

February 06, 2020

Representative Karin Power
Chair of the House Committee on Energy and Environment

Letter submitted electronically to

Dear Representative Karin Power,

On behalf of the Extruded Polystyrene Foam Association (XPSA), we are writing with respect to the drafting of a potential rule on hydrofluorocarbons (HFCs) to respectfully request that you consider the incorporation of a minor exception under the category of “foam blowing agents” for foams that are approved for use by the United States Environmental Protection Agency (EPA) under the Significant New Alternatives Policy Program (SNAP).

XPSA is a trade association representing manufacturers of extruded polystyrene foam (XPS) insulation products and the industry’s raw material suppliers. XPSA members collectively manufacture more than 95 percent of all XPS destined for use in the North American market. XPSA promotes the benefits that accrue to society from appropriate use of XPS foam insulation applications.

Extruded polystyrene foam is an excellent thermal insulation product, which reduces the temperature differential across thermal bridges, maintains thermal and structural integrity during the building service life, and reduces GHG emissions from the heating and cooling of buildings. XPS insulation contributes significantly to these reductions in energy use in buildings and should be evaluated in that context when examining cost-effectiveness of an industry transition away from the use of HFCs as blowing agents.

Due to the energy efficiency benefits, the energy savings from XPS insulation far exceeds the energy consumed and GHG emitted in the manufacturing process. Furthermore, the emissions of blowing agents in XPS insulation is offset by the energy savings over the life of the building. The product lifetime benefit more than offsets GWP impact at the time of manufacture. Typical in-use emissions rates will be 0.5 percent to 1.0 percent per year. Therefore, there will be significant amounts of HFC-134a remaining in the foam at the end of a 50-year building life.

XPSA supports the Montreal Protocol and the EPA’s SNAP program under which XPS manufacturers are transitioning out of using HFC-134a, and we understand the desire for State action in light of the uncertainty at the Federal level. We also support labeling/disclosure requirements for XPS products. Given the end use of XPS foam on construction sites, it would be appropriate to mandate unit labels that include language such as: “This product includes substances that are compliant with states that have prohibited the use of high GWP substances for specific end-uses.”

XPSA supports sell through allowance provisions for foams manufactured with blowing agents that are being phased down. Sell through language is found in numerous completed state legislations, including Vermont, Washington State, and California. XPSA supports language such as “Products or equipment manufactured prior to the applicable effective date of the restrictions specified may be sold, imported, exported, distributed, installed, and used after the specified effective date.”

We also strongly believe a minor exception should be incorporated in the Department's proposed regulation, allowing for the use of niche foam end uses in Oregon that are approved for use by the technical career staff at the EPA. California, Washington, and Vermont recently incorporated such a minor exception into their enacted legislation governing the phase-out of HFCs, and we respectfully request Oregon take the same approach as those other States.

Thank you in advance for your consideration.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Shawn Swearingen". The signature is fluid and cursive, with the first name "Shawn" being more prominent than the last name "Swearingen".

Shawn Swearingen
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