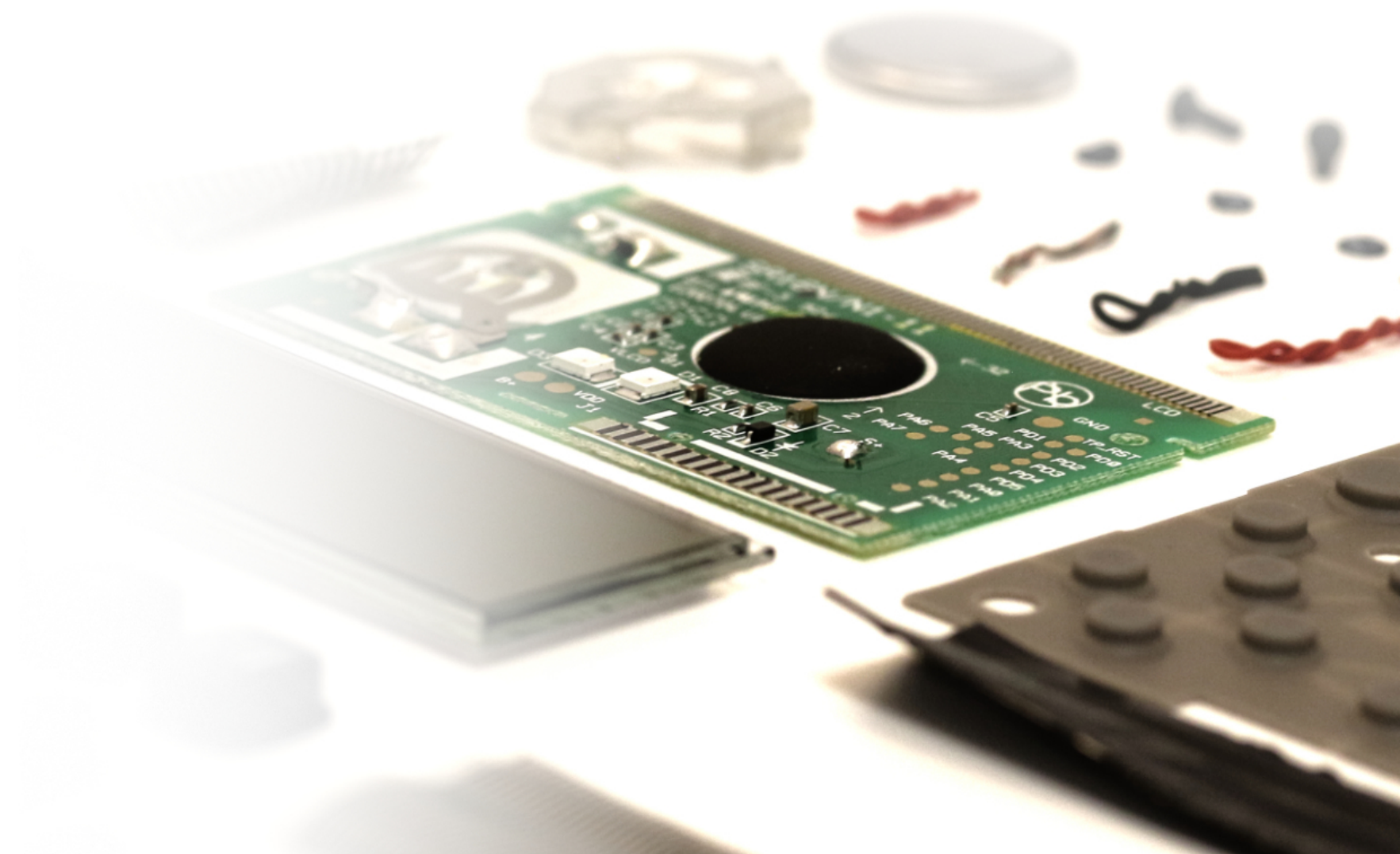


Claigan Webinar

Minnesota PFAS Reporting

Presented by:
Bruce Calder
VP Consulting

May 7, 2025



Overview - Agenda

- Cat cartoon
- Minnesota PFAS
 - Scope & Deadline
 - Extensions
 - Intentionally added
 - Product grouping
 - Component grouping
- PFAS Function
- Fees
- Waivers
- Due diligence
- The practical approach
- New Mexico PFAS
- Claigan LCA
- Q&A



Claigan Environmental

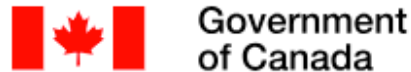
The Leader in PFAS in Products



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Claigan's Plastics Registry Experience

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Wide range of plastic packaging

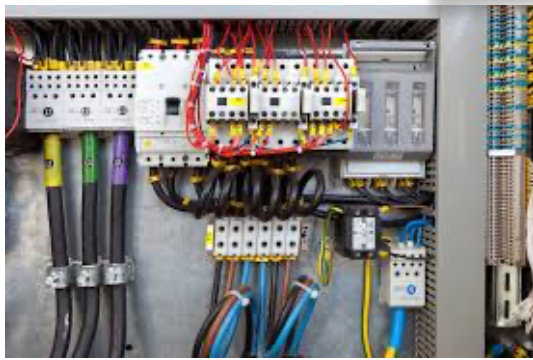
Small Appliances

Consumer Medical

The deadline for consumer products is -

Large Appliances

September 29 2025



Consumer Controls



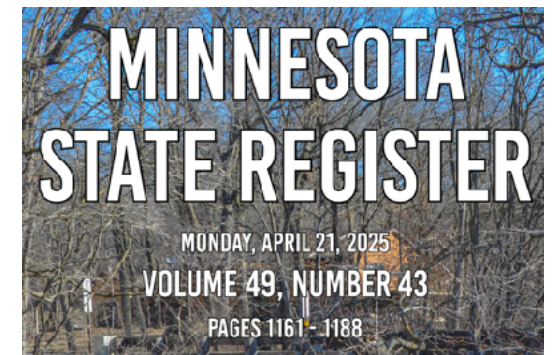
Test equipment



Printers and computer equipment

Minnesota PFAS Reporting

- **Minnesota published [PFAS reporting rule](#)**
 - PFAS Reporting due **Jan 1 2026**
 - All products sold in Minnesota are in scope
 - More detailed statement of reasons [here](#)
- Exemptions
 - Products for which federal law requires the PFAS use
 - Fire fighting foam
 - Used products
 - Special waived agricultural products
 - Products under Classified Information to the US



Who is in scope?

Everyone

Office of the Revisor of Statutes Administrative Rules



TITLE: Proposed Permanent Rules Relating to PFAS in Products; Reporting and Fees

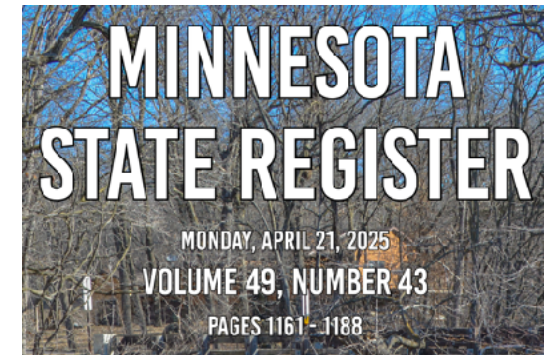
AGENCY: Minnesota Pollution Control Agency

REVISOR ID: D-4828

- **The few exemptions**
 - Products for which federal law requires the PFAS use
 - Fire fighting foam
 - Used products
 - Special waived agricultural products
 - Products under Classified Information to the US

Minnesota PFAS Reporting

- **Responsible party**
 - Manufacturer (Brand owner) of final product sold in Minnesota
 - Unless brand owner not in the US,
 - Then importer
 - Unless
 - Written agreement for another company to report instead



For most products -

Brand Owner

Reporting Deadline

- **Reporting Deadline**
 - **January 1 2026**
 - Unless you successfully obtain an extension

Extension

- **Requesting an extension**

- Must be made by December 1 2025

- Maximum of 90 days extension

Subp. 2. **Extension request.** A manufacturer or group of manufacturers requesting an extension must submit the request in a format specified by the commissioner. The request must contain:

- Extension request to include

- Company and contact information

+ \$300 fee

- Reason for extension request

- Including a detailed explanation of the circumstances that prevent timely submission

- Support documentation that substantiates need

- Plan for completion

- Including an outline of how the manufacturer will submit by the new deadline

PFAS in Scope

- **Intentionally added**
 - A manufacturer or group of manufacturers of a product sold, offered for sale, or distributed in the state must submit a report for each product or component that contains **intentionally added PFAS**.
- Practical definition
 - Addition was intentional
 - Basically PFAS has to serve a function
 - Does not include degradation products of intentionally added PFAS
 - But does include polymerization aids
 - Practical definition of 100 ppm for fluoropolymers

Minnesota PFAS Reporting

- **Data fields**

- Virtually identical to Claigan's outputs for years
 - By product or product grouping
 - Product identification information
 - For PFAS containing components
 - *(Similar components can be grouped)*
 - PFAS substance (including CAS if available)
 - Concentration range
 - PFAS function
 - Manufacturer contact information



Product Grouping

- **Similar products can be grouped into a report**
 - Criteria
 - Grouped components have to have the same PFAS
 - With the same PFAS, concentration ranges, and function
 - Product function
 - Same basic form and function
 - Other superficial qualities that do not impact the composition of the intentionally added PFAS
- **But what does that mean in practice?**

Because the \$1,000 fee looks to be per report

But the intention is \$1,000 per manufacturer

See p40 of statement of [reasons](#)

Product Grouping

- **The grouping criteria in practice**
 - Same PFAS containing components in the product
 - All the PFAS declarable components must be the same
 - Same PFAS
 - Same concentration
 - Same function
 - Products can be grouped as the same function
 - Practical approach - same HS code

Product Grouping

- **Example**

- Can you put all refrigerators together
 - That makes sense

If - all PFAS components groups are the same

Component groupings

- **Grouping of components**
 - Under a product grouping the components
 - Have the same PFAS
 - Same PFAS function
 - Same PFAS concentration ranges
- Which is the most common situation in similar electronics
- Note
 - Number of components, weight of components, and sales volumes are **not** part of the reporting requirement
 - Just the PFAS, PFAS concentration range, and function

Product Grouping

- **Example**

- Can you put all refrigerators together

- That makes sense

If - all PFAS components **groups** are the same

Which is the common situation

- Can you put refrigerators with refrigerators with freezers?

- Both are HS Code 84

- Makes sense

If - all PFAS components **groups** are the same

- How about freezers?

If - all PFAS components **groups** are the same

- Also HS Code 84

Seems reasonable

- Refrigerator / freezer are already grouped together

Product Grouping

- **Example**

- Okay - how about ovens? Can they be put with fridges?

- HS Code 85

If - all PFAS components **groups** are the same

- Not easily justifiable to group with refrigerator / freezers

- But stovetops and ranges may be group able

If - all PFAS components **groups** are the same

PFAS Function

- **What needs to be described in function?**
 - That is not clear in the legislation
 - Is it a single word or term?
 - Like US TSCA
 - Or a description with detail?
 - Not clear
 - But likely
- **Claigan project**
 - As part of submission, companies will review standardized function descriptions for common PFAS containing components
 - And create industry common function descriptions

Minnesota Fees

- **Fees**
 - \$1,000 per report
 - Which is intended to be manufacturer not product group
 - \$300 to file for an extension
 - \$500 per report to update in subsequent years
- Note
 - New products cannot be sold in Minnesota
 - If they contain PFAS
 - And not covered by a report
 - Which makes product grouping even more important

Annual Updates

- **An annual update is required**
 - By February 1st of each year if
 - Declarable PFAS components changed, or
 - New products were offered in the state not covered by a previous report
 - Which makes product grouping more critical
 - Otherwise
 - Previous PFAS reports to Minnesota must be re-certified by February 1
 - Both update and re-certifications have a fee
 - Of \$500 per year per report

Reporting Waiver

- **A company or group of companies can apply for a waiver for reporting**
 - If there is substantially equivalent public information available
 - And there cannot be undue burden to access the data
- Waiver details
 - Almost all the same details as submitting a report
 - Plus
 - Location of information equivalent to reporting
 - Certification by manufacturers the data is true
 - The same fees (\$1,000 per company) as submitting a report

Due Diligence

- **Companies are required to**
 - Provide their due diligence to authorities if requested
 - Included all related documentation
 - Supporting data has to be maintained for five (5) years from the last year PFAS was contained in the product grouping

General Note

Minnesota PFAS

- **The current rules is intended to be the final proposal**
 - But companies can still [comment](#) until May 21 2025
- However - Minnesota expects to adopt the rule at the public meeting on May 22 2025

Where Claigan can help

Putting together the data

Component and Product Grouping

Reporting to Minnesota

Full data



Building Component Groups

With data

Building the full submission

Some data



Building Product Groups

No data



For companies that have

There is not a product type we have not done PFAS reporting for

Key Note -

Claigan submission projects will include standardization of functions and component descriptions with industry

Claigan Environmental

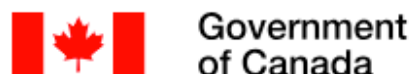
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Claigan PFAS Standardization Project

- **Participants in Claigan submissions**
 - Will be able to review
 - General component descriptions
 - PFAS functions
- Purposes
 - Accuracy
 - Standardization
 - Being like everyone else
 - Providing the best starting point for future advocacy

Example

New Mexico PFAS

- **New Mexico to publish new PFAS Law**
 - PFAS ban in 2032
 - PFAS Reporting in 2027
- However, there are exemptions for
 - A range of products
 - Most fluoropolymers
 - a product that contains fluoropolymers consisting of polymeric substances for which the backbone of the polymer is either a per- or polyfluorinated carbon-only backbone or a perfluorinated polyether backbone that is a solid at standard temperature and pressure.

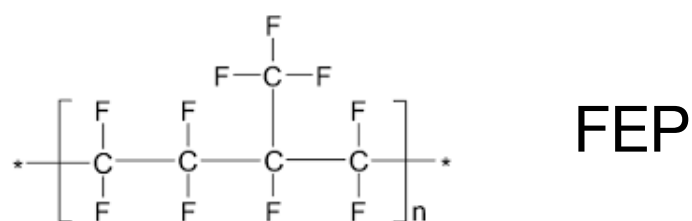
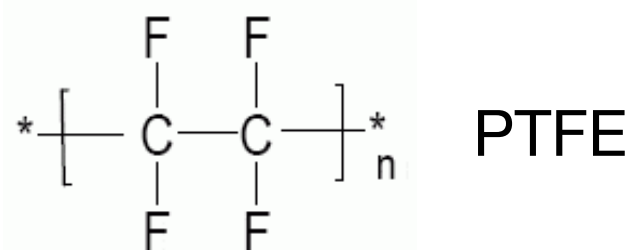
New Mexico PFAS

- **Exempted products from reporting and restriction**
 - Used products
 - Medical devices
 - Pharmaceuticals
 - Cooling, heating, ventilation equipment allowed by EPA
 - Veterinary products
 - Products for public health, environmental, or water testing
 - Motor vehicles, boats, and planes
 - Semiconductors
 - Non-consumer electronics and laboratory equipment
 - Products containing fluoropolymers with specific backbones
 - Energy generation equipment
 - And a few others....

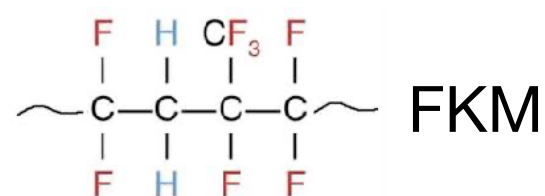
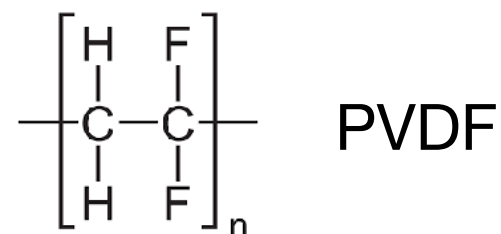
New Mexico PFAS

Exempted Fluoropolymers

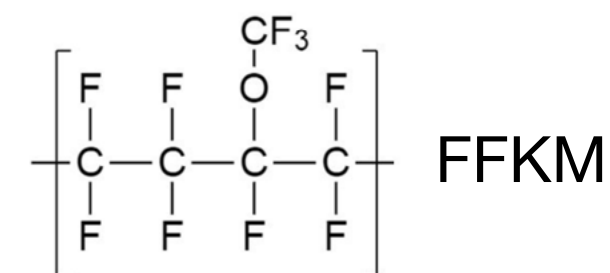
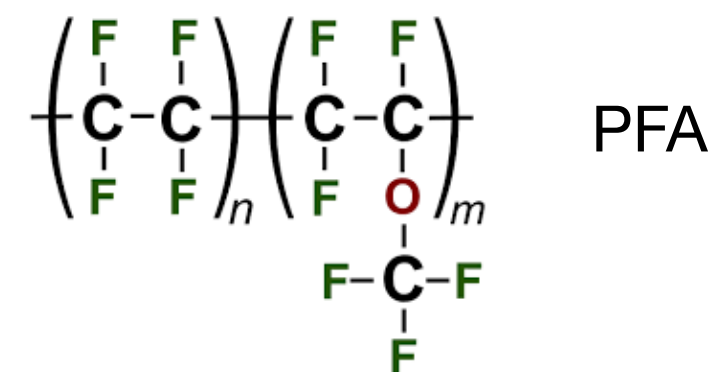
Perfluorinated Backbone



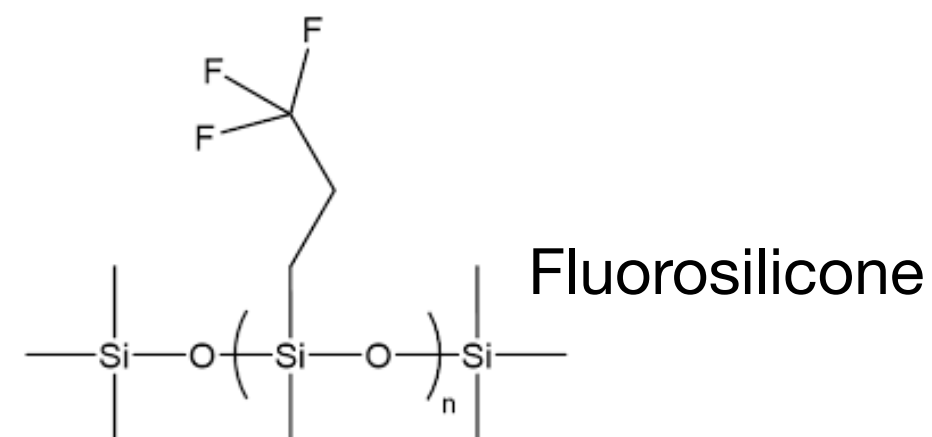
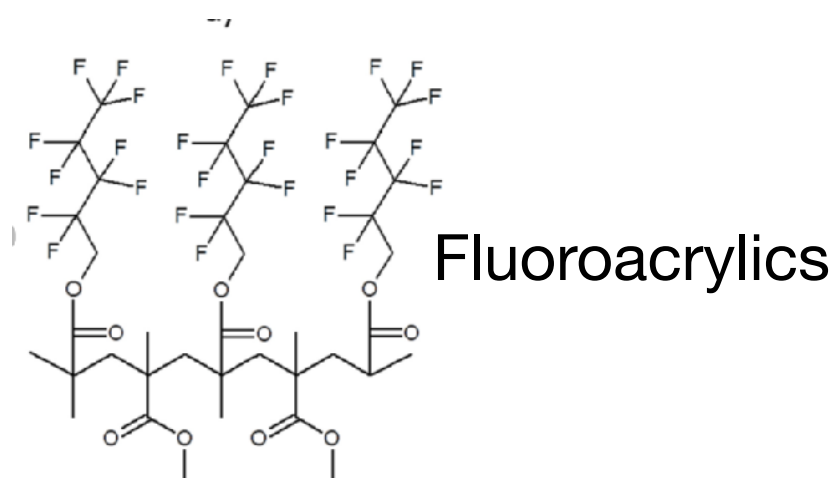
Polyfluorinated Backbone



Solid Polyether



Not exempted



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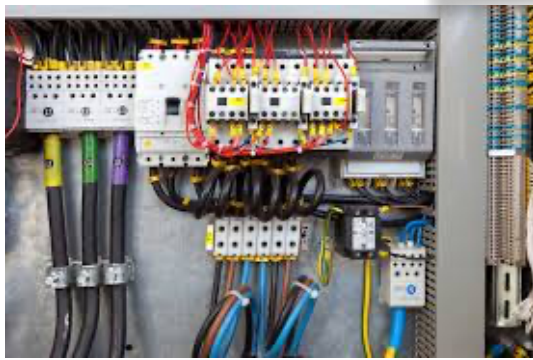
Small Appliances

Consumer Medical

Deadline for consumer products -

Large Appliances

September 29 2025



Consumer Controls



Test equipment



Printers and computer equipment

Claigan Life Cycle Analysis (LCA) Service

Building on Claigan Plastics Declarations



Claigan has expanded into LCA

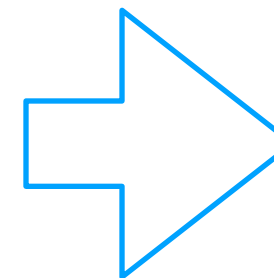
Material Use

Manufacturing

Transportation

Product Use

End of Life



Co2 eq
(And similar)

A significant Claigan advantage

Volume operational processes

Instead of 'hand carving' each LCA

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