

Law may cut use of flame retardants in buildings

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Gov. Jerry Brown has signed a law that may lead to a change in state building standards that would discourage the use of potentially hazardous flame-retardant chemicals.

Because of laws passed in the 1970s, the walls of many homes and workplaces built since then contain foam insulation doused with flame retardants.

The new law, authored by Assemblywoman Nancy Skinner, D-Berkeley, and signed last week, asks the state Fire Marshal and the Building Standards Commission to review California's flammability standards for those insulation materials.

Under the law, officials will have to consider whether flame retardants are necessary for fire safety in light of studies that show that some of the most commonly used compounds have dangerous or unknown health effects.

The law does not outright ban the chemicals. Skinner said that would have been a tough sell in the state Legislature, where the chemical industry has poured millions of dollars into defeating proposals to restrict or outlaw flame retardants.

"It was more important to at least have the ability for building professionals and consumers to be able to get foam without chemicals than to ban" the chemicals, she said. "Because with the standard right now, we don't have the option to get it or use it without chemicals."

Foam insulation came into widespread use a half-century ago to make buildings more energy-efficient. Manufacturers have never been directly required to include flame retardants in their foam, but have used them anyway to pass tests mandated by U.S. building codes adopted in the 1970s.

Studies have found that the two most used flame retardants in foam insulation are HBCD and TCPP, which can enter the environment and be inhaled or ingested because they aren't chemically bonded to the insulation. HBCD has been shown in animal studies to disrupt hormones and harm the developing nervous system, while TCPP is considered a potential carcinogen.

The law, known as AB127, found support from the U.S. Green Building Council, firefighters in San Francisco and across the state, and health advocacy organizations such as the Natural Resources Defense Council.

In a study published last year, Bay Area chemist Arlene Blum suggested that flame retardants may be redundant given fire-safety codes that are already in place.

"These old standards lead to the use of flame retardant chemicals associated with health and environmental harm, but we understand now that they don't provide a fire-safety benefit in many cases," said Blum, who runs the Green Science Policy Institute in Berkeley, in a statement.

The Energy Efficient Foam Coalition, an industry group part of the American Chemistry Council, said flame retardants' importance shouldn't be discounted in potential revisions of the standards.

"At a minimum, maintaining fire safety in homes and buildings must be the priority for any discussions or actions related to flammability standards for building materials," the group said in a statement. "Flame retardants in foam insulation serve a vital role in fire safety and provide an important layer of protection to people, homes and buildings."

California is also in the process of reversing a decades-old flammability standard in order to curb use of flame retardants in furniture. Furniture made to meet that standard is expected to be on the market starting in summer 2014.

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