

**Performance Building Solutions**

1501 Joseph Dr.  
200 Building  
Midland, MI 48642



March 15, 2021

Testimony of Performance Building Solutions before the  
Joint Standing Committee on Environment and Natural Resources Committee  
In support of LD 226 (as amended by the sponsor's amendment)

Good morning, Senator Brenner, Representative Tucker and members of the Joint Standing Committee on Environment and Natural Resources. I am here today speaking on behalf of Performance Building Solutions, a business unit of DuPont who manufactures energy efficient foam insulation for buildings, which are critical to Maine's energy and climate goals. We have supplied these critical energy saving products to Maine for over 50 years.

As currently drafted, DuPont supports the sponsor's amendment to LD 226. We worked actively on last session's bill, LD 2112, with the committee, the Mills Administration and all interested parties to develop the language that is now before you as LD 226.

This bill is aligned with the language already adopted by several other US States including Vermont and California.

We thank the committee members, Governor Mills and her staff, as well as Commissioner Loyzim and her staff for the ongoing collaboration since March of last year.

Specifically, we appreciate 4 key items in the sponsor's amendment:

1. the inclusion of Section 2 on Prohibitions, Part A, Sub-parts (25) and (27), which provide a reasonable conversion enforcement date of 1/1/2022 for extruded polystyrene boardstock & billet and the rigid polyurethane low-pressure two-component spray foams
  - a. With multiple manufacturing sites across North America required to service assigned territories due to freight limitations, and with the need to now produce specific insulation products for individual states, we need this additional time provided in the current bill to deploy a compliant product in Maine while meeting needs for surrounding states.
2. the inclusion of Section 3 Exemptions parts A and B, which will ensure old products are not orphaned in the state
3. the inclusion of Section 6, Rulemaking, Part D. This exact language was agreed upon by the NRDC and others in the industry and references future possible published US EPA SNAP rules that allow these narrow insulation foams to use an environmentally improved blowing agent blend with a GWP  $\leq$ 750.
4. the deference to the Maine Department of Environmental Protection in Section 6 Rulemaking for handling other regulatory enforcement items such as labeling. We believe this is a prudent decision in order to pass the legislation in a timely manner and will allow for more detailed discussions with the department to help ensure clear enforceability of the law.

DuPont PBS is proud to be a U.S. company and is a major producer of foam insulation and air-sealing building and construction products in the United States. While relatively small HFC users by volume (less than 3%), compared to overall market use, the blowing agents that are used in the formulation of our products are critical to the long-term performance of our products. DuPont publishes transparency documentation, e.g Environmental Product Declarations, for our customers and we remain committed to our HFC phase-down plan and fully support the Kigali Amendment as one pillar of our 2030 Sustainability goals.

Thank you for your time. We will be glad to answer questions now or at the work session.