



**AmericanCoatings**  
ASSOCIATION<sup>SM</sup>

July 14, 2023

The Honorable Tom Carper  
Chairman  
Committee on Environment and Public Works  
U.S. Senate  
Washington, DC 20510

The Honorable Shelly Moore Capito  
Ranking Member  
Committee on Environment and Public Works  
U.S. Senate  
Washington, DC 20510

Dear Chairman Carper, and Ranking Member Capito:

Thank you for your work in developing a bipartisan bill addressing PFAS that will provide a consistent and practical definition of PFAS compounds for use by federal agencies, state governments, and other entities. The American Coatings Association (ACA), which represents the paint and coating industry, supports your efforts and encourages you to consider the comments below.

As you may know, the coatings industry employs over 311,000 individuals across the country in manufacturing facilities, warehouse and distribution facilities, retail locations and in the service industry as painting professionals. It is a \$29 billion dollar industry with a very wide network of upstream suppliers and downstream users including the food and produce industry, healthcare industry, military bases, transportation infrastructure like highways, bridges and airports, automotive industry, consumer goods including food and hygiene, and real estate such as home maintenance and repair.

ACA supports a consistent and science-based definition of PFAS compounds for use by all relevant federal agencies to ensure that government regulations, actions, and communications are coordinated for maximum effectiveness. We strongly support the exclusion of polymers in the proposed definition as it helps to focus regulatory efforts on compounds based upon their potential for presence in the environment and human exposure. Compounds that do not meet this criterion should not be included in the definition. The proposed definition in the draft legislation is also consistent with the definition used in the October 2021 National PFAS Testing Strategy published by the US Environmental Protection Agency (EPA).

Other items to note include the following:

- Section 4: the inclusion of the phrase “single use” is not clear in subparagraph 3. Some additional clarification here may be necessary.
- Section 7 and 8: ACA is wary of any activity that tends to “group” or categorize PFAS substances. The class of PFAS compounds is vast and each of these compounds has

unique profiles. We recommend that the phrase “. . . or categories of . . .” be eliminated from subsection 7(b)(1)(c) and 8(b)(1).

ACA is very grateful for the energy and work that was dedicated to this effort. Developing a bipartisan bill on this topic is not an easy task and ACA appreciates your work on behalf of the coatings industry that is mandated to comply with varying PFAS requirements and definitions across the country.

I thank you again for your leadership and support in addressing these critical concerns. If you have any questions at all, please do not hesitate to contact me directly.

Best regards,

A handwritten signature in blue ink, appearing to read "Heidi K. McAuliffe".

Heidi K. McAuliffe, Esq.

Vice President, Government Affairs

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