



March 25, 2024

The Honorable David A. Bennett
Chairperson
House Committee on Environment and Natural Resources
Rhode Island State House
82 Smith Street
Providence Rhode Island 02903

RE: H-7356 Relating to Health and Safety – Comprehensive PFAS Ban Act of 2024

Dear Chair Bennett,

On behalf of SEMI, the industry association serving the global semiconductor design and manufacturing supply chain, we submit these comments to express concern with H-7356 as currently drafted. Our comments focus on undefined terms and a vague regulatory structure that could result in significant unforeseen consequences that impact the residents and businesses operating within Rhode Island.

SEMI represents more than 530 member companies in the United States reflecting the full range of the country's semiconductor industry, including design automation and semiconductor intellectual property (IP) suppliers, device manufacturers, equipment makers, materials producers, and subcomponent suppliers. SEMI member companies are the foundation of the \$2 trillion global electronics industry, and this vital supply chain supports 350,000 high-skill and high-wage jobs across the United States.

While SEMI fully supports the goal of limiting the release of per- and polyfluoroalkyl substances (PFAS) into the environment, SEMI has serious concerns about the potential scope of H-7356 as well as its incompatibility with Rhode Island's own ability to expand its microelectronics and related industries. With the indispensable role semiconductors play in the Rhode Island and American economy and in national security, it is critical that regulatory efforts avoid restricting semiconductor manufacturing, its corresponding supply chain, and future innovation.

PFAS are essential to the semiconductor industry because of their low surface tension, high heat and chemical resistance, high thermal stability, radiation stability, electrical characteristics, compatibility with other chemicals, and other unique properties. These properties enable PFAS to fulfill the purity criteria required for semiconductor manufacturing. PFAS are used by the industry to meet many needs within the manufacturing process and can be found in various equipment, materials, and other critical components. In short, the semiconductor manufacturing process is enormously dependent on PFAS, the majority of which currently have no viable alternatives. With semiconductors present in so many everyday items such as phones, computers, cars and even modern kitchen appliances, a ban on PFAS could result in the prohibition of any of these items being sold in the state.

While H-7356 states that it is not the intent of the general assembly to ban the use of PFAS in products where that use is "unavoidable", the term is never defined. There is no further legislative guidance for who would be responsible for seeking an "unavoidable use" determination, how that determination



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would be made and by whom. This significant uncertainty is likely to result in companies making significant decisions without full knowledge of the law's impact, potentially resulting in significant harm to Rhode Island residents.

Additionally, H-7356 contains no text laying out how companies can seek waivers on reporting requirements, nor is there language to ensure the confidentiality of any proprietary data turned over to the state. Semiconductor production, as well as the advanced manufacturing and technology sectors in general, treat the chemical composition of materials as proprietary information that is carefully protected and of significant commercial value. Lack of protections for confidential business information could force companies to consider curtailing operations in Rhode Island, threatening the state's economic vitality.

Finally, SEMI members wish to note that the definition provided for PFAS is too broad to base restrictions upon, potentially leading to more confusion among the regulated community and further hindering the state's high-tech economy. SEMI strongly encourages you to consult with stakeholders to craft a scientifically feasible definition for PFAS before continuing this legislative effort.

Our concern with these legislative gaps is not meant to suggest that SEMI members disagree with the goal of limiting PFAS where it causes harm and where its use is currently unavoidable. SEMI instead asks that the Committee reconsider the legislation as drafted and seek additional stakeholder input before moving forward. SEMI appreciates the decision to hold H-7356 for further study, and we offer our organization as a resource as you continue to develop this legislation.

Sincerely,

Ben Kallen
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SEMI