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**Statement Regarding California Department of Toxic Substances Control
Proposed Regulation of Chemicals Utilized in Spray Polyurethane Foam
“for Home and Building Insulation, Weatherizing and Sealing, and
Roofing”**

Fairfax, VA (March 17, 2014) – As a leading voice for the spray polyurethane foam industry, the Spray Polyurethane Foam Alliance (SPFA) is aware of, and disappointed, by the March 13, 2014 announcement by the California Department of Toxic Substances Control (DTSC) regarding the Department’s draft regulation on the use of spray polyurethane foam (SPF) insulation and roofing.

With industry best practices and the safe and effective installation of spray foam representing two core missions of the organization, SPFA has consistently, openly and transparently collaborated with the U.S. Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), and the National Institute for Occupational Safety and Health (NIOSH) in the safe use of spray foam ingredients and systems over the past half-decade. While SPFA understands and emphasizes that the recent DTSC announcement is not a ban of spray polyurethane foam (or the use of diisocyanates found in a multitude of consumer products), it considers the announcement unfortunate as it undermines the desire among California private and professional customers’ for a safe and effective building product that delivers on performance.

California has demanded increased energy efficiency performance of homes and buildings in a way that few products other than spray foam can deliver, and simultaneously initiated efforts to regulate the product in a way that may render its performance impotent.

“There are several aspects of this DTSC announcement in California that the industry finds troubling, including Department references and comparisons to specific Isocyanates material in SPF that are not actually in SPF, unqualified references to asthma rates among workers in the polyurethanes industry, unproven statements as to ‘suspected’ medical consequences of exposure, and the assertion by DTSC that they have reached out to stakeholders including manufacturers and contractors in advance of this development,” said Kurt Riesenber, Executive Director of SPFA. “Our members in California did not receive contact from the DTSC prior to the announcement.”

“The SPFA has been working closely with the aforementioned federal agencies on performance and health and safety initiatives, produced an ISO 17024 compliant professional certification program for installers, coordinated with the agencies on the 2013-released OSHA National Emphasis Program (NEP) on Isocyanates, published independent, third-party Life Cycle Assessment and supporting Environmental Product Declarations (EPD) on SPF, and transparently and vigorously collaborated with the state of California regarding fire retardants, energy codes and the extension of health and safety programs addressing worker safety. Considering the extensiveness of our organization’s close work with government to ensure the proper and safe use of SPF, we are disappointed for the affected small businesses in California that professionally deliver this powerful energy saving product, as well as for the customers in California whose state government is suggesting restrictions on use of this product for some pretty weak reasons,” continued Riesenber.

According to the DTSC website, *“wet or ‘uncured’ spray polyurethane foam (SPF) materials containing diisocyanates have been proposed as an Initial Priority Product. These products are used for home and building insulation, weatherizing and sealing, and roofing.”* The SPFA believes the approach of the Department to address “wet or uncured” SPF is a misnomer. The Department’s action suggests that it is looking to regulate all use of SPF in these application areas, but the reference to unreacted diisocyanates and “wet or uncured” SPF refer to the temporary state of the product during the installation when it is “wet” or “curing,” which is a worker safety issue well addressed and documented by industry and government documentation, initiatives, training and our organization’s Professional

Certification Program.

SPFA contends that, particularly in the context of the other products identified, this SPF “product” does not exist and the DTSC has created concerns and confusion around SPF in their inexplicable references to the product. Additionally, alternative products identified by the DTSC to be used instead of SPF clearly do not take into account the toxicity or performance of those products. Nor does DTSC provide alternative suggestions for “roofing,” unless the Department believes that “cellulose, natural fibers, plastic fibers, phenolic foam, rock and slag wool, and fiberglass,” will produce effective replacement roofing solutions.

U.S. EPA has stated in their chemical action plan that cured Isocyanates are considered to be inert and non-toxic, which is the case once spray polyurethane foam is installed and cured, not unlike other plastic products.

To be clear, the draft regulation provided by the DTSC is not an active ban of diisocyanates or spray foam insulation and roofing, but rather represents the commencement of a series of public discussions and forums that SPFA will participate in to both educate the Department and public on the safe use of spray foam, and to protect the industry and public from harmful, misguided regulations. The Spray Polyurethane Foam Alliance is committed to representing our valued members and industry in these forums and to provide regulators, consumers and stakeholders in California with the appropriate, factual information leading to the continued widespread use of spray polyurethane foam.

Related information can be found here:

<http://blog.americanchemistry.com/2014/03/california-dtsc-draft-list-of-priority-products-proving-program-to-be-flawed-duplicative/>

<http://blog.americanchemistry.com/2014/03/californias-test-case-misplaces-priority-by-targeting-energy-efficient-spray-foam/>

About Spray Polyurethane Foam Alliance (SPFA)

The Spray Polyurethane Foam Alliance (SPFA) is the premiere organization representing contractors, manufacturers, and the complete value chain of SPF on safety, technical, educational, advocacy, promotional and other issues. SPFA is a 501(c)6 membership-based technical trade association representing the leading SPF companies in the United States and abroad. SPFA offers superior training

and new professional certification opportunities to our industry's installers and contractors. SPFA delivers an annual conference and expo serving SPF professionals, utilizes its exceptional partnerships in industry to deliver various services for its members, and provides a unified voice for SPF on insulation, roofing and other installations.

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