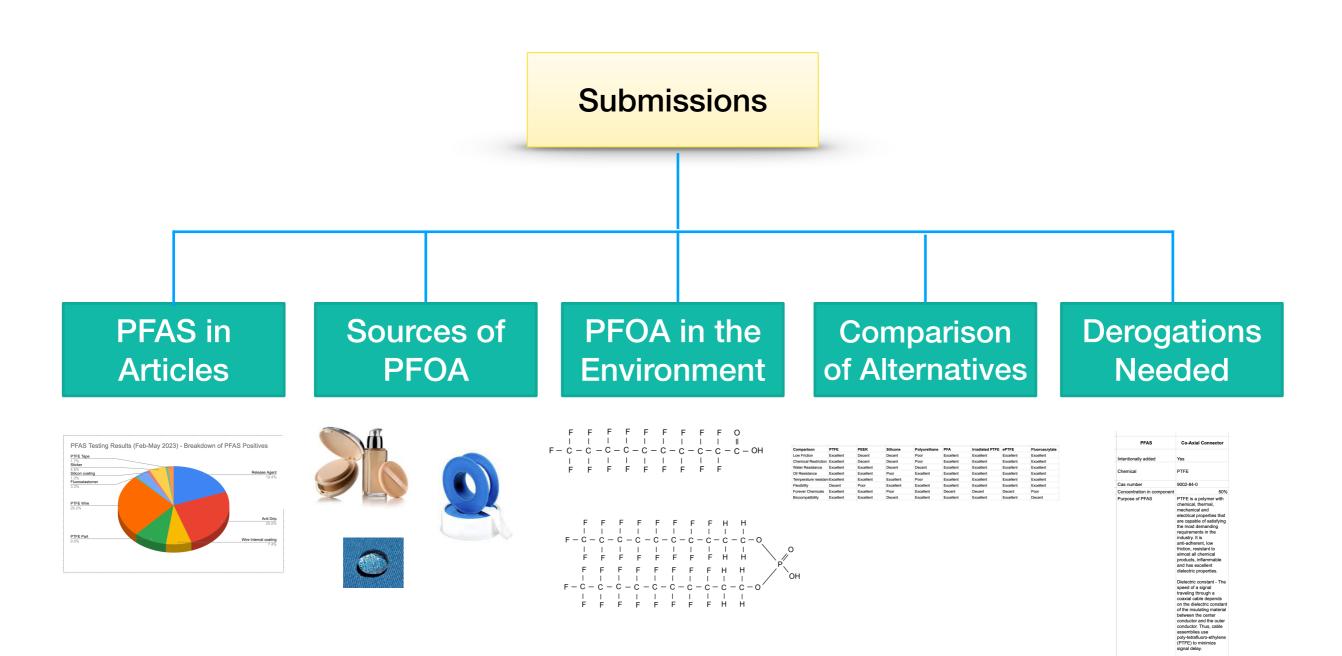
- Claigan is leading a CUU submission project for industry
  - Companies are welcome to join

#### Details

- Leveraging EU submission
  - However, some new information is needed from industry
- Will be the most comprehensive submission to Maine

## Claigan EU PFAS Submissions







- I. Provide a brief description of the type of product including, if applicable, the Global Product Classification (GPC) brick category and code, or if GPC is not applicable then the Harmonized Tariff System (HTS) code.
- 2. Describe the intended use of the product and explain how it is essential for health, safety or the functioning of society.
- 3. Describe how the specific use of PFAS in the product is essential to the function of the product. If this use of PFAS is required by federal or state law or regulation, provide citations to that requirement.
- 4. Describe whether there are alternatives for this specific use of PFAS which are reasonably available.
- 5. Provide contact information for the submission.



- 1. Provide a brief description of the type of product including, if applicable, the Global Product Classification (GPC) brick category and code, or if GPC is not applicable than the Harmonized Tariff System (HTS) code.
- 2. Describe the intended use of the product and explain how it is essential for health, safety, or the functioning of society.
- 3. Describe how the specific use of PFAS in the product is essential to the function of the product. If this use of PFAS is required by federal or state law or regulation, provide citations to that requirement.
- 4. Describe whether there are alternatives for this specific use of PFAS which are reasonably available.
- 5. Provide contact information for the submission.



- 1. Provide a brief description of the type of product including, if applicable, the Global Product Classification (GPC) brick category and code, or if GPC is not applicable than the Harmonized Tariff System (HTS) code.
- 2. Describe the intended use of the product and explain how it is essential for health, safety or the functioning of society.
- 3. Describe how the specific use of PFAS in the product is essential to the function of the product. If this use of PFAS is required by federal or state law or regulation, provide citations to that requirement.
- 4. Describe whether there are alternatives for this specific use of PFAS which are reasonably available.
- 5. Provide contact information for the submission.



- 1. Provide a brief description of the type of product including, if applicable, the Global Product Classification (GPC) brick category and code, or if GPC is not applicable than the Harmonized Tariff System (HTS) code.
- 2. Describe the intended use of the product and explain how it is essential for health, safety or the functioning of society.
- 3. Describe how the specific use of PFAS in the product is essential to the function of the product. If this use of PFAS is required by federal or state law or regulation, provide citations to that requirement.
- 4. Describe whether there are alternatives for this specific use of PFAS which are reasonably available.
- 5. Provide contact information for the submission.



- 1. Provide a brief description of the type of product including, if applicable, the Global Product Classification (GPC) brick category and code, or if GPC is not applicable than the Harmonized Tariff System (HTS) code.
- 2. Describe the intended use of the product and explain how it is essential for health, safety or the functioning of society.
- 3. Describe how the specific use of PFAS in the product is essential to the function of the product. If this use of PFAS is required by federal or state law or regulation, provide citations to that requirement.
- 4. Describe whether there are alternatives for this specific use of PFAS which are reasonably available.
- 5. Provide contact information for the submission.



#### Short Detail on Maine

- Maine's PFAS legislation is based on harmonized legislation under
  - NEWMOA NorthEast Waste Management Officials' Association
  - States following the same legislation template
    - California, Connecticut, Florida, Georgia, Illinois, Iowa, Maryland, Maine, Minnesota, Missouri, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and Wisconsin
  - Currently unavoidable uses (CUU) allowed in Maine are expected to form the basis of exemptions in the other states



### Maine CUU Challenges

- Challenges
  - Timeline March I 2024 deadline
  - **Technical** Requirements are technical in nature



### Claigan CUU Submission Project

- Claigan project
  - Timeline Groundwork already in process
  - Technical -
    - Leveraging successful Claigan EU PFAS submission project
    - Extremely large Claigan test data set
    - Very knowledgeable members





### Claigan CUU Submission Project

#### Advantages

- Assurance Assurance that your uses and customs codes are submitted
- Knowledge Detailed application and justification information
- Voice companies can comment and adjust submissions to properly reflect their uses
- **Cost** work is distributed over a large number of participants

Timeline - March I deadline will be met



### Claigan CUU Submission Project

- Schedule
  - Jan 29 2024 Project start and uses questionnaires
  - **Feb 14 2024** Draft chart version of submission for review
  - Feb 23 2024 Deadline for feedback on uses and HS codes
  - Feb 28 2024 Submission to Maine

## PFAS - State of Maine Restriction



- Restriction
  - January 2030

- Currently Unavoidable Uses
  - Submission deadline March I 2024

## PFAS - State of Minnesota CUU Submissions



- Minnesota Restriction
  - January 2032

- Currently Unavoidable Uses
  - Submission deadline March I 2024

Expectation in expanding the Maine project to include Minnesota

# Canadian Prohibition of Certain Toxic Substance

- Planned <u>removal</u> of 'manufactured item' exemption for PFOA (and longer) restriction
- Manufactured item
  - Articles

# Canadian Prohibition of Certain Toxic Substance

#### Ban of

- Long Chain Perfluorocarboxylic Acids (LC-PFCA) articles
- (PFOA and longer)

#### Timeline

- To be published summer 2024
- Goes into effect six (6) months later

#### Contact information

- Feel free to contact them
- interdiction-prohibition@ec.gc.ca

## Canadian Prohibition Exemptions



- There was no significant input from industry
- So
  - Exempted in semiconductors
  - Exempted in medical membranes

- Banned in all other uses
  - By start of 2025

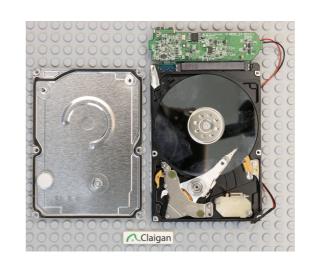


### Common PFOA Sources

**ePTFE** 



**Fabric** 



Hard drive vent



Water resistant electronics /w sound



### **Vulcanized PTFE**

PTFE Tape





**PTFE Heat Shrink** 





### Fluoroacrylate Coatings

#### **Water Resistant Fabric**



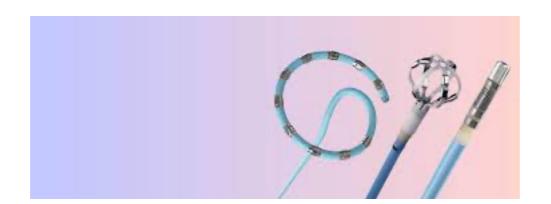


## PFA Wiring

**PFA** 



Laptops



**Medical Devices** 



#### Canadian PFOA Prohibition

- If published as currently proposed
  - No breathable waterproof fabrics
  - No hard drives
  - No laptops
  - No heart surgeries



### How did this happen?

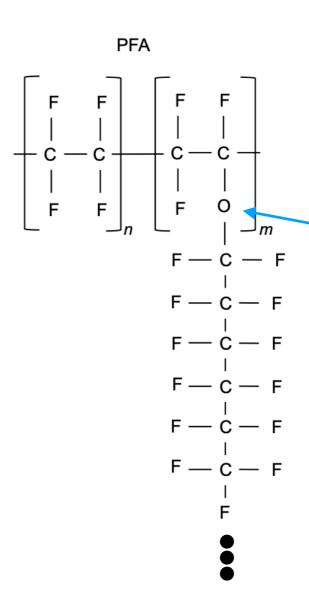
Everyone thought someone else would handle it

And no one did.

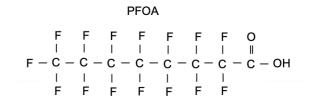


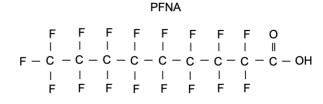
### Note on PFA Polymer

**PFA** 



## Fractures at the C-O-C bond Producing







## PFA Wiring

**PFA** 



Laptops



**Medical Devices** 



### Canada PFOA Exemptions

- Challenges
  - Exemption consultation closed
  - Very technical
  - But opportunity to re-open
    - If submitted very soon by industry

# Claigan Canada PFOA Submission Project

#### Claigan project

- **Timeline -** Groundwork already in process
- Parallel work In parallel to Maine CUU project
- Conversation started -
  - ECCC (Canada) is expecting a submission from Claigan

**Claigan** 

## Claigan PFAS Submission Projects



Maine PFAS CUU Submission Project

Canada PFOA Submission Project

In parallel, running from Jan 29 to Feb 29 2024

## Project Schedules Parallel Schedules



#### Schedule

- Jan 29 2024 Project start and uses questionnaires
- **Feb I 4 2024** Draft chart version of submissions for review
- Feb 23 2024 Deadline for feedback on submissions
- Feb 28 2024 Submission to Maine (PFAS) & Canada (PFOA)



#### Actions

- To join projects
  - Maine/Minnesota PFAS CUU Submission
  - Canada PFOA Exemptions
- Contact
  - info@claigan.com (or webinar@claigan.com)
- Projects start next week



#### Actions

- To join projects
  - Maine/Minnesota PFAS CUU Submission
  - Canada PFOA Exemptions
- Contact
  - <u>info@claigan.com</u> (or <u>webinar@claigan.com</u>)
- Projects start next week

Q&A