

Senate Committee on Environment and Public Works Subcommittee on
Superfund, Toxics and Environmental Health

Hearing on Business Perspectives on Reforming U.S. Chemical Safety Laws

Re: Oral Testimony of Howard Williams, Construction Specialties, Inc.

Thank you Chairman Lautenberg, Senator Inhofe and Members of the Subcommittee for inviting me to give this business perspective.

I'm Howard Williams, V.P. & General Manager of the Pennsylvania division of Construction Specialties.

We're a privately owned US Company with worldwide revenues of \$300MM and a staff of 1600.

Headquartered in Lebanon, NJ, we operate from 25 sites in 19 countries where we develop and manufacture architectural building products for nonresidential construction.

Construction accounts for over 14% of our GCP and TSCA reform has the potential to inform and support this powerful and profitable segment of our economy.

The elimination of PBTs from our built environment is at the forefront of materials purchasing and building standards for private and governmental programs.

Federal Environmentally Preferred Purchasing standards address PBTs as do the LEED, green building, standards by which our government buildings are constructed.

The broad-based adoption of LEED standards has resulted in unprecedented and well-documented benefits to our economy, our health, and our environment.

The same engine that produced these gains will deliver its share of occupant health benefits with the help of TSCA reform.

In 2003 Kaiser Permanente advised that we had one year to convert our PVC products to a non-PVC material or risk losing their business.

That led to a 2nd generation product that answered a growing demand from the healthcare sector.

We now have a 3rd generation product that is PBT-free.

Awareness of materials chemistry and the associated health affects is rapidly expanding within our market sector.

For most building products, aside from a simple 2 X 4, materials chemistry is inescapable.

Consumers are aware of the chemical affect in off-the-shelf products, and make their purchases accordingly, but few are in the position to choose the materials in their children's school, their hospital room, their workplace, or residence.

That chemical affect is now embedded into the building industry's best practices such as LEED, Green Guide for Health Care, Collaborative for High Performance Schools (CHPS), and Practice Green Health.

These consensus-based best practices have expanded beyond the early concerns about the off-gassing of chemicals, to further reducing exposure by eliminating PBTs.

They reject toxic additives that make plastics flexible or to meet fire codes, and disqualify concrete made with fly ash from a hazardous waste incinerator.

These best practices are in harmony with Executive Orders and Federal Purchasing standards.

In this time of people-benefit environmentalism, TSCA Reform will find the buildings industry ready to receive and broadly distribute its benefits.

We have a \$10B per year green building product market.

We need a clear identification of chemicals of high and low concern to human and environmental health. Identify chemical constituents down to levels of 100 PPM so product manufacturers and end users can make informed decisions.

Reliability and clarity of information greatly affects speed to market for new products.

Greater disclosure of chemicals of high concern in products is essential. Specifiers and buyers are needlessly spending too much time trying to get answers about the stuff that's in the products they're buying.

Complying with our own Chemicals Policy, namely, **Know and Disclose**, in the PBT-free development of our 3rd generation product was challenging but essential because the seller's responsible, not the buyer.

There are non-chemical hazards in your path.

Ease some into the Reform; create a way for them to disclose to a credible 3rd party the confidential information that they don't want to reveal to their competitors.

Use 3rd party certifications from independent organizations meeting strict evaluation standards such as MBDC, Green Seal, TURI at UMass, and UL to legitimize the result and create private sector jobs.

Listen to the voices of the NGOs; they're not the enemy in this struggle. Their voices speak of what we'd all say if we took the time to research and personalize this matter.

Don't make the taxpayers pay for developing hazard, use and exposure data. Industry should pay; we have the profit opportunity and we should carry the cost.

Reform should include making the data available, identifying chemicals of concern, and promoting safer alternatives through Green Chemistry.

Reform in ways that reduce causation, improve life, and lower healthcare costs.

You, and the buildings industry through existing and emerging standards, have an opportunity to protect millions from building-related PBT exposure, while accelerating product innovation, job creation and economic growth.

Thank you.