Re: Proposed Rule: Rules Regarding Phase-Down of the Use of Hydrofluorocarbons

Dear Air Quality and Climate Division Staff:

The Polyisocyanurate Insulation Manufacturers Association1 ("PIMA") appreciates the opportunity to comment on the Vermont Department of Environmental Conservation’s ("Department") proposed rule version of Rules Regarding Phase-Down of the Use of Hydrofluorocarbons ("HFC Phase-down Rule"). The comments below focus on the HFC Phase-down Rule’s requirements for the foams end-use category.

1. **PIMA supports the purpose and applicability provisions of the HFC Phase-down Rule.**

   PIMA supports the purpose of the HFC Phase-down Rule as described in Section 37-102 as well as the applicability provisions of Section 37-103. Furthermore, we support the Department’s decision to promulgate rules that do not include requirements for recordkeeping and disclosure, especially as applicable to end-uses like polyisocyanurate insulation where the prohibited HFC substitutes are not used. Recordkeeping and disclosure requirements unnecessarily burden manufacturers without providing any benefit to the public or regulatory enforcement efforts. Therefore, we reiterate our support for the Department’s HFC Phase-down Rule as proposed.

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1 More information available at [www.polyiso.org](http://www.polyiso.org).
2. **PIMA supports the prohibitions in Section 37-301 of the HFC Phase-down Rule as applicable to the foams end-use category.**

Specially, PIMA supports the use restrictions for polyisocyanurate insulation products ("Foams; Rigid Polyurethane and Polyisocyanurate Laminated Boardstock"). PIMA also supports the prohibition date of January 1, 2021 for this end-use category.

Importantly, the HFC Phase-down Rule establishes a uniform playing field for products within the foams end-use category as it relates to the use restrictions for high-global warming potential (GWP) HFC substitutes and blends thereof. This level playing is especially important for the building foam insulation product sector in which many products are in direct competition with one another. This sector includes products such as polyisocyanurate insulation boardstock, spray polyurethane foam insulation, and expanded (EPS) and extruded (XPS) polystyrene insulation boardstock. Low-GWP substitutes are commercially available and viable for all products in the building foam insulation sector, and the proposed rule creates a uniform transition to more sustainable solutions for this sector. If finalized as drafted, the Department’s HFC Phase-down Rule will ensure no manufacturer or foam insulation product type receives a competitive advantage due to unequal use restrictions for HFCs and blends thereof.

With respect to the effective dates for the use prohibitions for the foams end-use category, we note that the effective dates do vary between January 1, 2021 or January 1, 2022. The additional year for end-uses such as polystyrene extruded boardstock is a departure from the effective date of January 1, 2021 established by other jurisdictions. Establishing January 1, 2021 as the effective date for all use prohibitions applicable to the foams end-use category will only establish more parity between the specific product categories.

In summary, we strongly urge the Department to maintain the proposed use restrictions for the foams end-use category in the final rule, and to reject any modifications that would permit the continued use of high-GWP substitutes and blends thereof for specific foam end-uses beyond the proposed effective date(s) (with the exception of the military, space, and aeronautics exemptions included in Section 37-302).

3. **About PIMA**

PIMA represents North American manufacturers of laminated polyisocyanurate insulation board products. Our members include Atlas Roofing Corporation, Carlisle Construction Materials, Firestone Building Products, GAF, Johns Manville, IKO Industries, Rmax, and Soprema. These manufacturers account for the majority of polyisocyanurate insulation produced and sold in North America, including Vermont.
4. Questions

PIMA appreciates the opportunity to comment on the proposed rule version of the HFC Phase-down Rule. Please contact me at jkoscher@pima.org or (703) 224-2289 should additional information be helpful to your deliberative regulatory process.

Respectfully submitted,

Justin Koscher
President