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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1613

Session of  
1977

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INTRODUCED BY YAHNER, MORRIS, FRYER, J. L. WRIGHT JR., BURNS,  
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LEHR, DAVIES, STAIRS AND CASSIDY, AUGUST 16, 1977

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REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, AUGUST 16, 1977

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AN ACT

1 Providing for standards and labeling of insulation material.

2 The General Assembly of the Commonwealth of Pennsylvania

3 hereby enacts as follows:

4 Section 1. Legislative intent.

5 It is the intent of the General Assembly that in order to

6 help meet future energy requirements and to protect the

7 consumers of the Commonwealth, it is necessary to adopt

8 standards for insulation material and to provide for the

9 labeling of such materials.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall

12 have, unless the context clearly indicates otherwise, the

13 meanings given to them in this section:

14 "Approved testing laboratory." Any testing facility which is

15 determined by rule and regulation of the department to have

16 adequate personnel and expertise to carry out the testing of

17 insulation material.

1 "Department." The Department of Labor and Industry.

2 "Insulation material." Any material placed within or  
3 contiguous to a wall, ceiling or floor of a room or building, or  
4 contiguous to the surface of any appliance or its intake or  
5 outtake mechanism, for the purpose of reducing heat transfer and  
6 thus the energy requirements for heating or cooling the building  
7 or operating the appliance or reducing adverse temperature  
8 fluctuations of the building, room or appliance.

9 "R-value." A measure of thermal resistance of material or  
10 composite materials. R-value as used herein is equal to the  
11 reciprocal of the conductance of a given material, or

$$\begin{array}{rcl} 12 & R\text{-value} = & 1 \\ 13 & & \hline 14 & & \text{conductance of the material} \end{array}$$

15 where the conductance of the material is: Btu/(hour x square  
16 feet x fahrenheit degree average temperature difference between  
17 two surfaces).

18 Section 3. Adoption of standards; elements; criteria.

19 The department shall, after one or more public hearings,  
20 adopt and publish insulation material standards governing the  
21 grade, quality and safety of all insulation material sold or  
22 installed within the Commonwealth, including but not limited to,  
23 the following characteristics:

24 (1) resistance to heat transfer (expressed in term of R-  
25 value of the material when installed under specified  
26 conditions);

27 (2) fire retardance;

28 (3) smoke spread;

29 (4) flame spread;

30 (5) moisture absorption;

- 1 (6) resistance to fungal growth;
- 2 (7) corrosiveness;
- 3 (8) starch content;
- 4 (9) density;
- 5 (10) odor emission; and
- 6 (11) flame resistance permanency.

7 The standards adopted shall insure that insulation material will  
8 effect significant energy savings and shall protect the health  
9 and welfare of the citizens of the Commonwealth. Such standards  
10 shall specify the initial performance of the material and the  
11 stability of performance over a period of time.

#### 12 Section 4. Application of standards.

13 Six months after such standards are adopted as regulations in  
14 accordance with the act of July 31, 1968 (P.L.769, No.240),  
15 known as the "Commonwealth Documents Law," no insulation  
16 material shall be sold or installed in the Commonwealth which  
17 has not been tested by an independent approved testing  
18 laboratory and certified by the department, or its authorized  
19 agents, as meeting such standards. The department shall  
20 designate or provide official tags for marking containers of  
21 certified insulation.

#### 22 Section 5. Labeling.

23 Six months after such standards are adopted as regulations in  
24 accordance with the act of July 31, 1968 (P.L.769, No.240),  
25 known as the "Commonwealth Documents Law," no insulation  
26 material shall be manufactured, sold, offered for sale, or  
27 exposed for sale within the Commonwealth in bulk, package or  
28 containers, unless the package or container in which the same  
29 shall be exposed or offered for sale shall have attached thereto  
30 a tag or label on which shall be plainly written or printed,

1 where applicable the following information relating to  
2 insulation:

- 3 (1) Thermal resistance.
- 4 (2) Composition of contents.
- 5 (3) Smoke spread rating.
- 6 (4) Flame spread rating.
- 7 (5) Weight of insulation.
- 8 (6) Corrosiveness.
- 9 (7) Moisture absorption.
- 10 (8) Starch content.
- 11 (9) Density.
- 12 (10) Odor emission.
- 13 (11) Flame resistance permanency.
- 14 (12) Installation instructions.

15 as determined by an independent approved testing laboratory.

16 Section 6. Department testing; inspection.

17 The department may conduct independent tests of insulation  
18 material in order to determine compliance with its adopted  
19 standards. The department may also conduct on site inspections  
20 of manufacturers, distributors and retailers of insulation  
21 material sold or installed within the Commonwealth in order to  
22 determine their compliance with this act.

23 Section 7. Penalties.

24 Any person who violates the provisions of the act shall be  
25 guilty of a misdemeanor of the third degree and upon conviction  
26 thereof shall be subject to imprisonment not to exceed one year  
27 or a fine not to exceed \$2,500, or both.

28 Section 8. Injunction.

29 Any person who violates or proposes to violate this act may  
30 be enjoined from so acting by any court of competent

1 jurisdiction. Actions for injunctions under this section shall  
2 be initiated by the Attorney General of the Commonwealth of  
3 Pennsylvania.

4 Section 9. Civil penalty.

5 In addition to any penalty imposed pursuant to section 7, any  
6 person who violates any provisions of this act may be liable for  
7 a civil penalty not to exceed \$2,500 for each violation, which  
8 may be assessed and recovered in a civil action brought in the  
9 name of the people of the Commonwealth of Pennsylvania by the  
10 Attorney General of the Commonwealth.

11 Section 10. Effective date.

12 This act shall take effect in 30 days.