

May 26, 2006

Dear Mr. Anderson:

I have reviewed your communication of April 28, 2006 which is a response to the comments you received from “stakeholders” on the previous Draft 1 document.

Although some changes have been made in response to the comments the Draft 2 Version still falls far short of serving the needs of the most important “stakeholders”, who did not have an opportunity to comment, the property owners and/or people who purchase and use the products covered by this revised Energy Star specification.

Setting forth a thermal emittance requirement that is so severe would eliminate what has been, to this point, use of a product line that has provided consumers with coatings that have produced tremendous life cycle cost benefits when they have been applied to roofing surfaces for over fifty years. These would be highly reflective asphalt based aluminum coatings which during their long period of use have lowered under roof temperatures, thus saving energy and, more importantly have prolonged the life of the surfaces they have been applied to, thus reducing tear-offs and disposal of roof membranes.

The specification absolutely ignores the importance of, even the presence of, insulation. EPA has listened to concerns about imposing thermal emittance requirements in geographic locations where the standards it proposes would have a cooling season benefit but a heating season loss. And, the cooling season benefits in the specific geographic locations I am writing about are far less than in areas where cooling season needs are far greater. Yes, EPA has listened, but it has ignored the comments offered and is proceeding to write a one size fits all specification.

Before I go any further let me note that our company markets both aluminum and white coatings. The thought of selling white coatings, which have a selling price at least two times greater than aluminum coatings, is very appealing. And, we will acknowledge that a surface coated white is cooler than a surface coated aluminum. But, at what cost to the consumer in the markets we and others serve and what is the actual benefit? We have seen no scientific evidence that in the cooler climate areas of our country and on roof surfaces on buildings with proper insulation that the consumer or the environment realizes a return on the greater investment in cost of a white roof. We request, make that demand, EPA provide us with the scientific evidence that justifies the imposition of the thermal emittance requirement of this revised specification – in all locales in the United States.

The notion that EPA is “continuing to require a minimum thermal emittance requirement of 0.75 because of the significant energy savings that could result from high emittance, especially in warmer climates and in the interest of remaining consistent with other cool roofing programs” is on one hand an acknowledgement that there is a difference in emittance requirement needs and, on another hand, an abdication of EPA’s responsibility

to make independent judgements.

A question raised in my letter to you of January 18, 2006 concerned whether the thermal emittance requirement was both on initial and after three year weathering. Your April 28 summary provides no answer to that question. If it is a test required on initial application what evidence do you have that those who long ago self-certified their products conducted such a test, when there was no requirement they do so? In addition the proposed specification does not state whether the thermal emittance test is to be conducted on a washed or unwashed surface.

The fact that “new product submittals must be tested on uncleaned samples in order to determine the aged reflectance value” clearly puts those offering new submittals at a competitive disadvantage to those who self-certified after testing on the then allowable washed surfaces. One could look at this new requirement as an acknowledgement that the initial specification that permitted testing on washed surfaces is flawed and that all those who self-certified on washed surfaces should have their certification removed, re-apply and go through the three year aged testing all over again. (I’m not suggesting that EPA require that they do so. I am suggesting that if EPA doesn’t require those previously self-certified to re-test on unwashed surfaces that they remove this new requirement from the Version2 Draft.)

The issue of what a Partner who “has changed a fundamental element of product formulation” must do is still inadequately addressed. The notion that a Partner must go through a three year test cycle in the event a “fundamental element of product formulation” is changed is absolutely absurd. If properly applied this would discourage Partners from reformulating to improve performance and/or lower cost. But, if they should do so how would EPA know that they did. This entire program appears to be based on self-certification – which is one reason why many of us have urged EPA to establish an alternative certification process that would permit submission of data from Partners based upon accelerated weathering tests done by independent, certified laboratories. Until such time as EPA establishes that as its standard both the integrity and the efficacy of its Roof Products program will deservedly be under a cloud of suspicion.

This is a program ‘cobbled’ together by so many self serving interests (my own Company included) that it might best be described as a ‘poster child’ for how to put money in so many different interest’s pockets in the name of doing good without really knowing if ‘good’ is the result. We have government money flowing to consultants and agencies galore, government money responsible for money flowing into the pockets of raw materials suppliers and producers of finished products, agencies of government jumping onto ‘bandwagons’, in many instances without knowing the destination or the value of ‘going there’, because they want to wave a ‘green’ flag even if the ‘green’ flag really does not fly.

A good, sound idea is jeopardized by trying to make it more important than it actually is and too many decisions being made by EPA ignore practicality because it subverts what it should be the use of sound reasoning in face of science it does not understand or has

hired someone else to determine.

All of the above having been said we still do appreciate the opportunity to offer comments and remain committed to trying to help EPA produce a better Roof Products program.

Very truly yours,

Lewis S. Ripps
PALMER ASPHALT COMPANY