

March 19, 2024

**TO: Honorable David Bennet, Chair and Members of the House Environment and Natural Resources Committee**

**RE: Oppose RI H 7356 – Comprehensive PFAS Ban Act of 2024**

PRINTING United Alliance is writing to express our opposition to H 7356, legislation which would prohibit the intentional addition of perfluoroalkyl and polyfluoroalkyl substances of PFAS in products offered for sale or manufactured in the state. Under the bill, the Department of Environmental Management would be responsible for regulating the ban on PFAS.

As background, PRINTING United Alliance represents the interests of facilities engaged in producing a wide variety of products through screen printing, digital imaging, flexographic, and lithographic print processes. The printing industry is comprised primarily of small businesses, with approximately 95 percent of businesses falling under the definition of a small business as defined by the U.S. Small Business Administration (SBA).

H 7356 is overly broad and will have significant unintended consequences and could eventually ban thousands of products from sale and transport of those products into Rhode Island. It would be one of the broadest bans on products containing PFAS in the nation and would have far reaching negative consequences on nearly every sector of the economy.

Critical industries and businesses that rely on this technology would be threatened and unable to produce or sell their products in Rhode Island. These industries and businesses rely on predictability and a clear, transparent, science-based regulatory process. They are unlikely to invest or continue to operate in the state as they cannot be assured that their products will not be impacted. This is telling many critical industries that Rhode Island is “closed for business.”

As currently written, H 7356 applies a “one size fits all” approach to chemical regulation that is not scientifically accurate. We appreciate the intent of the legislation, but it is inappropriate to add “classes of chemicals” to be regulated, and institute a reporting requirement, before the impact of the chemicals on human health or the environment has been determined. State and federal entities, including the National Academy of Sciences (NAS), the Environmental Council of the States (ECOS) and the National Academies of Science, Engineering, and Medicine (NASEM) have all recognized the challenges associated with a class-based approach to chemical regulation as it applies to PFAS.

Establishing any list of chemicals for regulatory purposes should be done after a fact-based evaluation about the nature of these substances, how they differ from each other and what risk, if any these substances may present to human health or the environment. Though the names of chemicals may be similar, the differences in their use, structure, health, and environmental profiles make them unique. While some of the products manufactured by our members may be

subject to the law, H 7356 would create a regulatory burden which would be costly and confusing.

In addition to the overly broad definition of PFAS, we have several concerns over the reporting requirements. First, there is overlap and redundancy with new federal PFAS reporting requirements. In January 2024, the U.S. Environmental Protection Agency (EPA) finalized a rule that prevents companies from starting or resuming the manufacture or processing of 329 PFAS chemicals without a complete EPA review and risk determination.

Also, under the EPA's Toxic Release Inventory (TRI) program, companies that release 100 or more pounds of 179 PFAS chemicals are required to collect and publicly report information on the amount that is released into the air, water, or land, and the quantities must be managed through disposal, energy recovery, recycling, or treatment.

Our members adhere to strict reporting requirements under our federal regulatory system, including EPA's TRI program. The notification requirement for all products in H 7356 would result in a patchwork of different federal and state obligations that would be confusing to Rhode Island businesses and consumers alike and undermine confidence in our regulatory system.

The EPA has also finalized its reporting and recordkeeping requirements under the Toxic Substances Control Act (TSCA). The final rule requires those who manufacture any identified PFAS to report information regarding PFAS uses, disposal, exposures, hazards, and production volumes, making H 7356 redundant.

We are also concerned that the information presented to the public may be void of scientific rigor and therefore, would cause unnecessary concern. Finally, publishing certain information may result in confidential business information and/or trade secrets being vulnerable to theft.

Thank you for the opportunity to comment on and highlight our concerns about this legislation. We urge you to oppose H 7356 in its current form. If you have any questions, please do not hesitate to contact me.

Sincerely,



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