

DEADLINE DEC-17/1

September 7, 2007

Paula Ford
2555 Shumard Oak Blvd.
Tallahassee, FL 32399



Re: Petition for Declaratory Statement before the Florida Building Commission

Dear Ms. Ford:

This is a request for an interpretation of the following issue: Is SWRI-99-02 an acceptable alternative test method under FBC Section 2603.8 and/or FBC Section 2612.3.1.4? And, if a spray foam is tested to SWRI-99-02, can that spray foam insulation be installed without a thermal barrier when tested in accordance with SWRI-99-02 and certified as such by an International Codes Council - Evaluation Service (ICC-ES) report if it was tested without a thermal barrier? We believe the answer is yes. The need for such a statement has become clear through discussions with building officials and builders around the state. This proposal seeks to clarify a known issue with existing construction practice and assist building officials in enforcing an area of the code that is causing constant confusion in the field.

Over the past year, Icynene Corp has been attempting to clarify questions regarding the implementation of the unvented attic configuration. The enforcement community continues to have questions regarding the use of a thermal barrier. While FBC Sections 2603.8 and 2612.3.1.4 lists several acceptable alternative tests, they either A) require full disclosure to the testing/certifying entity of all the composition of the materials and/or B) require the use of gypsum over the insulation material in the test protocol. However, the sections also indicate other tests may be used based on 1) "actual end-use configuration and be performed on the finished manufactured foam plastic assembly in the maximum thickness intended for use" and 2) "the end use, quantity, location and similar considerations where such tests would not be applicable or practical" respectively. The ICC-ES has issued Icynene an end-use test report using SWRI 99-02. Icynene has selected this test because the Southwest Research Institute does not require disclosure of the product's highly protected formula while also allowing testing without the gypsum. Given the highly competitive nature of the small spray foam industry, disclosure of Icynene's formula for other test procedures would not be practical, applicable or prudent. Therefore, it is Icynene's contention that the SWRI 99-02 test meets the criteria as an acceptable alternative test method under Sections 2603.8 and 2612.3.1.4 and thus, Icynene's ICC-ES report shows compliance without the installation of a thermal barrier.

We thank you for the opportunity to address this issue through the declaratory statement process. Should you have any questions, please do not hesitate to contact me at your earliest convenience. Thanks you for your time and consideration.

Sincerely,

Arlene Z. Stewart
Representing Icynene

FILING AND ACKNOWLEDGEMENT
FILED, on this date, with the designated
Agency Clerk, receipt of which is hereby
acknowledged.

Miriam Snipes
Deputy Agency Clerk

9/10/07
Date