

promulgated, the batt and blanket insulation products being sold in the residential market were mineral fiber insulation products, primarily fiberglass. The Commission, therefore, proposes deleting the phrase “mineral fiber” from section 460.12(b)(1) to clarify that the coverage chart disclosure requirement applies to all types of batt and blanket insulations, and solicits comments on this proposal.

The ANPR discussion of “Disclosures for Batt, Blanket, and Boardstock Insulations” included two other issues regarding whether the Rule should require: (1) manufacturers to mark unfaced batt/blanket insulations with R-value and require installers to apply the products so the marking is visible for post-installation inspections; and (2) disclosure, for batt/blanket and boardstock insulations, of “nominal thickness” instead of “thickness” (which implies exact thickness). The Commission continues to believe, as explained in the ANPR, that it is not necessary to require manufacturers to mark unfaced batt/blanket insulations with R-value and require installers to apply the products so the marking is visible for post-installation inspections. 62 FR 48043. The Commission did not receive any adverse comments on this view. Both NAIMA and PIMA supported an amendment that would require the disclosure of “nominal thickness” for batt/blanket and boardstock insulations instead of “thickness.”⁹⁰ The Commission, however, does not believe this is needed since it is unclear whether such a change would provide a significant benefit to consumers. The Commission is not proposing any amendments to the Rule regarding these issues.

c. Required Disclosures for Loose-fill Insulations

i. R-value Disclosures

Background

Section 460.12(b) of the Rule requires that labels on loose-fill insulation packages disclose the minimum net weight of the insulation in the package and include a coverage chart disclosing minimum thickness (after settling), maximum net coverage area, minimum weight per square foot, and, for loose-fill cellulose insulation only, number of bags per 1,000 square feet for each of several specified total R-values for installation in open attics. The Rule currently specifies different total R-values for which the disclosures must be made for loose-fill cellulose insulations and other types of loose-fill

insulations. To install an adequate amount of insulation, professional installers must calculate the number of square feet to be insulated and install the number of bags indicated on the manufacturer's coverage chart that are necessary for the desired R-value (commonly referred to as the “bag count”).

In the ANPR, the Commission indicated that there is no longer any justification for requiring different disclosures for different types of loose-fill insulations for application in attics or other open areas, and proposed a single set of disclosure requirements for all types. The Commission solicited comments regarding this proposal, including the total R-values for which it would be most appropriate to require the disclosures, and whether the same disclosures should apply to both dry-applied loose-fill insulations and stabilized insulations.

Comments on R-value Disclosures:

The Commission received one comment on this issue. NAIMA fully supported requiring manufacturers of all loose-fill insulations to disclose minimum settled thickness, maximum net coverage area, and minimum weight per square foot at any R-value listed on the charts required for their products. NAIMA concurred with the Commission that there is no longer a justification for different disclosure requirements for different loose-fill insulations.⁹¹

Discussion of R-value Disclosures:

The Commission continues to believe that it would be appropriate to require the same disclosures for all types of loose-fill insulations for application in attics or other open areas.⁹² The

Commission believes that there no longer is any justification for these different disclosures, and accordingly proposes to amend sections 460.12(a)(2) and (3) to require the same coverage charts for all types of loose-fill insulation at R-values of 11, 13, 19, 22, 24, 32, and 40. The Commission solicits comments on this proposal, including comments addressing any additional compliance costs associated with the proposed change.

ii. “Initial Installed Thickness”

Background

For loose-fill insulations, the Rule requires: (1) that each manufacturer determine the R-value of its home insulation product at settled density and construct coverage charts showing the minimum settled thickness, minimum weight per square foot, and coverage area per bag for various total R-values; and (2) that installers measure the area to be covered and install the number of bags (and weight of insulation material) indicated on the insulation product's coverage chart for the total R-value desired. These requirements have been necessary because the claimed total R-value for a specific dry-applied loose-fill insulation can be attained only when the requisite amount of insulation material in both thickness and density has been installed.

Comments

Two commenters addressed the issue of “minimum thickness.” The Insulation Contractors Association of America (“ICAA”) supported an amendment requiring a label disclosure of minimum initial installed thickness applicable to all types of loose-fill insulation, including dry-applied mineral fiber. ICAA indicated that a new test method, ASTM C 1374–97 (“Standard Test Method for Determination of Installed Thickness of Pneumatically Applied Loose-Fill Building Insulation”) offers a reliable and uniform procedure to determine initial installed thickness levels (“minimum initially installed thickness”) for each total R-value claimed on the coverage charts for all loose-fill insulations, including dry-applied loose-fill mineral fiber insulations. ICAA contended that this information would help consumers achieve stated R-values by correct installation, and allow more accurate price comparisons. ICAA maintained that some manufacturers voluntarily include this information now, but that others do not.⁹³

⁹¹ NAIMA (9), p. 24.

⁹² As explained in the ANPR, the Commission originally prescribed separate disclosure requirements for loose-fill cellulose insulations and other types of loose-fill insulations (primarily mineral fiber loose-fill insulations) in response to requests that the Rule, where possible, apply labeling requirements consistent with GSA's purchasing specifications. GSA's specifications at that time required that labels for loose-fill cellulose insulation disclose the number of bags required to cover 1,000 square feet, but did not require this disclosure on labels for loose-fill mineral fiber insulation, and it required that the mandatory disclosures be made at different total R-values for the two types of loose-fill insulations. Consistent with the GSA specification, section 460.12(b)(2) of the Rule requires that the disclosures be made at R-values of 11, 19, and 22 for all loose-fill insulation except cellulose, and section 460.12(b)(3) requires the disclosures at R-values of 13, 19, 24, 32, and 40 for loose-fill cellulose insulation. After the Commission promulgated the Rule, GSA eliminated its own specifications and now uses ASTM material specifications for determining which insulation products may be purchased by the federal government (or in connection with programs operated by the federal government). See discussion at 64 FR at 48042.

⁹³ ICAA (5), pp. 3–4.

⁹⁰ PIMA (3), p. 13–14 and NAIMA (9), p.24.