

SUPPLEMENTAL MEMORANDUM TO COMPLAINT AGAINST CLAIGAN ENVIRONMENTAL INC.

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This memorandum is a supplement to the record for the complaint filed with the Campaign Finance and Public Disclosure Board against Claigan Environmental Inc. on Friday, March 29, 2024. The complaint was made because Claigan should have registered as a lobbyist but has not, and that it is attempting to influence rulemaking by the Minnesota Pollution Control Agency and Office of Administrative Hearings.

In its January 2024 press release, copied in the complaint, Claigan said it was launching a “strategic project to apply for Currently Unavoidable Use (CUU) exemptions for PFAS in Maine and Minnesota.” The project is aimed at influencing the way the PCA implements the “currently unavoidable use” provisions of Minn. Stat. § 116.943 (2023). In the press release, it invites participants to become its clients in the endeavor. Apparently, many have.

A letter comment responding to the PCA’s request for comments (which closed March 1st of this year) by PCB Piezotronics is an example; it is reproduced in the complaint. The letter cites with approval the “balanced” and “comprehensive” proposal for CUUs by Claigan. PCB Piezotronics is hardly alone in providing an endorsement of Claigan.

Here is a link to a PDF file of the comments filed with the PCA/OAH during the comment period:

<https://www.pca.state.mn.us/sites/default/files/c-pfas-rule3-02.pdf>

If you conduct a search of the word “Claigan” in this database of comments, you will find some 234 matches by a variety of industry commenters. There are multiple references in some comments, but there are still many unique records. Claigan filed a comment, too, although with all the references to the company it can be hard to find.

Some of the commenters seemed to think they were applying for a CUU exemption. That is obviously not the case though; there are no rules and Claigan can’t be appearing on behalf of anyone to apply for an exemption pursuant to existing rules. Manifestly, it’s an effort to influence *rulemaking*.

Evidence of the central planning of this effort can be found in the fact that most of the commenters use language quite similar to the PCB Piezotronics comment, using words and terms like standing firmly, expressing concern, vital roles, balanced solutions,

diverse stakeholders, valuable insights, complex issues, thoughtful and pragmatic approaches, *etc.*

Investigation would undoubtedly reveal that Claigan is really the author of the language of these comments, and it must have been drumming up commenters for some time to have so many endorsements in the comments from so many different places.

Claigan's motto, stated in the referenced press release is:

At Claigan, our philosophy is simple: Less Journey, More Results.

That's a transparent anti-environmental regulation message. The citizens of Minnesota deserve to know who and what resources are being put behind it.

Respectfully submitted,

A handwritten signature in blue ink that reads "Steven J. Timmer". The signature is written in a cursive, flowing style.

Steven J. Timmer

April 1, 2024