



March 24, 2026

Co-Chairs Josh Heintzeman and Peter Fischer
House Environment and Natural Resources Finance and Policy Committee
Capitol G3
St. Paul, MN 55155

Dear Co-Chair Heintzeman, Co-Chair Fischer and Members of the Committee:

On behalf of the Complex Product Manufacturers Coalition (CPMC), we respectfully submit this letter to supplement our verbal testimony on H.F. 4257 and to provide the Committee with a more detailed account of our concerns regarding the currently unavoidable use (CUU) provisions that were originally included in the bill. We believe it is important that these concerns be part of the formal record, and we are grateful for the opportunity to do so.

Background on Currently Unavoidable Use Designations

As originally introduced, H.F. 4257 included several currently unavoidable use (CUU) designations for complex durable goods. CPMC was a strong supporter of those provisions, and we want to ensure that the reasoning behind that support is part of the Committee's record. The CUU process without such designations will be extraordinarily challenging — both for complex durable goods manufacturers and for the State of Minnesota.

Complex durable goods—as defined by EPA and states like Vermont and New Mexico—are products composed of 100 or more manufactured components with an intended useful life of five or more years. They include appliances, electronics, space and water heating, refrigeration, air conditioning, ventilation, lighting and security systems, outdoor power tools, electric power generation, communication devices, vehicles, vessels, and their replacement parts. These products have hundreds of component parts sourced through multi-tiered, global supply chains, and they serve critical and often life-saving functions.

The Alternative Assessment Process: An Enormous Burden

CPMC has identified the alternative assessment (AA) process as by far the most significant and resource-intensive component of the CUU framework. The AA process takes years to complete in other states that have implemented similar requirements, such as Washington and California. The documentation required to evaluate alternatives involves hundreds of pages, and California estimates that the resource expenditure can range from \$100,000 - \$250,000 for a single component.

To make this process manageable, those states have taken deliberate steps to limit its scope. They prioritize specific chemical and product combinations, requiring an AA only for a workable subset of products. California specifically limits AAs for complex durable goods to no more than 10 chemical–component combinations at any given time. Minnesota's framework, as currently structured without the CUU designations, does not include similar guardrails.



The Scale and Diversity of Products and Components

Relying on the CUU process alone to keep essential products available to Minnesotans will not work given the sheer number and diversity of products, components, and suppliers involved. At the current scale, delay, uncertainty, and disruption to the availability of critical products is unavoidable. The breadth of complex durable goods—spanning nearly every major sector of the economy—means that the administrative and technical demands of the CUU process, without statutory determinations, will quickly exceed what MPCA or manufacturers can realistically manage.

MPCA would benefit significantly from further legislative direction and targeted statutory determinations that reflect these realities. The CUU designation originally included in HF 4257 at subsection (f)(13) for complex durable goods, as well as the other proposed determinations in that subsection, were a meaningful and necessary step in that direction.

The Federal Preemption Exemption and Beyond

Amara’s Law contains an exemption in Subdivision 8 for products where a federal law governs the presence of PFAS “in a manner that preempts state authority.” This exemption addresses critical sectors of the economy—including automotive vehicles, marine vessels, and FDA-regulated products. CPMC strongly supports this exemption and appreciates its inclusion in the law.

However, there are many additional requirements beyond federally preempted areas that effectively “lock in” how a product is designed. These include fire and building codes, interconnection requirements, and industry certification standards. Due to these controls, CPMC supports the CUU determination that was originally part of HF 4257 as a necessary complement to the existing federal preemption exemption—not a replacement for it.

CPMC is committed to working constructively with the Committee, MPCA, and all stakeholders to implement Amara’s Law in a way that is both protective of public health and workable for the industries that provide critical products to Minnesotans. While we understand that the CUU designations for complex durable goods are being removed from H.F. 4257 as amended, we want to ensure that the Committee has a clear understanding of why CPMC was supportive of those provisions in the first place. The scale of the alternative assessment process, the diversity of products and supply chains involved, and the existence of other regulatory controls that govern product design all point to the same conclusion: the CUU designations reflected a practical and necessary recognition of the realities of implementing such a far ranging law.

Thank you for your continued attention to these important implementation issues. We welcome any questions and look forward to ongoing engagement.

Respectfully Submitted,

Martha Marrapese, General Counsel
Complex Product Manufacturers Coalition