

**Bureau of Electronic and Appliance Repair,
Home Furnishings and Thermal Insulation
December 10, 2015 – Thermal Insulation Public Workshop Notice
Teleconference Meeting**

Attendees:

Stakeholders: Jason Ikerd, Edelstein, Gilbert, Robson & Smith, LLC for
American Chemistry Council
Sherri McCarthy, American Chemistry Council

Govt. Personnel: Payam Bozorgchami, California Energy Commission
Carrie Cathalifaud, Bureau Laboratory Supervisor
Nicole Dragoo, Bureau Licensing Technician
Dr. Steve Fischer, Bureau Laboratory Chemist
Yeaphana LaMarr, DCA Legislative & Regulatory Review Division
Justin Paddock, Bureau Chief

Teleconference: Arlene Blum, Green Science Policy Institute
George Lennox, Dow Chemical
Avery Lindeman, Green Science Policy Institute
Chelsea Ritchie, XPSA Extruded Polystyrene Foam Association
Harrison Toms, Hooker Furniture
John Woestman, XPSA Extruded Polystyrene Foam Association

Agenda Item #1- Welcome and Introductions

Meeting commenced at 10:00 AM.

Chief Paddock opened the meeting and thanked stakeholders, government personnel and teleconference participants for their attendance.

Agenda Item #2- Presentation by Dr. Steve Fischer on Thermal Insulation Standards

Laboratory Chemist Fischer presented a Power Point presentation on Thermal Insulation Standards. The document can be found at the following link:

http://www.bhfti.ca.gov/industry/thermal_insulation_workshop_2015_12_10.pdf

In addition to the included material, Dr. Fischer made additional comments on the printed material. He stated that Slide 15 references the Bureau's response to AB 127. He asked the listeners to please note there are several typographical errors in the document that the Bureau will fix. He said that there was originally an average R-value criteria that stated a three-item test

average would have to be no more than five percent below the claimed value. Moving forward, the standard will be no more than ten percent below the claimed value for any individual test.

Dr. Fischer also stated that companies sometimes submit ten to twenty year old data when trying to get product certifications approved. He said the test data should be no more than two years old.

Slide 17 discusses a Registry number policy change, effective January 1, 2016. There will be no more Registry numbers associated with Thermal Insulation licenses, because the license number is unique in itself.

Dr. Fischer clarified the verbiage in Slide 19 by stating that when a bulk product is unable to be labeled, an identification and label information should be on a bill of lading.

Mr. Paddock elaborated on Slide 21, regarding enforcement, stating Title 24 Provisions are making thermal insulation requirements mirror home furnishings requirements. He stated that if a piece of insulation fails a test, the Bureau can seek a cost reimbursement for the test and staff time used to conduct the test. In addition, he stated that a Citation Review Conference is an informal way to appeal any citation within 30 days of receipt of the citation. Taking advantage of this does not waive the right to a formal appeal.

Mr. Paddock acknowledged that those who want to discuss thermal insulation regulations don't typically have interest in Home Furnishings or Electronic and Appliance Repair regulations, so an individual listserv has been designated specifically for the thermal insulation information. It is possible to subscribe specifically to thermal insulation updates by visiting the Bureau's e-mail listserv website. He stated that individuals should feel free to contact the Bureau via any of the e-mail addresses listed on Slides 22 and 23.

Agenda Item #3- Public Comment

Mr. Paddock opened up the floor to questions, comments or additions regarding the Bureau's proposal.

Jason Ikerd asked if it would be possible talk about a timeframe regarding when the formal process would be starting.

Mr. Paddock stated that the Bureau is attempting to resolve any issues (e.g. incorrect citations in the proposal, or a new caveat to the industry) in the informal process, prior to moving to the formal process. Based on the feedback he receives, he will make a determination on how many more meetings are needed in the informal process. If there is a small amount of feedback, there may only be one more meeting. If there are several concerns, the majority of 2016 will be spent acquiring further information and input from stakeholders. The Bureau's plan is to enter the formal phase in 2017. The California Building Standards Commission (CBSC) has not come out with its 2016 intervening cycle calendar yet, but the Bureau expects submittal around Spring of 2017.

Sherri McCarthy inquired if pre-regulatory based comments should be turned in at any time. Mr. Paddock affirmed that comments could be addressed either in the meeting or through e-mail. He stated that the Bureau will likely create a link and paginate based on comments.

John Woestman commended the Bureau by saying that with past proposed regulations, he has had several concerns but found relatively few concerns with this new version. He suggested that the definition “Mass insulation” be deleted, because that term is not used in the industry any longer.

Dr. Fischer stated that the reference for spray foams that were labeled as 2602 should actually be labeled as 2603.

Payam Bozorgchami asked Mr. Woestman if he would be able to send Dr. Fischer recommended revision language that he is working on for LTTR, similar to how he did for Part 6 standards.

Mr. Woestman stated that with his comments, he will also submit an identification and potential revision for consideration.

Agenda Item #4- Adjournment

Mr. Paddock asked if there were any additional comments. He reiterated that any comments can be mailed or e-mailed to the Bureau. He stated that phone conversations regarding Thermal Insulation Proposed Regulations will be summarized, checked for errors, and then compiled into larger documents on the website.

In addition, Mr. Paddock stated that although the Thermal Insulation Public Workshop Proposed Regulations have been on the Bureau’s website for thirty days, it is dense information. He said that he will wait another thirty days to see how many additional comments are received before scheduling any future meetings.