



January 11, 2008

S. Richard Fedrizzi  
President and CEO  
U.S. Green Building Council  
1800 Massachusetts Avenue, NW  
Suite 300  
Washington, DC 20036

Dear Rick:

On behalf of the Vinyl Institute, Inc. (VI), I wanted to thank you for the frank and open discussion during our meeting of December 11, 2007. As in the past, The Vinyl Institute, its members and our entire supply chain would prefer to work with the USGBC toward the goal of reducing the environmental footprints of buildings. We have deep concerns, however, about the process and substance underlying the draft LEED-HC for Healthcare Rating System. Through its credit for reducing or eliminating halogenated compound-based materials, the rating encourages the elimination of vinyl or PVC materials in all health care facilities.

Indeed, rather than following the performance-based criteria that USGBC policy encourages, the draft proceeds to compound that error by endorsing a list of competing materials as substitutes. This endorsement plainly violates the precepts and findings of the February 2007 final *Assessment of the Technical Basis for a PVC-Related Materials Credit for LEED* and the work of USGBC's PVC Task Group or Technical Scientific and Advisory Committee (TSAC). The TSAC report recommended avoiding the "blunt instrument" of materials-based credits so that building material decision-makers would not be steered towards materials with potentially worst attributes. At issue was the astonishing lack of information about the environmental performance of competing materials.

We are not aware of any attempts to correct these data gaps, yet the USGBC is now endorsing these very same materials. We urge you to make public the results of any additional studies or tests on the materials recommended by the draft LEED-HC for Healthcare Rating system. In the absence of any additional scientific data supporting these endorsements, we demand that they be removed from the LEED-HC Healthcare Rating System in keeping with the recommendations of the TSAC report. You can see how these endorsements raise significant concerns within our industry, particularly given the competitive advantage such pronouncements tend to provide to USGBC members whose products compete with PVC

In this regard, we were quite surprised to learn at our December meeting that the USGBC does not intend for LEED ratings to be standards, but rather guidelines for building designers,

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architects and specifiers. Such intent notwithstanding, there can be no doubt that LEED ratings exercise a powerful influence in the marketplace: federal regulations have incorporated many of them by reference, as have the regulations of many States, and the ordinances of major cities. Yet, we are not aware of any USGBC efforts to correct this misperception by government entities or to discourage the rampant characterization of LEED as a standard. Indeed, we found references to LEED as a “standard” to be pervasive. While your statement may reflect some internal change of USGBC policy, a more public and overt stance is needed to overcome the USGBC’s pattern over the past decade of publicly positioning LEED as consensus standards.

Another consideration in our concerns about the prevailing view of LEED as a de facto standard for Green design and construction, particularly as it advocates the deselection of building-code approved materials, is its impact on the selection of building-code approved materials. For many years, the safety and performance of PVC building materials has been thoroughly studied and found to be acceptable by various standards-setting organizations.

Surely USGBC does not wish to undermine its LEED franchise or create liabilities for USGBC by inappropriately advocating the deselection of specific products while simultaneously promoting competing materials, particularly given the commercial interests of participating USGBC members. We respectfully urge USGBC to take affirmative steps to correct these mistakes.

Sincerely,

Timothy F. Burns  
President