



Honeywell



March 15, 2021

Senator Stacey Brenner, Senate Chair
Representative Ralph Tucker, House Chair
Joint Standing Committee on Environment and Natural Resources
100 State House Station
Augusta, ME 04333

Via email

Re: Supporting LD-226 (Proposed Amendment – Rep. Tucker), but Opposing Unnecessary Exemptions

Dear Chair Brenner and Chair Tucker,

Maine has taken a bold approach to combatting climate change as demonstrated by the State's continued leadership as a member of the U.S. Climate Alliance, Governor Mills' creation of the Maine Climate Council, and Executive Order mandating carbon neutrality by 2045. We applaud Maine's commitment to the undertaking of these significant and critical actions.

Hydrofluorocarbons (HFCs) are the fastest-growing source of greenhouse gas emissions. LD-226 proposes an important program that will transition industry to manufacturing products using alternatives with up to 99.9% lower climate impact than many HFCs. All of us strongly support Maine's efforts to reduce greenhouse gas emissions. For products like extruded polystyrene (XPS) foam boards, low-global-warming-potential (low-GWP) alternatives are already commercially available so industry is ready to meet the compliance dates in the bill, without exemptions.

Ten other states across the country have adopted HFC transition programs similar to LD-226, including neighboring Massachusetts, Vermont, and New York, where transition dates for foam products are already in effect, increasing certainty for industry that states are making this transition on a consistent and predictable basis. **Massachusetts, Vermont, and New York do not provide for waivers or potential future exemptions.** Our companies/members are complying with the regulations in these states because we made significant investments to prepare for this transition, going back to 2015 and 2016, or earlier, when EPA first issued the rules that would be adopted by LD-226.

There are two provisions of LD 226 that would undermine this certainty and investment: (1) the waiver provisions of Section 3.C, and (2) EPA conforming language of Section 6.D. These provisions create significant uncertainty for industry and unnecessarily authorize additional greenhouse gas emissions and should be deleted. As foam insulation industry stakeholders, we believe it is important to ensure that all industry players are held to the same transition dates currently proposed by LD-226.



Removing these potential exemptions would protect Maine’s strong environmental progress and support industry that has invested and prepared to comply with the regulation.

In conclusion, we are united in this view and see no reason to provide potential future exemptions or delays for this transition and thus **respectfully request that Sections 3.C and 6.D be deleted**. We commend your leadership and support the Committee’s efforts to hold our industry to these widely accepted standards.

Sincerely,

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Proposed for Deletion from LD-226

Section 3:

C. The department may approve a waiver request submitted by a person to allow that person to sell, lease, rent, install or enter into commerce in the State for a period of not more than 2 years a product or equipment that is otherwise prohibited from sale, lease, rental, installation or entry into commerce pursuant to this section and the rules adopted pursuant to this section. The department shall adopt rules establishing the process by which a person may submit such a waiver request and the criteria to be used by the department in assessing and approving or denying such waiver requests. The department shall require a person submitting such a waiver request to pay to the department a reasonable fee to cover the department's costs in assessing and approving or denying such waiver requests.

Section 6:

D. If, pursuant to the federal Clean Air Act, 42 United States Code, Section 7671k, the United States Environmental Protection Agency approves a hydrofluorocarbon blend with a global warming potential of 750 or less for foam blowing of polystyrene extruded boardstock and billet or rigid polyurethane low-pressure 2-component spray foam, the department may initiate rulemaking to amend its rules adopted pursuant to this section to address that federal action.