



June 3, 2024

PA House Environmental Resources and Energy Committee  
Public Hearing, House Bill 2238  
PA Chemical Industry Council Testimony  
Steve Kratz, President

Chairman Vitali, Chairman Causer, and House Environmental Resources and Energy Committee members, thank you for the opportunity to participate in today's discussion about House Bill 2238.

My name is Steve Kratz and I proudly serve as the President of the Pennsylvania Chemical Industry Council. For 30 years, PCIC has served as the industry trade group representing the state's chemical and polymer manufacturing operations, and associated industries.

The contributions of the chemical and polymers industry in Pennsylvania are significant. The Commonwealth is the eleventh largest chemistry-producing state supporting more than 94,000 chemical, polymers, and rubber production jobs. The industry pays nearly \$1.8 billion in wages annually with an average salary of around \$80,000 and contributes more than \$600 million in federal, state, and local taxes annually.

Nearly every aspect of modern life relies on chemistry. Chemistry is responsible for healthcare products and medical equipment, as the building blocks for renewable energy, high-performing building materials, food packaging, electronics, clothing, vehicles, and much more.

As an organization, we work to foster an economic and regulatory environment in Pennsylvania that encourages industry growth, job creation, and investments in sustainable technologies. To be clear, our industry is not anti-regulation. Our members simply want predictability, transparency, and a science-based regulatory climate.

This is why hearings like today are so important – to have a productive dialogue around the challenges and consumer impacts of House Bill 2238 and to offer solutions where we can find common ground to advance effective, science-based policy that protects the environment and fosters manufacturing growth opportunities.

As a starting point, it's important to understand that the current definition of PFAS as currently written in House Bill 2238 encompasses hundreds of chemistries with very different properties and purposes that are essential to national security, supply chains, transportation, renewable energy production, health care, and durability of consumer goods.

A few examples of PFAS uses include electronics, medical devices, refrigeration, data transmission, automotive, aerospace, semiconductors, agriculture, protective coatings, battery storage, solar and wind energy, industrial equipment, protection for our military, and more.

While the industry continues to develop certain viable alternatives, the inclusion of PFAS is important to these sectors because they are durable and stable, do not bioaccumulate, and do not break down into PFOA or PFOS which are the primary areas of health and safety concern.

In fact, in the United States and other advanced countries, the industry has already phased out legacy chemical compounds including PFOA and PFOS.

It's also important to recognize that PFAS chemicals have unique environmental and health profiles that must be considered when evaluating any regulatory or legislative proposal. Due to time limitations, I won't review all of PCIC's recommended changes; however, I will highlight two major areas.

First, it is critical to include an accurate, science-based definition of PFAS. It is currently defined as "one fully fluorinated carbon atom," which would inappropriately capture the compounds used in all of the examples I provided above that are durable, stable, and not the compounds of concern. The scientifically appropriate definition should include "at least two sequential fully fluorinated carbon atoms, excluding gasses and substances that become gasses in use that are registered under various state, federal, and international programs."

The other key area is to ensure that any legislation only addresses "intentionally added" PFAS, and we appreciate that HB 2238 includes that clarification.

Overall, it is critical to distinguish between addressing the specific issue related to public health and safety versus the negative impacts of an outright, broad-based ban. For example, if an electronics company has an issue with laptop batteries overheating, we wouldn't require every company to stop making electronics. We would look to identify and isolate the problem and work to develop a viable solution. That's the collective, responsible approach we should undertake when evaluating the regulation of PFAS.

In closing, PCIC fully supports the safe management of chemicals, including PFAS; however, we are concerned about the wide-ranging impacts of House Bill 2238 which will increase consumer

costs, impact supply chains, and drive manufacturing out of Pennsylvania to other parts of the globe that lack sufficient safety and environmental standards.

I stand by the fact that Pennsylvania's chemical and polymer manufacturers make everyday products safer and more environmentally sustainable than anywhere else globally. And I'm confident that together, we can advance science-based policies that drive impactful environmental solutions without sacrificing economic opportunity.

Thank you for the opportunity to provide testimony today. I look forward to further discussion and questions.

###