

Testimony of Lloyd Moon, Vice President of Government Relations and Corporate
Communications, Chemtura Corporation
In Opposition to SB 919

Senator Meyer, Representative Roy and members of the Environment Committee. My name is Lloyd Moon, the Vice President of Government Relations and Corporate Communications at the Connecticut based company, Chemtura Corporation. I am here to urge you to oppose Senate Bill 919, An Act Phasing Out The Use of Polybrominated Diphenyl Ethers.

My colleague, Dave Sanders, spoke to the scientific evidence that deca brominated diphenyl ether (Deca BDE) has been found to be safe for humans and the environment in numerous tests conducted around the world. I would like to focus on three other issues; 1) the economic impact on our company, 2) alternative flame retardants and 3) our work with the fire fighting community.

Chemtura is based in Middlebury, Connecticut. We employ over 500 people in Connecticut and over 4,000 worldwide. Like many companies today we have felt the effects of the economic downturn. Many of our products are used by the automotive industry and our sales have been hurt because of their slowdown. To ban one of our chemicals on the basis on erroneous information would have a negative impact on our employees and your constituents who are working tirelessly to keep Chemtura a strong, vibrant company in these challenging times.

Much has been said about the "safer alternatives" that are currently available. The truth of the matter is, we make phosphorus based flame retardants. These "safer alternatives" have not been tested to the level of deca so there is no way of knowing if they are truly "safer." Many cannot be used in the same applications as deca. One of the things that makes deca particularly good is that you can use it at a much lower concentration than other flame retardants and the plastics coated with deca can be reground, recycled and reused to make other products. If you use the "safer alternatives" the plastic will degrade and eventually end up in the waste stream.

We have spent a great deal of time speaking to and educating firefighters about the value of deca BDE. Those on the other side of this issue have also communicated with firefighters. Our conversations led us to a meeting with the director of health and safety for the International Association of Fire Fighters (IAFF). He asked if we would allow the National Institute of Standards and Technology (NIST) to test and evaluate deca BDE. Our answer was yes. We are more than willing, actually excited, to have this product tested by a world renowned testing agency such as NIST. As the attached letter indicates, NIST has agreed to serve as an organizer and neutral host of a scientific workshop on this topic and will be working with the IAFF and the National Association of State Fire Marshals.

I should point out that many of our meetings were made possible through the efforts and cooperation of the Connecticut Local International Fire Fighters Association. They will not take a position on a deca phaseout until the NIST testing has been completed.

I am here today to ask this legislature to do the same. Follow the fire fighters lead, see what the results of the NIST study are, and then act accordingly. To do otherwise, we believe, is poor public policy and could have a very detrimental impact on fire safety. As all fire fighters will tell you, the best fire is the one that never happens. Deca BDE plays a major role in preventing fires and reducing the severity of fires that do occur. Please do not place society as a whole, but especially children, the elderly and people living in urban areas who are much more likely to die in a fire, at risk based faulty information about deca and "safer alternatives."

I thank you for the opportunity to testify and I'll be happy to answer any questions you may have.



January 30, 2009

Dr. William Grosshandler
Deputy Director, Building and Fire Research Laboratory
National Institute of Standards and Technology
Building 226, Room B216
100 Bureau Drive
Gaithersburg, MD 20899-8650

Dear Dr. Grosshandler:

Over the past several months, you have had conversations with the staffs of both the National Association of State Fire Marshals (NASFM) and the International Association of Fire Fighters (IAFF) on the subject of the health effects to fire fighters of flame retardants (FRs) in the aftermath of a fire, and in exploring alternative fire retardant options. As you know, this is a complex issue that concerns both of our organizations greatly. We are committed to working through the complexities jointly, with your help.

We very much appreciate your offer to have NIST serve as an organizer and neutral host of a scientific workshop on this topic. We ask that NIST convene an initial meeting with representatives of our three organizations in order to discuss issues such as the objectives of the workshop, which organizations should be involved, agenda topics, when and where should the workshop be held, and budget requirements. This initial meeting would also provide us with an opportunity to share what each of our respective organizations sees as its role in addressing this problem.

For the IAFF, Rich Duffy, Assistant to the General President for Health, Safety & Medicine, will be taking the lead on this issue. For NASFM, Vice President David Foreman of Illinois will take the lead, with assistance from Karen Suhr of our Washington, D.C., staff.

Please confirm that we can move forward to address this crucial issue of fire fighter health and safety with NIST's assistance. Thank you, and we look forward to hearing from you.

Sincerely,

A handwritten signature in cursive script that reads "Harold A. Schaitberger".

Harold A. Schaitberger
General President
International Association of Fire Fighters
AFL-CIO, CLC

A handwritten signature in cursive script that reads "Alan R. Shuman".

Alan R. Shuman
President
National Association of State Fire Marshals