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Amend the amendment in section 7 in subsection 14 by striking out all of paragraph B (page 4, lines 29 to 38 and page 5 lines 1 to 11) and inserting the following:

'B. Effective January 1, 2011, a person subject to the restrictions under this section may not replace the "deca" mixture of polybrominated diphenyl ethers with a chemical alternative that the commissioner, in consultation with the Department of Health and Human Services, Maine Center for Disease Control and Prevention, determines has been identified as or meets the criteria for identification as a persistent, bioaccumulative and toxic chemical by the United States Environmental Protection Agency, except that a replacement to the "deca" mixture of polybrominated diphenyl ethers may contain an amount of such chemicals equal to or less than 0.01%.

Upon request by the commissioner, a person subject to the restrictions under this subsection shall provide the commissioner with all existing information about the hazard and exposure characteristics of the replacement chemical that is known to, in the possession or control of or reasonably ascertainable by the person.'

SUMMARY

This amendment removes the prohibition against using a halogenated organic chemical that contains bromine, chlorine or fluorine or a chemical alternative to the "deca" mixture that creates another chemical identified by the Commissioner of Environmental Protection to be persistent, bioaccumulative and toxic.