



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

January 20, 2023

Michael Ochs
Recreation Vehicle Industry Association, Inc.
1899 Preston White Drive
Reston, VA 20191

RE: Request for reporting extension for 38 M.R.S. §1614, sub 2-A

The Maine Department of Environmental Protection (Department) has received your request for an extension of the start date for notification requirements set forth in 38 M.R.S. §1614(2)(A).

In July 2021, An Act To Stop Perfluoroalkyl and Polyfluoroalkyl Substances Pollution, 2021 Public Law 2021, Chapter 477, became law. Subsection 1614(2)(A) of the law (reallocated from 38 M.R.S. § 1612(2)(A)) establishes a requirement for manufacturers to notify the Department of any product for sale in the State of Maine that contains intentionally added PFAS, as defined by Subsection 1614(1)(D), beginning January 1, 2023. Subsection 1614(3) of the law also authorizes the Department to, among other things, extend the deadline for submission by a manufacturer if the Department determines that more time is needed by the manufacturer to comply with the notification requirement.

The Department is currently in the process of developing a proposed rule pursuant to Subsection 1614(10) to provide additional specificity regarding implementation requirements under the law. This proposed rulemaking is expected to include clarifying definitions of terms not defined in statute regarding questions such as who is legally responsible for submitting notifications to the Department, and to further clarify what kinds of information must be provided to the Department. In the absence of such forthcoming regulatory clarifications, manufacturers will likely face uncertainty over these kinds of questions that may complicate compliance with Chapter 477’s notification requirements. For instance, Chapter 477 could be strictly read to require every person who makes a product for sale or distribution in Maine to notify the Department if any part of the product had PFAS intentionally added to it, even if the PFAS was added to a component of a component manufactured by someone else. Each person qualifying as a manufacturer would need to obtain information from each upstream manufacturer of all their component parts’ and materials’ PFAS quantities in addition to testing their own final product, or risk potential noncompliance. The Department recognizes the difficulty of determining the PFAS content of products containing components or materials from suppliers, the complexity of supply chains, and the lack of sufficient laboratory capacity for all persons potentially qualifying

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

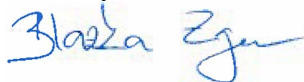
PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

as manufacturers under Chapter 477 to complete laboratory analysis of their products prior to January 1, 2023.

The Department has reviewed the entities for which you requested an extension, and identified manufacturers who may be subject to Chapter 477. Therefore, pursuant to 38 M.R.S. § 1614(3), and for the above reasons, the Department has determined that more time is needed to comply with the Subsection 1614(2)(A) requirements, and that it is appropriate to extend the deadline for the submission until six months after the effective date of the Department's finally adopted rule for the entities listed in the attachment.

The Department appreciates your efforts to meet these statutory requirements and will assist manufacturers, suppliers, and distributors with implementation of the law to the extent possible within the scope of the Department's authority and resources. If you have any questions, feel free to contact PFASProducts@maine.gov.

Thank you,



Blazka Zgec
Environmental Specialist

Attachment: List of Members approved for the extension of the deadline.

Alliance RV
Forest River Inc.
Lippert Components, Inc.
Curt Manufacturing, LLC
Furrion, LLC
Innovative Design Solutions, Inc.
Kaspar Ranch Hand Equipment, LLC
Kinro Texas, Inc.
LCI Industries
LCI Service Corp.
LCI Transit Corp.
Lippert Components Manufacturing, Inc.
Lippert Components International Sales, Inc.
Taylor Made Group, LLC
Veada Industries, Inc.
Zieman Manufacturing Company
Patrick Industries PATK
Pleasant Valley Teardrop Trailers LLC dba nuCamp
REV Group, Inc.
Goldshield Fiberglass
Lance Camper Mfg. Corp.
REV Renegade LLC
REV Recreation Group, Inc.
American Coach
Fleetwood
Holiday Rambler
Midwest Automotive Designs
ROADTREK INC.
THOR Industries
Airstream, Inc.
Airxcel, Inc.
MCD Innovations, Inc.
United Shade, LLC
Heartland Recreational Vehicles
Cruiser RV, LLC
DRV, LLC
Jayco, Inc.
Starcraft
Entegra
Highland Ridge
Keystone RV Company
Dutchmen Manufacturing

Crossroads RV
KZ RV
Thor Motor Coach, Inc.
Tiffin Motor Homes, Inc.
Vanleigh RV
Winnebago Industries
Grand Design RV, LLC
Newmar Corporation