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Comments on the Listing of Spray Polyurethane Foam (SPF) Systems with Unreacted Methylene Diphenyl Diisocyanates (MDI) as a Priority Product

BizNGO is pleased to submit comments to the California Department of Toxic Substances Control on the Listing of Spray Polyurethane Foam (SPF) Systems with Unreacted Methylene Diphenyl Diisocyanates (MDI) as a Priority Product.

BizNGO is a unique collaboration of over 650 participants from businesses, health care organizations, environmental organizations, government agencies and universities who promote the creation, adoption and use of safer chemicals and sustainable materials. The BizNGO Principles for Safer Chemicals can be found at www.bizngo.org. The second of these principles is that manufacturers should “assess and avoid hazards.”

We are in strong support of the listing of SPF systems containing MDI as a Priority Product. SPF systems containing MDI meet the Key Prioritization Principles for Product-Chemical Identification listed in the Safer Consumer Products Regulations: (1) There is potential for public exposure to the Candidate Chemical in the product and (2) There is potential for one or more exposures to contribute to or cause significant or widespread adverse impacts.¹ The Department’s Initial Statement of Reasons² and Summary of Technical Information and Scientific Conclusions³ clearly demonstrate both the potential for worker and consumer exposure to MDI from SPF, and the potential for exposure to cause significant adverse impacts, including serious, irreversible and life-altering diseases like asthma, sensitization and reactive airway dysfunction syndrome.

The Safer Consumer Products Program has the potential to deliver better health for all California families by reducing toxic chemicals in products in favor of safer alternatives. To realize this vision, the Department must follow the science and move forward in a timely manner, as every delay means protections denied for workers, consumers and others vulnerable to toxic exposures from products.

¹ California Code of Regulations, Division 4.5, Title 22, Chapter 55, Section 69503.2

² CA DTSC. (March 2017) Initial Statement of Reasons: Safer Consumer Products Regulations—Listing Spray Polyurethane Foams Systems with Unreacted Methylene Diphenyl Diisocyanates as a Priority Product.

³ CA DTSC (Feb 2017) Summary of Technical Information and Scientific Conclusions for Designating Spray Polyurethane Foam Systems with Unreacted Methylene Diphenyl Diisocyanates as a Priority Product.

Alternative technologies and approaches abound for air sealing and insulation. It is highly justified to go forward with the alternatives assessment process for isocyanates in SPF. Eliminating this exposure could have a tremendous benefit to many thousands of workers and occupants without a negative impact on important energy considerations in the building.

BizNGO strongly believes that California DTSC's proposed listing is essential to protect public health and implement the goals of the Safer Consumer Products Program. We urge DTSC to finalize the listing as proposed.



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BizNGO Note on Government Policy Positions

Participants in BizNGO are all working towards the use of safer chemicals in commerce. Reflecting the diversity of participants in the Working Group, we have a diversity of perspectives on government, NGO, and industry initiatives. While BizNGO strives for consensus on all of its policy positions and all participants agree on the government policy issues we address, we may not achieve consensus on the specifics of every BizNGO policy statement.