

## Aya Iizuka

The Japanese electric and electronic industrial associations – JEITA, CIAJ, JBMIA and JEMA (JP4EE) – would like to thank the New Mexico Environment Department (NMED) for the opportunity to provide comments on this public consultation.

Please find our comments and recommendations attached for your consideration.



September 17, 2026

The Honorable James C. Kenney  
Secretary  
New Mexico Environment Department  
1190 St. Francis Drive  
Santa Fe, NM 87505

**Re: The New Mexico Environment Department (NMED) is hosting a series of meetings to provide stakeholders and public with a status update on House Joint Memorial 3 (HJM3), which requires NMED to develop a report on the implementation of the Per- and Poly-Fluoroalkyl Substances (PFAS) Protection Act**

Dear Secretary Kenny:

The Japanese electric and electronic (E&E) industrial associations - JEITA, CIAJ, JBMIA and JEMA <sup>1</sup> - (hereinafter JP4EE) hereby express gratitude to the New Mexico Environment Department (NMED) for years of efforts to preserve, improve and prevent diminution of the natural environment of the New Mexico and appreciate the opportunity to provide these comments regarding this public comment by NMED based on House Joint Memorial 3 (HJM3).

We conduct businesses in the State of New Mexico and around the world. We are firmly committed to protecting human health and the environment, as well as to complying with all applicable chemical substance regulations introduced by the countries and regions where we operate. In this spirit, we have carefully and conscientiously reviewed the PFAS Protection Act (HB212) and HJM3 and would like to share our comments.

We hope our comments would provide substantive information on smooth and practical implementation of PFAS Protection Act (HB212) to realize a healthy environment and a sustainable economy for present and future generation in the State of New Mexico.

We don't believe the current exemptions stipulated in the Section 20.13.2.10 of the PFAS Protection Act (HB212) are sufficient. Nevertheless, considering that this public comment has been conducted to gather information that

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<sup>1</sup> The Japanese electric and electronic (E&E) industrial associations - JEITA, CIAJ, JBMIA and JEMA represent 900 member companies in total including electrical and electronic equipment, products and components manufacturers of electronics and information technology (IT) industries, info-communication network industries, business machine and information system industries, and electrical industries such as power & industrial systems, home appliances and related industries. Our members provide vast variety of products for homes and businesses across the U.S. See details of each association at the end of this letter.



NMED develop a report regarding whether the current exemptions, such as fluoropolymers, should be continued, modified or removed based on HJM3, we would like to submit the following comments.

### **1. Necessity and impact should be evaluated before reviewing the exemptions.**

We support evaluating the effectiveness and impact of the current exemptions. However, any decision to modify or remove the current exemptions should be supported by sufficient evidence demonstrating the rationale and necessity for such reason.

The PFAS Protection Act and its implementing regulations are relatively new regulatory measures, and we understand that sufficient evaluation on the extent to which the current exemptions can affect the achievement of New Mexico's policy objectives has not been conducted.

In particular, we believe it is important that a scientific and transparent evaluation be conducted regarding the following items.

- Which PFAS substances continue to enter into commerce under the current exemptions
- To what extent such commerce results in actual exposure
- To what extent the exemptions may affect the achievement of the policy objectives
- The extent to which human health and environmental outcomes would differ if the exemptions were maintained or removed.

In addition, the potential consequences of narrowing or removing the current exemptions should also be evaluated, including:

- Product safety, reliability and lifetime
- Technical feasibility of alternatives
- Impacts on the supply chain
- Socio-economic impacts

We believe that any decision to narrow, modify or remove the current exemptions should be based on the results of such evaluations. Furthermore, such action should only be considered if its necessity and the expected benefits have been sufficiently demonstrated.

### **2. Current exemptions should be maintained**

We would recommend maintaining, at a minimum, the exemptions currently granted under the PFAS Protection Act (HB212), as the necessity and expected benefits of modifying or removing the current exemptions have not yet been sufficiently demonstrated.

PFAS are used in many applications because they can simultaneously provide multiple characteristics, including:

- Electrical insulation
- Low dielectric constant
- Low dielectric loss



- Thermal resistance
- Chemical resistance
- Weather resistance
- Oil and water repellency
- Flame retardance
- Mechanical durability
- Low-friction characteristics

While alternative materials may be available for individual properties, achieving multiple functions simultaneously remains technically difficult in many applications.

Today, Electrical and Electronic Equipment (EEE) plays important role in communications, healthcare, transportation, energy efficiency, safety and everyday life. Within EEE applications, PFAS contributes critical applications, such as:

- High-speed communication systems
- Semiconductor manufacturing and semiconductor devices
- Printed circuit boards
- Electric insulation systems
- Display technologies
- Batteries and energy storage systems
- Sensor and actuators
- Thin-film manufacturing processes
- Thermal management technologies

Many of these applications are directly or indirectly associated with the current exemptions granted under the Act. Furthermore, many other products, including automotive, aerospace, defense, industrial and medical equipment incorporate electronic and electrical components and rely on materials using PFAS in order to deliver functions similar to those required in EEE applications.

### **3. Fluoropolymer exemption should be maintained**

Fluoropolymers play an important role in product safety, reliability, durability, energy efficiency, and product longevity.

Fluoropolymers have the following characteristics:

- Electrical insulation
- Thermal resistance
- Chemical resistance
- Flame retardance
- Mechanical durability
- Long-term reliability

To our best knowledge, there is no technically equivalent alternative that can provide all of these characteristics simultaneously for many applications.

In addition, fluoropolymers have generally been reported to have characteristics that differ significantly from those of low molecular weight PFAS.

According to [Hawila et al. \(2026\)](#), PTFE, one of the most widely used fluoropolymers:

- Has a very high molecular weight;
- Is insoluble in water and common organic solvents;
- Shows extremely low bioavailability;
- Meets criteria associated with the OECD Polymer of Low Concern (PLC) concept; and
- Does not show characteristics commonly associated with bioaccumulative substances.

The publication recognizes the importance of continued research and appropriate management at end-of-life and recycling stages. At the same time, it concludes that PTFE contributes to product durability, reliability, safety, circular economy objectives, and decarbonization.<sup>1</sup>

Furthermore, components and materials containing fluoropolymers contribute to EEE by:

- Extending product lifetime;
- Reducing maintenance and replacement frequency;
- Improving reliability;
- Improving energy efficiency; and
- Reducing resource consumption and waste generation as a consequence of the above benefits.

We are concerned that alternatives introduced to reduce one environmental impact may inadvertently increase other environmental impacts, such as shortening product lifetime, reducing energy efficiency, or increasing resource consumption.

For example, replacing low-dielectric fluoropolymers used in high-speed communication equipment and high-frequency circuit boards with alternative materials such as epoxy resins may lead to increased dielectric loss due to their higher dielectric constants. This could result in reduced communication performance and increased heat generation. Increased heat generation can contribute to the risk of malfunction and shortened service life, thereby necessitating additional cooling systems.

We therefore believe that environmental trade-offs and overall sustainability impacts should be comprehensively evaluated before any decision is made to narrow, modify or remove the current exemptions.

In addition, by separating fluoropolymer-containing parts and materials from end-of-life products into recyclable/recoverable and non-recyclable/non-recoverable streams, recycling and recovery of fluoropolymers can be promoted. At the same time, the proper treatment of materials that cannot be recycled or recovered can reduce the overall quantity of product-derived fluoropolymers that may ultimately enter the environment.

We believe that risks associated with end-of-life management should be evaluated on a substance- or material-specific basis, taking into account the physicochemical properties of individual PFAS and their behavior during disposal, rather than applying a uniform assessment to all PFAS.

[The U.S. EPA's 2026 Interim Guidance on the Destruction and Disposal of PFAS and PFAS-Containing Materials](#)<sup>2</sup>

indicates that stable PFAS polymers such as PTFE are generally inert, insoluble, and non-volatile. The guidance states that such materials are less likely to be released through landfill leachate or landfill gas and are less likely to migrate into liquid or gaseous environmental media. The guidance also notes that, because exposure to ultraviolet radiation and physical disturbance is relatively limited following landfilling, most stable PFAS polymers are likely to remain contained within waste materials for long periods. Importantly, the EPA distinguishes stable PFAS polymers such as PTFE from more mobile non-polymeric PFAS when evaluating landfill behavior.

With respect to thermal treatment, the EPA guidance summarizes studies showing high destruction and removal efficiencies for tested PFAS in high-temperature hazardous waste incinerators. At the same time, the EPA notes that high destruction and removal efficiencies do not necessarily indicate complete mineralization and identifies the potential formation of incomplete combustion or degradation products, as well as analytical uncertainties. Accordingly, we believe that appropriate operating conditions and management practices remain important for thermal treatment.

Regarding fluoropolymer mineralization by thermal treatment, [Gehrmann et al. \(2024\)](#) combusted a representative mixture covering approximately 80% of commercial fluoropolymers under conditions simulating European municipal and hazardous waste incinerators and measured incomplete combustion products, including PFAS. The study reported non-detectable or extremely low levels of the PFAS analyzed, providing evidence consistent with the mineralization of fluoropolymers.<sup>3</sup>

Similarly, [Owen et al. \(2026\)](#) reported high destruction efficiency and effective mineralization of PTFE in a bench-scale study conducted under high-temperature conditions representative of municipal solid waste incineration. Taken together, these findings suggest that stable fluoropolymers such as PTFE exhibit low mobility and limited potential for environmental release in landfill conditions and may be effectively mineralized under appropriately controlled high-temperature thermal treatment conditions.

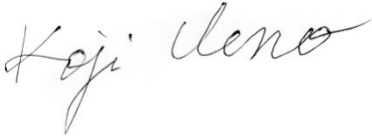
We therefore believe that evaluations related to waste management should take into account the unique physicochemical properties of fluoropolymers, their behavior during waste management and disposal, and the feasibility of implementing appropriate waste management practices.

Fluoropolymers should not be treated similarly to all other PFAS substances. Instead, they should be evaluated based on their specific characteristics and realistic exposure potential. For these reasons, we believe that the existing fluoropolymer exemption should be maintained.

The JEITA logo is written in a bold, blue, sans-serif font.The CIAJ logo features the letters 'CIAJ' in a bold, black, sans-serif font. Below the letters, there is a small purple circle and the text 'Communications and Information Association of Japan' in a smaller font.The JEMA logo consists of a stylized blue 'E' followed by the letters 'JEMA' in a bold, blue, sans-serif font.The JBMIA logo features the letters 'JBMIA' in a bold, blue, sans-serif font. Above the letters, there is a blue arc with a small green sphere at its end.

We would be pleased to further discuss our above comments If you have any questions.

Sincerely yours,

A handwritten signature in black ink that reads 'Koji Ueno'.

Koji Ueno

Senior Manager for Green Innovation

Business Strategy Division

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## References

[1] Hawila, M., et al. (2026).

*“Why Does PTFE Still Matter? Revisiting Its Structure–Property–Performance–Applications Relationships Beyond the PFAS Debate.”* Progress in Polymer Science.

[2] U.S. Environmental Protection Agency (EPA). (2026).

Interim Guidance on the Destruction and Disposal of PFAS and Materials Containing PFAS.

Available at:

<https://www.epa.gov/pfas/interim-guidance-destruction-and-disposal-pfas-and-materials-containing-pfas>

[3] Gehrmann, R., et al. (2024).

*“Mineralization of Fluoropolymers from Combustion in a Pilot Plant under Representative European Municipal and Hazardous Waste Combustor Conditions.”*

Chemosphere.

[4] Owen, T., et al. (2026).

*“Mineralization of PTFE under Conditions Representative of Municipal Solid Waste to Energy Incineration Facilities.”*

Journal of Fluorine Chemistry.



## **About Japanese electric and electronic (E&E) industrial associations:**

### **About JEITA**

The objective of the Japan Electronics and Information Technology Industries Association (JEITA) is to promote the healthy manufacturing, international trade and consumption of electronics products and components in order to contribute to the overall development of the electronics and information technology (IT) industries, and thereby further Japan's economic development and cultural prosperity.

<https://www.jeita.or.jp/english/>

### **About CIAJ**

Mission of Communications and Information network Association of Japan (CIAJ). With the cooperation of member companies, CIAJ is committed to the healthy development of info-communication network industries through the promotion of info-communication technologies (ICT), and contributes to the realization of more enriched lives in Japan as well as the global community by supporting widespread and advanced uses of information in socio-economic and cultural activities.

<https://www.ciaj.or.jp/en/>

### **About JBMIA**

Japan Business Machine and Information System Industries Association (JBMIA) is the industry organization which aims to contribute the development of the Japanese economy and the improvement of the office environment through the comprehensive development of the Japanese business machine and information system industries and rationalization thereof.

<https://www.jbmia.or.jp/english/index.php>

### **About JEMA**

The Japan Electrical Manufacturers' Association (JEMA) The Japan Electrical Manufacturers' Association (JEMA) consists of major Japanese companies in the electrical industry including: power & industrial systems, home appliances and related industries. The products handled by JEMA cover a wide spectrum; from boilers and turbines for power generation to home electrical appliances. Membership of 291 companies,

<http://www.jema-net.or.jp/English/>