



July 20, 2020

Meredith Williams, Ph.D.  
Director  
Department of Toxic Substances Control  
California Environmental Protection Agency  
1001 I Street  
Sacramento, California 95812-0806

Dear Director Williams,

On June 30, 2020, the Department of Toxic Substances Control (DTSC) issued a Notice of Deficiency (NOD) on the American Chemistry Council's Spray Foam Coalition (SFC) Abridged Alternatives (AA) Analysis Report on Two-component Low- and High-pressure Spray Polyurethane Foam (SPF) Systems Containing Unreacted Methylene Diphenyl Diisocyanate (MDI). Rhino Linings Corporation is a member of the SFC's consortium that is responding to the listing of SPF Systems with unreacted MDI as a priority product under the California Safer Consumer Product regulations.

Rhino Linings Corporation is aware DTSC has granted a 45-day extension and respectfully requests DTSC grant the full 90-day extension requested by SFC for the submission of a revised AA report in response to the NOD. The original due date for the revised AA report is August 31, 2020. This 90-day extension request would extend the due date to November 29, 2020.

Rhino Linings Corporation is requesting DTSC grant the full 90-day extension to provide the necessary time to review, interpret, and respond to 95 new and discrete comments provided by DTSC in the NOD. The SFC's consortium Abridged AA report is the first Abridged AA report or final AA report submitted under the SCP regulations. Accordingly, because there is no template or existing Abridged AA report to use as a guide, Rhino Linings Corporation could not have reasonably anticipated the extensive set of comments issued in the NOD. Further, the NOD included extended, detailed, comments that we have not seen before and expand far beyond the public comments the consortium received in the Notice of Comment (NOC), when DTSC provided 120 days to develop a revised AA report.

COVID-19 has significantly impacted how Rhino Linings Corporation conducts business. Limited on site staff, remote work access, and travel restrictions, have played a tremendous role on our response times. The continued persistence of COVID-19, extended social distance requirements, and business impacts could not have been reasonably anticipated or controlled by us. This request for an additional 90-days to respond to the NOD aligns with CalEPA's statement on [Compliance with Regulatory Requirements During the COVID-19 Emergency](#), which states "CalEPA also recognizes that some regulated entities may need additional compliance assistance as a result of the COVID-19 pandemic. Specific time-delimited remedies, such as the extension of deadlines, may be warranted under clearly articulated circumstances."



Finally, Rhino Linings Corporation supports SFC meeting with DTSC to ensure the consortium can adequately respond to DTSC's comments. We anticipate that several meetings will need to take place and that the current timeframe – even with the 45-day extension – does not provide sufficient time to accommodate collaboration.

My contact information is available in Appendix 1. The responsible entities priority products are high- and low-pressure two component SPF systems, which contain unreacted MDI. Detailed priority product information, including brands, is included in Appendix 2.

Please contact me at [nmedina@rhinolinings.com](mailto:nmedina@rhinolinings.com) with any questions regarding this 90-day extension request.

Sincerely,

Nelson Medina  
QA & Compliance Manager  
Rhino Linings Corporation

### Appendix 1 – Contact Information

<b>First Name</b>	Nelson
<b>Last Name</b>	Medina
<b>Company</b>	Rhino Linings Corporation
<b>Business Type</b>	Manufacturer
<b>Email</b>	nmedina@rhinolinings.com
<b>Phone</b>	858-410-6007
<b>Website</b>	www.rhinolinings.com
<b>Address</b>	9747 Business Park, San Diego CA 92131

## Appendix 2 – Priority Product Information

Manufacturer Name	Product Name
Rhino Linings Corporation	ThermalGuard ISO, A Component
Rhino Linings Corporation	Duratite CC2.5, B Component
Rhino Linings Corporation	Duratite CC2.8, B Component
Rhino Linings Corporation	Duratite CC3.0, B Component
Rhino Linings Corporation	ThermalGuard CC2, B Component
Rhino Linings Corporation	ThermalGuard OC 1.0, B Component
Rhino Linings Corporation	Rhino Linings Corporation